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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2026–11786; Project Identifier MCAI–2026–00439–R; Amendment 39–23479; AD 2026–20–06]

RIN 2120–AA64

Airworthiness Directives; Airbus Helicopters Deutschland GmbH (AHD) Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for all Airbus Helicopters Deutschland GmbH (AHD) Model EC135P1, EC135P2, EC135P2+, EC135P3, EC135T1, EC135T2, EC135T2+, EC135T3, and EC635T2+ helicopters. This AD was prompted by a determination that in cases of loss of oil from the main gearbox (MGB), the low pressure caution or warning light might not activate. This AD requires revising the existing rotorcraft flight manual (RFM) for the helicopter by incorporating updated emergency, malfunction, and normal procedures. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective October 13, 2026.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of October 13, 2026.

The FAA must receive comments on this AD by November 12, 2026.

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–2026–11786; 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 European Union Aviation Safety Agency (EASA) material identified in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 8999 000; email: *ADs@easa.europa.eu;* website: *easa.europa.eu.*
- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 10101 Hillwood Parkway, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110. It is also available at *regulations.gov* under Docket No. FAA–2026–11786.

FOR FURTHER INFORMATION CONTACT: Anthony Kenward, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (817) 222–5257; email: *anthony.b.kenward@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 **ADDRESSES**. Include ''Docket No. FAA–2026–11786; Project Identifier MCAI–2026–00439–R'' at the beginning of your comments. The most helpful comments reference a specific portion of the final rule, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this final rule because of those comments.

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

EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2026–0080, dated April 17, 2026 (EASA AD 2026–0080) (also referred to as the MCAI), to correct an unsafe condition on all AHD Model EC135 P1, EC135 P2, EC135 P2+, EC135 P3, EC135 T1, EC135 T2, EC135 T2+, EC135 T3, EC635 P2+, EC635 T1, and EC635 T2+ helicopters. The MCAI states a determination was made that in a case of loss of oil from the MGB, the low pressure caution or warning light might not activate. The FAA is issuing this AD to prevent undetected loss of oil from the MGB. The unsafe condition, if not addressed, could result in failure of the MGB and loss of control of the helicopter.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2026–11786.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed EASA AD 2026–0080, which specifies procedures for implementing the updated emergency, malfunction, and normal procedures. As an alternate to updating the procedures, EASA AD 2026–0080 specifies procedures for amending the existing RFM for the helicopter by inserting a copy of the applicable RFM temporary revision. 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 (CAA) of another country and are approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, that authority has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA is issuing this AD after determining that the unsafe condition described previously is likely to exist or develop on other products of the same type design.

AD Requirements

This AD requires accomplishing the actions specified in EASA AD 2026–0080, described previously, as incorporated by reference, except for any differences identified as exceptions in the regulatory text of this AD. See ''Differences Between this AD and the MCAI'' for a discussion of the general differences included in this AD.

The owner/operator (pilot) holding at least a private pilot certificate may revise the existing RFM and must enter compliance into the helicopter maintenance records in accordance with 14 CFR 43.9(a) and 91.417(a)(2)(v). The pilot may perform this action because it only involves revising the RFM, which could be performed equally well by a pilot or mechanic. This is an exception to the FAA's standard maintenance regulations.

Differences Between This AD and the Referenced Material

The MCAI applies to AHD Model EC635 P2+ and EC635 T1, whereas this AD does not, because those models do not have an FAA type certificate.

Explanation of Required Compliance Information

In the FAA's ongoing efforts to improve the efficiency of the AD process, the FAA developed a process to use some CAA ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has been coordinating this process with manufacturers and CAAs. As a result, EASA AD 2026–0080 is incorporated by reference in this AD. This AD requires compliance with EASA AD 2026–0080 in its entirety through that incorporation, except for any differences identified as exceptions in the regulatory text of this AD. Using common terms that are the same as the heading of a particular section in EASA AD 2026–0080 does not mean that operators need to comply only with that section. For example, where the AD requirement refers to ''all required actions and compliance times,'' compliance with this AD requirement is not limited to the section titled ''Required Action(s) and Compliance Time(s)'' in EASA AD 2026–0080. Material required by EASA AD 2026–0080 for compliance will be available at *regulations.gov* under Docket No. FAA–2026–11786 after this AD is published.

Justification for Immediate Adoption and Determination of the Effective Date

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

An unsafe condition exists that requires the immediate adoption of this AD without providing an opportunity for public comments prior to adoption. The FAA has found that the risk to the flying public justifies forgoing notice and comment prior to adoption of this rule because the MGB is critical to the control of the helicopter, and without the low pressure caution or warning light being activated, the pilot would be unaware that the MGB was losing oil, which could cause the MGB to fail and lead to loss of control of the helicopter. Additionally, because failure of the MGB could occur during any phase of flight, the RFM procedures must be incorporated within 14 days or 50 hours time-in-service, whichever occurs first, after the effective date of this AD. These compliance times are shorter than the time necessary for the public to comment and for publication of the final rule. Accordingly, notice and opportunity for prior public comment are impracticable and contrary to the public interest pursuant to 5 U.S.C. 553(b).

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

Regulatory Flexibility Act

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

Interim Action

The FAA considers that this AD is an interim action. If final actions are later identified, the FAA might consider further rulemaking.

Costs of Compliance

The FAA estimates that this AD affects 106 helicopters of U.S. registry.

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

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Revise RFM	1 work-hour × $85 per hour = $85	$0	$85	$9,010

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:

2026–20–06 Airbus Helicopters Deutschland GmbH (AHD): Amendment 39–23479; Docket No. FAA–2026–11786; Project Identifier MCAI–2026–00439–R.

(a) Effective Date

This airworthiness directive (AD) is effective October 13, 2026.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all Airbus Helicopters Deutschland GmbH (AHD) Model EC135P1, EC135P2, EC135P2+, EC135P3, EC135T1, EC135T2, EC135T2+, EC135T3, and EC635T2+ helicopters.

Note 1 to paragraph (c): Helicopters with an EC135P3H designation are Model EC135P3 helicopters. Helicopters with an EC135T3H designation are Model EC135T3 helicopters.

(d) Subject

Joint Aircraft System Component (JASC) Code 6320, Main rotor gearbox.

(e) Unsafe Condition

This AD was prompted by a determination that in cases of loss of oil from the main gearbox (MGB), the low pressure caution or warning light might not activate. The FAA is issuing this AD to prevent undetected loss of oil from the MGB. The unsafe condition, if not addressed, could result in failure of the MGB and loss of control of the helicopter.

(f) Compliance

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

(g) Required Actions

(1) Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with European Union Aviation Safety Agency AD 2026–0080, dated April 17, 2026 (EASA AD 2026–0080).

(2) Insert the following language into the Normal section of the existing rotorcraft flight manual (RFM) for your helicopter: ''WARNING: Pilots must vigilantly monitor the main gearbox oil pressures and temperatures. Main gearbox oil loss could occur without triggering cautions, warnings, or audio alerts. Catastrophic failure of the main gearbox could result in severe aircraft damage, injury, or death.''

(3) The owner/operator (pilot) holding at least a private pilot certificate may revise the existing RFM for the helicopter, as required by this AD, and must enter compliance into the helicopter maintenance records in accordance with 14 CFR 43.9(a) and 91.417(a)(2)(v). The record must be maintained as required by 14 CFR 91.417, 121.380, or 135.439.

(h) Exceptions to EASA AD 2026–0080

(1) Where EASA AD 2026–0080 refers to its effective date, this AD requires using the effective date of this AD.

(2) Where EASA AD 2026–0080 refers to flight hours, this AD requires using hours time-in-service.

(3) Where paragraph (1) of EASA AD 2026–0080 specifies ''implement the updated procedures, as defined in this AD,'' this AD requires replacing that text with ''amend the existing RFM for the helicopter by inserting a copy of the RFM TR [temporary revision] specified in EASA AD 2026–0080''.

(4) This AD does not adopt paragraph (2) or the ''Remarks'' section of EASA AD 2026–0080.

(i) Alternative Methods of Compliance (AMOCs)

(1) The Manager, International Validation Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the International Validation Branch, send it to the attention of the person identified in paragraph (j) of this AD and email to: *AMOC@faa.gov.*

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(j) Additional Information

For more information about this AD, contact Anthony Kenward, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (817) 222–5257; email: *anthony.b.kenward@faa.gov.*

(k) Material Incorporated by Reference

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

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

(i) European Union Aviation Safety Agency (EASA) AD 2026–0080, dated April 17, 2026.

(ii) [Reserved]

(3) For EASA material identified in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 8999 000; email: *ADs@easa.europa.eu;* website: *easa.europa.eu.*

(4) You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 10101 Hillwood Parkway, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110.

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

Issued on September 22, 2026.

Paul R. Bernado,

Director, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2026–19757 Filed 9–25–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2026–1330; Project Identifier AD–2025–01687–T; Amendment 39–23474; AD 2026–20–01]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for certain The Boeing Company Model 787–8, 787–9, and 787–10 airplanes. This AD was prompted by a report that cargo liner joint sealing tape could be missing in particular areas on certain airplanes. The absence of this tape could allow a fire to propagate into the cabin. This AD requires a detailed inspection of these areas for the missing tape, and applicable on-condition actions. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective November 2, 2026.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of November 2, 2026.

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2026–1330; 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, any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

• For Boeing material identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminster Blvd., MC 110–SK57, Seal Beach, CA 90740–5600; telephone 562–797–1717; website *myboeingfleet.com*.

• You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available at *regulations.gov* under Docket No. FAA–2026–1330.

FOR FURTHER INFORMATION CONTACT: Julie Linn, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 206–231–3584; email: *julie.linn@faa.gov*.

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to The Boeing Company Model 787–8, 787–9, and 787–10 airplanes. The NPRM was published in the **Federal Register** on February 20, 2026 (91 FR 8147). The NPRM was prompted by a report indicating that Boeing Material Specification (BMS) 5–146 cargo liner joint sealing tape could be missing outboard of the left side and right side monuments forward of Door 1. In the NPRM, the FAA proposed to require a detailed inspection of the area located between the monuments, forward of Door 1 left side and right side, and the outer walls, for missing BMS5–146 cargo liner joint sealing tape, and applicable on-condition actions. The FAA is issuing this AD to address any missing cargo liner joint sealing tape.

Discussion of Final Airworthiness Directive

Comments

The FAA received comments from four commenters, including Air Line Pilots Association, International (ALPA), United Airlines (United), and two individuals, who supported the NPRM without change.

The FAA received additional comments from two commenters, including Qantas Airways and The Foundation for Aviation Safety. The following presents the comments received on the NPRM and the FAA's response to each comment.

Request To Consider Other Causes of the Unsafe Condition

Qantas presented a potential scenario where an airplane is delivered with the cargo liner joint sealing tape, and after a period of time in service the tape goes missing due to adhesion failure or other causes. To account for this scenario, Qantas reviewed the Boeing 787 Task Card Manual, Aircraft Maintenance Manual, and Maintenance Planning Document, but was unable to locate procedures for identifying missing tape on an in-service airplane. Qantas, therefore, asked whether the FAA had considered if the unsafe condition could be caused by other factors such as adhesion failure and if the existing 787 maintenance data is adequate.

The FAA determined that the unsafe condition of this AD was caused by a quality escape during airplane production, which was limited at most to the airplane serial numbers identified in the required Boeing service information. At this time, the FAA has not received any reports of loss of cargo liner joint sealing tape on in-service Boeing Model 787–8, 787–9, and 787–10 airplanes due to adhesion failure or other causes. If the FAA receives any such reports in the future, the FAA will evaluate the data to determine what corrective actions should be taken to address that potential scenario, as well as evaluate the adequacy of the 787 maintenance documents. No change was made to this AD as a result of this comment.

Request To Clarify Root Cause of the Unsafe Condition

The Foundation for Aviation Safety asked whether the root cause of the unsafe condition could be related to the removal of inspections and, if not, how the affected airplanes were identified.

The FAA determined that the unsafe condition of this AD was caused by a quality escape during airplane production. Boeing has since addressed the installation instruction issue that primarily contributed to the quality escape. Additionally, the Boeing quality system was able to identify the airplane serial numbers that may potentially be missing the cargo liner joint sealing tape. No change was made to this AD as a result of this comment.

Conclusion

The FAA reviewed the relevant data, considered any comments received, and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on these products. Except for minor editorial changes, this AD is adopted as proposed in the NPRM. None of the changes will increase the economic burden on any operator.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed Boeing Alert Requirements Bulletin B787–81205–SB530108–00 RB, Issue 001, dated November 5, 2025. This material specifies procedures for a detailed inspection of the area located between the monuments, forward of Door 1 left side and right side, and the outer walls, for missing BMS5–146 cargo liner joint sealing tape, and applicable on-condition actions. On-condition actions include installing cargo liner joint sealing tape on each affected location.

This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

Costs of Compliance

The FAA estimates that this AD affects 87 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Detailed inspection of area between monuments and outer walls.	1 work-hour × $85 per hour = $85.	$0	$85	$7,395

The FAA estimates the following costs to do any necessary repairs that would be required based on the results of the required inspection. The agency has no way of determining the number of aircraft that might need this repair:

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Install cargo liner joint sealing tape	Up to 21 work-hours × $85 per hour = $1,785	$100	Up to $1,885.

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

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

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

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

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

List of Subjects in 14 CFR Part 39

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

The Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2026–20–01 The Boeing Company Airplanes: Amendment 39–23474; Docket No. FAA–2026–1330; Project Identifier AD–2025–01687–T.

(a) Effective Date

This airworthiness directive (AD) is effective November 2, 2026.

(b) Affected ADs

None.

(c) Applicability

This AD applies to The Boeing Company Model 787–8, 787–9, and 787–10 airplanes, certificated in any category, as identified in Boeing Alert Requirements Bulletin B787–81205–SB530108–00 RB, Issue 001, dated November 5, 2025.

(d) Subject

Air Transport Association (ATA) of America Code 53, Fuselage.

(e) Unsafe Condition

This AD was prompted by a report that Boeing Material Specification (BMS) 5–146 cargo liner joint sealing tape could be missing outboard of the left side and right side monuments forward of Door 1. The FAA is issuing this AD to address any missing cargo liner joint sealing tape. The unsafe condition, if not addressed, could result in fire propagation from the lower lobe cheek area to the cabin over-ceiling space and compartments, potentially leading to loss of continued safe flight and landing.

(f) Compliance

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

(g) Required Actions

Except as specified by paragraph (h) of this AD: At the applicable times specified in the ''Compliance'' paragraph of Boeing Alert Requirements Bulletin B787–81205–SB530108–00 RB, Issue 001, dated November 5, 2025, do all applicable actions identified in, and in accordance with, the Accomplishment Instructions of Boeing Alert Requirements Bulletin B787–81205–SB530108–00 RB, Issue 001, dated November 5, 2025.

Note 1 to paragraph (g): Guidance for accomplishing the actions required by this AD can be found in Boeing Alert Service Bulletin B787–81205–SB530108–00, Issue 001, dated November 5, 2025, which is referred to in Boeing Alert Requirements

Bulletin B787–81205–SB530108–00 RB, Issue 001, dated November 5, 2025.

(h) Exceptions to Requirements Bulletin Specifications

Where the Compliance Time column of the table in the ''Compliance'' paragraph of Boeing Alert Requirements Bulletin B787–81205–SB530108–00 RB, Issue 001, dated November 5, 2025, refers to the Issue 001 date of Requirements Bulletin B787–81205–SB530108–00 RB, this AD requires using the effective date of this AD.

(i) Alternative Methods of Compliance (AMOCs)

(1) The Manager, AIR–520, Continued Operational Safety Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the Continued Operational Safety Branch, send it to the attention of the person identified in paragraph (j)(1) of this AD. Information may be emailed to: *AMOC@faa.gov.* Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(2) An AMOC that provides an acceptable level of safety may be used for any repair, modification, or alteration required by this AD if it is approved by The Boeing Company Organization Designation Authorization (ODA) that has been authorized by the Manager, AIR–520, Continued Operational Safety Branch, FAA, to make those findings. To be approved, the repair method, modification deviation, or alteration deviation must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

(j) Additional Information

(1) For more information about this AD, contact Julie Linn, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 206–231–3584; email: *julie.linn@faa.gov.*

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

(k) Material Incorporated by Reference

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

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

(i) Boeing Alert Requirements Bulletin B787–81205–SB530108–00 RB, Issue 001, dated November 5, 2025.

(ii) [Reserved]

(3) For Boeing material identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminster Blvd., MC 110–SK57, Seal Beach, CA 90740–5600; telephone 562–797–1717; website myboeingfleet.com.

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

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

Issued on September 23, 2026.

Brian Knaup,

Acting Deputy Director, Integrated Certificate Management Division, Aircraft Certification Service.

[FR Doc. 2026–19754 Filed 9–25–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2026–4630; Project Identifier MCAI–2025–01824–R; Amendment 39–23472; AD 2026–19–05]

RIN 2120–AA64

Airworthiness Directives; Hélicoptères Guimbal Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for certain Hélicoptères Guimbal (HG) Model Cabri G2 helicopters. This AD was prompted by a report of a potential malfunction of the helicopter emergency locator transmitter (ELT) and subsequent findings of weak ELT signals on 121.5 MHz and 406 MHz frequencies due to improper antenna installation (location). This AD requires revising the existing rotorcraft flight manual (RFM) for the helicopter. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective November 2, 2026.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of November 2, 2026

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2026–4630; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

• For Guimbal material identified in this AD, contact HG, 1070, rue du Lieutenant Parayre, Ae´rodrome d'Aix-en-Provence, 13290 Les Milles, France; phone: 33–04–42–39–10–88; email: *support@guimbal.com;* website: *guimbal.com.*

• You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 10101 Hillwood Parkway, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110. It is also available at *regulations.gov* under Docket No. FAA–2026–4630.

FOR FURTHER INFORMATION CONTACT: David Enns, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (316) 946–4147; email: *david.enns@faa.gov.*

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain HG Model Cabri G2 helicopters. The NPRM was published in the **Federal Register** on May 7, 2026 (91 FR 24752). The NPRM was prompted by European Union Aviation Safety Agency (EASA) AD 2025–0282, dated December 12, 2025 (EASA AD 2025–0282) (also referred to as the MCAI), issued by EASA, which is the Technical Agent for the Member States of the European Union. The MCAI states that a report of a potential malfunction of the helicopter ELT was received. Subsequent investigation revealed that due to improper antenna installation (location), the ELT produced a weaker signal than expected on 121.5 MHz and 406 MHz frequencies. The MCAI further states that both HG cockpit ELT antenna configurations are affected.

In the NPRM, the FAA proposed to require revising the existing RFM for the helicopter. The FAA is issuing this AD to address the unsafe condition on these products.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2026–4630.

Discussion of Final Airworthiness Directive

Comments

The FAA received a comment from one anonymous commenter. The following presents the comment received on the NPRM and the FAA's response to the comment.

Request for Mandatory ELT Antenna Modification.

The commenter requested that the FAA revise the NPRM to convert the optional ELT antenna modification into a requirement and also require a 6-month compliance time associated with the modification. The commenter stated that the limitation specified in the RFM treats the symptom instead of the root cause. The commenter also stated that the underlying issue is that the antenna was improperly located inside the cockpit, and that the unsafe condition will persist until the modification is completed. Additionally, the commenter stated the NPRM omits the deadline of completing the modification within 6 months, which opens the possibility that an affected aircraft continues to fly with a degraded ELT.

The FAA disagrees that the ELT antenna modification should be required. EASA and FAA regulations differ regarding when an ELT is required. Specifically, under 14 CFR 135.168, FAA regulations require an ELT for part 135 overwater operations. Once the revision of the RFM limitations section that is required by this AD has been completed, overwater operations are prohibited until the modification has been performed, thereby eliminating the operational context in which a functional ELT is mandated by FAA regulations. Regarding the commenter's request for a 6-month compliance time, the FAA notes that since the modification is optional, no compliance deadline is necessary. Operators who wish to resume part 135 overwater operations may complete the modification at their discretion. The FAA did not change this AD as a result of this comment.

Conclusion

These products have been approved by the civil aviation authority of another country and are approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, that authority has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA reviewed the relevant data, considered the comment received, and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on these products. Except for minor editorial changes and the addition of section 6 Final Steps of Guimbal Mandatory Service Bulletin SB 25–006 B, dated December 12, 2025 (Guimbal SB 25–006 B) to the optional terminating action, this AD is adopted as proposed in the NPRM. None of the changes will increase the economic burden on any operator.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed Guimbal SB 25–006 B, which specifies procedures for discarding the VHF2 antenna and associated parts from service (if installed), modifying the ELT antenna, which includes relocating the ELT antenna from inside the cockpit to an exterior location, relocating and installing a new VHF2 antenna (if installed), torquing nuts, installing cotter pins, trimming the cowlings, routing the ELT antenna cable, repairing the engine cowl honeycomb, and paint touch-ups.

This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the ADDRESSES section.

Differences Between This AD and the MCAI

The MCAI specifies updating the RFM to insert a RFM temporary revision in the limitation section, whereas this AD does not.

The MCAI requires the modification of the ELT to be completed within 6 months, whereas this AD does not.

Costs of Compliance

The FAA estimates that this AD affects 70 helicopters of U.S. registry.

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

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Revise RFM	1 work-hour × $85 per hour = $85	$0	$85	$5,950

The FAA estimates the following costs to do the optional modification. The agency has no way of determining the number of helicopters that might need this modification:

OPTIONAL COSTS

Action	Labor cost	Parts cost	Cost per product
Modify ELT antenna	3.5 work-hours × $85 per hour = $298	Up to $1,000	Up to $1,298.

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

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

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

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

List of Subjects in 14 CFR Part 39

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

The Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2026–19–05 Hélicoptères Guimbal: Amendment 39–23472; Docket No. FAA–2026–4630; Project Identifier MCAI–2025–01824–R.

(a) Effective Date

This airworthiness directive (AD) is effective November 2, 2026.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Hélicoptères Guimbal (HG) Model Cabri G2 helicopters having serial numbers (S/N) 1003 to 1389, except S/N 1383 and 1388, certificated in any category.

(d) Subject

Joint Aircraft System Component (JASC) Code 2562, Emergency locator beacon.

(e) Unsafe Condition

This AD was prompted by a report of a potential malfunction of the helicopter emergency locator transmitter (ELT) and subsequent findings of weak ELT signals on 121.5 MHz and 406 MHz frequencies due to improper antenna installation (location). The FAA is issuing this AD to address the safety risk posed by weak ELT signal transmissions. The unsafe condition, if not addressed, could impair the ability to detect a distress signal during a helicopter emergency, which could delay the arrival of rescue services and timely medical assistance to injured occupants.

(f) Compliance

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

(g) Required Actions

Within 30 days after the effective date of this AD, revise the limitations section of the existing rotorcraft flight manual (RFM) for the helicopter by inserting the following text: ''For Cabri G2 not equipped with the external ELT antenna: Operations conducted overwater under 14 CFR part 135 are prohibited pursuant to 14 CFR 135.168''.

(1) Inserting a copy of this AD into the limitation section of the RFM satisfies the requirements of paragraph (g) of this AD.

(2) The owner/operator (pilot) holding at least a private pilot certificate may revise the existing RFM for the helicopter and must enter compliance into the helicopter maintenance records in accordance with 14 CFR 43.9(a) and 91.417(a)(2)(v). The record must be maintained as required by 14 CFR 91.417, 121.380, or 135.439.

(h) Optional Terminating Action

(1) For internal ELT antenna helicopters, as a terminating action, you may modify the ELT antenna and relocate and install a new VHF2 antenna (if installed) in accordance with section 2 ELT Antenna Installation through section 4 Engine Cowl Honeycomb Repair and section 6 Final Steps of Guimbal Mandatory Service Bulletin SB 25–006 B, dated December 12, 2025 (Guimbal SB 25–006 B), except as provided in paragraphs (h)(1)(i) and (ii) of this AD.

(i) Instead of discarding parts, you must remove those parts from service.

(ii) Where Guimbal SB 25–006 B uses the term check, this AD requires doing an inspection.

(2) Upon completion of paragraph (h)(1) of this AD, revise the RFM by removing the limitation identified in paragraph (g) of this AD.

(i) Alternative Methods of Compliance (AMOCs)

(1) The Manager, International Validation Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the International Validation Branch, send it to the attention of the person identified in paragraph (j) of this AD and email to *AMOC@faa.gov.*

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(j) Additional Information

For more information about this AD, contact David Enns, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (316) 946–4147; email: *david.enns@faa.gov.*

(k) Material Incorporated by Reference

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

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

(i) Guimbal Mandatory Service Bulletin SB 25–006 B, dated December 12, 2025.

(ii) [Reserved]

(3) For Guimbal material identified in this AD, contact Hélicoptères Guimbal, 1070, rue du Lieutenant Parayre, Aérodrome d'Aix-en-Provence, 13290 Les Milles, France; phone: +33–4–42–39–10–88; email: *support@guimbal.com;* website: guimbal.com.

(4) You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 10101 Hillwood Parkway, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110.

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

Issued on September 17, 2026.

Hollister B. Thorson,

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

[FR Doc. 2026–19761 Filed 9–25–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2026–11784; Project Identifier MCAI–2026–00700–A; Amendment 39–23473; AD 2026–19–06]

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 P2006T airplanes. This AD was prompted by a report of partial detachment of the left aileron due to a missing hinge pin. This AD requires a one-time detailed visual inspection of the affected aileron hinges for damage (cracks, warping of the hinges or hinge pin, scratched paint, missing or broken torque stripe, etc.) and cotter pins for improper installation

and, depending on the findings, applicable corrective action. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective October 13, 2026. The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of October 13, 2026. The FAA must receive comments on this AD by November 12, 2026.

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–2026–11784; 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 997538; email: *technical.support@tecnam.com;* website: *tecnam.com*.
- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 1100 Main, Kansas City, MO 64105. 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–2026–11784.

FOR FURTHER INFORMATION CONTACT: Anthony Kenward, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (817) 222–5152; email: *anthony.b.kenward@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–2026–11784; Project Identifier MCAI–2026–00700–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 Anthony Kenward, 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 2026–0124, dated July 1, 2026 (also referred to as the MCAI), to correct an unsafe condition on certain Tecnam Model P2006T and P2006T NG airplanes. The MCAI states that an occurrence was reported of partial detachment of the left aileron of a Tecnam Model P2006T airplane. The initial investigation revealed that the hinge pin of the outboard hinge was missing, resulting in partial detachment of the aileron. Further investigation revealed that the hinge pin could have migrated out from the aileron hinge assembly due to a missing or broken cotter pin, which allowed the outboard aileron hinge halves to separate. Based on design, there should be a cotter pin installed on the ends of the hinge pins to secure their position. During further fleet inspections on two other airplanes, broken and improperly installed cotter pins were found, and cracks were discovered in some of the aileron hinges. This could result in a migrated hinge pin which, if not detected and corrected, could lead to detachment of an aileron, possibly resulting in loss of control of the airplane. The MCAI requires a one-time detailed visual inspection of the affected aileron hinges for cracks or damage and cotter pins for improper installation and, depending on the findings, applicable corrective action.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2026–11784.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed Tecnam Service Bulletin No. SB 995–CS–Ed. 1 Rev. 2, dated September 18, 2026 (Tecnam SB 995–CS–Ed. 1 Rev. 2). This material specifies procedures for performing a one-time detailed visual inspection of the inboard and outboard aileron hinges and associated cotter pins to check the hinges for cracks or damage and the cotter pins for proper installation and integrity (*e.g.,* installed at both ends of each hinge pin, heads firmly seated with no evidence of looseness). This material also specifies procedures for replacing and securing discrepant cotter pins and contacting Tecnam for further instructions if cracked or damaged aileron hinges are found. 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 applies to Tecnam Model P2006T NG airplanes, but this AD does not because this model does not have an FAA type certificate.

The MCAI and referenced material specify 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 instead 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.

Although Tecnam SB 995–CS–Ed. 1 Rev. 2 specifies reporting certain information to the manufacturer, this AD does not require that reporting.

Interim Action

The FAA considers that this AD is an interim action. If final action is later identified, the FAA might consider further rulemaking.

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 prior 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 the finding of good cause.

An unsafe condition exists that requires the immediate adoption of this AD without providing an opportunity for public comments prior to adoption. The FAA has found that the risk to the flying public justifies forgoing notice and comment prior to adoption of this rule. Missing aileron hinges or cotter pins, and cracked, damaged, or improperly installed aileron hinges or cotter pins can allow hinge pins to migrate out of the hinge assembly, which could result in detachment of the aileron. This represents a single-point failure with the potential for a catastrophic event, as detachment of a primary flight-control surface could result in loss of roll control, loss of airplane controllability, and loss of the airplane and occupants. Additionally, the compliance time in this AD is shorter than the time necessary for the public to comment before publication of the final rule. Accordingly, notice and opportunity for prior public comment are impracticable and contrary to the public interest pursuant to 5 U.S.C. 553(b).

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

Regulatory Flexibility Act

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

Costs of Compliance

The FAA estimates that this AD affects 102 airplanes of U.S. registry.

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

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Detailed visual inspection of both inboard and outboard aileron hinges.	1 work-hour × $85 per hour = $85	$0	$85	$8,670

The FAA estimates the following costs to do any necessary replacement that would be required based on the results of the inspection. The agency has no way of determining the number of airplanes that might need this replacement:

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Installation of cotter pin.	1 work-hour × $85 per hour = $85	$1 per cotter pin	$86 per affected cotter pin.

The on-condition hinge repair that may be needed as a result of the inspection could vary from airplane to airplane. The FAA has received no data to determine the costs to accomplish the repair or the number of airplanes that may require hinge repair.

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:

2026–19–06 Costruzioni Aeronautiche Tecnam S.P.A.: Amendment 39–23473; Docket No. FAA–2026–11784; Project Identifier MCAI–2026–00700–A.

(a) Effective Date

This airworthiness directive (AD) is effective October 13, 2026.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Costruzioni Aeronautiche Tecnam S.P.A. (Tecnam) Model P2006T airplanes, certificated in any category, serial numbers (S/N) 001 through 434 and S/N 442.

(d) Subject

Joint Aircraft System Component (JASC) Code 2710, Aileron Control System.

(e) Unsafe Condition

This AD was prompted by a report of partial detachment of the left aileron due to a missing hinge pin. The FAA is issuing this AD to detect and address cracks, damage, or improper installation of the aileron hinges and cotter pins. The unsafe condition, if not addressed, could lead to detachment of an aileron, possibly resulting in loss of control of the airplane.

(f) Compliance

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

(g) Required Actions

(1) Within 25 flight hours or 30 days, whichever occurs first after the effective date of this AD, perform a one-time detailed visual inspection of the inboard and outboard aileron hinges of the left and right ailerons for damage (cracks, warping of the hinges or hinge pin, scratched paint, missing or broken torque stripe, etc.), and inspect the cotter pins installed at both ends of each hinge pin for improper installation and evidence of looseness, in accordance with steps N 4 and 5 of the Accomplishment Instructions in Tecnam Service Bulletin No. SB 995–CS-Ed. 1 Rev. 2, dated September 18, 2026 (Tecnam SB 995–CS-Ed. 1 Rev. 2).

(2) If, during the inspection required by paragraph (g)(1) of this AD, no discrepancy affecting a cotter pin or crack or damage of an aileron hinge is found, no further action is required by this AD.

(3) If, during the inspection required by paragraph (g)(1) of this AD, any discrepancy affecting a cotter pin is found, before further flight, replace and secure the cotter pin, in accordance with step N 6 of the Accomplishment Instructions in Tecnam SB 995–CS-Ed. 1 Rev. 2.

(4) If, during the inspection required by paragraph (g)(1) of this AD, any crack or damage is found on an aileron hinge, before further flight, contact the Manager, International Validation Branch, FAA; or European Union Aviation Safety Agency (EASA); or Tecnam's EASA Design Organization Approval (DOA) for approved corrective instructions. If approved by the DOA, the approval must include the DOA-authorized signature. Accomplish the approved corrective instructions accordingly.

(h) No Reporting Requirement

Although Tecnam SB 995–CS-Ed. 1 Rev. 2 specifies to submit information to the manufacturer, this AD does not require that action.

(i) Credit for Previous Actions

This paragraph provides credit for actions required by paragraph (g) of this AD, if those actions were performed before the effective date of this AD using Tecnam Service Bulletin No. SB 995–CS-Ed. 1 Rev. 0, dated April 21, 2026, or Tecnam Service Bulletin No. SB 995–CS-Ed. 1 Rev. 1, dated August 25, 2026.

(j) 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 (k)(1) 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.

(k) Additional Information

(1) For more information about this AD, contact Anthony Kenward, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (817) 222–5152; email: *anthony.b.kenward@faa.gov.*

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

(l) Material Incorporated by Reference

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

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

(i) Tecnam Service Bulletin No. SB 995–CS-Ed. 1 Rev. 2, dated September 18, 2026.

(ii) [Reserved]

(3) For Tecnam material identified in this AD, contact Costruzioni Aeronautiche Tecnam S.P.A., Via Maiorise, 81043 Capua CE, Italy; phone: +39 0823 997538; email: *technical.support@tecnam.com;* website: *tecnam.com.*

(4) You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 1100 Main, Kansas City, MO 64105. 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 September 21, 2026.

Hollister B. Thorson,

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

[FR Doc. 2026–19760 Filed 9–25–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–3991; Project Identifier MCAI–2025–00365–R; Amendment 39–23469; AD 2026–19–02]

RIN 2120–AA64

Airworthiness Directives; Airbus Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for certain Airbus Helicopters Model EC 130 T2 helicopters. This AD was prompted by the determination that helicopter operators received main rotor blades (MRB) that are not certified to be

installed on their helicopters and thus, without instructions for continued airworthiness, cannot be properly maintained. This AD requires replacing the affected parts with serviceable parts and prohibits installing the affected MRBs on Airbus Helicopters Model EC 130 T2 helicopters. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective November 2, 2026.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of November 2, 2026.

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2025–3991; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

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

• You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 10101 Hillwood Parkway, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110. It is also available at *regulations.gov* under Docket No. FAA–2025–3991.

FOR FURTHER INFORMATION CONTACT: Shailesh Malla, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (817) 222–5584; email: *shailesh.malla@faa.gov*.

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain Airbus Helicopters Model EC 130 T2 helicopters. The NPRM was published in the **Federal Register** on November 18, 2025 (90 FR 51605). The NPRM was prompted EASA AD 2025–0062, dated March 20, 2025 (EASA AD 2025–0062) (also referred to as the MCAI), issued by EASA, which is the Technical Agent for the Member States of the European Union. The MCAI states that part number (P/N) 355A11003002 [manufacturer reference 355A11–0030–02] MRBs were delivered to EC 130 T2 helicopter operators; these affected MRBs are not certified for installation on Model EC 130 T2 helicopters. The MCAI further states that a comprehensive set of instructions for continued airworthiness is not available, thus these MRBs cannot be maintained properly.

In the NPRM, the FAA proposed to require replacing the affected parts with serviceable parts and to prohibit installing the affected MRBs on Model EC 130 T2 helicopters. The FAA is issuing this AD to prevent MRB failure due to not maintaining uncertified MRBs. This condition, if not addressed, could result in loss of control of the helicopter.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2025–3991.

Discussion of Final Airworthiness Directive

Comments

The FAA received comments from the Citizens Rulemaking Alliance. The following presents the comments received on the NPRM and the FAA's response to each comment.

Request To Justify Forgoing Notice and Comment or Issue an NPRM

The Citizens Rulemaking Alliance requested that the FAA either provide its justification for finding good cause to bypass notice and comment procedures and a shortened effective date or convert this action to an NPRM with an expedited comment period and consider interim mitigations that maintain safety. The commenter asserted the FAA has not adequately justified use of the good cause exemption to bypass notice and comment and the 30-day delayed effective date.

The FAA notes the comment was submitted in response to an NPRM for which the FAA provided a 45-day comment period. This final rule is effective 35 days after its publication in the **Federal Register**. Therefore, the FAA did not change this AD as a result of this comment.

Request To Comply With the Paperwork Reduction Act (PRA)

The Citizens Rulemaking Alliance requested that the FAA revise the AD to comply with the PRA if reporting is required or remove any reporting provisions until PRA requirements are satisfied.

The FAA notes this AD does not require reporting. If an AD were to require reporting, the preamble of the AD would include a paragraph titled ''Paperwork Reduction Act'' that would provide the applicable OMB control number, required PRA statements, and the estimated time to collect the required information (burden). Any costs associated with the reporting requirement would be included in the Costs of Compliance section in the preamble of the AD. Therefore, the FAA did not change this AD as a result of this comment.

Request To Make Incorporation by Reference (IBR) Materials Reasonably Available

The Citizens Rulemaking Alliance stated that the FAA's current practices for IBR frequently fail to meet the legal and regulatory standards for reasonable availability. The commenter called on the FAA to coordinate with Airbus Helicopters to ensure that all IBR materials are easily and freely accessible to the public and affected parties for both commenting and compliance purposes. The commenter also requested that this access be documented in the rulemaking record.

The FAA notes that this AD incorporates by reference EASA AD 2025–0062, not the manufacturer service information referenced in that EASA AD. The FAA posted EASA AD 2025–0062 to the AD docket when the NPRM was published in the **Federal Register**. The material referenced in EASA AD 2025–0062 may only be posted before the final rule's publication if it is already publicly available or if there is written consent from the owner of that material. Additionally, the FAA provided notice in the NPRM that the material referenced in EASA AD 2025–0062 will be available in the AD docket after this AD is published. Therefore, the FAA did not change this AD as a result of this comment.

Request To Supplement the AD Docket With Supporting Data

The Citizens Rulemaking Alliance requested that the FAA add to the AD docket the MCAI, service information summaries, the incident data, and the economic analysis. The commenter also requested that the comment period be reopened and effective date extended to allow meaningful participation.

The FAA does not agree. The FAA has assessed and disclosed the background and basis for this rulemaking in the preamble of the NPRM, including a discussion of the MCAI that is being incorporated by reference, a description of the unsafe condition, and the FAA's rationale for the required actions. The preamble of the NPRM also contained the regulatory evaluation, as is the FAA's practice rather than including it as a separate document in the AD docket. This information was available to the public during the 45-day comment period provided by the NPRM. Since the FAA has assessed and disclosed the basis for this rulemaking in the preamble of the NPRM and the commenter did not provide additional safety data for the FAA to consider in its analysis, it is not necessary to provide additional information in the AD docket.

Request To Consider Impact on Small Entities

The Citizens Rulemaking Alliance requested that the FAA either provide the factual basis for its Regulatory Flexibility Act (RFA) certification that the AD will not have a significant economic impact on a substantial number of small entities or prepare a detailed initial regulatory flexibility analysis that considers alternatives (phased compliance times, extended intervals, or alternative inspection methods) for small entities.

The FAA has considered the AD's impact on small businesses and provides the following factual basis for its RFA certification.

The Regulatory Flexibility Act of 1980, Public Law 96–354, 94 Stat. 1164 (5 U.S.C. 601–612), as amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104–121, 110 Stat. 857, Mar. 29, 1996) and the Small Business Jobs Act of 2010 (Public Law 111–240, 124 Stat. 2504, Sept. 27, 2010), requires Federal agencies to consider the effects of the regulatory action on small business and other small entities and to minimize any significant economic impact. The term ''small entities'' comprises small businesses and 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.

Small Entities to Which This AD Applies

The FAA used the definition of small entities in the RFA for this analysis. The RFA defines small entities as small businesses, small governmental jurisdictions, or small organizations. In 5 U.S.C. 601(3), the RFA defines ''small business'' to have the same meaning as ''small business concern'' under section 3 of the Small Business Act. The Small Business Act authorizes the Small Business Administration (SBA) to define ''small business'' by issuing regulations.

The SBA has established size standards for various types of economic activities, or industries, under the North American Industry Classification System (NAICS). These size standards generally define small businesses based on the number of employees or annual receipts. The following table provides the SBA size standards for all industries with at least one entity impacted by this AD. Note that the SBA definition of a small business applies to the parent company and all affiliates as a single entity.

SMALL BUSINESS SIZE STANDARDS

NAICS	NAICS description	SBA size standard
311919	Other Snack Food Manufacturing	1,250 Employees.
481211	Nonscheduled Chartered Passenger Air Transportation	1,500 Employees.
481212	Nonscheduled Chartered Freight Air Transportation	1,500 Employees.
487990	Scenic and Sightseeing Transportation, Other	$34,000,000.
488190	Other Support Activities for Air Transportation	$40,000,000.
532411	Commercial Air, Rail, and Water Transportation Equipment Rental	$47,000,000.
532411	Commercial Air, Rail, and Water Transportation Equipment Rental	$47,000,000.
611512	Pilot Training	1,500 Employees.
621910	Ambulance Services	$22,500,000.
721120	Casino Hotels	$47,000,000.

To identify small entities, the FAA first identified the primary NAICS of the entity or parent company, and then used data from different sources (*e.g.,* company annual reports, Bureau of Transportation Statistics) to determine whether the entity meets the applicable size standard. The following table provides the estimated number of small entities.

ESTIMATED NUMBER OF SMALL ENTITIES

NAICS description	SBA size threshold	Number of entities	Number of aircraft [1]	Small entities	Percent small entities
Other Snack Food Manufacturing	1,250 Employees	1	1	0	0
Nonscheduled Chartered Passenger Air Transportation.	1,500 Employees	36	47	0	0
Nonscheduled Chartered Freight Air Transportation.	1,500 Employees	1	1	0	0
Scenic and Sightseeing Transportation, Other.	$34,000,000	4	22	2	50
Other Support Activities for Air Transportation.	$40,000,000	2	2	2	100
Commercial Air, Rail, and Water Transportation Equipment Rental.	$47,000,000	2	4	0	0
Pilot Training	1,500 Employees	1	1	1	100
Ambulance Services	$22,500,000	8	60	0	0

ESTIMATED NUMBER OF SMALL ENTITIES—Continued

NAICS description	SBA size threshold	Number of entities	Number of aircraft [1]	Small entities	Percent small entities
Casino Hotels	$47,000,000	1	1	0	0

[1] There are a total of 139 aircraft, of which 9 are identified as foreign owned, 18 are owned by small businesses, 79 are not identifiable as owned by small businesses, and 33 have no identifying information available.

Projected Reporting, Recordkeeping, and Other Compliance Requirements

The FAA estimates the low compliance cost for this AD at $106,581 per aircraft and the high cost per aircraft at $319,743. The following table provides the estimated cost by each affected entity and corresponding NAICS industry.

COST OF COMPLIANCE PER SMALL ENTITY

Category	Annual revenue	Low cost	High cost	Low cost as percent of revenue	High cost as percent of revenue
Scenic and Sightseeing Transportation, Other	$19,750,000	$1,385,553	$4,156,659	7.02	21.05
Scenic and Sightseeing Transportation, Other	26,180,000	213,162	639,486	0.81	2.44
Other Support Activities for Air Transportation	250,000	106,581	319,743	42.63	127.90
Other Support Activities for Air Transportation	3,800,000	106,581	319,743	2.80	8.41
Pilot Training	1,550,000	106,581	319,743	6.88	20.63

Significant Alternatives Considered

The FAA evaluated the alternative of not promulgating this AD but ultimately deemed that this alternative would create a significant safety hazard. This AD was prompted by reports that MRBs not certified for installation on Model EC 130 T2 helicopters were delivered to EC 130 T2 helicopter operators. Because a comprehensive set of instructions for continued airworthiness is not available, these MRBs cannot be maintained properly. The FAA is issuing this AD to address the unsafe condition on these products.

Conclusion

These products have been approved by the civil aviation authority of another country and are approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, that authority has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA reviewed the relevant data, considered any comments received, and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on these products. Except for minor editorial changes, this AD is adopted as proposed in the NPRM. None of the changes will increase the economic burden on any operator.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed EASA AD 2025–0062, which specifies procedures for replacing the affected MRBs with serviceable MRBs P/N 355A11003004 [manufacturer reference 355A11–0030–04]. EASA AD 2025–0062 also prohibits the installation of the affected MRB on a helicopter. This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

Costs of Compliance

The FAA estimates that this AD affects 139 helicopters of U.S. registry.

The FAA estimates the following costs to comply with this AD. The FAA has no data to determine the number of helicopters that might need to replace the MRB.

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Replace MRB (up to three per helicopter).	1 work-hour × $85 per hour = $85 (per MRB).	$106,496 (per MRB)	$106,581 (per MRB), $319,743 (up to three MRBs).	$14,814,759 (minimum 1 MRB per helicopter), $44,444,277 (maximum three MRBs per helicopter).

[1] The FAA estimated that affected operators will incur $85 in costs per labor hour, which is the weighted average fiscal year (FY) 2026 fully loaded wage of an aircraft mechanic ($69.85) working 60 percent of the labor hours and a general and operations manager ($108.15) working 40 percent of the labor hours. The FAA estimated these wages by taking the average of the FY 2024 Bureau of Labor Statistics (BLS) air transportation industry average wage for aircraft mechanics and general and operations managers (See: Occupational Employment and Wage Statistics Query System, BLS (May 2024), *data.bls.gov/oes/*); multiplying each wage by a fringe benefit factor of 1.42 (See: Employer Cost for Employee Compensation—December 2024, BLS (2024), *bls.gov/news.release/archives/ecec_03142025.pdf*), and adjusting these 2024 wages to 2026 dollars using an implicit Gross Domestic Product (GDP) Price Deflator of 2.8 percent (See: Gross Domestic Product: Implicit Price Deflator, FRED (2026) *fred.stlouisfed.org/series/GDPDEF*).

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:

2026–19–02 Airbus Helicopters: Amendment 39–23469; Docket No. FAA–2025–3991; Project Identifier MCAI–2025–00365–R.

(a) Effective Date

This airworthiness directive (AD) is effective November 2, 2026.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Airbus Helicopters Model EC 130 T2 helicopters, certificated in any category, that were delivered before September 23, 2024.

(d) Subject

Joint Aircraft System Component (JASC) Code 6210, Main rotor blades.

(e) Unsafe Condition

This AD was prompted by the determination that helicopter operators received main rotor blades (MRB) that are not certified to be installed on their helicopters and thus, without instructions for continued airworthiness, cannot be properly maintained. The FAA is issuing this AD to prevent MRB failure due to not maintaining uncertified MRBs, which, if not addressed, could result in loss of control of the helicopter.

(f) Compliance

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

(g) Requirements

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, European Union Aviation Safety Agency AD 2025–0062, dated March 20, 2025 (EASA AD 2025–0062).

(h) Exceptions to EASA AD 2025–0062

(1) Where EASA AD 2025–0062 requires compliance in terms of flight hours, this AD requires using hours time-in-service.

(2) Where EASA AD 2025–0062 refers to its effective date, this AD requires using the effective date of this AD.

(3) This AD does not adopt the ''Remarks'' section of EASA AD 2025–0062.

(i) Alternative Methods of Compliance (AMOCs)

(1) The Manager, International Validation Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the International Validation Branch, send it to the attention of the person identified in paragraph (j) of this AD and email to: *AMOC@faa.gov.*

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(j) Additional Information

For more information about this AD, contact Shailesh Malla, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (817) 222–5584; email: *shailesh.malla@faa.gov.*

(k) Material Incorporated by Reference

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

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

(i) European Union Aviation Safety Agency (EASA) AD 2025–0062, dated March 20, 2025.

(ii) [Reserved]

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

(4) You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 10101 Hillwood Parkway, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110.

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

Issued on September 16, 2026.

Hollister B. Thorson,

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

[FR Doc. 2026–19758 Filed 9–25–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–3997; Project Identifier AD–2025–01471–T; Amendment 39–23471; AD 2026–19–04]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for all The Boeing Company Model 777–200, –200LR, –300, –300ER, and 777F series airplanes. This AD was prompted by a report of an overheated alternating current motor pump (ACMP) that caused a fire in the main landing gear (MLG) wheel well. This AD requires a records check or inspection for any installed ACMP with a certain part number and applicable on-condition actions. This AD also prohibits the installation of affected parts. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective November 2, 2026.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of November 2, 2026.

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2025–3997; 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, any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

- For Boeing material identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminster Blvd., MC 110–SK57, Seal Beach, CA 90740–5600; telephone 562–797–1717; website *myboeingfleet.com*.
- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available at *regulations.gov* under Docket No. FAA–2025–3997.

FOR FURTHER INFORMATION CONTACT:
Joshua Baek, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 562–627–6725; email: *joshua.y.baek@faa.gov.*

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to all The Boeing Company Model 777–200, –200LR, –300, –300ER, and 777F series airplanes. The NPRM was published in the **Federal Register** on November 17, 2025 (90 FR 51216). The NPRM was prompted by a report from an operator of a fire in the MLG wheel well on a Model 777 airplane. A subsequent investigation found that the cause of the fire was an overheated ACMP. Further investigation found that a lock washer and nut were missing from a moving contact in the related electrical load control unit (ELCU). The missing lock washer and nut left the main contact operator bar unrestrained and in a position that let two-phase power go to the ACMP, which caused the ACMP to overheat, leak hydraulic fluid, and subsequently start a fire in the MLG wheel well. As a result, the design of the ACMP has been modified to include fusible links as a new feature to prevent the ACMP overheat if one of the electrical phases fails. Additionally, the manufacturer has determined that part number (P/N) 731966 on continuous two-phase power application may cause the pump to overheat and ignite a fire in the wheel well. P/N 731966 can be subjected to a single failure of the ELCU that results in continuous two-phase power application with no ability to remove power. In the NPRM, the FAA proposed to require a records check or inspection for any installed ACMP with a certain part number and applicable on-condition actions. The FAA is issuing this AD to address a single failure of the ELCU in the ACMP. This condition, if not addressed, could result in the ACMP overheating and igniting a fire in the wheel well and consequent damage to the airplane, loss of continued safe flight and landing and/or personnel injury.

Discussion of Final Airworthiness Directive

Comments

The FAA received comments from Boeing and the Air Line Pilots Association, International (ALPA) who supported the NPRM without change.

The FAA also received comments from Air Canada, American Airlines (American), FedEx, the Citizens Rulemaking Alliance, and United Airlines (United). The following presents those comments and the FAA's response.

Request To Delay Issuance of the AD

United requested that the FAA either delay issuance of the proposed AD until related ADs for the Boeing Model 757 and Model 767 airplanes are ready for publication or assist Boeing with expediting the release of the applicable service bulletins for those airplane models, which United said were scheduled to be released in the second quarter of 2026. United stated it operates Boeing Model 757, 767, and 777 airplanes that all utilize ACMP P/N 731966, and that the new ACMP P/N 3033115–100 is currently applicable only to the Model 767 and Model 777 airplanes, while the Model 757 airplanes are limited to ACMP P/N 731966. United Airlines stated this could create an internal compliance challenge due to the inability to fully transition away from ACMP P/N 731966 since that part is required for the Model 757 airplanes.

The FAA acknowledges the commenter's concern but disagrees with the request. The FAA has determined that it is necessary to prohibit installation of any affected part on any Model 777 airplane as of the effective date of this AD, and that delaying issuance of this AD would allow affected parts installed on affected airplanes before the effective date of this AD to remain on those airplanes longer, which could affect the safety of the affected fleet. Further, the FAA does not consider it appropriate to delay issuance while awaiting new service information for other airplane models that are not applicable to this AD. However, Boeing recently released the service bulletins for the Model 757 and Model 767, including the Model 747, airplanes in March 2026 allowing operators to bring their entire fleet into compliance. The FAA may issue additional rulemaking mandating these service bulletins. The FAA did not change this AD as a result of this comment.

Request To Add Grace Period for Part Installation Prohibition

American requested that the FAA revise paragraph (i) of the proposed AD to include a 6-month grace period before the parts installation prohibition becomes effective. American stated that a 6-month grace period, representing approximately 10 percent of the total compliance time, would allow operators to obtain sufficient inventory of upgraded ACMPs to support airplane operational requirements and reduce the risk of part shortages in the event of in-service failures. American also noted that Boeing Fleet Team Digest (FTD) 777 FTD–29–21001, referenced in Boeing Alert Service Bulletin 777–29A0047, dated September 11, 2025, incorporates steps into the aircraft maintenance manual requiring an ELCU installation test at all locations where an ELCU is removed or installed, which would validate the integrity and safe operation of the ELCU providing power to ACMP P/N 731966.

The FAA acknowledges American's concern but disagrees with the request. ACMP P/N 731966 can be modified to the new acceptable ACMP configuration in accordance with the Eaton Aerospace service information referenced in Boeing Alert Requirements Bulletin 777–29A0047 RB, dated September 11, 2025. Therefore, the FAA has determined that sufficient parts should be available to support compliance with the requirements of this AD. In addition, including a grace period increases the possibility that an affected part could be installed on an airplane after the effective date of this AD. The FAA did not change this AD as a result of this comment.

Request To Use an Alternative Part Number

FedEx requested that the FAA revise paragraph (h)(2) of the proposed AD to include ACMP P/N 66133–04 as an acceptable replacement part for P/N 3033115–100. FedEx stated that the Boeing 777 illustrated parts catalog (IPC) identifies multiple ACMP part numbers as eligible for installation, including P/N 66133–04, which is an earlier version of P/N 66133–06. FedEx noted P/N 66133–04 has been installed on several of its affected airplanes because the IPC shows it is an eligible alternative.

The FAA disagrees with the request. Although ACMP P/N 66133–04 is not subject to the identified unsafe condition, the FAA has determined that installation of that part is not acceptable for compliance with this AD. In a separate investigation that was not determined to be a safety issue, P/N 66133–04 was found not to comply with certain certification requirements. P/N 66133–06 is the redesigned ACMP that complies with those certification requirements. Boeing has informed the FAA that references to the interchangeability of P/N 3033115–100 with P/N 66133–04 will be removed from future revisions of the IPC. Although the FAA has not mandated the removal of, or prohibited the installation of, P/N 66133–04, it is not appropriate to specify that part as an acceptable replacement for compliance with this AD. The FAA did not change this AD as a result of this comment.

Request To Revise the Applicability of the Parts Installation Prohibition

FedEx requested that the FAA revise paragraph (i) of the proposed AD to state that ACMP P/N 731966 may not be installed on any ''Boeing Model 777 series'' airplane, instead of ''any airplane.'' FedEx stated the phrase ''on any airplane'' could be interpreted as prohibiting the installation of P/N 731966 on all airplane models. FedEx noted there are currently 433 ACMPs having P/N 731966 installed on its fleet of Boeing Model 757 and Model 767 airplanes, and it does not have sufficient spare P/N 3033115–100 or approved alternatives available for replacement on those airplanes.

The FAA disagrees with the request. No change is necessary because the requirements of this AD, including the parts prohibition in paragraph (i), apply only to the airplanes identified in paragraph (c) of this AD.

Request To Clarify Compliance Time for the Parts Installation Prohibition

Air Canada requested clarification as to whether paragraph (i) of the proposed AD would require replacement of an already installed ACMP having P/N 731966 as of the effective date of the AD, or whether the prohibition would apply only to new installations occurring after the effective date. As an example, the commenter asked whether a serviceable P/N 731966 may be installed on an airplane if there is a maintenance emergency that requires replacement of an ACMP after the AD is effective but before the 60-month compliance time required by the AD.

The FAA provides the following response. If an ACMP having P/N 731966 has been installed on an airplane identified in paragraph (c) of this AD before the effective date of this AD, it must be replaced within 60 months after the effective date of this AD. However, any ACMP installed on any airplane after the effective date of this AD must be an acceptable part number. In the commenter's example, a serviceable P/N 731966 may not be installed on the airplane.

Request To Justify Forgoing Notice and Comment or Issue an NPRM

The Citizens Rulemaking Alliance requested that the FAA either provide its justification for finding good cause to bypass notice and comment procedures, or convert this action to an NPRM with a 30- to 60-day comment and delay the effective date for airplanes not at immediate risk. The commenter asserted the FAA has not adequately justified use of the good cause exemption to bypass notice and comment and the 30-day delayed effective date.

The FAA notes the comment was submitted in response to an NPRM for which the FAA provided a 45-day comment period. This final rule is effective 35 days after its publication in the **Federal Register**. Therefore, no change to this AD is necessary.

Request To Make Incorporation by Reference (IBR) Materials Reasonably Available

The Citizens Rulemaking Alliance requested that the FAA make IBR material available and free to the public during the comment period and add the IBR materials to the AD docket.

In the preamble of the NPRM, the FAA notified the public that the IBR material would be available for review under Docket No. FAA–2025–3997 at *regulations.gov*. This material was posted to the AD docket on November 17, 2025. Therefore, no change to this AD is necessary.

Request To Comply With the Paperwork Reduction Act (PRA)

The Citizens Rulemaking Alliance requested that the FAA revise the AD to confirm that the AD complies with the PRA. If the AD does not comply with the PRA, the commenter requested that the FAA remove or stay any reporting requirements until the AD complies with the PRA.

The FAA notes this AD does not require reporting. If an AD were to require reporting, the preamble of the AD would include a paragraph titled ''Paperwork Reduction Act'' that would provide the applicable OMB control number, required PRA statements, and the estimated time to collect the required information (burden). Any costs associated with the reporting requirement would be included in the Costs of Compliance section in the preamble of the AD. Therefore, the FAA did not change this AD as a result of this comment.

Request To Consider Impact on Small Entities

The Citizens Rulemaking Alliance requested that the FAA either prepare an initial regulatory flexibility analysis, or provide the factual basis for its conclusion that the AD will not have a significant economic impact on a substantial number of small entities.

The FAA has considered the AD's impact on small businesses and provides the following factual basis for its RFA certification.

The Regulatory Flexibility Act of 1980, Pub. L. 96–354, 94 Stat. 1164 (5 U.S.C. 601–612), as amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121, 110 Stat. 857, Mar. 29, 1996) and the Small Business Jobs Act of 2010 (Pub. L. 111–240, 124 Stat. 2504, Sept. 27, 2010), requires Federal agencies to consider the effects of the regulatory action on small business and other small entities and to minimize any significant economic impact. The term ''small entities'' comprises small businesses and 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.

Need for and Objectives of the Rule

The FAA is adopting a new AD for all The Boeing Company Model 777–200, –200LR, –300, –300ER, and 777F series airplanes. This AD was prompted by a report of an overheated ACMP that caused a fire in the MLG wheel well. This AD requires a records check or inspection for any installed ACMP with a certain part number and applicable on-condition actions. This AD also prohibits the installation of affected parts. The FAA is issuing this AD to address the unsafe condition on these products.

Small Entities to Which the Rule Will Apply

The FAA used the definition of small entities in the RFA for this analysis. The RFA defines small entities as small businesses, small governmental jurisdictions, or small organizations. In 5 U.S.C. 601(3), the RFA defines ''small business'' to have the same meaning as ''small business concern'' under section 3 of the Small Business Act. The Small Business Act authorizes the Small Business Administration (SBA) to define ''small business'' by issuing regulations.

The SBA (2023) has established size standards for various types of economic activities, or industries, under the North American Industry Classification System (NAICS). These size standards generally define small businesses based on the number of employees or annual receipts. The following table shows the SBA size standards for all industries with at least one (1) impacted entity.[1] Note that the SBA definition of a small business applies to the parent company and all affiliates as a single entity.

SMALL BUSINESS SIZE STANDARDS *

NAICS code	NAICS description	Threshold
336411	Aircraft Manufacturing	1,500 employees.
336413	Other Aircraft Part and Auxiliary Equipment Manufacturing	1,500 employees.
481111	Scheduled Passenger Air Transportation	1,500 employees.
481112	Scheduled Freight Air Transportation	1,500 employees.
481211	Nonscheduled Chartered Passenger Air Transportation	1,500 employees.
481219	Other Nonscheduled Air Transportation	1,500 employees.
532411	Commercial Air, Rail, and Water Transportation Equipment Rental and Leasing	$40,000,000.
541614	Process, Physical Distribution and Logistics Consulting Services	$20,000,000.
927110	Federal Agency	50,000 employees.

* Source: SBA (2023).

To identify small entities, the FAA first identified the primary NAICS of the entity or parent company, and then used data from different sources (*e.g.,* company annual reports, Bureau of Transportation Statistics) to determine whether the entity meets the applicable size standard. The following table provides a summary of the results.

ESTIMATED NUMBER OF SMALL ENTITIES

NAICS code	NAICS description	Number of entities	Small business entities	Effected aircraft	Percent small entities
336411	Aircraft Manufacturing	1	0	0	0.00
336413	Other Aircraft Part and Auxiliary Equipment Manufacturing	1	1	34	100.00
481111	Scheduled Passenger Air Transportation	5	1	2	20.00
481112	Scheduled Freight Air Transportation	4	0	0	0.00
481219	Other Nonscheduled Air Transportation	2	0	0	0.00
532411	Commercial Air, Rail, and Water Transportation Equipment Rental and Leasing.	7	2	16	28.57
541614	Process, Physical Distribution and Logistics Consulting Services	1	1	1	100.00
927110	Federal Agency	1	0	0	0.00

Projected Reporting, Recordkeeping, and Other Compliance Requirements

The FAA estimates affected entities will incur an inspection cost of $170 per airplane. Based upon the results of the inspection, operators could incur replacement costs of $77,099. If an operator were to incur all inspection and replacement costs, the FAA estimates each operator would incur $77,269 per airplane. The FAA analyzes the cost of inspection costs as the low case for each small entity. The high case includes both inspection and replacement costs for each small entity. The following table displays the small entity case burdens percentage for compliance based on annual revenue for each operator and their associated NAICS industry.

NUMBER OF SMALL ENTITIES AFFECTED BY INDUSTRY AND COST SIGNIFICANCE *

NAICS code **	Description	Number of affected small entities	Number of aircraft	Annual revenue	Low cost (%)	High cost (%)
336413	Other Aircraft Part and Auxiliary Equipment Manufacturing.	1	34	$56,000,000	0.01	4.69
481111	Scheduled Passenger Air Transportation	1	2	7,470,000	0.00	2.07
532411	Commercial Air, Rail, and Water Transportation Equipment Rental and Leasing.	1	1	26,040,000	0.00	0.30
532411	Commercial Air, Rail, and Water Transportation Equipment Rental and Leasing.	1	15	12,200,000	0.02	9.50

[1] The FAA does not have entity data, or the entity was identified as a foreign business on 17 of the 290 affected airplanes. Those airplanes are excluded from this analysis.

NUMBER OF SMALL ENTITIES AFFECTED BY INDUSTRY AND COST SIGNIFICANCE *—Continued

NAICS code **	Description	Number of affected small entities	Number of aircraft	Annual revenue	Low cost (%)	High cost (%)
541614	Process, Physical Distribution and Logistics Consulting Services.	1	1	4,800,000	0.00	1.61

* Sources: SBA (2023); Dun & Bradstreet. D&B Hoovers. Retrieved April 28, 2024. *app.hoovers.dnb.com.; ZoomInfo*. ZoomInfo Technologie Inc. Retrieved April 28, 2024. *zoominfo.com*.

** **Note:** NAICS codes with only one entity would be the number of aircraft. Average aircraft affected are rounded.

Significant Alternatives Considered

The FAA is adopting a new AD for all The Boeing Company Model 777–200, –200LR, –300, –300ER, and 777F series airplanes. This AD was prompted by a report of an overheated ACMP that caused a fire in the MLG wheel well. This AD requires a records check or inspection for any installed ACMP with a certain part number and applicable on-condition actions. This AD also prohibits the installation of affected parts. No alternatives were considered as the FAA is issuing this AD to address the unsafe condition on these products.

Request To Provide Additional Cost Information

The Citizens Rulemaking Alliance requested that the FAA add to the docket the economic analysis underlying the FAA's determination that the AD is not significant under Executive Order 12866 and not applicable to the Unfunded Mandates Reform Act. The commenter stated the cost analysis should include the number of affected U.S.-registered airplanes, labor hour assumptions, parts costs, expected airplane downtime, and aggregate costs.

In the Costs of Compliance section of the proposed AD, the FAA disclosed the number of affected airplanes on the U.S. registry, estimated number of work hours and parts costs provided by the manufacturer, and the aggregate costs. Additionally, the FAA considered the impact that this AD will have on affected operators and determined this AD will not trigger any downtime costs because the requirements of this AD can be performed during regularly scheduled maintenance.

Further, the FAA has determined that the current labor rate of $85 per hour remains accurate for this AD. The FAA evaluates this rate periodically, based on U.S. Department of Labor Statistic (BLS) data found at *https://data.bls.gov/oes,* and will change the rate when appropriate. The FAA used a blended wage rate to estimate the labor rate for this AD, where the FAA assumes 60 percent weight for aircraft mechanics (at a fully burdened mean wage rate of $69.85 per hour) and 40 percent for general and operations managers (at a fully burdened mean wage rate of $108.15 per hour). To calculate the blended wage rate, the FAA multiplied each wage rate by its corresponding weight and added up the products to obtain a wage rate of $85.17, which the FAA rounded down to $85.

Since the FAA has assessed and disclosed all known costs of the AD requirements in the Costs of Compliance section of the proposed AD, and the commenter did not provide additional cost data for the FAA to consider in its cost analysis, the FAA determined that the existing analysis is complete. Based upon the analysis provided throughout the proposed AD and in the previous comment response, the FAA certifies that this AD is not a ''significant regulatory action'' under Executive Order 12866. The FAA did not change this AD as a result of this comment.

Conclusion

The FAA reviewed the relevant data, considered any comments received, and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on these products. Except for minor editorial changes, this AD is adopted as proposed in the NPRM.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed Boeing Alert Requirements Bulletin 777–29A0047 RB, dated September 11, 2025. This material specifies procedures for a records check or inspection for any installed ACMP with P/N 731966 and applicable on-condition actions. On-condition actions include replacing any ACMP P/N 731966 with ACMP P/N 3033115–100 or later approved ACMP part number at affected locations. This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

Costs of Compliance

The FAA estimates that this AD affects 334 airplanes of U.S. registry, and that the inspection/records review is required for 290 of those airplanes. The FAA estimates the following costs to comply with this AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspection/Records review	2 work-hours × $85 per hour = $170	$0	$170	$49,300

The FAA estimates the following costs to do any necessary replacements that would be required based on the results of the inspection. The agency has no way of determining the number of aircraft that might need this replacement:

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Replacement	5 work-hours × $85 per hour = $425	Up to $76,674	Up to $77,099.

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

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

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

(2) Will not affect intrastate aviation in Alaska.

List of Subjects in 14 CFR Part 39

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

The Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2026–19–04 The Boeing Company: Amendment 39–23471; Docket No. FAA–2025–3997; Project Identifier AD–2025–01471–T.

(a) Effective Date

This airworthiness directive (AD) is effective November 2, 2026.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all The Boeing Company Model 777–200, –200LR, –300, –300ER, and 777F series airplanes, certificated in any category.

(d) Subject

Air Transport Association (ATA) of America Code 29, Hydraulic Power.

(e) Unsafe Condition

This AD was prompted by a report of an overheated alternating current motor pump (ACMP) that caused a fire in the main landing gear (MLG) wheel well. A subsequent investigation found that the cause of the fire was an overheated ACMP. Further investigation found that a lock washer and nut were missing from a moving contact in the related electrical load control unit (ELCU). The FAA is issuing this AD to address a single failure of the ELCU in the ACMP. The unsafe condition, if not addressed, could result in the ACMP overheating and igniting a fire in the wheel well and consequent damage to the airplane, loss of continued safe flight and landing and/or personnel injury.

(f) Compliance

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

(g) Required Actions

Except as specified by paragraph (h) of this AD: At the applicable times specified in the ''Compliance'' paragraph of Boeing Alert Requirements Bulletin 777–29A0047 RB, dated September 11, 2025, do all applicable actions identified in, and in accordance with, the Accomplishment Instructions of Boeing Alert Requirements Bulletin 777–29A0047 RB, dated September 11, 2025.

Note 1 to paragraph (g): Guidance for accomplishing the actions required by this AD can be found in Boeing Alert Service Bulletin 777–29A0047, dated September 11, 2025, which is referred to in Boeing Alert Requirements Bulletin 777–29A0047 RB, dated September 11, 2025.

(h) Exceptions to Requirements Bulletin Specifications

(1) Where the Compliance Time column of the table in the ''Compliance'' paragraph of Boeing Alert Requirements Bulletin 777–29A0047 RB, dated September 11, 2025, refer to the original issue date of Requirements Bulletin 777–29A0047 RB, this AD requires using the effective date of this AD.

(2) Where Boeing Alert Requirements Bulletin 777–29A0047 RB, dated September 11, 2025, refers to part number 3033115–100 as a replacement part, for this AD, part numbers 66133–06 or 66068–08 are also acceptable replacement parts.

(i) Parts Installation Prohibition

As of the effective date of this AD, no person may install any ACMP, having part number 731966, on any airplane.

(j) Alternative Methods of Compliance (AMOCs)

(1) The Manager, AIR–520, Continued Operational Safety Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the Continued Operational Safety Branch, send it to the attention of the person identified in paragraph (k)(1) of this AD. Information may be emailed to: *AMOC@faa.gov.* Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(2) An AMOC that provides an acceptable level of safety may be used for any repair, modification, or alteration required by this AD if it is approved by The Boeing Company Organization Designation Authorization (ODA) that has been authorized by the Manager, AIR–520, Continued Operational Safety Branch, FAA, to make those findings. To be approved, the repair method, modification deviation, or alteration deviation must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

(k) Additional Information

(1) For more information about this AD, contact Joshua Baek, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 562–627–6725; email: *joshua.y.baek@faa.gov.*

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

(l) Material Incorporated by Reference

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

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

(i) Boeing Alert Requirements Bulletin 777–29A0047 RB, dated September 11, 2025.

(ii) [Reserved]

(3) For Boeing material identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminster Blvd., MC 110–SK57, Seal Beach, CA 90740–5600; telephone 562–797–1717; website *myboeingfleet.com*.

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

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

Issued on September 16, 2026.

Brian Knaup,

Acting Deputy Director, Integrated Certificate Management Division, Aircraft Certification Service.

[FR Doc. 2026–19751 Filed 9–25–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2026–7213; Project Identifier MCAI–2026–00150–E; Amendment 39–23470; AD 2026–19–03]

RIN 2120–AA64

Airworthiness Directives; Safran Helicopter Engines, S.A. Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is superseding Airworthiness Directive (AD) 2023–15–03 for all Safran Helicopter Engines, S.A. (Safran) Model Arrius 2B2 engines. AD 2023–15–03 required revising the airworthiness limitations section (ALS) of the existing engine maintenance manual (EMM) or instructions for continued airworthiness (ICA) and the existing approved maintenance or inspection program, as applicable, by incorporating the actions and associated thresholds and intervals, including life limits. Since the FAA issued AD 2023–15–03, the manufacturer has revised the ALS of the existing maintenance and overhaul manuals, introducing new and more restrictive instructions and maintenance tasks. This AD requires updating the ALS of the existing EMM or ICA and the existing approved maintenance or inspection program, as applicable, by incorporating the actions and associated thresholds and intervals, including life limits. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective November 2, 2026.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of November 2, 2026.

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2026–7213; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

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

• You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 1200 District Avenue, Burlington, MA 01803. For information on the availability of this material at the FAA, call (817) 222–5110. It is also available at *regulations.gov* under Docket No. FAA–2026–7213.

FOR FURTHER INFORMATION CONTACT: William McNicholas, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (781) 238–7776; email: *william.v.mcnicholas@faa.gov*.

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to supersede AD 2023–15–03, Amendment 39–22515 (88 FR 51223, August 3, 2023), (AD 2023–15–03). AD 2023–15–03 applied to all Safran Model Arrius 2B2 engines. AD 2023–15–03 required revising the ALS of the existing EMM or ICA and the existing approved maintenance or inspection program, as applicable, by incorporating the actions and associated thresholds and intervals, including life limits. The FAA issued AD 2023–15–03 to prevent failure of life-limited parts, which if not addressed, could result in failure of one or more engines, loss of thrust control, and loss of the helicopter.

The NPRM was published in the **Federal Register** on July 10, 2026 (91 FR 42680). The NPRM was prompted by EASA AD 2026–0027, dated February 11, 2026 (EASA AD 2026–0027) (also referred to as the MCAI), issued by EASA, which is the Technical Agent for the Member States of the European Union. The MCAI states the manufacturer published a revised ALS introducing new and more restrictive tasks and limitations for certain life-limited parts. The more restrictive tasks and limitations include replacing life-limited parts before exceeding the applicable life limit, performing applicable maintenance tasks, and revising the approved aircraft maintenance program.

In the NPRM, the FAA proposed to require updating the ALS of the existing EMM or ICA and the existing approved maintenance or inspection program, as applicable, by incorporating the actions and associated thresholds and intervals, including life limits.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2026–7213.

Discussion of Final Airworthiness Directive

Comments

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

Conclusion

These products have been approved by the civil aviation authority of another country and are approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, that authority has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA reviewed the relevant data, considered any comments received, and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on these products. Except for minor editorial changes, this AD is adopted as proposed in the NPRM.

None of the changes will increase the economic burden on any operator.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed EASA AD 2026–0027, which specifies instructions for accomplishing the actions specified in the applicable ALS, including replacing life-limited parts, performing maintenance tasks, and revising the existing approved aircraft maintenance program by incorporating the limitations, tasks, and associated thresholds and intervals described in the ALS.

This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

Differences Between This AD and the MCAI

Where paragraph (3) of EASA AD 2026–0027 specifies revising the Aircraft Maintenance Programme within 12 months after the effective date of EASA AD 2026–0027, this AD requires revising the ALS of the existing approved engine maintenance or inspection program, as applicable, within 90 days after the effective date of this AD.

Costs of Compliance

The FAA estimates that this AD affects 212 engines installed on helicopters of U.S. registry.

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

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Revise the ALS	1 work-hour × $85 per hour = $85	$0	$85	$18,020

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

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

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

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

List of Subjects in 14 CFR Part 39

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

The Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by:

■ a. Removing Airworthiness Directive 2023–15–03, Amendment 39–22515 (88 FR 51223, August 3, 2023); and

■ b. Adding the following new airworthiness directive:

2026–19–03 Safran Helicopter Engines, S.A.: Amendment 39–23470; Docket No. FAA–2026–7213; Project Identifier MCAI–2026–00150–E.

(a) Effective Date

This airworthiness directive (AD) is effective November 2, 2026.

(b) Affected ADs

This AD replaces AD 2023–15–03, Amendment 39–22515 (88 FR 51223, August 3, 2023).

(c) Applicability

This AD applies to all Safran Helicopter Engines, S.A. Model Arrius 2B2 engines.

(d) Subject

Joint Aircraft System Component (JASC) Code 7200, Engine (Turbine/Turboprop).

(e) Unsafe Condition

This AD was prompted by the manufacturer revising the airworthiness limitations section of the existing engine maintenance manual, introducing new and more restrictive tasks and limitations for certain life-limited parts. The FAA is issuing this AD to prevent failure of life-limited parts. The unsafe condition, if not addressed, could result in failure of one or more engines, loss of thrust control, and loss of the helicopter.

(f) Compliance

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

(g) Required Actions

(1) Except as specified in paragraph (h) of this AD, perform all required actions within the compliance times specified in, and in accordance with, European Union Aviation Safety Agency AD 2026–0027, dated February 11, 2026 (EASA AD 2026–0027).

(2) The action required by paragraph (g)(1) of this AD may be performed by the owner/operator (pilot) holding at least a private pilot certificate and must be entered into the aircraft records showing compliance with this AD in accordance with 14 CFR 43.9(a) and 91.417(a)(2)(v). The record must be maintained as required by 14 CFR 91.417, 121.380, or 135.439.

(h) Exceptions to EASA AD 2026–0027

(1) Where EASA AD 2026–0027 refers to its effective date, this AD requires using the effective date of this AD.

(2) This AD does not require compliance with paragraphs (1), (2), (4), and (5) of EASA AD 2026–0027.

(3) Where paragraph (3) of EASA AD 2026–0027 specifies ''Within 12 months after the effective date of this AD, revise the approved AMP,'' this AD requires replacing that text with ''Within 90 days after the effective date of this AD, revise the airworthiness limitations section of the existing engine maintenance manual or instructions for continued airworthiness and the existing

approved maintenance or inspection program, as applicable.''

(4) This AD does not adopt the ''Remarks'' section of EASA AD 2026–0027.

(i) Provisions for Alternative Actions and Intervals

After performing the actions required by paragraph (g) of this AD, no alternative actions and associated thresholds and intervals, including life limits, are allowed unless they are approved as specified in the provisions of the ''Ref. Publications'' section of EASA AD 2026–0027.

(j) Alternative Methods of Compliance (AMOCs)

(1) The Manager, International Validation Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the International Validation Branch, send it to the attention of the person identified in paragraph (k) of this AD and email to: *AMOC@faa.gov.*

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(k) Additional Information

For more information about this AD, contact William McNicholas, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (781) 238–7776; email: *william.v.mcnicholas@faa.gov.*

(l) 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) European Union Aviation Safety Agency (EASA) AD 2026–0027, dated February 11, 2026.

(ii) [Reserved].

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

(4) You may view this material at FAA, Airworthiness Products Section, Operational Safety Branch, 1200 District Avenue, Burlington, MA 01803. For information on the availability of this material at the FAA, call (817) 222–5110.

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

Issued on September 16, 2026.

Hollister B. Thorson,

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

[FR Doc. 2026–19762 Filed 9–25–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 91

[Docket No.: FAA–2026–12343]

Notice of Policy Change and Rescission of Single-Pilot Training Exemptions for Certain Cessna Aircraft

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Policy statement.

SUMMARY: Based on safety concerns and a review that revealed widespread non-compliance with the exemptions, the FAA is announcing its decision to cease issuing exemptions that allow certain Cessna aircraft that require two pilots to operate as a single-pilot operation, and notifying current exemption holders that their exemptions will be rescinded by separate action. This notice also serves to inform pilots who obtained single-pilot endorsements from training providers that held exemptions that they must cease single-pilot operations in aircraft that require two pilots under the regulations as they have no relief from the regulations.

DATES: The policy described herein is effective September 29, 2026.

FOR FURTHER INFORMATION CONTACT: For technical questions concerning this policy notice, contact AFS–810, Training and Certification Group, 800 Independence Ave. SW, Washington, DC 20591; email: *9-AFS-800-Correspondence@faa.gov.*

SUPPLEMENTARY INFORMATION:

Background

Under § 91.9(a) of Title 14 Code of Federal Regulations (14 CFR), no person may operate an aircraft without complying with the operating limitations specified for that aircraft. If the operating limitations in an aircraft's type certificate data sheet (TCDS) require that the aircraft be flown by a crew of two pilots, then a pilot in command (PIC) and second in command (SIC) are required per § 91.9.[1] Further, under 14 CFR 91.531(a)(2), if an airplane is a ''large aircraft'' (as defined by FAA regulations at 14 CFR 1.1 as an aircraft weighing over 12,500 pounds), then the aircraft cannot by regulation be operated without a person designated as SIC.[2]

The Cessna Citation CE–500 series of airplanes are unique because some variants of the CE–500 (CE–501 and CE–551) are certificated under 14 CFR part 23, while other variants (CE–500, CE–550 and CE–560) are certificated under 14 CFR part 25. The Part 25 Cessna Citation CE–500 series of airplanes are type certificated for operation by two pilots. Additionally, because these variants meet the definition of large airplane, an SIC is required under § 91.531(a)(2). The Part 23 CE–500 variants are required by the type certificate to be flown with an SIC unless the aircraft has additional equipment specified in the limitation section of the FAA-approved Aircraft Flight Manual (AFM).

The FAA has been issuing exemptions to allow the single-pilot operation of transport category CE–500 variants, which must be flown by two pilots pursuant to regulation, for over forty years, subject to certain conditions and limitations (C&Ls). The FAA issued the first CE–500 single-pilot exemption to Cessna Aircraft Company in 1984.[3] In granting the original exemption, the FAA explained in response to commenters' concerns about safety that there was no data that specifically showed a degradation of safety between single-pilot operations in Part 23 CE–500 aircraft and two-pilot operations in Part 25 CE–500 aircraft. The FAA also stated that a grant of exemption would serve the public interest by providing operators with increased operating flexibility and reduced economic burdens and would provide the FAA with data that could be used to help assess the need for general rulemaking.

Eventually, the FAA began granting exemptions to training providers conducting training under 14 CFR parts 61, 141, and 142. These exemptions permitted these training providers to provide training and checking and issue a logbook endorsement to pilots that allows the pilot to conduct single-pilot operations in CE–500 aircraft that would otherwise require a second pilot. The FAA notes that these exemptions are complicated by the fact that the regulatory relief provided from §§ 91.9 and 91.531 is required by the pilot

[1] Section 91.531(a)(1) similarly requires that no person may operate any airplane that is type certificated for more than one pilot or without a pilot designated as second in command (SIC).

[2] Section 91.531(b) contains exceptions from the SIC requirements in § 91.531(a)(2) if the airplane is certificated for operation with one pilot.

[3] Exemption No. 4050, Docket No. 23771.

operating the aircraft, not the training provider who holds the exemption.

The following table shows all variants of the CE–500 airplane currently covered by the single-pilot exemptions.

TABLE—CE–500 VARIANTS COVERED BY SINGLE-PILOT EXEMPTION

Cessna model	Number of required pilots
Transport Category (weighing more than 12,500 lbs)	
Model 500—Citation and Citation I	2
Model 550—Citation II	2
Model S550—Citation S/II	2
Model 552, Navy T–47A	2
Model 560—Citation V and Citation Ultra	2
Model 550—Bravo	2
Model 560—Encore	2
Model 560—Encore+	2

In 2024, the FAA began an in-depth review of compliance based on information discovered that non-exemption holders were offering training under another entity's exemption. The FAA found numerous instances of non-compliance with the C&Ls by holders of these exemptions. These acts of non-compliance include incomplete records, conducting required flight training in an advanced aviation training device contrary to the C&Ls, and improper checks by designated pilot examiners (DPEs) that included falsified records.[4] As a result, 13 of the 14 Part 61 exemption holders were denied an extension or had their exemption rescinded either for failing to respond to information requests or for non-compliance with the C&Ls.

In addition to the widespread non-compliance described above, a review of CE–500 accidents over the last 18 years indicates that, even with conservative assumptions about crew configuration, Part 25 CE–500 aircraft operated with a single pilot are involved in approximately twice the rate[5] of accidents as Part 23 CE–500, 510 and 525 aircraft flown with a single pilot. This data undermines the threshold requirement for issuance of an exemption, namely that the relief would provide an equivalent level of safety or result in no adverse impact on safety.[6] The FAA also notes a fatal accident occurred on May 22, 2025 (NTSB WPR25FA161), that involved a CE–500 single-pilot operation that killed six on board the aircraft and injured eight others on the ground. The FAA determined that the pilot of the aircraft had received an improper check six months before the accident by a DPE employed by a Part 61 exemption holder. The accident is still under investigation, and a probable cause has yet to be determined.

Additionally, another accident took place in Statesville, NC on December 18, 2025 (NTSB WPR26MA063), in which the pilot of that aircraft, a CE–500 variant that required two pilots under the regulations, was operating without a qualified SIC on board. The accident is still under investigation, and a probable cause has yet to be determined.

In addition to these concerns, the FAA has determined that the exemptions to training providers present safety oversight issues for the agency. Unlike other exemptions that grant relief to the operator of a flight on behalf of a pilot involved in the operation, the CE–500 exemption holders have no ongoing involvement with the pilots exercising the relief to operate as a single pilot. The FAA distinguishes the CE–500 exemption from exemptions granted to air carriers on behalf of the air carrier and its pilots[7] and exemptions where the exemption holder is responsible for the operations for which the pilot requires relief. In those circumstances, the exemption holder maintains responsibility for the pilot, and a loss of exemption to the operator prevents the pilot from continuing to exercise the relief independently.

Conversely, under the CE–500 exemptions, the relief granted to the training provider is required only by the pilot operating the aircraft. The training provider has no ongoing involvement with the operation for which the relief is required; thus, the pilot exercising the relief is likely unaware when the exemption expires or is terminated and may continue to conduct operations for which no relief exists, resulting in regulatory noncompliance.

Disposition

Due to the recent safety concerns, the widespread non-compliance that has been identified, and the overarching problems associated with granting relief to training providers on behalf of pilots for whom they have no ongoing operational relationship, the FAA has determined that cessation of the CE–500 single-pilot exemptions is warranted.

The FAA announces in this notice that it will cease issuing this exemption to training providers who petition for relief on behalf of pilots seeking to operate the CE–500 contrary to the aircraft's operating limitations. The FAA finds that these exemptions do not provide an equivalent level of safety to the regulations and are no longer in the public interest. For those training providers who currently hold a valid exemption, the FAA is issuing rescissions following publication of this notice, effectively ending their current exemptions. The FAA is also advising all pilots who hold logbook endorsements authorizing them to operate a CE–500 aircraft as a single pilot that with the termination of the exemption relief, their logbook endorsement is no longer valid, and they must comply with the requirements of §§ 91.9 and 91.531. Accordingly, these pilots must operate the aircraft in a two-pilot configuration consistent with the operating limitations in the TCDS. The FAA notes that, if a pilot received a § 61.58 proficiency check during the course complying with the C&Ls of the exemption, that pilot can still use that completed proficiency check to satisfy the pilot-in-command requirements for a two-pilot operation in a CE–500 model aircraft.

The FAA will apply the principles of the Compliance Program to determine how to address flights performed by single pilots who received a logbook endorsement from an exemption holder who was rescinded or denied an extension prior to the issuance of this Notice.

Issued in Washington, DC, on September 24, 2026.

Hugh J. Thomas,

Executive Director, Flight Standards Service.

[FR Doc. 2026–19843 Filed 9–25–26; 8:45 am]

BILLING CODE 4910–13–P

[4] In response to the exemption review, the FAA took concurrent action against certain DPEs who administered checks for the non-compliant training providers. In the instances involving falsification of records, the FAA terminated the designee authority.

[5] Rate is based on total number of aircraft.

[6] *See* 49 U.S.C. 44701(f), 14 CFR 11.81(e).

[7] In those instances, the regulation generally applies to both the air carrier and the pilot (*e.g.,* 14 CFR 121.383, which states ''[n]o certificate holder may use any person as an airman nor may any person serve as an airman unless . . .'').

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

24 CFR Part 570

[Docket No. FR–6561–N–03]

Section 108 Loan Guarantee Program: Announcement of Fee To Cover Credit Subsidy Costs for FY 2027

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Announcement of fee.

SUMMARY: This document announces the fee that HUD will collect from borrowers of loans guaranteed under HUD's Section 108 Loan Guarantee Program (Section 108 Program) to offset the credit subsidy costs of the guaranteed loans pursuant to commitments awarded in Fiscal Year 2027 in the event HUD is required or authorized by statute to do so, notwithstanding subsection (m) of section 108 of the Housing and Community Development Act of 1974. The fee to offset credit subsidy costs is changing from 0.58 percent in Fiscal Year 2026 to 1.05 percent in Fiscal Year 2027.

DATES: *Applicability date:* October 28, 2026.

FOR FURTHER INFORMATION CONTACT: Scott Laliberte, Loan Management Team Lead, Financial Management Division, Office of Block Grant Assistance, Office of Community Planning and Development, U.S. Department of Housing and Urban Development, 451 7th Street SW, Room 7282, Washington, DC 20410; telephone number 202–402–3956 (this is not a toll-free number). FAX inquiries (but not comments) may be sent to Mr. Laliberte at 202–402–3956 (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:

I. Background

The Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2015 (division K of Public Law 113–235, approved December 16, 2014) (2015 Appropriations Act) provided that ''the Secretary shall collect fees from borrowers, notwithstanding subsection (m) of such section 108, to result in a credit subsidy cost of zero for guaranteeing'' Section 108 loans. This language overrode section 108(m) of the Housing and Community Development Act of 1974, which states that ''No fee or charge may be imposed by the Secretary or any other Federal agency on or with respect to a guarantee made by the Secretary under this section after February 5, 1988.'' Identical language was continued or included in the Department's continuing resolutions and appropriations acts authorizing HUD to issue Section 108 loan guarantees during Fiscal Years (FYs) 2016 to 2026.

On November 3, 2015, HUD published a final rule (80 FR 67626) that amended the Section 108 Program regulations at 24 CFR part 570 to add 24 CFR 570.712. 24 CFR 570.712 established additional procedures for charging borrowers a fee, including procedures for announcing the amount of the fee each fiscal year when HUD is required to offset the credit subsidy costs to the Federal Government to guarantee Section 108 loans. For FYs 2016 to 2026, HUD published notifications to set the fees in accordance with 24 CFR 570.712.[1]

II. FY 2027 Fee: 1.05 Percent of the Principal Amount of the Loan

If authorized by statute, this document sets the fee for Section 108 loan disbursements under loan guarantee commitments awarded for FY 2027 at 1.05 percent of the principal amount of the loan. HUD will collect this fee from borrowers of loans guaranteed under the Section 108 Program to offset the credit subsidy costs of the guaranteed loans pursuant to commitments awarded in FY 2027 if language authorizing the collection of fees in the FY 2027 HUD appropriations bill under consideration is enacted, or if HUD is otherwise required or authorized by statute to collect fees from borrowers to offset the credit subsidy costs of the guaranteed loans, notwithstanding subsection (m) of section 108 of the Housing and Community Development Act of 1974 (42 U.S.C. 5308(m)). The calculation of the FY 2027 fee uses a similar calculation model as the FY 2016 to FY 2026 fee notifications but incorporates updated information regarding the composition of the Section 108 portfolio and the timing of the estimated future cash flows for defaults and recoveries. The calculation of the fee is also affected by the discount rates required to be used by HUD when calculating the present value of the future cash flows as part of the Federal budget process.

As described in 24 CFR 570.712(b), HUD's credit subsidy calculation is based on the amount required to reduce the credit subsidy cost to the Federal Government associated with making a Section 108 loan guarantee to the amount established by applicable appropriation acts. As a result, HUD's credit subsidy cost calculations incorporated assumptions based on: (1) data on default frequency for municipal debt where such debt is comparable to loans in the Section 108 loan portfolio; (2) data on recovery rates on collateral security for comparable municipal debt; (3) the expected composition of the Section 108 portfolio by end users of the guaranteed loan funds (*e.g.,* third-party borrowers and public entities); and (4) other factors that HUD determined were relevant to this calculation (*e.g.,* assumptions as to loan disbursement and repayment patterns).

Taking these factors into consideration, HUD determined that the fee for disbursements made under loan guarantee commitments awarded in FY 2027 will be 1.05 percent, which will be applied only at the time of loan disbursements. Note that future notifications may provide for a combination of upfront and periodic fees for loan guarantee commitments awarded in future fiscal years but, if so, HUD will provide the public with an opportunity to comment if appropriate under 24 CFR 570.712(b)(2).

The expected cost of a Section 108 loan guarantee is difficult to estimate using historical program data because there have been no defaults in the history of the program that required HUD to pay a note holder in accordance with its full faith and credit guarantee or use the credit subsidy reserved each year for future losses.[2] This is due to a variety of factors, including the availability of Community Development Block Grant (CDBG) funds as security for HUD's guarantee as provided in 24 CFR 570.705(b). As authorized by Section 108(c) of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5308(c)), borrowers may make payments on Section 108 loans using CDBG grant funds. Borrowers may also make Section 108 loan payments from other anticipated sources but continue to have CDBG funds available should they encounter shortfalls in the anticipated repayment source. Despite the program's history of no defaults, Federal credit budgeting principles require that the availability of CDBG funds to repay the guaranteed loans cannot be assumed in the development of the credit subsidy cost estimate (see 80 FR 67629, November 3, 2015). Thus, the estimate must incorporate the risk that

[1] 80 FR 67634 (November 3, 2015), 81 FR 68297 (October 4, 2016), 82 FR 44518 (September 25, 2017), 83 FR 50257 (October 5, 2018), 84 FR 35299 (July 23, 2019), 85 FR 52479 (August 26, 2020), 86 FR 59302 (October 27, 2021), 87 FR 53662 (September 1, 2022), 88 FR 73532 (October 26, 2023), 89 FR 78239 (September 25, 2024), and 90 FR 51992 (November 19, 2025) respectively.

[2] U.S. Department of Housing and Urban Development, *Study of HUD's Section 108 Loan Guarantee Program,* (prepared by Econometrica, Inc. and The Urban Institute), September 2012, at pp. 73–74. This fact has not changed since the issuance of this report.

alternative sources are used to repay the guaranteed loan in lieu of CDBG funds, and that those sources may be insufficient. Based on the rate that CDBG funds are used annually for repayment of loan guarantees, HUD's calculation of the credit subsidy cost must acknowledge the possibility of future defaults if those CDBG funds were not available. The fee of 1.05 percent of the principal amount of the loan will offset the expected cost to the Federal Government due to default, financing costs, and other relevant factors. To arrive at this measure, HUD analyzed data on comparable municipal debt over an extended period. The estimated rate is based on the default and recovery rates for general purpose municipal debt and industrial development bonds. The cumulative default rates on industrial development bonds were higher than the default rates on general purpose municipal debt during the period from which the data were taken. These two subsectors of municipal debt were chosen because their purposes and loan terms most closely resemble those of Section 108 guaranteed loans.

In this regard, Section 108 guaranteed loans can be broken down into two categories: (1) loans that finance public infrastructure and activities to support subsidized housing (other than financing new construction) and (2) other development projects (*e.g.,* retail, commercial, industrial). The 1.05 percent fee was derived by combining the default and recovery data for general purpose municipal debt and the data for industrial development bonds according to the expected composition of the Section 108 portfolio by corresponding project type. Based on the dollar amount of Section 108 loan guarantee commitments awarded from FY 2021 through FY 2025, HUD expects that 73 percent of the Section 108 portfolio will be similar to general purpose municipal debt and 27 percent of the portfolio will be similar to industrial development bonds. In setting the fee at 1.05 percent of the principal amount of the guaranteed loan, HUD expects that the amount generated will fully offset the cost to the Federal Government associated with making guarantee commitments awarded in FY 2027. Note that the fee increased from 0.58 percent in FY 2026 to 1.05 percent in FY 2027, an increase of 0.47 percentage points in the level of fee charged.

This document establishes a statutorily required fiscal requirement in the form of a fee based on rate and cost determinations that does not constitute a development decision that affects the physical condition of specific project areas or building sites. Accordingly, under 24 CFR 50.19(c)(6), this document is categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321).

Ronald J. Kurtz,

Assistant Secretary for Community Planning and Development.

[FR Doc. 2026–19743 Filed 9–25–26; 8:45 am]

BILLING CODE 4210–67–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 228

[EPA–R06–OW–2025–3359; FRL 13119–02–R6]

Marine Protection: Modification To Expand Ocean Dredged Material Disposal Sites Offshore of Corpus Christi, Texas

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is issuing a rule that modifies the existing EPA-designated ocean dredged material disposal sites (ODMDSs) offshore of Corpus Christi, Texas; specifically, the Corpus Christi Ship Channel (CCSC) ODMDS and the Corpus Christi New Work (CCNW) ODMDS to serve the long-term need for locations to dispose of suitable material dredged from the Corpus Christi Bay area. The modified sites will be subject to monitoring and management to ensure continued protection of the marine environment.

DATES: The final rule is effective on October 28, 2026.

ADDRESSES: The EPA has established a docket for this action under Docket No. EPA–R06–OW–2025–3359. All documents in the docket are listed on the Federal e-Rulemaking Portal: *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Wendy Jacques, Environmental Protection Agency, Region 6, Water Division, Marine Coastal and Nonpoint Source Section (6WD–AM) (R06–WD–APB–MCNSS), 1201 Elm Street, Suite 500, Dallas, TX 75270; telephone number: 214–665–7395; email address: *jacques.wendy@epa.gov.* Further information is available via the EPA website at *https://www.epa.gov/marine-protection-permitting/marine-protection-permitting-epa-region-6.*

SUPPLEMENTARY INFORMATION:

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I. Potentially Affected Persons

Persons potentially affected by this action include those who seek or might seek permits or approval to dispose of dredged material into ocean waters pursuant to the Marine Protection, Research and Sanctuaries Act (MPRSA) (*See* 33 U.S.C. 1401 *et seq*). The EPA's action is therefore relevant to persons, including dredging entities and government bodies, seeking to dump dredged material in ocean waters offshore of Corpus Christi, Texas (currently, the U.S. Army Corps of Engineers (USACE) and other persons with permits to use designated sites offshore of Corpus Christi, Texas), as well as persons interested in protection of the marine environment. Potentially affected categories and persons include:

Category	Examples of potentially regulated persons
Federal Government	USACE Civil Works projects and other Federal agencies.
Industry and general public	Port authorities, marinas and harbors, shipyards and marine repair facilities, berth owners.
State, local and Tribal governments	Governments owning and/or responsible for ports, harbors, and/or berths, government agencies requiring disposal of dredged material associated with public works projects.

The table above is not intended to be exhaustive but rather provides a guide for readers regarding persons likely to be affected by this action. For any questions regarding the applicability of this action to a particular entity, please refer to the contact person listed in the preceding **FOR FURTHER INFORMATION CONTACT** section.

II. Background

A. History of Disposal Sites Offshore of Corpus Christi, Texas

Dredged material was first disposed at the Corpus Christi Ship Channel Ocean Dredged Material Disposal Site (CSC ODMDS) location in 1969, prior to the enactment of the Marine Protection, Research and Sanctuaries Act (MPRSA) in 1972. In 1977, the EPA designated a disposal site that partially overlaps the existing site under MPRSA on an interim basis. In 1989, after a more recent siting analysis during the designation of the CCSC ODMDS, the EPA took action to exclude a portion of the interim site from consideration for additional disposal of dredged material due to the portion's proximity to a biologically sensitive area. Suitable dredged material from the regular maintenance dredging of the Corpus Christi Ship Channel may be disposed at the CCSC ODMDS.

The existing Corpus Christi New Work (CCNW) ODMDS, previously referred to as the New Work ODMDS, was designated in 1988 to provide a disposal area for both maintenance and new work material from the U.S. Navy's Homeport Project at Corpus Christi/Ingleside, Texas. The Navy did not proceed with the project, and the EPA subsequently re-designated the site for one-time disposal of native channel improvement construction (new work) material.

The EPA is modifying the existing CCSC and CCNW ODMDSs boundaries by expanding the area covered by the ODMDSs rather than designating a new ocean disposal site or multiple sites off the coast of Corpus Christi. Monitoring studies at CCSC and CCNW ODMDSs have confirmed that there have been no significant adverse environmental consequences of disposal in this area and that there are no unique or limited habitats, features, or uses of the ocean that would be adversely affected by the disposal of additional dredged material at the expanded sites. Note that the EPA's modification of the existing site boundaries does not approve of the disposal of dredged material from any specific project at the sites. Before any person can ocean dump dredged material at the CCSC ODMDS or CCNW ODMDS, the EPA and USACE must evaluate the dredged material from the project according to the marine protection criteria at 40 CFR part 227, and USACE must authorize the disposal under section 103 of the MPRSA (*See* 33 U.S.C. 1413(b)). The USACE relies on the EPA's marine protection criteria when evaluating permit requests for (and implementing Federal projects involving) the transportation of dredged material for the purpose of dumping it into ocean waters. MPRSA permits and Federal approvals for projects involving ocean dumping of dredged material are subject to the EPA's review and concurrence in accordance with 33 U.S.C. 1413(c). The EPA may concur with or without conditions or decline to concur (*i.e.,* non-concur) on ocean dumping permits for dredged material or authorizations associated with Federal projects to transport and dump dredged material in the ocean. If the EPA concurs with conditions, the final permit or authorization must include those conditions. If the EPA declines to concur, the USACE cannot issue the permit for ocean dumping of dredged material or authorize the transportation and dumping of dredged material in the ocean associated with a Federal project.

B. Location and Configuration of the Modified CCSC and CCNW ODMDSs

Depths of the modified ODMDSs range from 35 to 55 feet of water, and the modified ODMDSs are located between 1.7 nautical miles (nmi) and 2.7 nmi offshore. With this action, the EPA expands the existing CCSC ODMDS 0.5 nmi to the southwest from an area of 0.61 nmi^2 to 1.05 nmi^2. Additionally, the EPA expands the existing CCNW ODMDS 0.5 nmi to the northwest; 0.6 nmi to the northeast; 0.4 nmi to the southeast; and 0.8 nmi to the southwest from an area of 1.39 nmi^2 to 5.57 nmi^2.

Modified CCSC ODMDS Coordinates (North American Datum of 1983 (NAD83))

Northwest 27°49′11.28″ N, 97°01′9.84″ W;
Northeast 27°48′43.20″ N, 97°00′22.32″ W;
Southeast 27°47′40.56″ N, 97°01′9.12″ W; and
Southwest 27°48′7.20″ N, 97°01′56.64″ W

Modified CCNW ODMDS Coordinates (NAD83):

Northwest 27°48′31.68″ N, 97°00′24.12″ W;
Northeast 27°47′32.64″ N, 96°58′40.44″ W;
Southeast 27°45′1.08″ N, 97°00′32.04″ W; and
Southwest 27°46′0.48″ N, 97°02′19.32″ W

The modification of the existing ODMDSs provides ongoing disposal capacity for suitable dredged material without causing significant adverse impacts, while also affording the most operational flexibility for managing the dredged material in a manner that minimizes physical impacts over time.

C. Management and Monitoring of the Sites

The modified ODMDSs are expected to receive suitable dredged material from the Port of Corpus Christi's Channel Deepening Project (CDP) and suitable dredged material from other applicants who obtain a permit that could authorize disposal of dredged material at the modified ODMDSs. Under MPRSA section 102(c)(3) and its implementing regulations, the EPA is responsible for the management of all ocean disposal sites designated under the MPRSA (*See* 40 CFR 228.3(b)). Management of the ocean disposal sites consists of regulating the times, quantity and characteristics of the material dumped at the site; establishing disposal controls, conditions and requirements to avoid and minimize potential impacts to the marine environment; and monitoring the site and surrounding environment to verify that unanticipated or significant adverse effects are not occurring from past or continued use of the ocean disposal site and that terms of the MPRSA permit are met.

As with the existing ODMDSs, the modified ODMDSs will be maintained according to a Site Management and Monitoring Plan (SMMP) specifying adaptive management provisions to ensure that significant environmental impacts do not occur within the sites and adjacent areas. The EPA provides the updated SMMP for the modified ODMDSs with the environmental assessment (EA) in the rulemaking docket. These documents are also accessible at: *https://www.epa.gov/marine-protection-permitting/marine-protection-permitting-epa-region-6.* All parties using the CCSC or CCNW ODMDSs will be required to follow any project-specific conditions, as well as provisions of the updated SMMPs for the modified sites as identified or incorporated into a permit or Federal project approval.

D. MPRSA Criteria

In evaluating the modified ODMDSs, the EPA assessed the sites according to the marine protection criteria of the MPRSA, with emphasis on the general and specific regulatory criteria at 40 CFR part 228, to determine whether the site designations satisfy those criteria. The EPA's EA provides an extensive evaluation of the criteria and other related factors for the modification of the existing ODMDSs.

General Criteria (40 CFR 228.5)

(a) Sites must be selected to minimize interference with other activities in the

marine environment, particularly avoiding areas of existing fisheries or shellfisheries, and regions of heavy commercial or recreational navigation (40 CFR 228.5(a)).

The EPA developed the original site designations for the existing 1989 CCSC and the existing 1988 CCNW ODMDSs using a Zone of Siting Feasibility (ZSF) approach, including dredged material fate modeling with considerations of potential interference with other activities in the marine environment such as avoiding areas of existing critical fisheries or shellfisheries and regions of heavy commercial or recreational navigation. The existing sites do not interfere with other legitimate uses of the ocean, because the original designations were designed to avoid interferences and to minimize adverse impacts. The expanded sites are not expected to have any additional impact beyond baseline effects assumed in these earlier evaluations.

(*b) Sites must be situated such that temporary perturbations to water quality or other environmental conditions during initial mixing caused by disposal operations would be reduced to normal ambient levels or undetectable contaminant concentrations or effects before reaching any beach, shoreline, marine sanctuary, or known geographically limited fishery or shellfishery (40 CFR 228.5(b)).*

The modified ODMDSs will be used for disposal of suitable dredged material as determined by the USACE and the EPA under section 103 of the MPRSA. Based on the USACE and EPA dredged material testing and evaluation procedures, disposal of dredged maintenance material and new work material is not expected to have any long-term adverse impact on water quality. The existing ODMDSs and modified ODMDSs are located sufficiently far from shore and fisheries resources to allow temporary water quality disturbances caused by disposal of dredged material to be reduced to ambient conditions before reaching any environmentally sensitive areas.

(c) The sizes of disposal sites will be limited to localize for identification and control any immediate adverse impacts, and to permit the implementation of effective monitoring and surveillance to prevent adverse long-range impacts. Size, configuration, and location are to be determined as part of the disposal site evaluation (40 CFR 228.5(d)).

When determining the size of the modified sites, the EPA considered the ability to implement effective monitoring and surveillance programs to ensure that the environment of the sites could be protected, and that navigational safety would not be compromised by the mounding of dredged material. The EPA determined the original site footprints based on a ZSF analysis as well as a dredged material fate model in support of the original site designations. Site use history of both the CCSC and CCNW ODMDSs confirms the previous modeling accuracy. Based on a dredged material fate model developed to support the CDP, the EPA determined that material at each site would remain within the ODMDS boundaries and not reach a height which would impair navigation. The SMMP describes the future monitoring and management activities the EPA and USACE would implement to confirm that disposal at each of the sites is not significantly affecting adjacent areas.

(d) The EPA will, wherever feasible, designate ocean dumping sites beyond the edge of the continental shelf and other such sites where historical disposal has occurred (40 CFR 228.5(e)).

The existing and modified CCSC ODMDS is approximately 1.7 nmi offshore and lies partially within the boundary of the site designated on an interim basis in 1977. The modified CCNW ODMDS is approximately 2.7 nmi offshore and would fully encompass the existing site. The break of the continental shelf is approximately 60 nmi offshore. A dredged material disposal site at that location has been deemed unsuitable, because safety risks increase and the economic practicality and feasibility of monitoring and surveillance decrease with increasing distance from shore. Additionally, benthos living beyond the continental shelf are not expected to be as resilient to sediment resuspension as in the nearshore, higher energy environment. The ZSF analysis prepared by the USACE in support of the original 1988 and 1989 designations for the CCNW ODMDS and the CCSC ODMDS, respectively, analyzed geographic constraints due to biological and physical resources, cultural and historical resources, environmental quality and recreational uses and concluded that designating a disposal site in an area beyond the continental shelf was unsuitable.

Specific Criteria (40 CFR 228.6)

(1) Geographical position, depth of water, bottom topography and distance from coast (40 CFR 228.6(a)(1)).

The modified CCSC ODMDS boundary is located approximately 1.7 nmi offshore in water depths of approximately 35 to 50 feet. The modified CCNW ODMDS boundary is located further offshore, approximately 2.7 nmi, in water depths of approximately 45 to 55 feet. The seafloor in this area slopes gently with significant variation in sediment composition throughout.

(2) Location in relation to breeding, spawning, nursery, feeding, or passage areas of living resources in adult or juvenile phases (40 CFR 228.6(a)(2)).

The modified CCSC and CCNW ODMDSs provide feeding and breeding areas for common resident benthic organisms, fish, marine mammal, sea turtle, and seabird species. However, habitat in the region of the sites and expansion areas is not unique in this portion of the Gulf of America and is not critical habitat to the survival of any species of fish, invertebrates, sea turtles, whales, or threatened and endangered species. Floating larvae and eggs of various species of marine organisms are expected to be found at and near the water surface in the areas of the ODMDSs and expansion areas. The stress and possible mortality of individual organisms encountering adverse conditions during dredged disposal operations in the ODMDSs would be negligible compared to organisms in the greater region of the Gulf of America. Fish and invertebrates in this region of the Gulf of America use the nearshore areas for breeding, spawning, and feeding, and the nearshore jetties provide for migratory passage. The modified ODMDSs are located outside of these sensitive nearshore areas and outside of the buffer zone so as not to impact the biologically sensitive areas.

(3) Location in relation to beaches and other amenity areas (40 CFR 228.6(a)(3)).

The modified CCSC ODMDS is located approximately 1.7 nmi from the nearest beach or amenity area. The modified CCNW ODMDS is located approximately 2.7 nmi from the nearest beach or amenity area. Transport of dredged material disposed at the sites occurs parallel to the beach. No significant impacts to beaches or amenity areas have been associated or detected with the existing sites and none are expected from the modified ODMDS boundaries.

(4) Types and quantities of disposal, and proposed methods of release (40 CFR 228.6(a)(4)).

The Corpus Christi Ship Channel Improvement Project (CCSCIP) generated approximately 41 million cubic yards (MCY) of new work dredged material and is expected to generate approximately 208 MCY of maintenance dredged material over the life of the project. The proposed CDP is expected to generate an additional amount, approximately 46 MCY of new work dredged material and approximately 7.8 MCY of maintenance dredged material. Alternatives for placement of dredged material have been developed as follows: ocean disposal; upland confined placement; and beneficial use. The USACE anticipates employing a combination of these options. Only dredged material that is determined to be suitable for ocean disposal under national and regional testing guidance would be disposed in the modified CCSC and CCNW ODMDSs. In addition, all disposal of dredged material in the ocean requires an ocean dumping permit issued by the USACE, or in the case of a Federal project involving ocean dumping must be authorized by the USACE pursuant to MPRSA section 103, with review and concurrence from EPA Region 6. Recent and historical chemical, physical, and bioaccumulation assessments performed by the USACE have indicated that there are no concerns with contaminated sediments in the Corpus Christi Ship Channel sediments.

The maintenance material ranges from silt or sandy silt in the Inner Harbor, Upper Bay, and La Quinta Channel to fine or silty sand and silt in the entrance channel to silt or sandy silt, fine or silty sand and sand in the Lower Bay. The new work material ranges from mostly hard clay in the Inner Harbor and La Quinta Extension to mostly soft clay in the Upper Bay, mostly medium-to-dense sand in the Lower Bay, to very dense sand in the Jetty Channel to soft and firm clay toward the Extension Channel. The amount of material to be disposed of at the ODMDSs is expected to increase due to authorized private development projects and limited upland capacity. Material would be discharged from the hopper dredge within the ODMDSs. There would not be any waste contained or disposed of with the maintenance dredged material or new work material.

(5) Feasibility of surveillance and monitoring (40 CFR 228.6(a)(5)).

Both the modified CCSC and CCNW ODMDSs will continue to be amenable to surveillance and monitoring due to their proximity to Corpus Christi and their relatively shallow depths. These factors facilitate site accessibility and reduce sampling costs and safety risks. The EPA and USACE will continue periodic environmental monitoring of the sites, approximately every 10 years, which consists of water, sediment and elutriate chemistry, bioassays, bioaccumulation studies and benthic infauna analyses, as described in the updated SMMP.

(6) Dispersal, horizontal transport and vertical mixing characteristics of the area, including prevailing current direction and velocity (40 CFR 228.6(a)(6)).

Though ocean current monitoring in the vicinity of ODMDSs has confirmed both horizontal and vertical current directions (depending on the season), the modified sites are predominantly characterized by longshore currents. The steady longshore transport and occasional storms, including hurricanes, disperse the disposed material from the site. These conditions have not adversely affected the ability to successfully and precisely dispose of suitable dredged material at both ODMDSs in the past and are not expected to affect disposal at the modified sites in the future.

(7) Existence and effects of current and previous discharges and dumping in the area (including cumulative effects) (40 CFR 228.6(a)(7)).

The EPA is responsible for ODMDS monitoring in accordance with requirements specified at 40 CFR 228.13. ODMDS monitoring requirements are based on site designation parameters established in the MPRSA and its implementing regulations and are described in the SMMP for each ODMDS. Site monitoring activities include but are not limited to water column data collection, hydrodynamic analysis, sediment sampling and analyses for chemical content and concentrations, infauna sampling for benthic community analyses, geophysical surveys to determine distribution of native seabed features and deposits of disposed material, and other surveys to assess the characteristics at oceanographic sites. A 2020 survey of the existing CCSC and CCNW ODMDSs and proposed expansion areas indicated no significant changes to the benthic communities and grain size at the sites and that conditions within the ODMDSs were similar to those throughout the greater study area. Water and sediment chemistry sampling over the past four decades demonstrate that there are no water or sediment quality problems in the study area, and that dredged material disposal at the site has not caused or contributed to water or sediment quality contamination at the sites. Water quality perturbations from active disposal are temporary, minor, and insignificant. Short-term, long-term, and cumulative effects of dredged material disposal in the modified sites would be minor, and similar to those for the existing sites.

In conjunction with maintenance dredging and chemical, physical, and bioaccumulation assessments, the USACE has collected water and sediment chemistry data from the Corpus Christi Ship Channel since 1975. The data indicate that sediments in the Corpus Christi Ship Channel are not contaminated and are likely to remain acceptable for ocean dumping.

(8) Interference with shipping, fishing, recreation. . .and other legitimate uses of the ocean (40 CFR 228.6(a)(8)).

Listed uses pertinent to the CCSC and CCNW ODMDSs include shipping, mineral extraction, commercial and recreational fishing, and recreational and historical sites. The existing sites do not interfere with other legitimate uses of the ocean, because the site selection process was expressly designed and conducted to avoid interferences and minimize adverse impacts. Past dumping of maintenance dredged material or new work material has not been known to interfere with other uses, and no changes are expected at the modified sites that would alter the status quo.

(9) *Existing water quality and ecology of the sites as determined by available data or trend assessment of baseline surveys (40 CFR 228.6(a)(9)).*

According to the 2024 Texas Integrated Report, the existing and modified ODMDSs are located within an impaired water body, Texas assessment unit ID TX–2501_06. The subsegment is listed as a fish consumption advisory for mercury. Water and sediment chemistry data from the 2020 monitoring survey indicate no significant water quality issues and no significant trends in water quality resulting from dredged material dumping. Both the CCSC and CCNW ODMDSs support benthic and epibenthic fauna characteristic of the region and there are no unique or limited habitats in the vicinity. No adverse impacts to benthos, both inside and outside the existing or modified sites, have been identified based on previous monitoring and none are expected.

(10) Potential for the development or recruitment of nuisance species (40 CFR 228.6(a)(10)).

Vessels traveling between multiple distant ports can facilitate nuisance species transfer through the uptake and discharge of ballast water, as well as through biofouling (and associated cleaning) of vessel hulls and appendages. Both the EPA and the U.S. Coast Guard administer requirements for ballast water discharges and biofouling management that apply to vessels operating in U.S. waters. These requirements are unaffected by the action. The U.S. Coast Guard and the Smithsonian Environmental Research

Center also jointly operate the National Ballast Information Clearinghouse, which collects and analyzes ballast water management data from vessels. Moreover, nuisance species control would continue to be managed by State, Federal and private organizations.

(11) Existence of Significant Natural or Cultural Feature of Historical Importance (40 CFR 228.6(a)(11)).

The Environmental Impact Statements (EISs) developed to support the original designations described the location and types of areas and features of natural or historical importance that were considered during the site selection process. Exclusion areas, including buffer zones, were documented during the original siting process. No known significant natural or cultural features of historical importance were identified in the vicinity of the ODMDSs. The 2020 EPA survey of the CCSC and CCNW ODMDSs and proposed expansion areas likewise indicated no known significant natural or historical resources in the vicinity. The modified ODMDSs would not affect any natural or cultural features of historical importance.

III. Environmental Statutory Review

A. National Environmental Policy Act

Section 102 of the National Environmental Policy Act of 1969, as amended (NEPA), 42 U.S.C. 4321 through 4370f, requires Federal agencies to prepare an EIS for major Federal actions significantly affecting the quality of the human environment. The EPA is not required to apply NEPA to designations of MPRSA ocean disposal sites; courts have recognized that the EPA's actions applying the MPRSA criteria and procedural requirements are functionally equivalent to the procedures applicable under NEPA. As a matter of policy, however, the EPA documents its consideration of alternatives (as if NEPA applied) to inform certain EPA regulatory actions, including certain actions under the MPRSA.

The EPA developed an EA for the site modifications which addressed project alternatives and environmental impacts of the expansion, in functional and effective compliance with NEPA. The EPA has relied on information from the original Final EIS documents prepared to support the 1988 and 1989 designations of the CCNW ODMDS and the CCSC ODMDS, respectively, in the development of this EA.

B. Endangered Species Act and Marine Mammal Protection Act

In accordance with section 7 of the Endangered Species Act, as amended, and in consultation with the National Marine Fisheries Service (NMFS) Southeast Regional Office, the EPA conducted an evaluation of the threatened and endangered species that may occur in the CCSC and CCNW ODMDS project areas. In a letter dated January 21, 2025, the EPA determined that the modification for expansion of the CCSC and CCNW ODMDS boundaries is not likely to adversely affect any listed species and will have no effect on critical habitat under NMFS's jurisdiction. The NMFS concurred with the EPA's findings on January 28, 2025.

Additionally, the EPA compiled a current list of the threatened and endangered species that are under the jurisdiction of the U.S. Fish and Wildlife Service's (USFWS) Texas Coastal Ecological Services Field Office and that may be affected by the action. In an evaluation dated March 21, 2025, the EPA determined that the modification for expansion of the CCSC and CCNW ODMDS boundaries will have no effect on the listed species with one exception. The EPA determined that the modification is not likely to adversely affect the federally-listed West Indian manatee. In a letter dated June 6, 2025, the USFWS concurred with the EPA's findings.

C. Magnuson-Stevens Fisheries Conservation and Management Act

The 1996 amendments to the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) require that each Federal agency consult with NMFS for any action authorized, funded, or undertaken, or proposed to be authorized, funded, or undertaken, by the agency that may adversely affect any essential fish habitat (EFH) identified under the Magnuson-Stevens Act. The EPA prepared an EFH assessment dated March 13, 2025, and determined that the modification for expansion of the CCSC and CCNW ODMDS boundaries would not have a substantial impact on EFH or federally managed fisheries in the Gulf of America. The NMFS concurred with the EPA's findings on March 25, 2025, and provided no conservation recommendations.

D. Coastal Zone Management Act

The Coastal Zone Management Act (CZMA) of 1972, as amended, requires Federal agencies proposing activities within or outside the coastal zone to ensure that those activities are conducted in a manner which is consistent to the maximum extent practicable with the enforceable policies of approved State coastal management programs. The Texas Coastal Management Program (TCMP) was developed and approved by NOAA pursuant to the requirements of the CZMA. The Texas General Land Office administers the State program, including review of Federal agency actions in the Texas coastal zone that affect coastal natural resource areas to ensure consistency with the enforceable policies of the TCMP. The enforceable policy components of the TCMP are published in Title 31 of the Texas Administrative Code (TAC), Chapter 501, as amended. The EPA submitted to TCMP a Consistency Determination, documenting EPA's determination that the site modifications are consistent to the maximum extent practicable with the enforceable policies of the approved TCMP program (esp. the Coast Act, Chapter 501 policies). In a letter dated April 21, 2026, the Texas GLO concurred with the EPA's findings.

E. National Historic Preservation Act

Section 106 of the National Historic Preservation Act, 54 U.S.C. 306108, as amended, requires Federal agencies to "take into account" the effect of agency actions on districts, sites, buildings, structures, or objects significant in American history, architecture, archaeology, engineering, and culture, included in, or eligible for inclusion in the National Register of Historic Places. The EPA determined during the original site designations (prior to the expansion) that no historic properties were affected or would be affected by the designation of the CCSC and CCNW ODMDSs. In a letter to the Texas Historical Commission dated March 20, 2025, the EPA determined that the modification for expansion of the existing CCSC and CCNW ODMDS boundaries will likewise have no effect on historic properties. In a letter dated August 8, 2025, the Texas Historical Commission concurred with the EPA's findings.

IV. Response to Comments on the Proposed Rule, Draft EA and Draft SMMP

The EPA published the proposed rule, the draft EA, and the draft SMMP for a 30-day public comment period on March 12, 2026, and accepted comments until April 13, 2026 (91 FR 12126, March 12, 2026). The documents were available at *www.regulations.gov* (Docket ID No. EPA–R06–OW–2025–3359) and at *https://www.epa.gov/marine-protection-permitting/marine-protection-permitting-epa-region-6*.

The EPA received discrete comments from eight commenters. The full comments and the EPA's responses are included in Appendix E to the Final EA and are summarized below. No substantive changes were made to the final documents based on the comments received.

One commenter expressed concern over solid contaminants, specifically plastic pellets, in dredged material placed in the ODMDSs. The proposal, however, only addressed expansion of an available ocean disposal location (that will be monitored to assess future effects), and would not have authorized any actual dredged material disposal. Any such authorization to place any material into the site does not occur until a separate, later proceeding conducted by the USACE. Therefore, the comment is beyond the scope of the action. Plastics in dredged materials are a contaminant of emerging concern, though environmental criteria specific to gross plastics are not presently available. The MPRSA assessment framework does, however, incorporate biological assessments (bioassays) of dredged material to determine its suitability for ocean disposal. Bioassays measure acute toxicity and larval development using test organisms of representative species to assess the combined toxic effects of contaminant mixtures in whole dredged material samples.

One commenter supported the expansion of the sites but raised concerns about the resuspension of old sediments contaminated with heavy metals. The EPA responded that a 2020 baseline characterization survey of the ODMDSs and expansion areas, which included an assessment of certain heavy metals, found no significant contaminant loading and no adverse impacts related to the sediment chemistry from previous dredged material disposal

One commenter expressed concern that the proposed rule de-emphasized the environmental impacts of dredged material disposal as ''temporary, minor, and insignificant'' and that the characterization is contradicted by statements in the draft EA about the consideration of alternatives that would have ''less adverse environmental impact'' on the aquatic environment. The EPA explained that both statements are accurate based on: (1) the benign nature of material assessed to be suitable for ocean disposal; and (2) the MPRSA requirement to consider land-based disposal alternatives.

One commenter questioned whether the dredged material will be tested. The EPA explained that all dredged material considered for ocean disposal is evaluated, and if necessary, tested for compliance with the ocean dumping criteria defined at 40 CFR part 227. Some material is excluded from analytical testing requirements, for example, material composed predominantly of sand, gravel, or rock that is found in areas of high current or wave energy.

One commenter expressed opposition to the site expansions citing concerns that the expansions would increase the difficulty and expenses required to monitor the ocean disposal sites. The EPA responded by clarifying the need for the site expansions, explained why the EPA does not expect the increases in site area to significantly increase the difficulty nor expense required to monitor the sites, and confirmed that site monitoring over the past 50 years indicates no significant adverse impacts from dredged material disposal.

One commenter expressed opposition to ocean disposal of dredged material generally and urged landfill disposal. The comment is beyond the scope of the proposal (which did not purport to authorize disposal itself) but the EPA explained that the MPRSA requires that any authorization of dredged material disposal in the ocean requires prior consideration of the need for ocean disposal and consideration of land-based alternatives.

One commenter expressed general opposition to expansion of the port and its costs, rather than the disposal sites. The comment is beyond the scope of the proposal, which only indirectly relates to any port expansion in that the site expansion will accommodate the capacity needs for material from future maintenance dredging at a location that will be monitored over time.

V. 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 and Executive Order 13563, Improving Regulation and Regulatory Review (58 FR 51735, October 4, 1993);

This action is not a significant regulatory action and was therefore not submitted to the Office of Management and Budget (OMB) for review.

b. Executive Order 14192, Unleashing Prosperity Through Deregulation (90 FR 9065, February 6, 2025);

This action is not an Executive Order 14192 regulatory action.

c. Paperwork Reduction Act (PRA) (44 U.S.C. 3501et seq.);

This action does not impose an information collection burden under the PRA.

d. Regulatory Flexibility Act (UMRA) (5 U.S.C. 601et seq.);

After considering the economic impacts of this rule, the EPA determined that this action will not have a significant economic impact on a substantial number of small entities.

e. Unfunded Mandates Reform Act (UMRA) (Pub. L. 104–4);

This action does not contain an unfunded mandate as described in UMRA, 2 U.S.C. 1531–1538 and does not significantly or uniquely affect small governments.

f. Executive Order 13132 Federalism (64 FR 43255, August 10, 1999);

This action does not have federalism implications. It will not have substantial effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

g. Executive Order 13175, Consultation and Coordination with Indian Tribal Governments (65 FR 67249, November 9, 2000);

This action does not have Tribal implications as specified in Executive Order 13175. Thus, Executive Order 13175 does not apply to this action. Consistent with the EPA Policy on Consultation and Coordination with Indian Tribes, the EPA consulted with Tribal officials during the development of this action. A summary of that consultation is provided in the EA.

h. Executive Order 13045, Protection of Children from Environmental Health and Safety Risks (62 FR 19885, April 23, 1997);

This action is not subject to Executive Order 13045, because it does not establish an environmental standard intended to mitigate health or safety risks.

i. Executive Order 13211, Actions that Significantly Affect Energy Supply, Distribution, or Use (66 FR 28355, May 22, 2001);

This action is not subject to Executive Order 13211, because it is not a significant regulatory action under Executive Order 12866.

j. National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note);

This action includes environmental monitoring and measurement as described in the updated SMMP. The EPA will not require the use of specific, prescribed analytic methods for monitoring and managing the modified CCSC and CCNW ODMDSs. The EPA plans to allow the use of any method, whether it constitutes a voluntary consensus standard or not, that meets the monitoring and measurement criteria discussed in the SMMP.

k. Executive Order 13089, Coral Reef Protection (63 FR 32701, June 16, 1998); and

This order is not applicable to this action. No coral reefs, banks or other major physiographic features characterize the shelf in the Corpus Christi area.

l. Executive Order 13112, Invasive Species (64 FR 6183, February 8, 1999)

This action will not positively or negatively affect the status of invasive species.

List of Subjects in 40 CFR Part 228

Environmental Protection, Water Pollution Control.

Dated: September 14, 2026.

Walter Mason,

Regional Administrator, Region 6, U.S. Environmental Protection Agency.

For the reasons set out in the preamble, the EPA amends part 228 of chapter I, title 40 of the Code of **Federal Register** as follows:

PART 228—CRITERIA FOR THE MANAGEMENT OF DISPOSAL SITES FOR OCEAN DUMPING

■ 1. The authority citation for part 228 continues to read as follows:

Authority: 33 U.S.C. 1412 and 1418.

■ 2. Amend § 228.15 by:

■ a. Revising paragraphs (j)(16)(i) and (ii); and

■ b. Revising paragraphs (j)(17)(i) and (ii).

The revisions read as follows:

§ 228.15 Dumping sites designated on a final basis.

* * * * *

(j) * * *

(16) * * *

(i) *Location:* 27°48′31.68″ N, 97°00′24.12″ W; 27°47′32.64″ N, 96°58′40.44″ W; 27°45′1.08″ N, 97°00′32.04″ W; 27°46′0.48″ N, 97°02′19.32″ W (NAD83).

(ii) *Size:* 5.57 square nautical miles.

* * * * *

(17) * * *

(i) *Location:* 27°49′11.28″ N, 97°01′9.84″ W; 27°48′43.20″ N, 97°00′22.32″ W; 27°47′40.56″ N, 97°01′9.12″ W; 27°48′7.20″ N, 97°01′56.64″ W (NAD83).

(ii) *Size:* 1.05 square nautical miles.

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DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

49 CFR Parts 107, 171, 173, 178, 179, and 180

[Docket No. PHMSA–2010–0019 (HM–241)]

RIN 2137–AE58

Hazardous Materials: Incorporation of ASME Code Section XII and the National Board Inspection Code

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: PHMSA is amending the Hazardous Materials Regulations (HMR) to incorporate by reference and authorize the use of the 2015 edition of the American Society of Mechanical Engineers (ASME) *Boiler and Pressure Vessel Code, Section XII—Rules for Construction and Continued Service of Transport Tanks* for the construction and continued service of certain specification cargo tank motor vehicles (CTMVs), cryogenic portable tanks, and multi-unit tank car tanks. PHMSA is also amending the HMR to incorporate by reference and authorize the use of the 2015 edition of the National Board of Boiler and Pressure Vessel Inspectors *National Board Inspection Code, Parts 2 and 3 (including Supplement 6)* as it applies to the continued service of transport packagings constructed to ASME *Section XII* standards, as well as for existing CTMVs constructed in accordance with ASME requirements and the HMR. PHMSA finds these updates will result in cost savings and increased regulatory flexibility without compromising safety.

DATES:

Effective date: October 28, 2026.

Voluntary compliance date: September 28, 2026.

Incorporation by reference date: The incorporation by reference of the publications listed in this rule is approved by the Director of the Federal Register as of October 28, 2026.

FOR FURTHER INFORMATION CONTACT: Arthur Pollack, Standards and Rulemaking Division, at 202–366–8553, or Kin Wai Alex Cheng, Engineering and Research Division, at 202–366–4545, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, 1200 New Jersey Avenue SE, East Building, 2nd Floor, Washington, DC 20590–0001.

SUPPLEMENTARY INFORMATION:

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I. Executive Summary

The Pipeline and Hazardous Materials Safety Administration (PHMSA) is updating the Hazardous Materials Regulations (HMR; 49 CFR parts 171–180) to incorporate by reference and authorize the use of the following industry standards for the construction and continued service of transport tanks, subject to certain conditions, limitations, and exceptions:

- The 2015 edition of the American Society of Mechanical Engineers (ASME) *Boiler and Pressure Vessel Code (BPVC), Section XII—Rules for Construction and Continued Service of Transport Tanks* (hereinafter referred to as ''*Section XII*''); and
- The 2015 edition of the National Board of Boiler and Pressure Vessel Inspectors (National Board) *National*

Board Inspection Code (*NBIC*), *Parts 2 and 3, including Supplement 6* (hereinafter referred to as ''*NBIC*'').

This action finalizes efforts initiated by the Research and Special Programs Administration (RSPA)—PHMSA's predecessor agency—to develop construction and continued service standards specifically for transport tanks (*e.g.,* cargo tank motor vehicles (CTMVs), cryogenic portable tanks, and multi-unit tank car tanks (hereinafter referred to as ton tanks)). This final rule is deregulatory. The amendments impose no new costs on the regulated community and introduce potential cost savings through increased regulatory flexibility. By providing more options when manufacturing bulk transport tanks, PHMSA is creating opportunities for cost savings, innovation, and economic development. PHMSA estimates the annualized quantified net cost savings of this rulemaking for the regulated community—using a seven percent discount rate—are approximately $8.1 million per year.

This final rule also advances the goals articulated in Executive Order (E.O.) 14192 (*Unleashing Prosperity Through Deregulation*) by addressing three longstanding petitions for rulemaking from industry stakeholders (P–1459, P–1474, and P–1502).[1] These petitions support the incorporation by reference of more modern editions of the ASME and NBIC standards. This final rule also addresses two National Transportation Safety Board (NTSB) recommendations.[2] In the interest of maximizing regulatory flexibility, this final rule permits the use of ASME *Section XII* as an alternative to ASME *Section VIII, Division 1, 2017 Edition*—currently incorporated by reference (hereinafter referred to as ''*Section VIII, Division 1*'')—rather than mandating the use of *Section XII* as the sole standard for the construction of transport tanks.[3] *Section VIII, Division 1* will remain a permitted construction standard to be used in conjunction with the HMR requirements in Part 178 for the construction of CTMVs and cryogenic portable tanks, and the requirements in Part 179 for the construction of ton tanks. This final rule also provides additional flexibility by permitting the use of the 2015 edition of NBIC for *Section VIII, Division 1* tanks as an alternative to the 1992 NBIC and the continued service requirements in Part 180.[4]

Table 1 lists the specification packagings for the various transport tanks for which *Section XII* may be used for construction. Specifically:

TABLE 1—AUTHORIZED TRANSPORT TANKS UNDER SECTION XII

Tank type	Specification
CTMV	MC 331 and 338, and DOT 406, 407, and 412.
Cryogenic Portable Tank.	UN T75.
Ton Tank	DOT 106A and 110AW.

The HMR specify requirements for the design, construction, qualification, maintenance, and repair of packagings used to transport hazardous materials in commerce, such as cargo tanks, portable tanks, and ton tanks. In addition to the general design and construction requirements specified in the HMR, PHMSA incorporates by reference ASME *Section VIII, Division 1,* which provides supplemental design and construction criteria. *Section VIII, Division 1* sets forth detailed criteria for the design, construction, certification, and marking specifically intended for stationary boilers and pressure vessels. Due to the limitations associated with applying design and construction standards intended for stationary pressure vessels to transport tanks, *Section VIII, Division 1* must be used in conjunction with the HMR to provide additional transportation-specific safety assurances.

In 1995, RSPA asked the ASME Board on Pressure Technology Codes and Standards to develop new standards specifically to address transport tanks. In 2004, ASME published the *ASME BPVC Section XII,* Rules for Construction and Continued Service of Transport Tanks, which is based on *Section VIII, Division 1* of the BPVC. Like *Section VIII, Division 1, Section XII* sets forth standards for construction but also includes standards for the continued service of transport tanks. With this rulemaking, manufacturers will have the option to either build the specification tanks listed in Table 1 to *Section XII* standards or continue using *Section VIII, Division 1.*

This rulemaking also incorporates an updated version of the *NBIC.* The *NBIC* provides standards for the installation, inspection, and repair or alteration of boilers, pressure vessels, and pressure relief devices. The *NBIC* provides rules and guidelines for continued service inspections, repairs, and modifications of transport tanks as well, including methods to be used and the criteria for inspections, reports, document control, and inspector duties and responsibilities.[5] The *NBIC* was revised in conjunction with *Section XII* to provide updated standards for the qualification and continued service of transport tanks. Certain transport vessels built to *Section VIII, Division 1* standards are currently required to follow the 1992 edition of the *NBIC,* which is incorporated by reference, in addition to the continued service requirements found in part 180.[6] But pressure vessels built to *Section XII* will only be permitted to follow the 2015 *NBIC* for continued service. Current HMR provisions for the continued use of pressure vessels built to *Section VIII, Division 1* standards precede the development of *Section XII* and do not account for the divergent comparative elements between the two standards.

Table 2 describes the framework available to manufacturers and owners of transport tanks regarding portions of *Section XII* and *NBIC* that are incorporated by reference in this rulemaking.

TABLE 2—FRAMEWORK FOR CONTINUED SERVICE

If a	Is built to	Then,
Cargo Tank Motor Vehicle	*Section XII*	The 2015 *NBIC* and *Supplement 6* must be used.

[1] 90 FR 9065 (Feb. 6, 2025); and American Society of Mechanical Engineers, *P–1459,* Docket ID PHMSA–2005–21351, (May 10, 2005), Pressure Vessel Manufacturers Association, *P–1474,* Docket ID PHMSA–2006–24712, (Feb. 27, 2006), and National Board of Boiler and Pressure Vessel Inspectors; *P–1502,* Docket ID PHMSA–2007–28809, (Jul. 12, 2007).

[2] For additional information regarding the two NTSB recommendations H–11–5 and H–11–6, *see* Section ''III.E. NTSB Recommendations''.

[3] ''Construction'' is an all-inclusive term comprising of materials, design, fabrication, examination, inspection, testing, certification, and over-pressure protection.

[4] ''Continued service'' is an all-inclusive term referring to inspection, testing, repair, alteration, and recertification of a transport tank that has been in service.

[5] *Supplement 6* provides detailed inspection requirements for transport tanks and is intended to be used consistent with *Section XII.*

[6] Continued service regarding repairs of MC 330 and 331 CTMVs—*see* 49 CFR 180.413(b).

TABLE 2—FRAMEWORK FOR CONTINUED SERVICE—Continued

If a	Is built to	Then,
Cargo Tank Motor Vehicle	*Section VIII, Division 1*	Part 180 of the HMR must be used along with the 2015 *NBIC* or the 1992 *NBIC*—previously incorporated by reference in the HMR—as applicable.
Cryogenic Portable Tank	*Section XII*	The 2015 *NBIC* and *Supplement 6* must be used.
Cryogenic Portable Tank	*Section VIII, Division 1*	Part 180 of the HMR, or, alternatively, the 2015 *NBIC*.
Ton Tank	*Section XII*	The 2015 *NBIC* and *Supplement 6* must be used.
Ton Tank	Part 179 and AAR approval	Part 180 and AAR approval for tank car facility quality assurance program must be used.

Permissive use of the 2015 *ASME Section XII* will maintain the HMR's high safety standard. PHMSA expects safety benefits to be derived from improved compliance and alternative construction standards related to a regulatory standard developed specifically for transport tanks. Manufacturers who choose to continue using *Section VIII, Division I* will be required to maintain the same high safety standards already in place.

II. Incorporation by Reference Discussion Under 1 CFR part 51

PHMSA currently incorporates by reference into the HMR all or parts of several standards and specifications developed and published by standards development organizations (SDO). The National Technology Transfer and Advancement Act (NTTAA) of 1995 (Pub. L. 104–113) directs Federal agencies to use standards developed by voluntary consensus standards bodies in lieu of government-written standards whenever possible. Voluntary consensus standards bodies develop, establish, or coordinate technical standards using agreed-upon procedures.

Consistent with the NTTAA, Office of Management and Budget (OMB) Circular A–119, *Federal Participation in the Development and Use of Voluntary Consensus Standards and in Conformity Assessment Activities,* requires government agencies to use voluntary consensus standards wherever practical in the development of regulations.[7] This OMB circular provides guidance for agencies participating in voluntary consensus standards bodies and describes procedures for satisfying the reporting requirements in the NTTAA.

Under the NTTAA and Circular A–119, PHMSA is responsible for determining which currently referenced standards should be updated, revised, or removed, and which standards should be added to the HMR. Revisions to materials incorporated by reference in the HMR are handled via the rulemaking process, which allows the public and regulated entities to provide input. During the rulemaking process, PHMSA must also obtain approval from the Office of the Federal Register to incorporate by reference any new materials.

ASME *Boiler and Pressure Vessel Code, Section XII—Rules for Construction and Continued Service of Transport Tanks* (2015) and the National Board of Boiler and Pressure Vessel Inspectors *National Board Inspection Code, Parts 2 and 3,* and *Supplement 6 to Parts 2 and 3* (2015) are available for purchase directly from ASME and the National Board at *https://www.asme.org/shop/standards#des=BPVC* and by request via email to *orders@nationalboard.org,* respectively. The standards are summarized in Section I. Executive Summary and are discussed in greater detail in Section VII: Section-by-Section Review.

III. Rulemaking Background

A. Petitions for Rulemaking

After receiving three petitions for rulemaking from industry stakeholders concerning the incorporation of certain consensus industry standards into the HMR (P–1459, P–1474, and P–1502), PHMSA initiated an advanced notice of proposed rulemaking (ANPRM) followed by a notice of proposed rulemaking (NPRM). The ANPRM and NPRM both received predominantly negative feedback from stakeholders. PHMSA made adjustments to the proposal and issued a supplemental notice of proposed rulemaking (SNPRM). The SNPRM received much more positive reception from stakeholders, prompting PHMSA to issue this final rule.

B. ANPRM and NPRM

On December 23, 2010, PHMSA published an ANPRM that posed several questions pertaining to the potential costs, burdens, or safety concerns regarding the incorporation by reference of the 2011 edition of *Section XII* and the *NBIC* for the construction and continued service of CTMVs, cryogenic portable tanks, and ton tanks.[8] The ANPRM generated 40 sets of comments from stakeholders, most of which opposed incorporating the referenced standards into the HMR. That opposition was based primarily on the presumption by commenters that PHMSA intended to replace *Section VIII, Division 1* with *Section XII,* rather than to provide the option of using either standard. The commenters were familiar with the manufacturing and continued service requirements under the HMR (*i.e.,* the status quo) and expressed concern that *Section XII* would present complicated changes in the way their transport tanks are manufactured and requalified.

On December 30, 2013, PHMSA published an NPRM that proposed to incorporate the 2013 edition of *Section XII*—with limited exceptions—as an alternative to existing standards for certain CTMVs, cryogenic portable tanks, and ton tanks.[9] PHMSA also proposed to incorporate the 2013 edition of the *NBIC* for alterations, repairs, and inspections performed on all ASME-constructed tanks used for the transportation of hazardous materials. The NPRM generated 20 sets of comments from stakeholders. The majority of the comments opposed incorporating the referenced standards (*Section VIII, Division 1 and Section XII*) into the HMR. Two commenters supported the proposals, and three commenters supported the proposals with modification. Several commenters posed questions or proposed additional modifications. Commenters who supported the proposals generally indicated: (1) the need to incorporate *Section XII* to reflect present-day improvements, especially the new definitions of authorized inspection agencies; and (2) support for alternative standards. Commenters opposing the proposals generally indicated: (1) lack of public input and inaccessibility to current and future versions of *Section*

[7] 81 FR 4673 (Jan. 27, 2016).

[8] 75 FR 80765 (Dec. 23, 2010).

[9] 78 FR 79363 (Dec. 30, 2013).

XII and the *NBIC;* (2) inefficient and excessive cost to the industry; and (3) an assertion that no improvement in hazardous materials transportation safety would be realized. Commenters also questioned how the continued service requirements of *Section XII* would affect small industry stakeholders and expressed concerns about what role PHMSA would have in oversight of the manufacturing process.

C. SNPRM

On April 29, 2016, PHMSA issued an SNPRM proposing the following changes to the HMR: [10]

• Incorporating the 2015 edition of *Section XII* (instead of the 2013 edition, as previously proposed in the December 2013 NPRM);

• Incorporating the 2015 edition of the *NBIC* (instead of the 2013 edition, as previously proposed in the December 2013 NPRM);

• Authorizing construction and continued service of CTMVs, cryogenic portable tanks, and ton tanks in accordance with *Section XII.* In Table 3, the following transport tanks would be eligible for construction and continued service under *Section XII:*

TABLE 3—AUTHORIZED TRANSPORT TANKS UNDER SECTION XII

Tank type	Specification
Cargo Tank Motor Vehicle.	MC 331 and 338, and DOT 406, 407, and 412.
Cryogenic Portable Tank.	UN T75.
Ton Tanks	DOT 106A and 110AW.

Note: Tanks listed in this table that are already constructed under *Section VIII, Division 1* were not proposed to be eligible for continued service using *Section XII.* Tanks that have been constructed under *Section VIII, Division 1* must be evaluated in accordance with the 1992 or 2015 NBIC and the requirements of the HMR.

• Requiring the use of the 2015 edition of the *NBIC* and Supplement 6, where applicable, for the qualification, requalification, and maintenance of transport tanks (if constructed to *Section XII*) listed in Table 3; and

• Authorizing the use of the 2015 edition of the *NBIC* for the continued service, inspection, and repair of CTMVs currently in service and constructed to *Section VIII, Division 1* and the HMR.

The stated goals of the SNPRM were to:

• Provide stakeholders further opportunity to comment on the content of *Section XII* and the *NBIC,* as well as the safety improvements and updates reflected in the revised 2015 editions;

• Synchronize the timing of PHMSA's rulemaking action with the biennial updates of *Section XII* and *NBIC* by ASME and the National Board, respectively; and

• Minimize or relieve the public and the government of possible administrative burdens (*i.e.,* special permit applications) that would be associated with incorporating the 2013 editions by reference, when 2015 editions have been published.

Please note that PHMSA is aware that ASME has published marginally revised editions of *Section XII* since the 2015 edition. However, incorporating these newer editions into this rulemaking would require additional procedural steps for only minor updates. These additional steps would significantly delay the voluntary use of *Section XII,* postponing PHMSA's efforts to provide immediate regulatory flexibility to the regulated community. Furthermore, today's final rule represents a vast improvement because it implements a new option for manufacturing transport tanks, even when incorporating the 2015 edition of *Section XII.* Lastly, PHMSA personnel actively participate as voting members on various ASME consensus and code committees and remain in constant communication with the regulated community. Through this involvement, PHMSA is aware that diverse stakeholder groups anticipate the completion of this rulemaking effort without further delay and welcome adopting the 2015 edition as a positive change despite the existence of more recent editions.

Therefore, PHMSA is incorporating by reference the 2015 edition as proposed in the SNPRM. PHMSA will evaluate and consider incorporation of newer editions of the ASME (and NBIC) in future rulemakings.

D. DOT's 2017 Notification of Regulatory Review Comments

On October 2, 2017, DOT published a notice in the **Federal Register** informing the public that it was reviewing existing regulations and other agency actions to evaluate their continued necessity, effectiveness, or burden on energy resources.[11] DOT invited the public to provide input on existing rules and other agency actions that are good candidates for repeal, replacement, suspension, or modification.

Container Technology Incorporated submitted input supporting publication of this final rule, noting that the use of *Section XII* would provide regulatory relief via new opportunities for tank operators to haul more payload.[12] Container Technology estimated that truckers who operate compressed gas tanks would be able to gain the equivalent of an extra load approximately every 35 trips.

E. NTSB Recommendations

This rulemaking addresses two National Transportation Safety Board (NTSB) recommendations that PHMSA received on September 2, 2011, as a result of NTSB's investigation of a rollover and subsequent fire of a truck-tractor and cargo tank semitrailer carrying liquefied petroleum gas.

Recommendation H–11–5 advised PHMSA to study the dynamic forces acting on susceptible structures under varying accident conditions, and to develop performance standards to eliminate or mitigate these risks after conducting an analysis of accident data on DOT-specification cargo tanks.[13] NTSB recommended that PHMSA identify cargo tank designs and the associated dynamic forces that pose a higher risk of failure and release of hazardous materials in accidents. As discussed in the 2013 NPRM, several research and development projects support adopting the 2013 editions of the *NBIC* and *Section XII.* The studies referenced in the NPRM support incorporating the 2015 edition of these standards as well. In developing *Section XII,* the ASME subcommittee on transport tanks (SC XII), as well as other stakeholders, commissioned studies on materials used in the construction of tanks, components of tanks, and tanks themselves, to aid in developing safe specifications for transport tanks.

Recommendation H–11–6 further advised that PHMSA require all newly manufactured cargo tanks to comply with the performance standards identified as a result of H–11–5.[14] Though PHMSA is not mandating that cargo tanks be constructed to *Section XII* standards, giving vehicle manufacturers additional flexibility for materials, design, fabrication, examination, inspection, testing, certification, and over-pressure protection will improve the survivability of cargo tanks involved in

[10] 81 FR 25627 (Apr. 29, 2016).

[11] 82 FR 45750 (Oct. 2, 2017).

[12] Container Tech. Inc., Comment, Docket ID DOT–OST–2017–0069–2698 (Dec. 1, 2017).

[13] Nat'l Transp. Safety Bd., *Safety Recommendation H–11–005* (Sept. 2, 2011), available at: *https://data.ntsb.gov/carol-main-public/sr-details/H-11-005.*

[14] Nat'l Transp. Safety Bd., *Safety Recommendation H–11–006* (Sep. 2, 2011), available at: *https://data.ntsb.gov/carol-main-public/sr-details/H-11-006.*

rollover accidents. Cargo tanks constructed to *Section XII* standards will be better able to withstand the conditions encountered in transportation, including rollover accidents.

IV. Response to SNPRM Comments

PHMSA received 17 sets of comments on the SNPRM from the following entities:

TABLE 4—COMMENTER DOCKET TABLE

Commenter	ID No.
Container Technology Incorporated.	DOT–OST–2017–0069–2698.
Mr. Andrew Duggleby (6x).	PHMSA–2010–0019–0105—110.
Mr. Pardhasarathi Chilukuri.	PHMSA–2010–0019–0117.
Commercial Vehicle Safety Alliance (CVSA).	PHMSA–2010–0019–0113.
The International Tank Container Organisation (ITCO).	PHMSA–2010–0019–0115.
National Propane Gas Association (NPGA).	PHMSA–2010–0019–0114.
NJP Engineering	PHMSA–2010–0019–0111.
Mr. Robert Sallash (2x).	PHMSA–2010–0019–0112;—120.
Mr. James Silver/@ TCO Asia.	PHMSA–2010–0019–0116.
Mr. James Silver/ CIMS Inspection Services LLC.	PHMSA–2010–0019–0118.
Mr. Alexander Varghese (Gardner Cryogenics).	PHMSA–2010–0019–0119.

Most of the comments expressed support for the changes proposed in the SNPRM. Commenters noted that incorporating *Section XII* would enhance public safety, welfare, and economic interests of the United States by facilitating international approval of U.S. manufactured transportation tanks. Commenters also cited additional benefits of incorporating *Section XII* by reference, including: (1) *Section XII's* improvements to design standards for transportation tanks, which reflect present-day technologies; (2) the provision of an alternative to *Section VIII, Division 1* design standards for stationary pressure vessels (*i.e.,* stationary tanks); and (3) the flexibility provided by the new rational design methodology in *Section XII.* Commenters who supported incorporating *Section XII* expressed frustration over the delay in adopting these standards, which are already in use and increasingly in demand by manufacturers. One commenter noted that he looked forward to no longer being limited to a standard that was intended for fixed equipment, which, consequently, requires supplemental reference to the HMR. Commenters further noted the benefits of incorporating *Section XII,* which is a standard intended for tanks that will be transported. Commenters stated that *Section XII* is a more accurate assessment of the service life of transportation tanks on the road, which includes addressing the hazards and stresses associated with transportation and the transportation cycle.

Only two commenters—both of whom were associated with the international transport of portable tanks and expressed similar concerns in responding to the 2013 NPRM—opposed incorporating *Section XII* and the 2015 edition of *NBIC.* These commenters raised concerns with: (1) the actual benefits to hazardous materials transportation that would result from incorporating the 2015 editions; (2) the registration, inspections, and National Board requirements; (3) the negative impacts that the 2015 editions would have on the design, inspection, and international use of cryogenic portable tanks (*i.e.,* UN T75 portable tanks); (4) the lack of public input and inaccessibility to current and future versions of *Section XII* and the *NBIC;* and (5) implementation.

PHMSA also received a few comments pertaining to the impact that a 2016 rulemaking, titled *Hazardous Materials: Incorporation by Reference Edition Update for the American Society of Mechanical Engineers Boiler and Pressure Vessel Code and Transportation Systems for Liquids and Slurries: Pressure Piping Code* (HM–261 final rule), would have on this final rule.[15] In the HM–261 final rule, PHMSA replaced the 1998 edition of *Section VIII, Division 1* with the 2015 edition.

Comments received and responses to the 2016 SNPRM are summarized and discussed further below.

A. Benefits of Section XII

PHMSA highlights the supportive comment received from NJP Engineering and others that similarly stated that the use of a standard that is specific to transport tanks is an inherent advantage. Because *Section VIII, Division 1* does not consider transportation conditions (*i.e.,* dynamic loads on tanks), CTMV manufacturers have not been permitted to take advantage of reduced design margins (except through a special permit) even though greater allowable stresses have been permitted under ASME *Section VIII, Division 1* since the late 1990s.

PHMSA notes *Section XII* provides additional advantages over *Section VIII, Division 1. Section XII* incorporates a rational design methodology, rather than providing strict, prescriptive design requirements as in *Section VIII, Division 1.* As explained in the 2013 NPRM, rational design methodology enables tanks to be designed with greater efficiency.[16] *Section XII* also provides specific standards for fatigue analysis as a part of the continued service for transport tanks. Transport tanks, more often than stationary tanks, are subjected to pressure cycles (*i.e.,* frequent and rapid fill and discharges of the lading), as well as shocks and vibration from movement. Fatigue analysis is therefore essential for the examination of these tanks. Though the HMR and *Section VIII, Division 1* mention fatigue as a design consideration, no specific standards are provided therein. Finally, safety improvements under *Section XII* include adjustments to the minimum thickness conversion formula for designing transport tanks for penetration resistance, as defined in various international standards—such as the United Nations Recommendations on the Transport of Dangerous Goods Model Regulations (UN Model Regulations) [17]—and the HMR.

In addition to these safety benefits, the incorporation by reference of *Section XII* will continue to provide the benefit of transport cost savings from the modified design standards (*i.e.,* greater allowable stresses) for the construction of cargo tanks. Those cost savings are reflected largely in fuel savings.

Not all commenters shared a positive outlook on the proposed changes. Specifically, Mr. Colin Rubery, on behalf of ITCO, and Mr. James Silver, on behalf of Silver/Cims LLC and @TCO, stated that this rulemaking is inefficient, redundant, and would increase costs to the industry with no return or improvement in the transport of hazardous materials. Mr. Silver further suggested this final rule should not be adopted because one of PHMSA's justifications for incorporating *Section XII* and NBIC was cost savings due to the reduced safety factor required for pressure vessels. Mr. Silver argued that this economic benefit was no longer credible because the adoption of the

[15] 81 FR 25613 (Apr. 29, 2016).

[16] 78 FR 79363 (Dec. 30, 2013).

[17] UN Model Regulations Rev. 24 (2025), available at: *https://unece.org/transport/dangerous-goods/un-model-regulations-rev-24.*

HM–261 final rule voided the savings projections and all other benefits relating to this final rule.

PHMSA disagrees that permitting the use of *Section XII* is inefficient or redundant because of the HM–261 final rule. PHMSA notes that the cost savings of this final rule outweigh the total costs (*see* the RIA). Furthermore, the HM–261 final rule updated the version of *Section VIII, Division I* and other sections incorporated by reference but did not incorporate *Section XII.*

On April 29, 2016, PHMSA published a direct final rule, entitled *Hazardous Materials: Incorporation by Reference Edition Update for the American Society of Mechanical Engineers Boiler and Pressure Vessel Code and Transportation Systems for Liquids and Slurries: Pressure Piping Code* (HM–261 direct final rule).[18] The HM–261 direct final rule updated the incorporated edition of *Section VIII, Division 1,* from the 1998 edition to the 2015 edition, as well as other sections of the ASME BPVC.[19] PHMSA issued the HM–261 direct final rule because industry was already manufacturing DOT specification CTMVs and other non-DOT specification CTMVs (*e.g.,* nurse tanks) in accordance with various editions of *Section VIII, Division 1* (between the 1998 edition and the 2015 edition) to maintain ASME certifications. PHMSA determined that there were no adverse safety issues with incorporating earlier editions of *Section VIII, Division 1,* provided tanks had been properly constructed and maintained in accordance with ASME standards.

The HM–261 direct final rule strengthened PHMSA's ability to ensure compliance with CTMVs constructed to more recent versions of *Section VIII, Division 1.* The HM–261 direct final rule simply replaced the 1998 edition of *Section VIII, Division 1* with the 2015 edition. It did not negate the limitations associated with applying a construction code intended for stationary pressure vessels to tanks that are used to transport hazardous materials. For that reason, when using the 2017 edition of *Section VIII, Division 1,* several HMR requirements remain applicable, whereas *Section XII* requires fewer supplements from the HMR. Furthermore, though the use of *Section VIII, Division 1* is limited to construction of new pressure vessels, *Section XII* is applicable for construction and continued service of transport tanks. Similar technical improvements found in the 2015 edition of *Section XII* also appear in the 2015 edition of *Section VIII, Division 1,* but there are several benefits singularly provided by *Section XII.* PHMSA has addressed these benefits in the NPRM and SNPRM.

B. Registration, Inspection, and Training

PHMSA received various comments regarding registration and inspection requirements for tank inspectors and repair facilities. These comments were primarily from members of the portable tank community (ITCO, @TCO, and Silver/Cims, LLC) who inspect tanks that may be transported outside of the United States. Many of the commenters expressed confusion regarding the use of *Section XII* and the implicit use of the 2015 edition of the *NBIC,* and the requirements to have certain credentials from the National Board. These commenters also specifically suggested that the inspections and credentials required by using ASME *Section XII* would impose a financial burden. PHMSA has determined that most of the comments on this topic are either overstated or based on a misunderstanding of the 2015 edition. To address the comments, PHMSA is providing clarification of the registration and inspection requirements below.

Mr. James Silver, on behalf of two organizations (@TCO and Silver/Cims, LLC), provided comments concerning registration and inspection requirements for inspectors and repair facilities. He suggested that PHMSA proposed additional registration requirements, which he attributes to the incorporation of *Section XII.* Mr. Silver asserted that the portable tank industry would suffer excessive costs due to ''redundant registration and need for redundant (multiple inspectors),'' and that every test facility and tester would be ''beholden to NBIC for registration and test fees forever more.''[20] Similarly, Mr. Colin Rubery, on behalf of ITCO, suggested that incorporating by reference *Section XII* and the *NBIC* (required in combination) would create what he characterizes as a monopoly on inspector training by the National Board. ITCO estimated that, to prepare for the arrival of these tanks in the global marketplace, international inspectors (including the International Association of Classification Societies (IACS) and third-party inspectors) and testing and repair facilities would incur costs of $3.64 million.[21] In addition, Mr. Silver stated that: (1) the *NBIC* should not be employed for the continued service inspections of portable tanks, because the National Board does not recognize competent authority designated approval agencies; and (2) international stakeholders rely on designated approval agencies with IACS membership for approval and periodic inspection requirements (which PHMSA addresses in the next comment discussion).

PHMSA notes that the regulatory framework of the HMR consists of requirements for the design, manufacture, assembly, inspection, testing, certification, and repair of packagings, such as portable and cargo tanks, to minimize safety risks. As explained in the comment from Mr. Alexander Varghese, this is especially important for the safety of the public considering that ''transportation tanks are exposed to the public substantially more than stationary tanks.''[22] PHMSA has historically relied on external entities (*i.e.,* Registered Inspectors for cargo tanks and Designated Approval Agencies (DAAs), such as Silver/Cims, LLC for portable tanks) to perform many of the functions relating to verification of the requirements previously mentioned. Oversight of entities that ensure transport vessels meet the applicable standards for the safe transport of hazardous materials on behalf of PHMSA begins with the registration or approval of those parties. Acquiring registration or an approval requires the inspector or agency to demonstrate their qualification to determine whether a pressure vessel conforms to DOT requirements, as specified in subparts E and F of part 107. Similarly, PHMSA has incorporated construction and design standards developed by other organizations, as is the case for ASME BPVC and the NBIC. ASME and the National Board have their own administrative oversight procedures and designated entities that ensure these construction and design standards are met. Like DAAs and Registered Inspectors working on behalf of DOT, these entities perform their duties on behalf of ASME and NBIC. The entities authorized by ASME and NBIC to provide certifications (*e.g.,* ''T,'' ''U,'' or ''R'' stamps) include Authorized Inspectors (AI), Qualified Inspectors (QI), Certified Inspectors (CI), and in the case of the National Board, inspectors

[18] 81 FR 25613 (Apr. 29, 2016).

[19] PHMSA subsequently incorporated by reference the 2017 Edition of *Section VIII, Division 1.* 85 FR 75680 (Nov. 25, 2020).

[20] James R. Silver, Comment, Docket ID PHMSA–2010–0019–0104 (Jun. 28, 2016).

[21] Int'l Tank Container Org., Comment, Docket ID PHMSA–2010–0019–0076 (Apr. 28, 2014).

[22] Alexander P. Varghese, Comment, Docket ID PHMSA–2010–0019–0104 (Jun. 30, 2016).

who are ''commissioned.'' [23] Although the HMR incorporate by reference standards set forth by ASME and NBIC, PHMSA has not required that ASME or NBIC inspectors register with DOT. Consequently, in the interest of oversight, the HMR requires registered inspectors and DAAs to verify the inspections are completed by an ASME AI.

Although multiple inspections and tests are required for portable tanks and cargo tanks, these are not new requirements resulting from the incorporation by reference of *Section XII* and the 2015 *NBIC*—nor are they redundant. The certification and associated inspections carried out by ASME inspectors serve to verify that the tank meets the ASME design and construction standards. DAAs or Registered Inspectors verify that the ASME constructed transport vessel meets PHMSA's safety standards. These requirements and processes are in place to mitigate the risk of a catastrophic failure of pressurized tanks while transporting hazardous materials.

Part 180, subpart G of the HMR outlines the schedule and criteria for periodic inspections and tests. These requirements are mirrored in *Section XII* specifically to align with the HMR. For portable tanks constructed to *Section VIII,* periodic inspections may be performed by following the HMR and do not require any reference to the *NBIC.* For repair or alterations, the HMR defers to the requirements of the original design and construction standard of the portable tank. Regarding the commenter's point, many *Section VIII* portable tanks are currently inspected and certified by inspectors who hold a National Board commission. As required by ASME, *Section VIII* pressure vessels must be repaired or altered only by organizations holding a National Board ''R'' Certificate of Authorization. This rulemaking does not alter the inspection requirements for *Section VIII* tanks.

The most significant change in this rulemaking is the incorporation by reference of *Section XII,* which will permit construction to ASME *Section XII* as an alternative. For ASME *Section XII* constructed tanks, all inspections, repairs, and alterations must still be carried out in accordance with the *NBIC.* ASME extended the inspector credential requirements, previously reserved for entities involved in repairs and alterations, to those providing periodic inspections to ensure uniformity for the level of safety of the tanks and inspection activities. Specifically, a National Board commissioned inspector must be involved in the inspections of repairs and alterations. Periodic inspections for *Section XII* transport vessels may still be carried out by a DOT-recognized Registered Inspector upon completion of a web-based training course. Aside from hydrostatic testing, which must now be witnessed by an AI, QI, or CI, the role of Registered Inspectors in the HMR is not changing for cargo tanks. PHMSA notes that because all cargo tanks must be ASME stamped under this final rule, repairs are required to be made by an ''R'' certificate holder, unlike the current requirements in the HMR, which allow certain cargo tanks to be repaired by a ''U'' certificate holder.

PHMSA disagrees with ITCO's assertion that adoption of *Section XII* and the *NBIC* (required in combination) would create a monopoly. *Section XII* specifies that individuals who repair tanks constructed and certified to that standard must use a National Board commissioned inspector. This process mirrors PHMSA's oversight of inspectors and approval agencies that verify safety requirements of packagings on the agency's behalf. PHMSA has also determined that it is no different from the practice described by the commenter, in which ''enforcement authorities in most foreign countries only recognize IACS-member approval agencies.'' [24] A baseline requirement is needed for individuals or organizations that are responsible for verifying the acceptability of tanks prior to transportation. Requiring an individual or organization to have specific credentials is not unique to this agency or this rulemaking. Such a requirement ensures the safety of packagings that contain hazardous materials. PHMSA expects the incorporation by reference of the 2015 *NBIC* for continued service of *Section XII* tanks to be the best course of action due to the development of Supplement 6 for use with *Section XII.* PHMSA finds that National Board-commissioned inspectors are best positioned for inspection of *Section XII* transport tanks.

Regarding ''NBIC registration,'' as mentioned in the comment from Silver/Cims LLC,[25] PHMSA has determined this is a misunderstanding of the registration required under part 107 and the concept of a ''commissioned inspector'' under *NBIC*—neither of which are new requirements added under this rulemaking.

PHMSA disagrees with the two commenters from the portable tank community who stated that this rule will add an estimated $3.64 million in costs for the industry. Any increased costs to industry will be outweighed by offsetting cost savings and benefits. Furthermore, the commenters provided no data to support this estimate. PHMSA estimates that the actual costs for certain facilities could be as low as $250 to purchase the newest ASME code. PHMSA acknowledges that those enforcing compliance with these standards will likely incur some training costs regardless of the usage rate of the new standard. PHMSA also agrees that the costs associated with obtaining a National Board commission or completing required testing would be new costs to some test facilities that perform leakage and pneumatic/hydrostatic tests, and for inspectors who have not already begun conducting inspections of *Section XII* tanks. The final rule does mandate the use of *Section XII* and the *NBIC.* Such use, whether continuing to construct transport tanks to *Section VIII, Division 1,* or foregoing training and a National Board commission, are business decisions to be made by individual organizations. This rule provides additional regulatory flexibility to make those business decisions.

Inspectors who have conducted inspections in accordance with the HMR, rather than acquiring an ''R'' certificate from the National Board, will be able to continue doing so for *Section VIII* tanks in addition to conducting inspections for *Section XII* tanks. This is consistent with the decision to construct all authorized DOT-specification CTMVs, to specialize in a single specification of the DOT 400 series CTMVs, or to transport portable tanks within the United States only. In addition, the incorporation by reference of *Section XII* does not require equipment purchase, employee training, or standard purchase unless it is in the interest of a manufacturer, non-manufacturer, or an inspector to do so. A comment from Exosent Engineering indicated that the company had already obtained a ''T'' stamp and stated the additional cost and administrative work was ''minimal.'' Exosent Engineering

[23] A National Board commissioned inspector is an individual who has met the education, experience, employment, and examination requirements as outlined in NB–263, RCI–1, Rules for Commissioned Inspectors. *See* Nat'l Bd., *Rules for Commissioned Inspectors* (2025), available at: *https://www.nationalboard.org/SiteDocuments/Commissioned%20Inspectors/NB-263_RCI-1_2021.pdf.*

[24] Int'l Tank Container Org., Comment, Docket ID PHMSA–2010–0019–0027 (May 25, 2011).

[25] James R. Silver, Comment, Docket ID PHMSA–2010–0019–0104 (Jun. 29,2016).

went on to state that the design and construction were achieved at no extra cost. Although costs to each type of industry stakeholder will vary, PHMSA expects that users will assess whether it makes economic sense for them to adopt *Section XII,* and that the overall cost burden will be minimized because of a lower usage rate. Furthermore, PHMSA believes it is very likely that many in this industry already have the most current codes to maintain their ASME ''U'' or ''R'' stamps.

C. Impact on Portable Tank Market

Mr. James Silver reiterated concerns regarding the effect of permitting the use of *Section XII* on the portable tank industry. Mr. Silver argued that existing UN portable tank standards and regulations ensure the safe transportation of hazardous materials, and that incorporating the 2015 editions of *Section XII* and the *NBIC* for in-service and continued use inspection of portable tanks would be counterproductive to the efforts of the international portable tank community. In addition, Mr. Silver asserted that if National Board-registered inspectors or authorized inspection agencies inspect UN portable tanks for continued service, regional authorities and port inspectors in foreign countries would reject the tanks for import and continued transit. Mr. Silver further argued that the enforcement authorities in most foreign countries only recognize IACS-member approval agencies due to their long-standing involvement with the International Maritime Dangerous Goods (IMDG) Code. He provided examples of tanks that were inspected by non-IACS members being stopped in transit and material needing to be transloaded to an approved portable tank with IACS-member periodic test stamp only. Mr. Silver and Mr. Rubery (on behalf of ITCO) expressed their similar belief that the public would be better served if PHMSA introduced the changes to incorporate by reference *Section XII* and the *NBIC,* with respect to portable tanks, under the scope of the UN Sub-Committee of Experts on the Transport of Dangerous Goods and pursue the changes as amendments to the UN Model Regulations. Lastly, Mr. Silver suggested that *Section XII* should not be offered as an alternative construction standard for UN T75 portable tanks because *Section VIII, Division 1* and *Section XII* are currently employed either through incorporation by reference or by special permit, respectively.

PHMSA agrees that existing portable tank standards and regulations are effective for the safe transportation of hazardous materials—that is why *Section VIII* will continue to be authorized for use. But PHMSA still has the authority to implement an updated alternative design standard that provides at least an equivalent level of safety, in addition to providing the industry demonstrable advantages such as cost savings, advanced design guidelines, and more realistic tank life estimates. *Section XII* is such an updated alternative.

PHMSA disagrees that the incorporation of *Section XII* will lead to disruption in the international market. *Section XII* and the *NBIC* were both developed as international standards and written to be compatible with UN recommendations and other international codes. In responding to this concern, Gardner Cryogenics stated that ''ASME *Section XII* is very close in requirements to International Standards Organization (ISO) Standard 20421–1 for cryogenic transportation tanks,'' and that ''several industrial countries have already approved its use or are in the process of evaluation.'' [26] The UN Model Regulations, IMDG Code, and related ISO standards allow for a nation's Competent Authority to determine the requirements that apply for the construction and repair of packagings used in the transportation of hazardous materials and recognize ASME and National Board codes.[27] PHMSA anticipates reciprocity from foreign countries to recognize cryogenic portable tanks authorized in accordance with the HMR such that *Section XII* transport tanks, inspected in accordance with the *NBIC* (*i.e.,* the HMR), will be recognized internationally in the same manner as foreign inspections of UN portable tanks are recognized through the approval process of a DAA under the HMR. There is no specific requirement under the IMDG Code to use IACS inspectors, only that the inspections and tests of portable tanks intended for transport of refrigerated liquefied gases must be witnessed by an expert approved by the competent authority or its authorized body (*i.e.,* a National Board-certified inspector). Thus, PHMSA has determined the incorporation by reference of the *NBIC* for the continued service of *Section XII* transport tanks will not have any negative international impact.

[26] Alexander P. Varghese, Comment, Docket ID PHMSA–2010–0019–0104 (Jun. 30, 2016).

[27] UN Model Regulations, at Paragraphs 6.1.1 and 6.1.2; IMDG Code, at Chapter 6.1.

D. Public Input to Future Versions of Section XII and the NBIC

PHMSA received comments from Mr. James Silver and ITCO regarding the practice of incorporating by reference codes such as the *NBIC* and ASME *Sections VIII* and *XII.* Specifically, the commenters restated their opinion that incorporating these standards reduces transparency because the authoring standards development organizations are not obligated to provide comment periods, as is required for Federal agencies when making regulatory changes and therefore do not assure public input for future revisions. The commenters noted that industry and the public would be better served with standards and training developed by PHMSA.

PHMSA disagrees that developing an entirely new set of standards would be the best approach for industry or the HMR. By addressing advances related to materials, design, fabrication, examination, inspection, testing, certification, and over-pressure protection, *Section XII* was developed to be a model for modernization of the HMR. It is intended to: (1) be a standard that would be more readily adoptable by jurisdictions worldwide; (2) cut government costs; (3) establish a way to accredit manufacturers of these tanks; (4) establish requirements for third-party inspection and for various sorts of inspectors, both during construction and in-service; and (5) incorporate industry consensus standards into the Federal regulations as required by the Unfunded Mandates Reform Act of 1995 (UMRA; Pub. L. 104).

These standards were developed by voluntary consensus standards development organizations comprised of stakeholders and government representatives—including PHMSA—involved in the design, certification, continued qualification, and maintenance of transport tanks.[28] These stakeholders have expert knowledge of how to design, construct, and maintain tanks to withstand the unique dynamic conditions and stresses of a normal transportation environment. Both *Section XII* and the *NBIC* were developed as global standards and were written to be compatible with the UN Model Regulations. ASME meets due process requirements as defined by the non-governmental American National Standards Institute (ANSI). As such, the meetings for the development of ASME standards are open to the public and operate under the ANSI consensus

[28] For example, the American Society of Mechanical Engineers and the National Board of Boiler and Pressure Vessel Inspectors.

process that allows for public review and comment much like the DOT rulemaking process.

Information about the development and coordination of *Section XII* and the *NBIC* was made available online to the public, and draft revisions are made available for public review and input.[29] In addition to hosting public meetings, ASME committee participation is open to anyone with an interest in a particular subject area and with the requisite technical expertise. Further, ASME and the NBIC committee meetings are open to public participation and free of charge. Both the ASME and NBIC subcommittees consider correspondence from the public in the form of requests for interpretation and revision to existing codes, requests for code cases, and requests to develop new standards. The standards-writing subcommittees, subgroups, and task groups are also open to participation by representatives of individuals that are materially affected by the code. Each year, the NBIC committee updates the NBIC and presents the updates on the National Board's website for public review in April-May and August-September. Furthermore, PHMSA ultimately makes the determination on conditions and limitations of material incorporated by reference. If there is a particular issue with a standard, commenters can raise concerns with PHMSA during the notice stage of a rulemaking.

The Commercial Vehicle Safety Alliance (CVSA) commented that it supports the incorporation by reference of technical standards ''provided that the U.S. Department of Transportation requires access (including electronic access) for enforcement and government purposes, at no charge, to these materials,'' and that ''when those in industry develop standards that can be used by government it is appropriate to do so . . . [h]owever, if care is not taken in how that incorporation by reference is designed, it could result in materials not being accessible.'' [30] CVSA argued that prohibitive fees render certain incorporation by reference materials inaccessible to State and Federal Government officials.

The industry-developed materials incorporated in this final rule are available for review free of charge in-person at PHMSA's headquarters and regional offices, as well as through the Federal Motor Carrier Safety Administration (FMCSA) headquarters. State enforcement officials have access to *Section XII* and the *NBIC* for performance of enforcement activities (*i.e.,* roadside checks). Specifically, PHMSA's understanding is that these activities primarily entail verification of marking requirements, for example, and not in-depth review of compliance with design, construction, and repair standards. Since the marking requirements are no different than the current marking requirements under the HMR for the same packagings constructed in accordance with *Section VIII, Division 1,* the HMR—which is readily accessible and available for free at PHMSA's website—can be used as a reference for the marking requirements.

E. Implementation

1. Section XII and the HMR

Mr. Chilikuri commented that *Section XII* does not address all the existing HMR requirements for transport tanks, such as rear-end damage protection.[31] NJP Engineering further noted that proposed § 173.14 (now § 173.252 for consistency with the construct of the HMR) is broad in its application and that part 178 covers items that are not addressed in *Section XII* (*i.e.,* manhole assembly requirements in § 178.345–5(e)).[32] Therefore, Mr. Chilikuri requested clarification of the requirements in this instance for the benefit of designers, manufacturers, and enforcement officials.

PHMSA agrees that the 2015 edition of *Section XII* does not address all conditions associated with transport tanks. Entities opting to use *Section XII* for construction of transportation tanks must still comply with parts 178 and 180 of the HMR for items not covered by *Section XII.* This is emphasized by reading *Section XII* at TG–100.3, which states that ''applicable laws and regulations may contain additional requirements for pressure vessels used in the transportation of dangerous goods which are not addressed in this section.'' The new provisions in this final rule at § 173.252 have been revised to clarify this distinction.

2. Use of the 1992 NBIC

The NPGA requested a modification of the proposed requirements allowing the use of the HMR and either the 1992 or 2015 editions of the *NBIC* for qualification of CTMVs constructed to *Section XII,* stating that such a change would remove financial and training constraints while maintaining the safety objectives of this rulemaking.[33] NPGA noted that PHMSA has not justified limiting which edition of the *NBIC* may be used for the qualification of *Section XII* CTMVs. Furthermore, NPGA asserted that there is no evidence to suggest employees or businesses trained and relying on current regulations for inspection and qualification of CTMVs designed according to ASME *Section VIII, Division 1* are unfit to qualify CTMVs designed according to ASME *Section XII.*

PHMSA has determined that it would not be in the interest of modernizing transportation safety measures or in alignment with best engineering practices to incorporate an outdated reference. Since the 1992 *NBIC* predates ASME *Section XII* by more than a decade, its incorporation could result in confusion and increased violations of the HMR. ASME *Section XII* and the 2015 edition of the *NBIC* were also developed in tandem, so there is no practical way to use the 1992 *NBIC* for *Section XII* pressure vessels.

The 2015 edition of the *NBIC* accounts for numerous changes that have been made to both the construction, repair, and inspection methods for pressure vessels since the early 1990s. Many of these changes take advantage of newer technology, such as the use of ultrasonic examination instead of radiographic examination. When compared to radiographic examination, ultrasonic examination is lower in cost, easier to use, faster to implement, and poses less environmental concerns. Other changes that offer similar improvements include the use of alternative welding methods instead of post-weld heat treatment, and new standard welding procedures designed to control quality and result in more reliable, and consequently, safer welds.

3. Certification Stamp(s)

ITCO commented that incorporating *Section XII* and the 2015 *NBIC* would cause confusion by introducing a ''T'' stamp certification when portable tanks are already subject to ''T'' code marking

[29] For example, public comments may be submitted on proposed new ASME Standards drafts and on proposals to revise existing ASME Standards. All ASME public review proposals are available in hard copy at no cost, and some are available electronically also at no cost. *See* ASME Codes and Standards, *ASME Proposals Available for Public Review* (last accessed Feb. 26, 2026), available at: *https://cstools.asme.org/csconnect/PublicReviewpage.cfm.*

[30] Commercial Vehicle Safety Alliance, Comment, Docket ID PHMSA–2010–0019–0113 (Jun. 22, 2016).

[31] Pardhasarathi Chilukuri, Comment, Docket ID PHMSA–2010–0019–0104 (Jun. 28, 2016).

[32] Nickolas Paulick, Comment, Docket ID PHMSA–2010–0019–0111 (May 17, 2016).

[33] National Propane Gas Association, Comment, Docket ID PHMSA–2010–0019–0114 (Jun. 28, 2016).

requirements.[34] In addition, CIMS Inspection Services noted that PHMSA has not accounted for the cost of repair shops needing to obtain a ''TR'' stamp and estimates a cost of more than $10 million for initial certification. The commenter also noted potential future costs of purchasing updated codes and stamp certification renewal costs.

PHMSA disagrees that introducing a ''T'' stamp will cause confusion given the difference in location and current industry use. The marking requirements of ASME pressure vessels with the ''T'' stamp is a distinct mark with specific criteria similar to that currently in place for ''U'' stamped vessels. The location is normally on an ASME data plate on the tank, whereas the UN markings are located on the tank proper as already required by the HMR and UN Model Regulations. The potential costs associated with obtaining a ''TR'' stamp—as proposed in the 2015 SNPRM—have been removed from the cost of this final rule. This final rule does not require the use of the ''TR'' stamp initially proposed under the SNPRM. Instead, the final rule requires the use of the ''R'' stamp. Repair shops must already hold the ''R'' stamp to perform repairs or alterations in accordance with industry code requirements.

4. Market Conditions

One commenter suggested that PHMSA delay the incorporation of *Section XII* to allow the industry time to assess market conditions and determine whether the continued use of *Section VIII* eliminates the need for *Section XII.*

PHMSA believes industry has had sufficient time since the publication of the SNPRM to make the requested assessment. In addition, PHMSA agrees with other commenters who stated that *Section XII* should be incorporated by reference without further delay. Industry need drives the development of industry codes, as was the case for *Section XII.* As discussed above, the industry lacked a set of standards specifically designed for transport tanks, which resulted in the development of such a standard by the applicable standards development organization. Companies have already made use of *Section XII* and have designed and built these transportation tanks through a special permit, as mentioned in the comments from Gardner Cryogenics and Exosent Engineering. These commenters further stated that their companies have not experienced any additional difficulties in producing the tanks according to *Section XII* as opposed to *Section VIII.* PHMSA reiterates that the use of ASME *Section XII* is optional. An individual company who determines that it would not be to its benefit to use the standard has an alternative: use *Section VIII, Division 1* and follow the HMR.

[34] The International Tank Container Organisation, Comment, Docket ID PHMSA–2010–0019–0115 (Jun. 28, 2016).

V. Section-by-Section Review

The following is a section-by-section review of the amendments in this final rule:

A. Part 107

Section 107.307

Section 107.307 outlines the process for compliance orders and civil penalties (*i.e.,* enforcement). PHMSA is revising paragraph (a) to underscore PHMSA's existing authority to enforce compliance with industry standards that are incorporated by reference into the HMR. This change does not implement any changes to the regulations or PHMSA's authority. Rather, it clarifies the existing authority to aid in regulatory understanding and compliance.

Section 107.503

Part 107, subpart F establishes a registration procedure for persons engaged in the manufacture, assembly, inspection and testing, certification, or repair of both cargo tanks and CTMV manufactured in accordance with a DOT specification or under terms of a special permit issued under part 107.

In this final rule, PHMSA is adopting a revision to accommodate the creation of the ''T'' stamp in *Section XII.* Specifically, PHMSA is adding a reference to the ''T'' stamp along with the existing references to ''U'' stamp in § 107.503(b) and the ''U'' and ''R'' stamps in § 107.503(c). This revision will ensure that a facility that manufactures or repairs a *Section XII* CTMV submits their ''T'' stamp authorization to FMCSA, just as facilities than manufacture or repair *Section VIII* CTMVs submit their ''U'' and/or ''R'' stamp authorizations.

In addition, PHMSA is noting for general awareness that the new § 173.252 (originally proposed as § 173.14), as discussed below, references the registration requirement in this subpart by noting that CTMV ''manufacturers,'' ''inspectors,'' and ''repairers'' of these packagings must be registered with the DOT.

B. Part 171

Section 171.7

Section 171.7 provides a listing of all voluntary consensus standards incorporated by reference into the HMR,

This final rule amends § 171.7—Reference material—to list the 2015 edition of *Section XII,* to reference the 2017 edition of *Sections II, V, VIII, and IX,* and to list the 2015 edition of the *NBIC.* Specifically:

- PHMSA revises the introductory text of paragraph (h) to reflect ASME's new headquarters address.
- PHMSA redesignates paragraphs (h)(1) and (2) as paragraphs (h)(2) and (4), respectively. The redesignation is necessary to reflect numerically the insertion of new paragraph (h)(1) accurately to include an entry for the 2015 edition of *Section XII* in addition to the sections of the 2017 edition of the ''ASME Code'' currently referenced, *i.e., Section VIII, Division 1.* As discussed previously in Section I: Executive Summary, the *Section XII,* Rules for Construction and Continued Service of Transport Tanks, is based on *Section VIII, Division 1* of the ASME BPVC. Like *Section VIII, Division 1, Section XII* sets forth standards for construction, but differs in that it also includes standards for continued service of transport tanks. Supplement 6 to parts 2 and 3 are included to address continued service and inspection of transport tanks specifically. The other supplements to both parts are specifically excluded as they are not relevant to the transportation of hazardous materials.
- PHMSA is adding a new paragraph (h)(3) to authorize the use of the ASME Code, *Section VIII, Division 2,* exclusively for conducting fatigue analyses on the new *Section XII* packagings. Though the HMR already incorporates specific provisions of ASME Code *Section VIII, Division 2* is not currently incorporated by reference. For context, ASME *Section II* defines allowable ferrous and nonferrous materials; *Section V* covers nondestructive testing methods; *Section VIII, Division 1* provides pressure vessel construction rules; and *Section IX* details welding and brazing qualifications.
- PHMSA revises paragraph (x) introductory text to include contact information for the National Board of Boiler and Pressure Vessel Inspectors and revises paragraph (x)(2) to authorize the 2015 edition of the *NBIC.*

C. Part 173

Section 173.252

PHMSA is adding a new § 173.252 addressing the use of *Section XII* for the construction and continued service of certain types of transport tanks as discussed above. For requirements in parts 178 and 180 of the HMR not covered by *Section XII,* persons must continue to comply with applicable requirements for the respective transport tanks in accordance with the HMR in addition to the *Section XII* requirements. Note that PHMSA originally proposed to adopt the language in this section under new § 173.14 in subpart A (General). After further consideration, PHMSA has determined it is more logical and simpler to connect with other authorized bulk packagings by placing this regulatory text in subpart F (Bulk Packaging for Hazardous Materials Other Than Class 1 and Class 7).

For All Tank Types. General conditions for all authorized transport tank types are specified in paragraph (a) as follows:

1. Authorized incorporation by reference material includes ASME *Section XII* Modal Appendices, Mandatory Appendices, and Non-Mandatory Appendices; and use of ASME *Section II* materials, *Section V* Nondestructive Examination, *Section VIII, Division 1* for Parts only, *Section VIII, Division 2* for Fatigue Analysis only, *Section IX* for welding and brazing in accordance with *Section XII* requirements; authorized incorporation by reference material also includes the *NBIC Parts 2* and *3,* and *Supplement 6* of *Parts 2* and *3;*

2. The *NBIC* and *Supplement 6 of Parts 2 and 3* must be used for the design, repair, alteration, certification, qualification, and maintenance of CTMVs, cryogenic portable tanks, and ton tanks constructed to *Section XII;*

3. Repairs must be performed by a facility holding a current National Board certificate of authorization for the use of the National Board ''R'' stamp;

4. Nameplate character markings must be a minimum 4 mm (5/32''); markings directly on the tank must be a minimum 8 mm (5/16'');

5. Marking must be in accordance with *Supplement 6.* Periodic test information is prohibited on the ASME nameplate;

6. Inspection personnel must have qualifications as required by *Section XII,* Article TG–4, and as evident by having a current National Board commission with endorsement for the level and type of inspection (Transport Tank Class) to be performed, or certification from their employer when applicable; and

7. The inspector, and their employer, must be registered with DOT.

For CTMVs. Conditions and requirements specific to CTMVs are specified in paragraph (b). The CTMVs must conform to all applicable requirements of part 173 of the HMR and must meet: *Section XII, Modal Appendix 1* and the appropriate *Article* of the appendix for the category of CTMV; all *Section XII Mandatory Appendices;* and applicable *Non-Mandatory Appendices,* except as follows:

1. Repairs must be performed by a DOT-registered facility holding a current National Board certificate of authorization for the use of the ''R'' stamp; and

2. For DOT MC 338 Cargo Tanks Motor Vehicles, *Section XII, Modal Appendix 1, Article 4, paragraph 1–4.4(g)(6)* does not apply. For evacuated jackets used in flammable liquid service, a minimum jacketed thickness of 2.4 mm (0.0946 in) 12 gauge in the reference steel is allowed.

For Cryogenic Portable Tanks (UN T75 portable tanks). Conditions and requirements specific to cryogenic portable tanks are set forth in paragraph (c). These portable tank types must conform to all applicable requirements of part 173 of the HMR and must meet: *Section XII, Modal Appendix 3, Article 1;* all *Section XII Mandatory Appendices;* and applicable *Non-Mandatory Appendices,* except as follows:

1. External and internal visual inspections in accordance with *NBIC Supplement 6* are required in addition to *Section XII, Modal Appendix 3, Article 1, paragraph 3–1.10(b)* and *Article 1, 3–1.10(b)(5);*

2. *Section XII, Modal Appendix 3, Article 1, paragraph 3–1.10* requires repairs to be performed by a facility holding a current National Board certificate of authorization for the use of the ''R'' stamp. Records must be in accordance with the NBIC *Supplement 6,* as applicable; and

3. *Section XII, Modal Appendix 3, Article 1, paragraph 3–1.10(b)(6)* does not apply to cryogenic portable tanks because, in most cases, the insulating jacket precludes an inspector from seeing if the markings on the portable tank are legible and in accordance with the requirements when conducting internal and external examinations.

For Ton Tanks. Conditions and requirements specific to ton tanks are set forth in paragraph (d). Ton tanks must conform to all applicable requirements of part 173 and must meet: *Section XII, Modal Appendix 4, Article 1;* all *Mandatory Appendices;* and applicable *Non-Mandatory Appendices,* except as follows:

1. Section XII, Modal Appendix 4, Article 1, paragraph 3–1.10. Manufacturer-certified fusible plugs tested and qualified under the fuse plug manufacturers' written quality control system are required;

2. Section XII, Modal Appendix 4, Article 1, paragraph 4–8. Non-ASME marked fusible plugs are allowed;

3. Section XII, Modal Appendix 4, Article 1, paragraph 4–12(a). External and internal visual inspections must be in accordance with *Supplement 6;*

4. Section XII, Modal Appendix 4, Article 1, paragraph 4–12(e). Records must be kept in accordance with NBIC *Supplement 6;* and

5. A ton tank that fails a prescribed test or inspection must be repaired by a facility holding a current National Board certificate of authorization for the use of the ''R'' stamp or be removed from service.

D. Part 178

Section 178.278

PHMSA adds a new § 178.278 to subpart H authorizing the use of *Section XII* for the design, construction, inspection, and qualification of cryogenic portable tanks.

Section 178.301

PHMSA adds a new § 178.301 to subpart J authorizing the use of *Section XII* and the *NBIC* for the design, construction, inspection, and qualification of CTMVs.

E. Part 179

Section 179.302

PHMSA revises § 179.302 to authorize the use of *Section XII* and the *NBIC* (and *Supplement 6*) for the design, construction, inspection, and qualification of ton tanks.

F. Part 180

Section 180.402

PHMSA adds a new § 180.402 to subpart E authorizing the use of the *NBIC* for the continuing qualification, maintenance, and periodic testing of CTMVs.

Section 180.502

PHMSA adds a new § 180.502 to subpart F authorizing the use of the *NBIC* for the continuing qualification, maintenance, and periodic testing of ton tanks constructed to *Section XII.*

Section 180.602

PHMSA adds a new § 180.602 to subpart G authorizing the use of the *NBIC* for the continuing qualification, maintenance, and periodic testing of cryogenic portable tanks (*i.e.,* UN T75 portable tanks) constructed to *Section XII.*

VI. Regulatory Analyses and Notices

A. Statutory/Legal Authority

This final rule is published under the authority of the Federal Hazardous Materials Transportation Act (HMTA; 49 U.S.C. 5101–5127). Section 5103(b) of the HMTA authorizes the Secretary of Transportation to ''prescribe regulations for the safe transportation, including security, of hazardous material in intrastate, interstate, and foreign commerce.'' Section 5120(b) authorizes the Secretary to ensure that, to the extent practicable, regulations governing the transportation of hazardous materials in commerce are consistent with standards adopted by international authorities. The Secretary has delegated the authority granted in the HMTA to the PHMSA Administrator at 49 CFR 1.97(b).

The Administrative Procedure Act (APA; 5 U.S.C. 553(e)) requires Federal agencies to give interested persons the right to petition an agency to issue, amend, or repeal a rule. Through this final rule, PHMSA addresses three specific petitions for rulemaking filed by ASME, the National Board, and the Pressure Vessels Manufacturers Association.

B. Executive Order 12866; Regulatory Planning and Review

Executive Order (E.O.) 12866 (*Regulatory Planning and Review*), as implemented by DOT Order 2100.6B (''Policies and Procedures for Rulemaking''), requires agencies to regulate in the ''most cost-effective manner,'' to make a ''reasoned determination that the benefits of the intended regulation justify its costs,'' and to develop regulations that ''impose the least burden on society.'' [35]

E.O. 12866 and 49 CFR part 5, subpart B require that PHMSA submit ''significant regulatory actions'' to the Office of Information and Regulatory Affairs (OIRA) within the Executive Office of the President's Office of Management and Budget (OMB) for review. This rulemaking is not considered a significant regulatory action under Section 3(f) of E.O. 12866 and, therefore, was not formally reviewed by OMB. This rulemaking is also not considered a significant rule under 49 CFR part 5, subpart B.

In addition, PHMSA accomplishes the directives of E.O. 12866 by harmonizing the HMR with widely used consensus standards to address safety concerns and provide regulatory flexibility and manufacturing efficiency. PHMSA estimates this rulemaking will help ensure the HMR is consistent with the latest technologies and reduces regulatory burdens by authorizing the use of standards that allow the design and construction of transport vessels to more precise and efficient specifications.

C. Executive Orders 14192 and 14219

PHMSA finds this final rule is an E.O. 14192 (*Unleashing Prosperity Through Deregulation*) deregulatory action.[36] PHMSA has determined the total costs of the rule on the regulated community will be less than zero and estimates an annualized net cost savings of approximately $8.1 million per year, at a seven percent discount rate. Further details on the costs, cost savings, and benefits of this rulemaking can be found in the Regulatory Impact Analysis (RIA), which is available in the public docket. In addition, PHMSA finds this rule does not implicate any of the factors identified in section 2(a) of E.O. 14219 indicative of a regulation that is ''unlawful . . . [or] that undermine[s] the national interest.'' [37]

D. Energy-Related Executive Orders 13211, 14154, and 14156

The President declared in E.O. 14156 (*Declaring a National Energy Emergency*) a national emergency to address America's inadequate energy development production, transportation, refining, and generation capacity.[38] Similarly, E.O. 14154 (*Unleashing American Energy*) asserts a Federal policy to unleash American energy by ensuring access to abundant supplies of reliable, affordable energy from (inter alia) the removal of ''undue burden[s]'' on the identification, development, or use of domestic energy resources.[39] PHMSA finds this final rule is consistent with each of E.O. 14156 and E.O. 14154.

This final rule is not a ''significant'' energy action under E.O. 13211 (*Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use*).[40] It also is not a significant regulatory action under E.O. 12866 and is therefore not likely to have a significant adverse effect on the supply, distribution, or use of energy for purposes of the requirements of E.O. 14156 (*Declaring a National Energy Emergency*) and E.O. 14154 (*Unleashing American Energy*). In fact, as opposed to having an adverse effect on the domestic supply, distribution, or use of energy, this final rule may actually contribute to streamlining such transportation through overall efficiencies gained in the hazardous materials transportation industry.

E. Executive Order 13132

PHMSA analyzed this rulemaking in accordance with the principles and criteria contained in E.O. 13132 (*Federalism*).[41] In addition, PHMSA analyzed under its implementing Presidential Memorandum (*Preemption*).[42] E.O. 13132 requires agencies to assure meaningful and timely input by State and local officials in the development of regulatory policies that may have ''substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.''

This rulemaking may preempt State, local, and Native American Tribe requirements, but it does not propose any regulation that has substantial direct effects on the States, the relationship between the Federal Government and the States, or the distribution of power and responsibilities among the various levels of government.

The HMTA contains an express preemption provision at 49 U.S.C. § 5125(b), that preempts State, local, and Tribal requirements on certain covered subjects, unless the non-Federal requirements are ''substantively the same'' as the Federal requirements, including the following:

(1) The designation, description, and classification of hazardous material;

(2) The packing, repacking, handling, labeling, marking, and placarding of hazardous material;

(3) The preparation, execution, and use of shipping documents related to hazardous material and requirements related to the number, contents, and placement of those documents;

(4) The written notification, recording, and reporting of the unintentional release in transportation of hazardous material; and

(5) The design, manufacture, fabrication, inspection, marking, maintenance, recondition, repair, or testing of a packaging or container represented, marked, certified, or sold as qualified for use in transporting hazardous material in commerce.

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[35] 58 FR 51735 (Oct. 4, 1993).

[36] 90 FR 9065 (Feb. 6, 2025).

[37] 90 FR 10583 (Feb. 25, 2025).

[38] 90 FR 8353 (Jan. 29, 2025).

[39] 90 FR 8353 (Jan. 29, 2025).

[40] 66 FR 28355 (May 22, 2001).

[41] 64 FR 43255 (Aug. 10, 1999).

[42] 74 FR 24693 (May 22, 2009).

This final rule addresses covered subject items (2) and (5) above, and will preempt State, local, and Tribal requirements not meeting the ''substantively the same'' standard. In this instance, the preemptive effect of the final rule is limited to the minimum level necessary to achieve the objectives of the hazardous materials transportation law under which the final rule is promulgated. Therefore, the consultation and funding requirements of E.O. 13132 do not apply. PHMSA did not receive any comments in response to the NPRM or SNPRM concerning the effect of the adoption of the specific proposals on State, local or Tribal Governments.

F. Executive Order 13175

PHMSA has analyzed this final rule according to E.O. 13175 (*Consultation and Coordination with Indian Tribal Governments*) and DOT Order 5301.1A (''Department of Transportation Tribal Consultation Policies and Procedures'').[43] PHMSA finds this final rule does not significantly or uniquely affect the communities of the Indian Tribal Governments or impose substantial direct compliance costs. PHMSA notes it did not receive any comments from Native American Tribes.

G. Regulatory Flexibility Act, Executive Order 13272

This rulemaking has been developed in accordance with E.O. 13272 (*Proper Consideration of Small Entities in Agency Rulemaking*) and DOT's procedures and policies to promote compliance with the Regulatory Flexibility Act to ensure that potential impacts of draft rules on small entities are properly considered.[44] As discussed at length in the RIA found in the rulemaking docket, PHMSA concludes that the adoption of *Section XII* and the 2015 edition of the *NBIC* will not have a significant impact on a substantial number of small entities or any foreseeable impact on small businesses given that the provisions adopted under this rulemaking are optional.

H. Paperwork Reduction Act

Under the Paperwork Reduction Act of 1995 (PRA; 44 U.S.C. 3501, *et seq.*), no person is required to respond to any information collection unless it has been approved by OMB and displays a valid OMB control number. Pursuant to 44 U.S.C. 3506(c)(2)(B) and 5 CFR 1320.8(d), PHMSA must provide interested members of the public and affected agencies an opportunity to comment on information collection and recordkeeping requests. PHMSA has analyzed this rule in accordance with the PRA. The recordkeeping requirements in *Section XII* and the *NBIC* are analogous. Thus, the recordkeeping costs of complying with *Section XII* and the *NBIC* are no different than those required under the current regulatory scheme. Moreover, PHMSA has determined that the recordkeeping requirements of *Section XII* and *NBIC* (specifically *Supplement 6*) are more straightforward than *Section VIII.* Please direct PRA questions related to this final rule to Steven Andrews, Office of Hazardous Materials Standards (PHH–12), Pipeline and Hazardous Materials Safety Administration, 1200 New Jersey Avenue SE, 2nd Floor, Washington, DC 20590–0001.

I. Unfunded Mandates Reform Act of 1995

The Unfunded Mandates Reform Act of 1995 (UMRA; 2 U.S.C. 1501, *et seq.*) requires agencies to assess the effects of Federal regulatory actions on State, local, and Tribal Governments, and the private sector. For any NPRM or final rule that includes a Federal mandate that may result in the expenditure by State, local, and Tribal Governments, or by the private sector of $100 million or more in 1996 dollars in any given year, the agency must prepare, amongst other things, a written statement that qualitatively and quantitatively assesses the costs and benefits of the Federal mandate.

As explained in the RIA, this rulemaking does not impose unfunded mandates under the UMRA. It will not result in costs of $100 million or more in 1996 dollars to either State, local, or Tribal Governments, or to the private sector, in any one year. A copy of the RIA is available for review in the docket.

J. National Environmental Policy Act

PHMSA has analyzed this rule pursuant to the National Environmental Policy Act (NEPA; 42 U.S.C. 4321, *et seq.*) and has determined it is categorically excluded under 23 CFR 771.117(c)(20), which applies to the promulgation of rules, regulations, and directives. Under Section 9 of DOT Order 5610.1D, PHMSA may apply a categorical exclusion (CE) established in another Operating Administration's procedures. PHMSA followed the requirements outlined in DOT Order 5610.1D to apply the Federal Highway Administration's CE to this deregulatory action. PHMSA does not anticipate any adverse environmental impacts from this rule, and PHMSA has determined no unusual circumstances are present under 23 CFR 771.117(b). PHMSA's Categorical Exclusion Determination memo for this action is available on PHMSA's website.[45]

K. Privacy Act

In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to inform better any amendments to the HMR considered in this rulemaking. DOT posts these comments, without edit, including any personal information the commenter provides, to *www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS). DOT's complete Privacy Act Statement is available at *http://www.dot.gov/privacy.*

L. Executive Order 13609 and International Trade Analysis

E.O. 13609 (*Promoting International Regulatory Cooperation*) requires agencies to consider whether the impacts associated with significant variations between domestic and international regulatory approaches are unnecessary or may impair the ability of American business to export and compete internationally.[46] In meeting shared challenges involving health, safety, labor, security, environmental, and other issues, international regulatory cooperation can identify approaches that are at least as protective as those that are or would be adopted in the absence of such cooperation. International regulatory cooperation can also reduce, eliminate, or prevent unnecessary differences in regulatory requirements.

Similarly, the Trade Agreements Act of 1979 (Pub. L. 96–39), as amended by the Uruguay Round Agreements Act (Pub. L. 103–465), prohibits Federal agencies from establishing any standards or engaging in related activities that create unnecessary obstacles to the foreign commerce of the United States. Pursuant to the Trade Agreements Act, the establishment of standards is not considered an unnecessary obstacle to the foreign commerce of the United States, so long as the standards have a legitimate domestic objective, such as providing for safety, and do not operate to exclude imports that meet this objective. The statute also requires consideration of international standards and, where appropriate, that they be the basis for U.S. standards.

[43] 65 FR 67249 (Nov. 9, 2000).

[44] 67 FR 53461 (Aug. 16, 2002).

[45] PHMSA, *Implementing Procedures* (last accessed Feb. 11, 2026), available at: *https://www.phmsa.dot.gov/planning-and-analytics/environmental-analysis-and-compliance/implementing-procedures.*

[46] 77 FR 26413 (May 4, 2012).

PHMSA participates in the establishment of international standards to protect the safety of the American public. PHMSA finds this rulemaking does not create unnecessary obstacles to foreign trade. Accordingly, this rulemaking is consistent with E.O. 13609 and PHMSA's obligations under the Trade Agreements Act.

M. National Technology Transfer and Advancement Act

The National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) directs Federal agencies to use voluntary consensus standards in their regulatory activities unless doing so would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (*e.g.,* specification of materials, test methods, or performance requirements) that are developed or adopted by voluntary consensus standard bodies. This final rule involves multiple voluntary consensus standards that are discussed at length in the section on § 171.7 and in Section II (Incorporation by Reference Material) of this final rule.

N. Cybersecurity and Executive Order 14028

Executive Order 14028 (*Improving the Nation's Cybersecurity*) directs the Federal Government to improve its efforts to identify, to deter, and to respond to ''persistent and increasingly sophisticated malicious cyber campaigns.''[47] PHMSA has considered the effects of the final rule and determined that its regulatory amendments will not materially affect the cybersecurity risk profile for the transportation of hazardous materials.

O. Severability

The purpose of this final rule is to operate holistically in addressing different issues related to the safe transportation of hazardous materials. However, PHMSA recognizes that certain provisions focus on unique topics. Therefore, PHMSA finds the various provisions of this final rule are severable and able to function independently if severed from each other. Thus, in the event a court were to invalidate one or more of this final rule's unique provisions, the remaining provisions stand and continue in effect.

List of Subjects

49 CFR Part 107

Administrative practice and procedure, Hazardous materials transportation, Penalties, Reporting and recordkeeping requirements.

49 CFR Part 171

Applicability, Definitions, General requirements, Exports, Hazardous materials transportation, Imports, Incorporation by reference.

49 CFR Part 173

Hazardous materials transportation, Incorporation by reference, Packaging and containers, Reporting and recordkeeping requirements.

49 CFR Part 178

Hazardous materials transportation, Incorporation by reference, Motor vehicle safety, Packaging and containers, Reporting and recordkeeping requirements.

49 CFR Part 179

Hazardous materials transportation, Incorporation by reference, Packaging and containers, Rail safety, Reporting and recordkeeping requirements.

49 CFR Part 180

Hazardous materials transportation, Incorporation by reference, Motor vehicle safety, Packaging and containers, Qualification and maintenance, Railroad safety, Reporting and recordkeeping requirements.

In consideration of the foregoing, 49 CFR chapter I is amended as follows:

PART 107—HAZARDOUS MATERIALS PROGRAM PROCEDURES

■ 1. The authority citation for part 107 continues to read as follows:

Authority: 49 U.S.C. 5101–5128, 44701; Pub. L. 101–410 Section 4; Pub. L. 104–121 Sections 212–213; Pub. L. 104–134 Section 31001; Pub. L. 114–74 Section 701 (28 U.S.C. 2461 note); 49 CFR 1.81 and 1.97; 33 U.S.C. 1321.

■ 2. In § 107.307, revise paragraph (a) introductory text to read as follows:

§ 107.307 General.

(a) When the Associate Administrator and the Office of Chief Counsel have reason to believe that a person is knowingly engaging or has knowingly engaged in conduct which is a violation of the Federal hazardous material transportation law or any provision of this subchapter or subchapter C of this chapter, or any standard incorporated by reference in subchapter C of this chapter, or any exemption, special permit, or order issued thereunder, for which the Associate Administrator or the Office of Chief Counsel exercise enforcement authority, they may—

* * * * *

■ 3. In § 107.503, revise paragraphs (b) and (c) to read as follows:

§ 107.503 Registration statement.

* * * * *

(b) In addition to the information required under paragraph (a) of this section, each person who manufactures a cargo tank or cargo tank motor vehicle must submit a copy of the manufacturer's current ASME Certificate of Authorization for the use of the ASME ''U'' and/or ''T'' stamp.

(c) In addition to the information required under paragraph (a) of this section, each person who repairs a cargo tank or cargo tank motor vehicle must submit a copy of the repair facility's current National Board Certificate of Authorization for the use of the ''R'' stamp or ASME Certificate of Authorization for the use of the ASME ''U'' and/or ''T'' stamp. Any person who repairs MC-series cargo tanks which are not certified to the ASME Code must have submitted a copy of the National Board or ASME Certificate of Authorization to PHMSA before June 30, 1992.

PART 171—GENERAL INFORMATION, REGULATIONS, AND DEFINITIONS

■ 4. The authority citation for part 171 continues to read as follows:

Authority: 49 U.S.C. 5101–5128, 44701; Pub. L. 101–410 section 4; Pub. L. 104–134, section 31001; Pub. L. 114–74 section 701 (28 U.S.C. 2461 note); 49 CFR 1.81 and 1.97.

■ 5. In § 171.7, revise paragraphs (h) and (x) to read as follows:

§ 171.7 Reference material.

* * * * *

(h) *American Society of Mechanical Engineers* (ASME), Two Park Avenue, Suite 1600, New York, NY 10016–5990; phone: 1–800–843–2763; email: *CustomerCare@asme.org;* website: *www.asme.org.*

(1) ASME BPVC.XII–2015: 2015 ASME Boiler and Pressure Vessel Code, Section XII—Rules for Construction and Continued Service of Transport Tanks, 2015 Edition, July 1, 2015 (*ASME Code Section XII*); into §§ 173.252; 178.278; 178.301; 179.302.

(2) ASME Boiler and Pressure Vessel Code, 2017 Edition, July 1, 2017 (ASME Code), as follows, into §§ 172.102; 173.3; 173.5b; 173.24b; 173.252; 173.306; 173.315; 173.318; 173.420; 178.255–1; 178.255–2; 178.255–14; 178.255–15; 178.273; 178.274; 178.276; 178.277; 178.320; 178.337–1; 178.337–2; 178.337–3; 178.337–4; 178.337–6; 178.337–16; 178.337–18; 178.338–1; 178.338–2; 178.338–3; 178.338–4; 178.338–5; 178.338–6; 178.338–13;

[47] 86 FR 26633 (May 17, 2021).

178.338–16; 178.338–18; 178.338–19; 178.345–1; 178.345–2; 178.345–3; 178.345–4; 178.345–7; 178.345–14; 178.345–15; 178.346–1; 178.347–1; 178.348–1; 179.400–3; 180.407:

(i) ASME BPVC.II.A–2017 (vols. 1 and 2), Section II—Materials—Part A—Ferrous Materials Specifications.

(ii) ASME BPVC.II.B–2017, Section II—Materials—Part B—Nonferrous Material Specifications.

(iii) ASME BPVC.V–2017, Section V—Nondestructive Examination.

(iv) ASME BPVC.VIII.1–2017, Section VIII—Rules for Construction of Pressure Vessels Division 1.

(v) ASME BPVC.IX–2017, Section IX—Qualification Standard for Welding, Brazing, and Fusing Procedures; Welders; Brazers; and Welding, Brazing, and Fusing Operators.

Note 1 to paragraph (h)(2): The requirement for a 6% knuckle radius on torispherical heads are excepted.

(3) ASME BPVC.VIII.2–2017, 2017 ASME Boiler and Pressure Vessel Code, Section VIII—Rules for Construction of Pressure Vessels Division 2, 2017 Edition, July 1, 2017 (ASME Code Section VIII Division 2); into § 173.252.

(4) ASME B31.4–2012, Pipeline Transportation Systems for Liquids and Slurries, November 12, 2012, into § 173.5a.

* * * * *

(x) *National Board of Boiler and Pressure Vessel Inspectors* (NBBI), 1055 Crupper Avenue, Columbus, Ohio 43229; phone: (614)–888–8320; email: *orders@nbbi.org;* website: *www.nationalboard.org.*

(1) NB–23, National Board Inspection Code, A Manual for Boiler and Pressure Vessel Inspectors, 1992 Edition; into § 180.413.

(2) 2015 National Board Inspection Code (NBIC), 2015 Edition, Issued July 1, 2015, as follows; into §§ 173.252; 178.278; 178.301; 179.302; 180.402; 180.502; 180.602:

(i) Part 2, *Inspection* (including only Supplement 6).

(ii) Part 3, *Repairs and Alterations* (including only Supplement 6).

* * * * *

PART 173—SHIPPERS—GENERAL REQUIREMENTS FOR SHIPMENTS AND PACKAGINGS

■ 6. The authority citation for part 173 continues to read as follows:

Authority: 49 U.S.C. 5101–5128, 44701; 49 CFR 1.81, 1.96 and 1.97.

■ 7. Add § 173.252 to subpart F to read as follows:

§ 173.252 Bulk packaging constructed to ASME Code Section XII.

This section authorizes, with certain conditions and limitations, the use of *ASME Code Section XII* (IBR, *see* § 171.7 of this subchapter) for the construction and continued service of cargo tank motor vehicles, cryogenic portable tanks, and multi-unit tank car tanks (ton tanks). For requirements in parts 178 and 180 of this subchapter not covered by *ASME Code Section XII,* persons must continue to comply with applicable requirements (*e.g.,* accident damage protection for cargo tank motor vehicles) for the respective packagings in accordance with this subchapter in addition to the *Section XII* requirements. Table 1 to this section presents the specification packagings authorized for construction using *ASME Code Section XII.* Conditions and limitations on the use of the *ASME Code Section XII* for design, construction, qualification and certification, and maintenance are as follows—

(a) *All tank types.* (1) Use of *ASME Code Section XII* for design, construction, qualification, and certification of authorized packaging includes use of ASME Code Section II, Section V, Section VIII Division 1 for parts only, and Division 2 for fatigue analysis only, and Section IX (IBR, *see* § 171.7 of this subchapter);

(2) Continuing qualification, unless excepted, must be in accordance with the NBIC (IBR, *see* § 171.7 of this subchapter), in conjunction with ASME Code *Section XII* as authorized in part 180 of this subchapter;

(3) Nameplate character markings must be a minimum 4 mm (5⁄32″), markings directly on the tank must be a minimum 8 mm (5⁄16″);

(4) Marking must be in accordance with NBIC Supplement 6;

(5) A person performing a certification inspection (*i.e.,* an inspector) must be qualified in accordance with ASME Code *Section XII* under its general rules for inspection (Article TG–4), and hold either a current National Board of Boiler and Pressure Vessel Inspectors (National Board) commission and endorsement of the ASME tank class (*e.g.,* Class 3 for DOT 406 cargo tanks) for the type of inspection to be performed or, when applicable, a certification (in accordance with the NBIC) from his or her employer. Inspectors of cargo tank motor vehicles, or their employer, must be registered with DOT in accordance with 49 CFR part 107, subpart F; and

(6) A person (*e.g.,* a facility) performing repairs on a cargo tank authorized under this section must hold a current National Board certificate of authorization for the use of the National Board ‘‘R’’ stamp. Persons, or the employer, performing repairs on cargo tanks must also be registered with DOT in accordance with 49 CFR part 107, subpart F.

(b) *Cargo tank (motor vehicles).* A cargo tank motor vehicle must conform to all applicable requirements of this part, and must meet the standards of *ASME Code Section XII,* Modal Appendix 1 (for cargo tanks), all Mandatory Appendices and, when opted for, Non Mandatory Appendices, except as follows:

(1) For MC 338 Cargo Tanks, *ASME Code Section XII,* Modal Appendix 1, Article 4, paragraph 1–4.4(g)(6) does not apply. For evacuated jackets used in flammable liquid service, a minimum jacketed thickness of 2.4 mm (0.0946 in) 12 gauge in the reference metal is permitted.

(2) [Reserved]

(c) *Cryogenic portable tanks (UN T75 tanks).* Cryogenic portable tanks must conform to all applicable requirements of this part, and must meet *ASME Code Section XII,* Modal Appendix 3, Article 1, all Mandatory Appendices and, when opted for, Non Mandatory Appendices, except as follows:

(1) An inspector must perform external and internal visual inspection in accordance with NBIC Supplement 6 in addition to *ASME Code Section XII,* Modal Appendix 3, Article 1, paragraph 3–1.10(b), and Article 1, paragraph 3–1.10(b)(5);

(2) *ASME Code Section XII,* Modal Appendix 3, Article 1, paragraph 3–1.10(b)(6) does not apply; and

(3) Records must be kept in accordance with the NBIC Supplement 6, as applicable.

(d) *Ton tanks.* Ton tanks must conform to all applicable requirements of this part and must meet *ASME Code Section XII,* Modal Appendix 4, Article 1, all Mandatory Appendices and, when opted for, Non Mandatory Appendices, except as follows:

(1) *ASME Code Section XII,* Modal Appendix 4, Article 1, paragraph 3–1.10 does not apply. Manufacturer-certified fusible plugs, tested, and qualified under the fuse plug manufacturers' written quality control system must be used;

(2) Notwithstanding *ASME Code Section XII,* Modal Appendix 4, Article 1, paragraph 4–8, non-ASME marked fusible plugs are authorized;

(3) Per *ASME Code Section XII,* Modal Appendix 4, Article 1, paragraph 4–12(a), an inspector must perform an external and internal visual inspection in accordance with NBIC Supplement 6;

(4) Per *ASME Code Section XII,* Modal Appendix 4, Article 1, paragraph 4–

12(e), records must be kept in accordance with NBIC Supplement 6, as applicable; and

(5) A ton tank that fails a prescribed test or inspection must be repaired in accordance with the NBIC or removed from service.

TABLE 1 TO § 173.252

Tank type	Specification
Authorized Specification Packaging using *ASME Code Section XII*	
Cargo Tank Motor Vehicle	MC 331 and 338, and DOT 406, 407, and 412.
Cryogenic Portable Tank	UN T75.
Ton Tank	DOT–106A and 110AW.

PART 178—SPECIFICATIONS FOR PACKAGINGS

■ 8. The authority citation for part 178 is revised to read as follows:

Authority: 49 U.S.C. 5101–5128, 44701; 49 CFR 1.81, 1.96, and 1.97.

■ 9. Add § 178.278 to read as follows:

§ 178.278 Alternative requirements for the design, construction, inspection, and testing of portable tanks intended for the transportation of refrigerated liquefied gases.

Notwithstanding the requirements of §§ 178.274 and 178.277, UN T75 cryogenic portable tanks may be designed, constructed, inspected, tested, and certified in accordance with ASME Code *Section XII* (IBR, *see* § 171.7 of this subchapter) in conjunction with the NBIC (IBR, *see* § 171.7 of this subchapter), and in accordance with the conditions and limitations of § 173.252 of this subchapter.

■ 10. Add § 178.301 to subpart J to read as follows:

§ 178.301 Alternative requirements for the design, construction, inspection and testing of cargo tank motor vehicles.

Notwithstanding the requirements of this subpart, cargo tank motor vehicles of Specification MC 331 and 338, and DOT 406, 407, or 412 may be designed, constructed, inspected, tested, and certified in accordance with ASME Code *Section XII* (IBR, *see* § 171.7 of this subchapter) in conjunction with the NBIC (IBR, *see* § 171.7 of this subchapter), and in accordance with the conditions and limitations of § 173.252 of this subchapter.

PART 179—SPECIFICATIONS FOR TANK CARS

■ 11. The authority citation for part 179 is revised to read as follows:

Authority: 49 U.S.C. 5101–5128, 44701; 49 CFR 1.81, 1.96, and 1.97.

■ 12. Add § 179.302 to read as follows:

§ 179.302 Alternative requirements for the design, construction, inspection, and testing of multi-unit tank car tanks.

Notwithstanding the requirements of this subpart, Class DOT–106A and 110AW multi-unit tank car tanks may be designed, constructed, inspected, tested, and certified in accordance with *ASME Code Section XII* (IBR, *see* § 171.7 of this subchapter) in conjunction with the NBIC (IBR, *see* § 171.7 of this subchapter), and in accordance with the conditions and limitations of § 173.252 of this subchapter.

PART 180—CONTINUING QUALIFICATION AND MAINTENANCE OF PACKAGINGS

■ 13. The authority citation for part 180 is revised to read as follows:

Authority: 49 U.S.C. 5101–5128, 44701; 49 CFR 1.81, 1.96, and 1.97.

■ 14. Add § 180.402 to read as follows:

§ 180.402 Alternative qualification and maintenance.

Notwithstanding the applicability of § 180.401 (for ASME Code Section VIII, Division 1 cargo tanks) for the continuing qualification and maintenance of an authorized specification cargo tank motor vehicle, and subject to conditions and limitations set forth in § 173.252 of this subchapter, the NBIC (IBR, *see* § 171.7 of this subchapter)—

(a) Must be used for the continuing qualification, maintenance, and periodic testing (*i.e.,* continued service) of cargo tanks constructed to *ASME Code Section XII* in accordance with § 178.301 of this subchapter; and

(b) May be used, in combination with the requirements of this part, for the continuing qualification, maintenance, and periodic testing (*i.e.,* continued service) of cargo tank motor vehicles constructed to ASME Code Section VIII, Division 1. Specifically, DOT specification cargo tank motor vehicles constructed to ASME Section VIII, Division 1 that bear a ''U'' stamp may be inspected, repaired and tested under this subpart and the NBIC, excluding all supplements except Supplement 6.

■ 15. Add § 180.502 to read as follows:

§ 180.502 Alternative qualification and maintenance.

Notwithstanding the applicability of § 180.501 for the qualification and maintenance of multi-unit tank car tanks, and subject to conditions and limitations set forth in § 173.252 of this subchapter, the NBIC (IBR, *see* § 171.7 of this subchapter), must be used for the continuing qualification, maintenance, and periodic testing (*i.e.,* continued service) of Class DOT–106A and 110AW multi-unit tank car tanks constructed to *ASME Code Section XII* in accordance with § 179.302 of this subchapter.

■ 16. Add § 180.602 to read as follows:

§ 180.602 Alternative qualification and maintenance.

Notwithstanding the applicability of § 180.601 for the continuing qualification, maintenance, or periodic testing of portable tanks, and subject to conditions and limitations set forth in § 173.252 of this subchapter, the NBIC (IBR, *see* § 171.7 of this subchapter), must be used for the continuing qualification, maintenance, and periodic testing (*i.e.,* continued service) of UN T75 cryogenic portable tanks constructed to *ASME Code Section XII* in accordance with § 178.278 of this subchapter.

Issued in Washington, DC, on September 24, 2026, under authority delegated in 49 CFR 1.97.

Paul J. Roberti,

Administrator, Pipeline and Hazardous Materials Safety Administration.

[FR Doc. 2026–19741 Filed 9–25–26; 8:45 am]

BILLING CODE 4910–60–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 260923–0004]

RIN 0648–BN69

Fisheries of the Caribbean, Gulf of America, and South Atlantic; Snapper-Grouper Fishery of the South Atlantic; Regulatory Amendment 36

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

ACTION: Final rule.

SUMMARY: NMFS issues regulations to implement Regulatory Amendment 36 under the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic (Snapper-Grouper FMP). This final rule revises the recreational vessel limits for gag and black grouper. Additionally, this final rule revises the transit storage requirements for commercial on-demand, also known as ropeless, black sea bass pots. The purpose of these regulatory changes is to increase biological benefits to the gag and black grouper stocks, and to allow more practical transit of vessels through certain gear restricted areas with on-demand black sea bass pots on board, consistent with mandates in the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

DATES: This final rule is effective on October 28, 2026.

ADDRESSES: Regulatory Amendment 36 includes a fishery impact statement and regulatory impact review, and may be obtained from the Southeast Regional Office website at *https://www.fisheries.noaa.gov/action/regulatory-amendment-36-fishery-management-plan-snapper-grouper-fishery-south-atlantic.* The unique identification number for the environmental review for Regulatory Amendment 36 is: EAXX–006–48–1SE–1743197928.

FOR FURTHER INFORMATION CONTACT: Rick DeVictor, telephone: 727–824–5305, or email: *rick.devictor@noaa.gov.*

SUPPLEMENTARY INFORMATION: NMFS, in collaboration with the South Atlantic Fishery Management Council (Council), manages the South Atlantic snapper-grouper fishery, which includes gag, black grouper, and black sea bass, in Federal waters under the Snapper-Grouper FMP. The Snapper-Grouper FMP was prepared by NMFS and the Council, and is implemented by NMFS through regulations at 50 CFR part 622 under the authority of the Magnuson-Stevens Act.

The Magnuson-Stevens Act requires that NMFS and regional fishery management councils prevent overfishing and continually achieve the optimum yield from federally managed fish stocks. These mandates are intended to ensure that fishery resources are managed for the greatest overall benefit to the Nation, particularly with respect to providing food production and recreational opportunities, and protecting marine ecosystems. To further this goal, the Magnuson-Stevens Act also requires fishery managers to minimize bycatch and bycatch mortality to the extent practicable.

This framework action is implemented under the statutory authority of the Magnuson-Stevens Act section 303(a)(1) as necessary and appropriate for the conservation and management of the fishery, to prevent overfishing and rebuild overfished stocks, and to promote the long-term health and stability of the fishery.

Background

Amendment 53 to the Snapper-Grouper FMP and its implementing final rule established vessel limits for gag and black grouper in the private, and charter vessel and headboat (for-hire) components of the recreational sector (88 FR 65135, September 21, 2023). Amendment 53 responded to the most recent stock assessment for South Atlantic gag, Southeast Data, Assessment, and Review (SEDAR) 71, completed in 2021. Based on the results of SEDAR 71, NMFS determined that the South Atlantic gag stock is overfished and undergoing overfishing. Given the substantial reduction in harvest that was needed to end overfishing of gag immediately and to increase the likelihood of rebuilding the gag stock, the Council recommended in Amendment 53, and NMFS implemented through the final rule, recreational vessel limits for gag. The purpose of establishing recreational vessel limits for gag was to continue to allow some level of recreational retention while helping to constrain harvest to the reduced recreational annual catch limit (ACL). Because of their similar appearance, gag and black grouper are misidentified by recreational fishermen. Because of this misidentification issue, and the need to greatly reduce the harvest of gag to end overfishing and rebuild the stock, the Council also recommended recreational vessel limits for black grouper to indirectly benefit gag.

Specifically, the final rule established a private recreational vessel limit for gag of two fish per vessel per day and a private recreational vessel limit for black grouper of two fish per vessel per day, not to exceed the daily recreational bag limit of one fish per person per day, whichever is more restrictive. For recreational for-hire vessels, the final rule established similar separate vessel limits for gag and black grouper of two fish per vessel per trip, not to exceed the daily bag limit of one fish per person per day, whichever is more restrictive.

After NMFS implemented the final rule for Amendment 53, the Council expressed interest in revising these regulations to establish an aggregate vessel limit of two gag or black grouper in any combination, rather than the separate, species-specific limits of two gag and two black grouper per vessel, which could be up to four fish in total. The Council determined that the aggregate vessel limits recommended in Regulatory Amendment 36 would provide further biological benefits to the gag and black grouper stocks when compared to the species-specific vessel limits contained in Amendment 53 if it results in reduced landings, and could reduce the rebuilding time for the gag stock. The gag stock is currently in a rebuilding plan established through Amendment 53 and is expected to be rebuilt by 2032.

Regulatory Amendment 36 and this final rule will also revise the transit provisions in marine protected areas (MPAs) and spawning special management zones (SMZs) for commercial fishermen with snapper-grouper species and on-demand, or ropeless, black sea bass pots on board. Traditional black sea bass pot fishing gear includes rope attached to the pot and vertical end lines that stay in the water column connected to surface buoys while the gear is deployed, presenting an entanglement risk to protected marine species, such as North Atlantic right whales. Both traditional roped and on-demand gear in use comply with the same requirements for black sea bass pots (same dimensions, mesh size, escape panels, *etc.*), and pots equipped with on-demand gear are fished the same way as roped pots, in terms of soak times, bait, *etc.* On-demand types of sea bass pot gear differ from roped gear by storing buoys and their retrieval devices at depth, only being deployed into the water column when fishermen are present to retrieve the gear. Further adoption of on-demand gear by commercial black sea bass fishermen using sea bass pots would be expected to lower the probability of negative interactions with protected marine species that may be vulnerable to entanglement in black sea bass pots with traditional roped gear.

Currently, only commercial fishermen with a black sea bass pot endorsement to the Federal commercial vessel permit for snapper-grouper unlimited may fish for black sea bass using sea bass pots in the Federal waters of the South Atlantic. There are MPAs and spawning SMZs in South Atlantic Federal waters where commercial fishermen may not fish for, harvest, or possess species in the snapper-grouper fishery management unit. However, existing regulations allow commercial fishermen to possess snapper-grouper species while in transit through an MPA or spawning SMZ with a black sea bass pot on board and with fishing gear appropriately stowed, requiring that the black sea bass pots are not baited, and all buoys must be disconnected from the gear but may remain on deck. Commercial fishermen that use on-demand black sea bass pots have stated that the buoys attached to the pots are more difficult to disconnect from on-demand gear than from traditional roped gear, which makes compliance with the transit requirements more burdensome. Therefore, to better accommodate commercial snapper-grouper fishermen with on-demand gear on their vessels while promoting potentially positive benefits to protected marine species through the use of on-demand black sea bass pots, the Council developed Regulatory Amendment 36 to allow buoys to remain connected to on-demand black sea bass pot gear when vessels transit through MPAs and spawning SMZs if on-demand black sea bass pots are not baited.

Management Measures Contained in This Final Rule

NMFS is implementing the following management measures in this final rule.

Gag and Black Grouper Recreational Vessel Limits

This final rule establishes recreational vessel limits for gag and black grouper as described earlier and as shown in table 1. This rule establishes aggregate vessel limits of two fish of gag or black grouper in any combination on a per day basis for fishermen on private recreational vessels, and on a per trip basis for fishermen on recreational for-hire vessels. These regulatory changes could have beneficial biological effects to the gag and black grouper stocks if they reduce landings of gag and black grouper, and could reduce the rebuilding time for the gag stock.

TABLE 1—BAG AND VESSEL LIMITS BY RECREATIONAL COMPONENT FOR GAG OR BLACK GROUPER

	Recreational harvest of gag or black grouper.	
Recreational component	Bag limit per angler	Vessel limit with 2 or more anglers.
Private	1 total per day	2 total per day.
For-hire	1 total per day	2 total per trip.

Note: The vessel limits apply only if there are two or more anglers on the vessel.

As shown in table 1, the changes to the vessel limits do not change the existing recreational bag limit for gag and black grouper. The recreational bag limit is one gag or black grouper per person per day on private vessels and on for-hire vessels. In the same manner as the regulations currently apply, the more restrictive of either the bag limits or the vessel limits will apply to the retention and landing of recreationally harvested gag and black grouper. For example, if three anglers are fishing on a private recreational vessel, the maximum number of gag and black grouper combined that may be on the vessel and landed will be two per day. In another example, if only one angler is fishing on a private recreational vessel, the maximum number of either gag or black grouper that may be on the vessel and landed will continue to be one total per day.

Transiting With On-Demand Gear

This final rule revises the transit provisions in MPAs and spawning SMZs for commercial fishermen with snapper-grouper species and on-demand black sea bass pots on a vessel. Transit means the direct, non-stop progression through an MPA or spawning SMZ. Currently, fishermen may possess snapper-grouper species while in transit through an MPA or spawning SMZ with on-demand (ropeless) or traditional (roped) black sea bass pots on board if such fishing gear is appropriately stowed. Fishing gear appropriately stowed currently means black sea bass pots are not baited and all buoys must be disconnected from the gear but may remain on deck. This rule modifies the definition of fishing gear appropriately stowed to allow a vessel to transit through an MPA or spawning SMZ with buoys connected to on-demand black sea bass pot gear if the on-demand black sea bass pots are not baited. NMFS expects this rule to reduce the burden on fishermen transiting through MPAs and spawning SMZs with on-demand black sea bass pots and snapper-grouper species on the vessel. The existing transit and stowage regulations still apply to traditional roped pots; that is, buoys still need to be removed from traditional roped pots when transiting through an MPA or spawning SMZ, even if those pots are on the same vessel with on-demand pots. This rule does not change regulations for transit through two nearshore areas that are seasonally closed to commercial fishing with black sea bass pots in November and April, and from December through March (50 CFR 622.183(b)(6)(i) and (ii)).

Comments and Responses

NMFS received five comments on the proposed rule for Regulatory Amendment 36. Two comments were from non-governmental organizations who supported the revisions to the transit provisions for commercial fishermen with on-demand black sea bass pots on a vessel. One comment opposed changing the regulations generally but was not specific to which measures; therefore, NMFS is not able to directly respond to this comment. One comment received was not related to Regulatory Amendment 36 or the proposed rule and is, therefore, not responded to in this final rule. NMFS addresses one comment that opposed an action in Regulatory Amendment 36 and the proposed rule. NMFS made no changes from the proposed rule as a result of public comment.

Comment 1: It is unfair to limit for-hire vessels (headboats) that carry 40 or more people to 2 gag or black grouper per trip. These vessels should have an exemption and a higher limit.

Response: NMFS has determined that the aggregate vessel limits for gag and black grouper in Regulatory Amendment 36 and this final rule will increase the biological benefits for these stocks when compared to the previous species-specific vessel limits.

Additionally, this final rule could reduce the rebuilding time for the overfished gag stock if these limits reduce landings of gag. NMFS acknowledges the potential issues with implementing vessel limits on headboats, which normally carry more anglers on each trip than charter vessels. To potentially address this issue, the Council is developing Regulatory Amendment 39 under the Snapper-Grouper FMP that considers limits of snapper-grouper species, including gag and black grouper, on headboats with more than six anglers on a trip.

Classification

Pursuant to section 304(b)(3) of the Magnuson-Stevens Act, the NMFS Assistant Administrator has determined that this final rule is consistent with Regulatory Amendment 36, the Snapper-Grouper FMP, other provisions of the Magnuson-Stevens Act, and other applicable law.

This final rule has been determined to be not significant for purposes of Executive Order 12866. This final rule is not an Executive Order 14192 regulatory action.

NMFS has determined that this action 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; therefore, consultation with Tribal officials under Executive Order 13175 is not required, and the requirements of sections (5)(b) and (5)(c) of Executive Order 13175 also do not apply. A Tribal summary impact statement under sections (5)(b)(2)(B) and (c)(2) of Executive Order 13175 is not required and has not been prepared.

The Magnuson-Stevens Act provides the statutory basis for this final rule. No duplicative, overlapping, or conflicting Federal rules have been identified. A description of this final rule, why it is being implemented, and the purpose of this final rule are contained in the **SUMMARY** and **SUPPLEMENTARY INFORMATION** sections of this final rule.

This final rule contains no information collection requirements under the Paperwork Reduction Act of 1995.

The Senior Lead Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration during the proposed rule stage that this action would not have a significant economic impact on a substantial number of small entities. The factual basis for the certification was published in the proposed rule and is not repeated here. No comments were received regarding this certification. As a result, a final regulatory flexibility analysis is not required and none was prepared.

List of Subjects in 50 CFR Part 622

Commercial, Fisheries, Fishing, Recreational, Snapper-grouper, South Atlantic.

Dated: September 24, 2026.

Samuel D. Rauch III,

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

For the reasons set out in the preamble, NMFS amends 50 CFR part 622 as follows:

PART 622—FISHERIES OF THE CARIBBEAN, GULF OF AMERICA, AND SOUTH ATLANTIC

■ 1. The authority citation for part 622 continues to read as follows:

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

■ 2. Amend § 622.183 by:
■ a. Revising paragraph (a)(1)(ii)(E);
■ b. Adding paragraph (a)(1)(ii)(F);
■ c. Revising paragraph (a)(2)(vii)(E); and
■ d. Adding paragraph (a)(2)(vii)(F).

The revisions and additions read as follows:

§ 622.183 Area and seasonal closures.

(a) * * *
(1) * * *
(ii) * * *

(E) A crustacean trap or golden crab trap cannot be baited. All buoys must be disconnected from the gear, although buoys may remain on deck.

(F) A sea bass pot cannot be baited. For a sea bass pot fished with a deployed vertical line or rope connected to a buoy, the buoy must be disconnected from the gear, although the buoy may remain on deck. For a sea bass pot fished without a deployed vertical line connected to a buoy, referred to as an on-demand or ropeless sea bass pot, the buoy may remain connected to the gear.

(2) * * *
(vii) * * *

(E) A crustacean trap or golden crab trap cannot be baited. All buoys must be disconnected from the gear, although buoys may remain on deck.

(F) A sea bass pot cannot be baited. For a sea bass pot fished with a deployed vertical line or rope connected to a buoy, the buoy must be disconnected from the gear, although the buoy may remain on deck. For a sea bass pot fished without a deployed vertical line connected to a buoy, referred to as an on-demand or ropeless sea bass pot, the buoy may remain connected to the gear.

* * * * *

■ 3. Amend § 622.187 by revising paragraph (b)(2)(i) to read as follows:

§ 622.187 Bag and possession limits.

* * * * *

(b) * * *
(2) * * *

(i) No more than one fish may be a gag or a black grouper. However, the bag limit for gag and black grouper for the captain or crew of a vessel operating as a charter vessel or headboat is zero. In addition to the bag limits specified in this paragraph (b)(2)(i), the vessel limits in paragraphs (b)(2)(i)(A) and (B) of this section also apply to gag and black grouper. In the event of a conflict between a bag limit and vessel limit, the more restrictive limit will prevail.

(A) The vessel limit for gag and black grouper on a vessel operating as a private recreational vessel is two fish per day in any combination.

(B) The vessel limit for gag and black grouper on a vessel operating as a charter vessel or headboat is two fish per trip in any combination.

* * * * *

[FR Doc. 2026–19801 Filed 9–25–26; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[Docket No. 260923–0007]

RIN 0648–BN25

Fisheries Off West Coast States; West Coast Salmon Fisheries; Rebuilding Plan for the Overfished Queets River Spring/Summer Chinook Salmon Stock

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

ACTION: Final rule.

SUMMARY: This final rule will implement the rebuilding plan recommended by the Pacific Fishery Management Council (Council) for the overfished Queets River Spring/Summer Chinook salmon stock (Queets sp/su Chinook salmon). This final rule identifies changes to the regulations to implement the rebuilding plan.

DATES: Effective October 28, 2026.

ADDRESSES: The documents cited in this document are available on the Pacific

Fishery Management Council's (Council) website (*https://www.pcouncil.org*) and the NMFS West Coast Region (WCR) website (*https://www.fisheries.noaa.gov/action/rebuilding-plan-overfished-queets-river-spring-summer-chinook-salmon-stock*).

FOR FURTHER INFORMATION CONTACT: Shannon Penna, Fishery Management Specialist, at 562–980–4239 or *Shannon.Penna@noaa.gov.*

SUPPLEMENTARY INFORMATION:

Background

In October 2023, NMFS determined that the Queets sp/su Chinook salmon managed under the Council's Pacific Coast Salmon Fishery Management Plan (FMP) met the overfished criteria of the FMP and the Magnuson-Stevens Act (MSA). ''Overfished'' is defined in the FMP as when the 3-year geometric mean of a salmon stock's annual spawning escapements falls below the reference point defined as the minimum stock size threshold (MSST). The 3-year geometric mean spawning escapement for Queets sp/su Chinook salmon for the 2019–2021 period was 314, which is less than the stock's MSST of 350. In response to the overfished determination, the Council developed a rebuilding plan, which was transmitted to NMFS for approval and implementation. NMFS published a proposed rule (91 FR 7952, February 19, 2026) describing the rebuilding plan and soliciting comments from the public on the proposed rule and draft rebuilding plan. NMFS explained in the preamble to the proposed rule the basis for its proposal to implement the Council's recommended plan; that explanation is not repeated here.

Public Comment

NMFS solicited public comments on the proposed rule through March 23, 2026. NMFS received four public comments during the open comment period. All comments addressed matters outside the scope of this specific rulemaking. The first three comments addressed concerns about offshore wind energy and the management of fisheries outside the scope of the MSA. The fourth comment is non-responsive to the proposed decision because it erroneously presumes NMFS proposed the total suspension of commercial fishing, a restrictive alternative that the Council considered but did not recommend and NMFS is not proposing. Therefore, these comments are not addressed in this final action, and no changes were made to the final rule in response to public comments.

Classification

Pursuant to section 304(b)(3) of the MSA, the NMFS Assistant Administrator has determined that this final rule is consistent with the Salmon FMP, other provisions of the MSA, and other applicable law.

This final rule has been determined to be not significant for purposes of Executive Order 12866

This final rule is not an Executive Order 14192 regulatory action.

This action was developed after meaningful and timely consultation or engagement with Tribal officials on the Council and the Northwest Indian Fish Commission, who have agreed with the rebuilding plan. NMFS consulted with Tribal officials on the Council and the Northwest Indian Fish Commission after NMFS invited engagement on this rule. No changes were made in the final rule in response to tribal consultations.

The Senior Lead Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration during the proposed rule stage that this action would not have a significant economic impact on a substantial number of small entities. The factual basis for the certification was published in the proposed rule and is not repeated here. No comments were received regarding this certification. As a result, a regulatory flexibility analysis was not required and none was prepared.

This final rule contains no information collection requirements under the Paperwork Reduction Act of 1995.

List of Subjects in 50 CFR Part 660

Fisheries, Fishing, Recordkeeping and reporting requirements.

Dated: September 24, 2026.

Samuel D. Rauch III,

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

For the reasons set out above and detailed in the proposed rule, NMFS amends 50 CFR part 660 as follows:

PART 660—FISHERIES OFF WEST COAST STATES

■ 1. The authority citation for part 660 continues to read as follows:

Authority: 16 U.S.C. 1801 *et seq.,* 16 U.S.C. 773 *et seq.,* and 16 U.S.C. 7001 *et seq.*

■ 2. Amend § 660.413, by adding paragraph (b) to read as follows:

§ 660.413 Overfished species rebuilding plans.

* * * * *

(b) *Queets River Natural Spring/Summer Chinook.* The Queets River Natural Spring/Summer Chinook salmon stock was declared overfished in 2023. The rebuilding plan is to manage the fishery consistent with the FMP and this subsection. The stock will be considered rebuilt when the 3-year geometric mean of natural-area adult escapement meets or exceeds S_{MSY} (the default criterion in the Salmon FMP).

* * * * *

[FR Doc. 2026–19813 Filed 9–25–26; 8:45 am]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register
Vol. 91, No. 186
Monday, September 28, 2026

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

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2026–11787; Project Identifier MCAI–2026–00249–R]

RIN 2120–AA64

Airworthiness Directives; Airbus Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for all Airbus Helicopters Model AS 365 N2, AS 365 N3, EC 155 B, EC 155 B1, SA 365 N, and SA 365 N1 helicopters. This proposed AD was prompted by gaps between the seals and engine cowling, which were found during an investigation related to an engine compartment fire. Gaps between the seals and engine cowling could cause inadequate sealing of the engine compartment firewalls leading to fire propagation between engine compartments and reduced effectiveness of the extinguishing agent. This proposed AD would require modifying the engine compartment firewalls by installing angle-brackets along the firewalls. The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this NPRM by November 12, 2026.

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–2026–11787; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For European Union Aviation Safety Agency (EASA) material identified in this proposed AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 8999 000; email: *ADs@easa.europa.eu;* website: *easa.europa.eu.* You may find this material on the EASA website at *ad.easa.europa.eu.* It is also available at *regulations.gov* under Docket No. FAA–2026–11787.
- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 10101 Hillwood Parkway, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110.

FOR FURTHER INFORMATION CONTACT: Evan Weaver, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (316) 944–8910; email: *evan.p.weaver@faa.gov*.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments using a method listed under **ADDRESSES**. Include ''Docket No. FAA–2026–11787; Project Identifier MCAI–2026–00249–R'' at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this proposal because of those comments.

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

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as ''PROPIN.'' The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Evan Weaver, 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

EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2026–0056, dated March 16, 2026 (EASA AD 2026–0056) (also referred to as the MCAI), to correct an unsafe condition on all Airbus Helicopters Model SA 365 N, SA 365 N1, AS 365 N2, AS 365 N3, EC 155 B, and EC 155 B1 helicopters. The MCAI states that during an investigation following an engine compartment fire, gaps were identified between the seals and engine cowlings. Analysis showed that some seals along the firewalls did not fully compress against the engine cowlings. Thus, the seal is not fully completed between the main gear box, the left engine compartment and the right engine compartment. Without a full seal, the extinguishing agent is not contained within the compartment when the pilot operates the engine fire extinguisher.

The FAA is proposing this AD to prevent fire propagation between engine compartments and the reduced effectiveness of the extinguishing agent due to inadequate sealing of the engine compartment firewalls. The unsafe condition, if not addressed, could allow fire propagation from one engine compartment to another and reduce the effectiveness of the extinguishing agent in the event of an engine fire, which could result in loss of control of the helicopter.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2026–11787.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed EASA AD 2026–0056, which specifies procedures for modifying the engine compartment firewalls by installing angle-brackets along the firewalls to improve sealing between the seals and engine cowlings. 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 (CAA) of another country and are approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, that authority has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA is issuing this NPRM after determining that the unsafe condition described previously is likely to exist or develop on other products of the same type design.

Proposed AD Requirements in This NPRM

This proposed AD would require accomplishing the actions specified in EASA AD 2026–0056, described previously, as incorporated by reference, except for any differences identified as exceptions in the regulatory text of this proposed AD.

Explanation of Required Compliance Information

In the FAA's ongoing efforts to improve the efficiency of the AD process, the FAA developed a process to use some CAA ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has been coordinating this process with manufacturers and CAAs. As a result, the FAA proposes to incorporate EASA AD 2026–0056 by reference in the FAA final rule. This proposed AD would, therefore, require compliance with EASA AD 2026–0056 in its entirety through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed AD. Using common terms that are the same as the heading of a particular section in EASA AD 2026–0056 does not mean that operators need comply only with that section. For example, where the AD requirement refers to "all required actions and compliance times," compliance with this AD requirement is not limited to the section titled "Required Action(s) and Compliance Time(s)" in EASA AD 2026–0056. Material required by EASA AD 2026–0056 for compliance will be available at *regulations.gov* under Docket No. FAA–2026–11787 after the FAA final rule is published.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 43 helicopters of U.S. registry.

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

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Modification of engine compartment firewalls ...	6 work-hours × $85 per hour = $510	Up to $32,360	Up to $32,870	$1,413,410

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

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

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

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

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

Airbus Helicopters: Docket No. FAA–2026–11787; Project Identifier MCAI–2026–00249–R.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by November 12, 2026.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all Airbus Helicopters Model AS 365 N2, AS 365 N3, EC 155 B, EC

155 B1, SA 365 N, and SA 365 N1 helicopters, certificated in any category.

(d) Subject

Joint Aircraft System Component (JASC) Code 5412, Nacelle/pylon, bulkhead/firewall.

(e) Unsafe Condition

This AD was prompted by gaps between the seals and engine cowling, which were found during an investigation related to an engine compartment fire. The FAA is issuing this AD to prevent fire propagation between engine compartments and the reduced effectiveness of the extinguishing agent due to inadequate sealing of the engine compartment firewalls. The unsafe condition, if not addressed, could allow fire propagation from one engine compartment to another and reduce the effectiveness of the extinguishing agent in the event of an engine fire, which could result in loss of control of the helicopter.

(f) Compliance

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

(g) Required Actions

Except as specified in paragraphs (h) and (i) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, European Union Aviation Safety Agency AD 2026–0056, dated March 16, 2026 (EASA AD 2026–0056).

(h) Exceptions to EASA AD 2026–0056

(1) Where EASA AD 2026–0056 refers to its effective date, this AD requires using the effective date of this AD.

(2) Where EASA AD 2026–0056 requires compliance in terms of flight hours, this AD requires using hours time-in-service.

(3) Where the material referenced in EASA AD 2026–0056 specifies ''check'', this AD requires replacing that text with ''inspect''.

(4) This AD does not adopt the ''Remarks'' section of EASA AD 2026–0056.

(i) No Reporting Requirement

Although the material referenced in EASA AD 2026–0056 specifies to submit certain information to the manufacturer, this AD does not require that action.

(j) Alternative Methods of Compliance (AMOCs)

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

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(k) Additional Information

For more information about this AD, contact Evan Weaver, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (316) 944–8910; email: *evan.p.weaver@faa.gov.*

(l) Material Incorporated by Reference

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

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

(i) European Union Aviation Safety Agency (EASA) AD 2026–0056, dated March 16, 2026.

(ii) [Reserved]

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

(4) You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 10101 Hillwood Parkway, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110.

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

Issued on September 23, 2026.

Steven W. Thompson,

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

[FR Doc. 2026–19729 Filed 9–25–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2024–2333; Airspace Docket No. 24–AAL–111]

RIN 2120–AA66

Establishment, Modification, and Revocation of Class E Airspace; Alaska, AK

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Supplemental notice of proposed rulemaking (SNPRM).

SUMMARY: This action supplements a notice of proposed rulemaking (NPRM) published by the FAA in the **Federal Register** on June 17, 2025, which proposed to establish Class E domestic en route airspace (Class E6) within a designated landmass and within 12 miles from a designated shoreline associated with the state of Alaska to facilitate the vectoring of instrument flight rules (IFR) aircraft on direct routes where the current en route structure is insufficient or improper within the proposed airspace areas. As revised in this SNPRM, the FAA now proposes to establish five discrete areas of Class E domestic en route airspace over the state. Due to redundancy, the NPRM also proposed to remove two Class E6 airspace areas and modify 101 Class E airspace areas extending upward from at least 700 feet or more above the surface of the earth (Class E5) to remove any portion extending upward from 1,200 feet above the surface. This SNPRM continues to propose these actions, but also now proposes to remove two Class E airspace areas extending upward from 1,200 feet above the surface, revoke a duplicate Class E5 airspace legal description, and redefine airspace areas from a ''Point of Origin'' instead of using their respective airport reference points. Finally, both the NPRM and this SNPRM propose administrative amendments to the legal descriptions of 101 Class E5 airspace areas that would correct or update nomenclature as needed. This action would support IFR operations while enhancing the safety and management of aircraft operations within the National Airspace System (NAS).

DATES: Comments must be received on or before November 12, 2026.

ADDRESSES: Send comments identified by FAA Docket No. FAA–2024–2333 and Airspace Docket No. 24–AAL–111 using any of the following methods:

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

* *Mail:* Send comments to Docket Operations, M–30; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W58–213, West Building, 5th Floor, Washington, DC 20590–0001.

* *Hand Delivery or Courier:* Take comments to Docket Operations in Room W58–213 of the West Building, 5th Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

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

Docket: Background documents or comments received may be read at *www.regulations.gov* at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W58–213 of the West Building, 5th Floor at 1200 New

Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FAA Order JO 7400.11M, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *www.faa.gov/air_traffic/publications/.* You may also contact the Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20597; telephone: (202) 267–8783.

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

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

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

Comments Invited

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

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

Privacy: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to *www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *www.dot.gov/privacy.*

Availability of Rulemaking Documents

An electronic copy of this document may be downloaded through the internet at *www.regulations.gov.* Recently published rulemaking documents can also be accessed through the FAA's web page at *www.faa.gov/air_traffic/publications/airspace_amendments/.* You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Operations office (see **ADDRESSES** section for address, phone number, and hours of operations). An informal docket may also be examined during normal business hours at the Northwest Mountain Regional Office of the Federal Aviation Administration, Air Traffic Organization, Western Service Center, Operations Support Group, 2200 S 216th Street, Des Moines, WA 98198.

Incorporation by Reference

Class E5 and E6 airspace areas are published in paragraphs 6005 and 6006, respectively, of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document proposes to amend the current version of that order, FAA Order JO 7400.11M, dated July 30, 2026, and effective September 15, 2026. These updates would be published in the next update to FAA Order JO 7400.11. FAA Order JO 7400.11M, which lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points, is publicly available as listed in the **ADDRESSES** section of this document.

Background

A variety of Class E airspace areas exist over the state of Alaska today. Class E airspace overlies the entirety of the state (and within 12 miles from the shoreline) beginning at 14,500 feet mean sea level (MSL) (excluding the Alaska Peninsula west of longitude 160°00′00″ W, and the airspace below 1,500 feet above the surface of the earth when in mountainous terrain greater than 14,500 feet MSL. Additionally, 101 unique areas of Class E5 airspace with diameters as great as 150 miles, along with two Class E5 airspace areas extending upward from 1,200 feet above the surface, cover a majority of the state. Furthermore, the state has two Class E6 domestic enroute airspace areas adjacent to the U.S./Canadian border that also extend upward from 1,200 feet above the surface: one along the northeast boundary of the state and the other along the southeast boundary of the state. The combined 105 Class E airspace areas create confusion with overly complicated charting, congested airspace, and unnecessary redundancy within the NAS.

The FAA previously published an NPRM for Docket No. FAA–2024–2333 in the **Federal Register** (89 FR 88182; November 7, 2024), proposing to modify the Class E6 airspace in the state of Alaska. That proposal was withdrawn on November 18, 2024, to allow the FAA time to provide additional supporting information (89 FR 92871). Later, the FAA published another NPRM for Docket No. FAA–2024–2333 in the **Federal Register** (90 FR 25523; June 17, 2025), proposing to establish, modify, and revoke Class E airspace over the state of Alaska. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. Three comments were received.

One comment identified a typographical error that has been corrected in this SNPRM. The other two comments were sent by civilian aviation associations and expressed concerns such as a ''detriment to safety'' if Class G (uncontrolled) airspace were to be eliminated below 14,500 feet MSL due to a lack of defined mountainous and non-mountainous areas, higher minimum en route altitudes (MEA), inadequate communication and/or surveillance coverage, a lack of flexibility for general aviation, a higher probability of encountering inclement weather such as icing, and an increased chance of contact with the surface caused by additional cloud clearance requirements. Suggestions for proposal modifications included maintaining areas within the State of Alaska in which Class G airspace extends up to 14,499 feet MSL, issuing more waivers to required infrastructure to allow for reduced minimum en route altitudes (MEA), or improvements to infrastructure to address communication and surveillance gaps that could result in lower, more widely used MEAs that would promote IFR operations in the aforementioned areas of concern.

The FAA acknowledges the concerns from the two pilot associations and has modified the proposed airspace action within this SNPRM in a way that would preserve Class G airspace below 4,000 feet above ground level (AGL) in four areas that currently contain Class G airspace extending to 14,499 feet MSL.

Additionally, after publication of the NPRM, the FAA discovered discrepancies between the geographic coordinates for airport reference points as legally defined within the most recent final rules designating the airspace and the coordinates reported by the National Airspace System Resource (NASR). To mitigate current and future discrepancies and permit seamless integration into aeronautical charting and the NAS, the proposal as revised in this SNPRM uses a ''Point of Origin'' and geographic coordinates matching the NASR in place of the airport name for all airports affected by this action. The proposal similarly substitutes a ''Point in Space'' for references such as navigational aids (NAVAID) using matching geographic coordinates, as further described within this SNPRM.

The goal of this SNPRM remains the same as previous proposals, which is to simplify and minimize the controlled airspace coverage over the state of Alaska by proposing to establish five Class E6 airspace areas providing the same containment as the 105 Class E5 airspace areas extending upward from 1,200 feet that they would replace.

The Proposal

The FAA is proposing an amendment to 14 CFR part 71 that would modify the Class E airspace over the state of Alaska by establishing five new Class E6 domestic en route airspace areas; revoking two Class E6 airspace areas, one Class E5 airspace area extending upward from 700 feet above the surface, and two Class E5 airspace areas extending upward from 1,200 feet above the surface; and modify 101 Class E5 airspace areas extending upward from 700 feet above the surface.

Class E6 airspace is intended for en route operations and Class E5 airspace is intended for aircraft transitioning to/from terminal or en route environments. The FAA intends to simplify the NAS by establishing a singular, statewide Class E6 airspace area over Alaska. A statewide Class E6 airspace area would better meet the needs of aviators and air traffic control by more appropriately containing aircraft operating on area navigation (RNAV) or direct routes while simultaneously increasing clearance-from-cloud requirements for aircraft operating under visual flight rules.

The establishment of a statewide Class E6 airspace area would create redundancy with existing Class E airspace areas over Alaska. To reduce redundancy, clutter, and confusion amongst the flying public, air traffic control, and aeronautical charting, the existing ''Northeast Alaska'' and ''Southeast Alaska'' Class E6 airspace areas would be removed. Furthermore, the Class E5 airspace areas extending upward from 1,200 feet above the surface at Umiat, AK, and Yukon-Kuskokwim Delta, AK, would no longer be needed and would be removed. Finally, the 101 existing Class E5 airspace areas would be modified to remove those portions extending upward from 1,200 feet above the surface that become redundant as a result of the new areas of Class E6 airspace proposed within this SNPRM.

To resolve concerns about preserving Class G airspace expressed in the comments by two civilian aviation groups, the FAA is revising the proposal from the NPRM. In this SNPRM, the FAA is now proposing to establish four Class E6 airspace areas that would extend upward from 4,000 feet above the surface (instead of the standard 1,200 feet) to preserve Class G airspace within certain areas that currently lack Class E airspace extending upward from 1,200 feet above the surface. The four areas of Class E6 airspace under this revised proposal would be referred to as the ''Northeast High Class E6'' airspace, the ''Southeast High Class E6'' airspace, the ''South High Class E6'' airspace, and the ''Northwest High Class E6'' airspace.

The landlocked ''Northeast High Class E6'' airspace would share a border with the 141° west longitude on the U.S./Canadian border in the northeast portion of the state and would be approximately 50x200 miles in size. The ''Southeast High Class E6'' would be positioned along the shoreline near the U.S./Canadian border in the southeast portion of the state and would be approximately 110x170 miles in size. The landlocked ''South High Class E6'' would be centrally located in the southern portion of the state and would be sized at approximately 70x200 miles. The landlocked ''Northwest High Class E6'' would surround the intersection of the T246, T252, and T277 routes in the northwest corner of the state and would be sized at approximately 125x160 miles.

In compliance with 14 CFR 71.71 and FAA Order JO 7400.2R, Sec. 18–2–1, all Class E6 areas proposed within this SNPRM exclude the following areas: (1) that airspace 14,500 feet or more MSL when less than 1,500 feet above the surface; (2) that airspace over the Alaskan Peninsula west of longitude 160°00′00″ W; (3) regulatory special use airspace (prohibited and/or restricted areas, when active); and any airspace beyond 12 miles from Alaska's shorelines.

Moreover, the FAA is proposing to update 101 Class E5 legal description text headers by substituting a ''Point of Origin'' to be used in place of the airport as the primary reference point for the legal descriptions within this SNPRM. The ''Point of Origin'' would use the geographic coordinates associated with the respective airport's most recent rulemaking action as published in the **Federal Register**, as they are the center points of existing airspace. Using a ''Point of Origin'' would preserve the current lateral boundaries of the Class E5 airspace areas within this SNPRM (excluding Aniak, AK, Koyuk, AK, Talkeetna, AK, and Valdez, AK), even if geographic coordinates for the airport are adjusted in the NASR over time. Any reference to NAVAIDs or other entities that create design constraints or are no longer needed due to irrelevance or decommissioning, would be removed and/or replaced with a ''Point in Space'' to contribute to preserving the lateral boundaries of the affected airspace.

The legal descriptions for all aforementioned 101 Class E5 airspace areas extending upwards from 700 feet above the surface would be modified to: (1) remove the portion of Class E5 airspace extending upward from 1,200 feet above the surface, and (2) substitute a ''Point of Origin'' for the airport reference point.

Other proposed modifications are as follows:

The legal descriptions for the following Class E5 airspace areas would be modified to update or correct the airport name associated with the airspace: Anchorage, AK, Ted Stevens Anchorage International Airport; Anvik, AK, Anvik Airport; Arctic Village, AK, Arctic Village Airport; Barter Island, AK, Barter Island Airport; Buckland, AK, Buckland Airport; Kenai, AK, Kenai Municipal Airport; Kiana, AK, Bob Baker Memorial Airport; Cordova, AK, Merle K (Mudhole) Smith Airport; Deadhorse, AK, Badami Airport; Kivalina, AK, Kivalina Airport; Kwethluk, AK, Kwethluk Airport; Mc Grath, AK, Mc Grath Airport; New Stuyahok, AK, New Stuyahok Airport; Nuiqsut, AK, OTP Heliport; Point Lay, AK, Point Lay LRRS Airport; Port Clarence, AK, Port Clarence CGS;

Prospect Creek, AK, Prospect Creek Airport; Red Dog, AK, Red Dog Airport; Ruby, AK, Ruby Airport; Russian Mission, AK, Russian Mission Airport; Selawik, AK, Selawik Airport; Shageluk, AK, Shageluk Airport; Soldotna, AK, Soldotna Airport; Utqiagvik, AK, Wiley Post-Will Rogers Memorial Airport; and Venetie, AK, Venetie Airport.

The legal descriptions for the following Class E5 airspace areas would be modified to update or correct the city name associated with the airspace: Fairbanks AK, Fairbanks International Airport; Koyuk, AK, Koyuk Alfred Adams Airport; Mc Grath, AK, Mc Grath Airport; Tok, AK, Tok Junction Airport; and Utqiagvik, AK, Wiley Post-Will Rogers Memorial Airport.

The legal descriptions for the following Class E5 airspace areas would be modified to remove unnecessary or unsuitable (due to decommissioning) references to NAVAIDs and replace them with a ''Point in Space'': Ambler, AK, Ambler Airport; Dillingham, AK, Dillingham Airport; Emmonak, AK, Emmonak Airport; Fairbanks, AK, Fairbanks International Airport; Gambell, AK, Gambell Airport; Homer, AK, Homer Airport; Iliamna, AK, Iliamna Airport; Middleton Island, AK, Middleton Island Airport; Point Hope, AK, Point Hope Airport; Port Heiden, AK, Port Heiden Airport; Shishmaref, AK, Shishmaref Airport; and Talkeetna, AK, Talkeetna Airport.

The following Class E5 airspace areas would be amended to remove references to NAVAIDs without substituting a ''Point in Space'': Anchorage, AK, Ted Stevens Anchorage International Airport; Aniak, AK, Aniak Airport; Fort Yukon, AK, Fort Yukon Airport; Koyuk, AK, Koyuk Alfred Adams Airport; Nome, AK, Nome Airport; Valdez, AK, Valdez Pioneer Field; and Yakutat, AK, Yakutat Airport.

The lateral boundaries of the airspace at Aniak, AK, Aniak Airport, Koyuk, AK, Koyuk Alfred Adams Airport, Talkeetna, AK, Talkeetna Airport, and Valdez, AK, Valdez Pioneer Field, would be modified a negligible amount (no more than 700 feet on any side) to eliminate their legal descriptions' reliance on NAVAID(s) and conform to a more standardized and simplified configuration while maintaining procedure containment. The Class E5 airspace at Port Heiden, AK, Port Heiden Airport, and Unalakleet, AK, Unalakleet Airport, would be modified to add exclusionary language omitting any airspace beyond 12 nautical miles from the shoreline. Finally, the legal description for Manokotak/New Airport, Manokotak, AK, is a duplication of the airspace at Manokotak Airport, Manokotak, AK, and would be removed.

Regulatory Notices and Analyses

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Order 2100.6B, ''Rulemaking and Guidance Procedure'' (March 10, 2025); and (3) is expected to result in, at most, de minimis costs from compliance with applicable operating requirements or minor flight rerouting for operators choosing to navigate around the controlled airspace. Since this is a routine matter that will only affect air traffic procedures and air navigation, the FAA certifies that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1G, *FAA National Environmental Policy Act Implementing Procedures,* prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

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

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

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

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

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11M, Airspace Designations and Reporting Points, dated July 30, 2026, and effective September 15, 2026, is amended as follows:

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

* * * * *

AAL AK E5 Akhiok, AK [Amended]

Akhiok Airport, AK
(Lat. 56°56′19″ N, long. 154°10′57″ W)
Point of Origin
(Lat. 56°56′19″ N, long. 154°10′57″ W)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of the Point of Origin.

AAL AK E5 Allakaket, AK [Amended]

Allakaket Airport, AK
(Lat. 66°33′07″ N, long. 152°37′20″ W)
Point of Origin
(Lat. 66°33′07″ N, long. 152°37′20″ W)

That airspace extending upward from 700 feet above the surface within an 8.6-mile radius of the Point of Origin.

AAL AK E5 Ambler, AK [Amended]

Ambler Airport, AK
(Lat. 67°06′22″ N, long. 157°51′26″ W)
Point of Origin
(Lat. 67°06′23″ N, long. 157°51′27″ W)
Point in Space
Point of Space
(Lat. 67°06′24″ N, long. 157°51′29″ W)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of the Point of Origin and within 3.5 miles either side of the Point in Space's 193° bearing extending to 7.2 miles southwest of the Point of Origin.

AAL AK E5 Anaktuvuk Pass, AK [Amended]

Anaktuvuk Pass Airport, AK
(Lat. 68°08′01″ N, long. 151°44′36″ W)
Point of Origin
(Lat. 68°08′01″ N, long. 151°44′36″ W)

That airspace extending upward from 700 feet above the surface within a 4-mile radius of the Point of Origin, within 1 mile west and 1.2 miles east of the Point of Origin's 022° bearing extending from its 4-mile radius to 23.7 miles north of the Point of Origin, within 2.4 miles west and 1.8 miles east of the Point of Origin's 038° bearing extending to 13 miles northeast of the Point of Origin, and within 1 mile either side of the Point of Origin's 233° bearing extending to 4.5 miles southwest of the Point of Origin.

AAL AK E5 Anchorage, AK [Amended]

Ted Stevens Anchorage International Airport, AK
(Lat. 61°10′27″ N, long. 149°59′53″ W)
Point of Origin
(Lat. 61°10′36″ N, long. 149°58′59″ W)

That airspace extending upward from 700 feet above the surface within a 15.7-mile radius of the Point of Origin.

AAL AK E5 Aniak, AK [Amended]

Aniak Airport, AK
(Lat. 61°34′53″ N, long. 159°32′43″ W)
Point of Origin
(Lat. 61°34′54″ N, long. 159°32′35″ W)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Point of Origin, within 2.3 miles northeast and 2.7 miles southwest of the Point of Origin's 113° bearing extending to 14.7 miles east of the Point of Origin, within 4.7 miles north and 7.3 miles south of the Point of Origin's 265° bearing extending from 1.5 west of the Point of Origin to 17.5 miles west of the Point of Origin, and within 4 miles either side of the Point of Origin's 301° bearing extending to 14.8 miles northwest of the Point of Origin.

AAL AK E5 Anvik, AK [Amended]

Anvik Airport, AK
(Lat. 62°38′50″ N, long. 160°11′24″ W)
Point of Origin
(Lat. 62°38′48″ N, long. 160°11′26″ W)

That airspace extending upward from 700 feet above the surface within an 8-mile radius of the Point of Origin.

AAL AK E5 Arctic Village, AK [Amended]

Arctic Village Airport, AK
(Lat. 68°06′53″ N, long. 145°34′46″ W)
Point of Origin
(Lat. 68°06′53″ N, long. 145°34′46″ W)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of the Point of Origin and within 3 miles either side of the Point of Origin's 040° bearing extending to 14.8 miles north of the Point of Origin.

AAL AK E5 Atqasuk, AK [Amended]

Atqasuk Edward Burnell Sr. Memorial Airport, AK
(Lat. 70°28′02″ N, long. 157°26′08″ W)
Point of Origin
(Lat. 70°28′02″ N, long. 157°26′08″ W)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Point of Origin.

AAL AK E5 Barter Island, AK [Amended]

Barter Island Airport, AK
(Lat. 70°06′47″ N, long. 143°39′13″ W)
Point of Origin
(Lat. 70°06′47″ N, long. 143°39′13″ W)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of the Point of Origin.

AAL AK E5 Bettles, AK [Amended]

Bettles Airport, AK
(Lat. 66°54′50″ N, long. 151°31′45″ W)
Point of Origin
(Lat. 66°54′50″ N, long. 151°31′44″ W)

That airspace extending upward from 700 feet above the surface within an 8.2-mile radius of the Point of Origin, and within 3.9 miles either side of the Point of Origin's 212° bearing extending to 11.3 miles southwest of the Point of Origin.

AAL AK E5 Buckland, AK [Amended]

Buckland Airport, AK
(Lat. 65°58′54″ N, long. 161°08′57″ W)
Point of Origin
(Lat. 65°58′54″ N, long. 161°08′57″ W)

That airspace extending upward from 700 feet above the surface within a 12.4-mile radius of the Point of Origin.

AAL AK E5 Cape Lisburne, AK [Amended]

Cape Lisburne LRRS, AK
(Lat. 68°52′30″ N, long. 166°06′40″ W)
Point of Origin
(Lat. 68°52′31″ N, long. 166°06′36″ W)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Point of Origin.

AAL AK E5 Cape Newenham, AK [Amended]

Cape Newenham LRRS, AK
(Lat. 58°38′53″ N, long. 162°03′50″ W)
Point of Origin
(Lat. 58°38′47″ N, long. 162°03′46″ W)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Point of Origin.

AAL AK E5 Cape Romanzof, AK [Amended]

Cape Romanzof LRRS, AK
(Lat. 61°46′52″ N, long. 166°02′22″ W)
Point of Origin
(Lat. 61°46′49″ N, long. 166°02′19″ W)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Point of Origin.

AAL AK E5 Chalkyitsik, AK [Amended]

Chalkyitsik Airport, AK
(Lat. 66°38′42″ N, long. 143°44′24″ W)
Point of Origin
(Lat. 66°38′42″ N, long. 143°44′24″ W)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of the Point of Origin.

AAL AK E5 Chevak, AK [Amended]

Chevak Airport, AK
(Lat. 61°32′27″ N, long. 165°36′03″ W)
Point of Origin
(Lat. 61°32′27″ N, long. 165°36′03″ W)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Point of Origin.

AAL AK E5 Chignik, AK [Amended]

Chignik Airport, AK
(Lat. 56°18′41″ N, long. 158°22′24″ W)
Point of Origin
(Lat. 56°18′41″ N, long. 158°22′24″ W)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of the Point of Origin.

AAL AK E5 Clarks Point, AK [Amended]

Clarks Point Airport, AK
(Lat. 58°50′01″ N, long. 158°31′46″ W)
Point of Origin
(Lat. 58°50′01″ N, long. 158°31′46″ W)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of the Point of Origin.

AAL AK E5 Cordova, AK [Amended]

Merle K (Mudhole) Smith Airport, AK
(Lat. 60°29′30″ N, long. 145°28′39″ W)
Point of Origin
(Lat. 60°29′30″ N, long. 145°28′39″ W)

That airspace extending upward from 700 feet above the surface within a boundary beginning at the Point of Origin's 082° bearing at 6.6 miles, thence clockwise along its 6.6-mile radius to its 309° bearing at 6.6 miles, thence to the point of beginning, and within 2 miles either side of the Point of Origin's 113° bearing extending to 16 miles southeast of the Point of Origin.

AAL AK E5 Deadhorse, AK [Amended]

Badami Airport, AK
(Lat. 70°08′15″ N, long. 147°01′50″ W)
Point of Origin
(Lat. 70°08′15″ N, long. 147°01′50″ W)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Point of Origin.

AAL AK E5 Deadhorse, AK [Amended]

Deadhorse Airport, AK
(Lat. 70°11′41″ N, long. 148°27′55″ W)
Point of Origin
(Lat. 70°11′41″ N, long. 148°27′55″ W)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Point of Origin.

AAL AK E5 Deering, AK [Amended]

Deering Airport, AK
(Lat. 66°04′09″ N, long. 162°46′01″ W)
Point of Origin
(Lat. 66°04′10″ N, long. 162°45′59″ W)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Point of Origin.

AAL AK E5 Dillingham, AK [Amended]

Dillingham Airport, AK
(Lat. 59°02′41″ N, long. 158°30′20″ W)
Point of Origin
(Lat. 59°02′41″ N, long. 158°30′20″ W)
Point in Space
(Lat. 58°59′39″ N, long. 158°33′08″ W)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Point of Origin, and within 3.1 miles either side of the Point in Space's 206° bearing extending to 14.1 miles southwest of the Point of Origin.

AAL AK E5 Elim, AK [Amended]

Elim Airport, AK
(Lat. 64°36′54″ N, Long. 162°16′14″ W)
Point of Origin
(Lat. 64°36′54″ N, Long. 162°16′14″ W)

That airspace extending upward from 700 feet above the surface within a 6.8-mile radius of the Point of Origin and within 3.7 miles either side of the Point of Origin's 015° bearing extending to 12.6 miles north of the Point of Origin.

AAL AK E5 Emmonak, AK [Amended]

Emmonak Airport, AK
(Lat. 62°47′10″ N, long. 164°29′27″ W)
Point of Origin
(Lat. 62°47′10″ N, long. 164°29′27″ W)
Point in Space
(Lat. 62°47′05″ N, long. 164°29′15″ W)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Point of Origin, within 4 miles east and 8 miles west of the Point in Space's 353° bearing extending to 16 miles north of the Point in Space, and within 4 miles east and 8 miles west of the Point in Space's 182° bearing extending to 16 miles south of the Point in Space.

AAL AK E5 Fairbanks, AK [Amended]

Fairbanks International Airport, AK
(Lat. 64°48′55″ N, long. 147°51′24″ W)
Point of Origin
(Lat. 64°48′57″ N, long. 147°51′29″ W)

Point in Space A
(Lat. 64°58′08″ N, long. 147°34′48″ W)
Point in Space B
(Lat. 64°48′00″ N, long. 148°00′43″ W)

That airspace extending upward from 700 feet above the surface within a 6.9-mile radius of the Point of Origin, within 4 miles northwest of the Point in Space A's 218° bearing extending southwest to the Point of Origin's 6.9-mile radius, within 8 miles northwest and 4 miles southeast of the Point in Space A's 218° bearing extending to 5.3 miles southwest of Point in Space A, within 8 miles northwest and 4 miles southeast of the Point in Space A's 038° bearing extending to 10.7 miles northeast of Point in Space A, and within 2.5 miles each side of the Point in Space B's 068° bearing extending to 8.4 miles northeast of the Point of Origin.

AAL AK E5 Fort Yukon, AK [Amended]

Fort Yukon Airport, AK
(Lat. 66°34′21″ N, long. 145°14′47″ W)
Point of Origin
(Lat. 66°34′28″ N, long. 145°16′36″ W)

That airspace extending upward from 700 feet above the surface within a 7.2-mile radius of the Point of Origin and within 4 miles either side of the Point of Origin's 076° bearing extending to 21 miles east of the Point of Origin.

AAL AK E5 Galbraith Lake, AK [Amended]

Galbraith Lake Airport, AK
(Lat. 68°28′47″ N, long. 149°29′24″ W)
Point of Origin
(Lat. 68°28′47″ N, long. 149°29′24″ W)

That airspace extending upward from 700 feet above the surface within a 9.5-mile radius of the Point of Origin.

AAL AK E5 Galena, AK [Amended]

Edward G. Pitka Sr. Airport, AK
(Lat. 64°44′10″ N, long. 156°56′04″ W)
Point of Origin
(Lat. 64°44′10″ N, long. 156°56′04″ W)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of the Point of Origin, within 4.8 miles of either side of the Point of Origin's 086° bearing extending to 20.2 miles east, and within 2.1 miles either side of the Point of Origin's 269° bearing extending to 12.2 miles west of the Point of Origin.

AAL AK E5 Gambell, AK [Amended]

Gambell Airport, AK
(Lat. 63°46′00″ N, long. 171°43′58″ W)
Point of Origin
(Lat. 63°46′00″ N, long. 171°43′58″ W)
Point in Space
(Lat. 63°46′55″ N, long. 171°44′12″ W)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of the Point of Origin, within 4 miles either side of the Point in Space's 174° bearing extending to 23 miles south of the Point in Space, and within 4 miles either side of the Point in Space's 354° bearing extending to 10.6 miles north of the Point of Origin.

AAL AK E5 Golovin, AK [Amended]

Golovin Airport, AK
(Lat. 64°33′02″ N, long. 163°00′26″ W)
Point of Origin
(Lat. 64°33′02″ N, long. 163°00′26″ W)

That airspace extending upward from 700 feet above the surface within a 7.4-mile radius of the
Point of Origin.

AAL AK E5 Gulkana, AK [Amended]

Gulkana Airport, AK
(Lat. 62°09′16″ N, long. 145°27′19″ W)
Point of Origin
(Lat. 62°09′16″ N, long. 145°27′19″ W)

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Point of Origin, within 5 miles either side of the Point of Origin's 169° bearing extending to 24 miles south of the Point of Origin, and within 4 miles either side of the Point of Origin's 351° bearing extending to 12.5 miles north of the Point of Origin.

AAL AK E5 Homer, AK [Amended]

Homer Airport, AK
(Lat. 59°38′44″ N, long. 151°28′36″ W)
Point of Origin
(Lat. 59°38′44″ N, long. 151°28′36″ W)
Point in Space
(Lat. 59°38′29″ N, long. 151°30′01″ W)

That airspace extending upward from 700 feet above the surface within a 6.7-mile radius of the Point of Origin, within 4 miles either side of the Point of Origin's 055° bearing extending to 12 miles northeast of the Point of Origin, and within 8-miles northwest and 4.2-miles southeast of the Point in Space's 235° bearing extending to 16 miles southwest of the Point in Space.

AAL AK E5 Hooper Bay, AK [Amended]

Hooper Bay Airport, AK
(Lat. 61°31′26″ N, long. 166°08′48″ W)
Point of Origin
(Lat. 61°31′26″ N, long. 166°08′48″ W)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of the Point of Origin.

AAL AK E5 Huslia, AK [Amended]

Huslia Airport, AK
(Lat. 65°41′52″ N, long. 156°21′05″ W)
Point of Origin
(Lat. 65°41′52″ N, long. 156°21′05″ W)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Point of Origin.

AAL AK E5 Iliamna, AK [Amended]

Iliamna Airport, AK
(Lat. 59°45′20″ N, long. 154°55′04″ W)
Point of Origin
(Lat. 59°45′20″ N, long. 154°55′04″ W)
Point in Space
(Lat. 59°44′53″ N, long. 154°54′35″ W)

That airspace extending upward from 700 feet above the surface within a 7.2-mile radius of the Point of Origin and within 4 miles west and 8 miles east of the Point in Space's 200° bearing extending to 16 miles south of the Point of Origin.

AAL AK E5 Kaltag, AK [Amended]

Kaltag Airport, AK
(Lat. 64°19′08″ N, long. 158°44′29″ W)
Point of Origin
(Lat. 64°19′08″ N, long. 158°44′29″ W)

That airspace extending upward from 700 feet above the surface within a 7.6-mile radius of the Point of Origin.

AAL AK E5 Kenai, AK [Amended]

Kenai Municipal Airport, AK
(Lat. 60°34′24″ N, long. 151°14′41″ W)
Point of Origin
(Lat. 60°34′23″ N, long. 151°14′42″ W)

That airspace extending upward from 700 feet above the surface within a 7.7-mile radius of the Point of Origin and within 4 miles either side of the Point of Origin's 031° bearing extending from the 7.7-mile radius to 11 miles north of the Point of Origin.

AAL AK E5 Kiana, AK [Amended]

Bob Baker Memorial Airport, AK
(Lat. 66°58′34″ N, long. 160°26′19″ W)
Point of Origin
(Lat. 66°58′33″ N, long. 160°26′12″ W)

That airspace extending upward from 700 feet above the surface within a 7.5-mile radius of the Point of Origin.

AAL AK E5 King Salmon, AK [Amended]

King Salmon Airport, AK
(Lat. 58°40′35″ N, long. 156°38′55″ W)
Point of Origin
(Lat. 58°40′35″ N, long. 156°38′55″ W)

That airspace extending upward from 700 feet above the surface within a 6.8-mile radius of Point of Origin, within 3.3 miles northeast and 3.2 miles southwest of the 132° bearing extending to 9.1 miles southeast of the Point of Origin, and within 3.9 miles either side of the Point of Origin's 312° bearing extending to 13.8 miles northwest of the Point of Origin.

AAL AK E5 Kipnuk, AK [Amended]

Kipnuk Airport, AK
(Lat. 59°55′54″ N, long. 164°01′41″ W)
Point of Origin
(Lat. 59°55′59″ N, long. 164°01′50″ W)

That airspace extending upward from 700 feet above the surface within a 6.9-mile radius of the Point of Origin.

AAL AK E5 Kivalina, AK [Amended]

Kivalina Airport, AK
(Lat. 67°44′10″ N, long. 164°33′49″ W)
Point of Origin
(Lat. 67°44′10″ N, long. 164°33′49″ W)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Point of Origin, and 3.9 miles either side of the Point of Origin's 317° bearing extending to 11.1 miles northwest of the Point of Origin.

AAL AK E5 Kobuk, AK [Amended]

Kobuk Airport, AK
(Lat. 66°54′44″ N, long. 156°53′50″ W)
Point of Origin
(Lat. 66°54′44″ N, long. 156°53′50″ W)

That airspace extending upward from 700 feet above the surface within a 7.7-mile radius of the Point of Origin.

AAL AK E5 Kodiak, AK [Amended]

Kodiak Airport, AK
(Lat. 57°44′59″ N, long. 152°29′38″ W)
Point of Origin
(Lat. 57°44′59″ N, long. 152°29′38″ W)

That airspace extending upward from 700 feet above the surface within a 6.9-mile radius of the Point of Origin, within 8 miles north and 4.1 miles south of the Point of Origin's 071° bearing extending from 5.2 miles east of the Point of Origin to 21.2 miles east of the Point of Origin, excluding that airspace beyond 12 miles of the shoreline.

AAL AK E5 Kokhanok, AK [Amended]

Kokhanok Airport, AK
(Lat. 59°26′00″ N, long. 154°48′09″ W)
Point of Origin
(Lat. 59°26′00″ N, long. 154°48′09″ W)

That airspace extending upward from 700 feet above the surface within a 6.9-mile radius of the Point of Origin and that airspace 1 mile either side of the Point of Origin's 260° bearing extending to 8.8 miles west of the Point of Origin.

AAL AK E5 Koliganek, AK [Amended]

Koliganek Airport, AK
(Lat. 59°43′36″ N, long. 157°15′37″ W)
Point of Origin
(Lat. 59°43′36″ N, long. 157°15′34″ W)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of the Point of Origin.

AAL AK E5 Kotzebue, AK [Amended]

Ralph Wien Memorial Airport, AK
(Lat. 66°53′05″ N, long. 162°35′53″ W)
Point of Origin
(Lat. 66°53′05″ N, long. 162°35′53″ W)

That airspace extending upward from 700 feet above the surface within a 6.8-mile radius of the Point of Origin, within an 8.3-mile radius of the Point of Origin between its 118° bearing clockwise to its 137° bearing, within 3 miles north and 3.2 miles south of the Point of Origin's 095° bearing extending to 13.6 miles east, and within 4 miles either side of the Point of Origin's 280° bearing extending to 10.7 miles west.

AAL AK E5 Koyuk, AK [Amended]

Koyuk Alfred Adams Airport, AK
(Lat. 64°56′22″ N, long. 161°09′15″ W)
Point of Origin
(Lat. 64°56′22″ N, long. 161°09′15″ W)

That airspace extending upward from 700 feet above the surface within a 9-mile radius of the Point of Origin and within 3.6 miles northwest and 8.4 miles southeast of the Point of Origin's 210° bearing extending to 17 miles southwest of the Point of Origin.

AAL AK E5 Koyukuk, AK [Amended]

Koyukuk Airport, AK
(Lat. 64°52′33″ N, long. 157°43′50″ W)
Point of Origin
(Lat. 64°52′33″ N, long. 157°43′50″ W)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of the Point of Origin.

AAL AK E5 Kuparuk, AK [Amended]

Ugnu-Kuparuk Airport, AK
(Lat. 70°19′50″ N, long. 149°35′53″ W)
Point of Origin
(Lat. 70°19′50″ N, long. 149°35′53″ W)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Point of Origin and within 4 miles either side of the Point of Origin's 078° bearing extending to 9.5 miles east of the Point of Origin.

AAL AK E5 Kwethluk, AK [Amended]

Kwethluk Airport, AK
(Lat. 60°47′25″ N, long. 161°26′37″ W)
Point of Origin
(Lat. 60°47′25″ N, long. 161°26′37″ W)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of the Point of Origin.

AAL AK E5 Manokotak, AK [Amended]

Manokotak Airport, AK
(Lat. 58°55′55″ N, long. 158°54′07″ W)
Point of Origin
(Lat. 58°55′55″ N, long. 158°54′07″ W)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of the Point of Origin.

AAL AK E5 Manokotak, AK [Removed]

Manokotak/New Airport, AK
(Lat. 58°59′25'' N, long. 159°03′00'' W)

AAL AK E5 McGrath, AK [Amended]

McGrath Airport, AK
(Lat. 62°57′10″ N, long. 155°36′25″ W)
Point of Origin
(Lat. 62°57′10″ N, long. 155°36′25″ W)

That airspace extending upward from 700 feet above the surface within an 8.1-mile radius of the Point of Origin and within 8 miles east and 4 miles west of the Point of Origin's 001° bearing extending to 15.7 miles north of the Point of Origin.

AAL AK E5 Middleton Island, AK [Amended]

Middleton Island Airport, AK
(Lat. 59°27′00″ N, long. 146°18′26″ W)
Point of Origin
(Lat. 59°27′00″ N, long. 146°18′26″ W)
Point in Space
(Lat. 59°25′18″ N, long. 146°21′00″ W)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Point of Origin and within 4 miles either side of the Point in Space's 038° bearing extending to 12 miles northeast of the Point in Space.

AAL AK E5 Napakiak, AK [Amended]

Napakiak Airport, AK
(Lat. 60°41′25″ N, long. 161°58′43″ W)
Point of Origin
(Lat. 60°41′25″ N, long. 161°58′43″ W)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of the Point of Origin.

AAL AK E5 New Stuyahok, AK [Amended]

New Stuyahok Airport, AK
(Lat. 59°27′06″ N, long. 157°22′23″ W)
Point of Origin
(Lat. 59°27′06″ N, long. 157°22′23″ W)

That airspace extending upward from 700 feet above the surface within a 6.9-mile radius of the Point of Origin.

AAL AK E5 Noatak, AK [Amended]

Noatak Airport, AK
(Lat. 67°33′40″ N, long. 162°58′50″ W)
Point of Origin
(Lat. 67°33′58″ N, long. 162°58′30″ W)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of the Point of Origin.

AAL AK E5 Nome, AK [Amended]

Nome Airport, AK
(Lat. 64°30′45″ N, long. 165°26′40″ W)
Point of Origin
(Lat. 64°30′44″ N, long. 165°26′43″ W)

That airspace extending upward from 700 feet above the surface within a 25-mile radius of the Point of Origin, excluding that airspace beyond 12 miles of the shoreline.

AAL AK E5 Northway, AK [Amended]

Northway Airport, AK
(Lat. 62°57′40″ N, long. 141°55′41″ W)
Point of Origin
(Lat. 62°57′40″ N, long. 141°55′41″ W)

That airspace extending upward from 700 feet above the surface within an 8-mile radius of the Point of Origin, and within 2 miles either side of the Point of Origin's 077° radial extending to 13.7 miles east of the Point of Origin.

AAL AK E5 Nuiqsut AK [Amended]

Nuiqsut Airport, AK
(Lat. 70°12′35″ N, long. 151°00′23″ W)
Point of Origin
(Lat. 70°12′35″ N, long. 151°00′23″ W)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of the Point of Origin.

AAL AK E5 Nuiqsut, AK [Amended]

Oooguruk Island Heliport, AK
(Lat. 70°29′44″ N, long. 150°15′12″ W)
Point of Origin
(Lat. 70°29′44″ N, long. 150°15′12″ W)

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Point of Origin.

AAL AK E5 Nuiqsut, AK [Amended]

OTP Heliport, AK
(Lat. 70°24′51″ N, long. 150°01′07″ W)
Point of Origin
(Lat. 70°24′51″ N, long. 150°01′07″ W)

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Point of Origin.

AAL AK E5 Nulato, AK [Amended]

Nulato Airport, AK
(Lat. 64°43′46″ N, long. 158°04′27″ W)
Point of Origin
(Lat. 64°43′46″ N, long. 158°04′27″ W)

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Point of Origin.

AAL AK E5 Perryville, AK [Amended]

Perryville Airport, AK
(Lat. 55°54′24″ N, long. 159°09′39″ W)
Point of Origin
(Lat. 55°54′24″ N, long. 159°09′39″ W)

That airspace extending upward from 700 feet above the surface within a 14.7-mile radius of the Point of Origin.

AAL AK E5 Pilot Point, AK [Amended]

Pilot Point Airport, AK
(Lat. 57°34′49″ N, long. 157°34′19″ W)
Point of Origin
(Lat. 57°34′49″ N, long. 157°34′19″ W)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of the Point of Origin.

AAL AK E5 Platinum, AK [Amended]

Platinum Airport, AK
(Lat. 59°01′04″ N, long. 161°49′38″ W)
Point of Origin
(Lat. 59°00′57″ N, long. 161°49′31″ W)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of the Point of Origin.

AAL AK E5 Point Hope, AK [Amended]

Point Hope Airport, AK
(Lat. 68°20′53″ N, long. 166°47′57″ W)
Point of Origin
(Lat. 68°20′56″ N, long. 166°47′58″ W)
Point in Space
(Lat. 68°20′41″ N, long. 166°47′51″ W)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of the Point of Origin, within 3 miles either side of the Point in Space's 207° bearing extending to 10.3 miles southwest of the Point of Origin, and within 3 miles either side of the Point in Space's 017° bearing extending to 9.9 miles northeast of the Point of Origin.

AAL AK E5 Point Lay, AK [Amended]

Point Lay LRRS Airport, AK
(Lat. 69°43′58″ N, long. 163°00′19″ W)
Point of Origin
(Lat. 69°43′58″ N, long. 163°00′19″ W)

That airspace extending upward from 700 feet above the surface within an 8-mile radius of the Point of Origin.

AAL AK E5 Port Clarence, AK [Amended]

Port Clarence CGS, AK
(Lat. 65°15′12″ N, long. 166°51′27″ W)
Point of Origin
(Lat. 65°15′12″ N, long. 166°51′27″ W)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of the Point of Origin and within 1.5 miles either side of the Point of Origin's 180° bearing extending to 13.2 miles south of the Point of Origin.

AAL AK E5 Port Heiden, AK [Amended]

Port Heiden Airport, AK
(Lat. 56°57′33″ N, long. 158°38′00″ W)
Point of Origin
(Lat. 56°57′33″ N, long. 158°38′00″ W)
Point in Space
(Lat. 56°57′14″ N, long. 158°38′56″ W)

That airspace extending upward from 700 feet above the surface within a 6.8-mile radius of the Point of Origin, within 4 miles north and 8 miles south of the Point in Space's 248° bearing extending to 20 miles west of the Point in Space, and within 4 miles east and 8 miles west of the Point in Space's 339° bearing extending to 20 miles north of the Point in Space, excluding that airspace beyond 12 miles of the shoreline.

AAL AK E5 Prospect Creek, AK [Amended]

Prospect Creek Airport, AK
(Lat. 66°48′51″ N, long. 150°38′37″ W)
Point of Origin
(Lat. 66°48′50″ N, long. 150°38′37″ W)

That airspace extending upward from 700 feet above the surface within an 11-mile radius of the Point of Origin, within 2 miles either side of a line between lat. 66°55′50″ N, long. 150°32′43″ W, to lat. 67°02′47″ N, long. 150°34′16″ W, and within 4.5 miles east and 4 miles west of the Point of Origin's 214° bearing extending to 13 miles southwest of the Point of Origin.

AAL AK E5 Red Dog, AK [Amended]

Red Dog Airport, AK
(Lat. 68°01′56″ N, long. 162°53′57″ W)
Point of Origin
(Lat. 68°01′56″ N, long. 162°53′57″ W)

That airspace extending upward from 700 feet above the surface within an 11-mile radius of the Point of Origin and within 4 miles either side of the Point of Origin's 219° bearing extending to 14.5 miles southwest of the Point of Origin.

AAL AK E5 Ruby, AK [Amended]

Ruby Airport, AK
(Lat. 64°43′38″ N, long. 155°28′12″ W)
Point of Origin
(Lat. 64°43′38″ N, long. 155°28′11″ W)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of the Point of Origin and within 4 miles either side of the Point of Origin's 051° bearing extending to 20.3 miles northeast of the Point of Origin.

AAL AK E5 Russian Mission, AK [Amended]

Russian Mission Airport, AK
(Lat. 61°46′30″ N, long. 161°19′10″ W)
Point of Origin
(Lat. 61°46′47″ N, long. 161°19′10″ W)

That airspace extending upward from 700 feet above the surface within a 6.2-mile radius of the Point of Origin.

AAL AK E5 Savoonga, AK [Amended]

Savoonga Airport, AK
(Lat. 63°41′11″ N, long. 170°29′35″ W)
Point of Origin
(Lat. 63°41′11″ N, long. 170°29′35″ W)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of the Point of Origin and within 4 miles either side of the Point of Origin's 059° bearing extending to 11 miles northeast of the Point of Origin.

AAL AK E5 Scammon Bay, AK [Amended]

Scammon Bay Airport, AK
(Lat. 61°50′40″ N, long. 165°34′26″ W)
Point of Origin
(Lat. 61°50′40″ N, long. 165°34′25″ W)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of the Point of Origin and within 4 miles either side of the Point of Origin's 099° bearing extending to 11 miles east of the Point of Origin.

AAL AK E5 Selawik, AK [Amended]

Selawik Airport, AK
(Lat. 66°36′01″ N, long. 159°59′09″ W)
Point of Origin
(Lat. 66°36′01″ N, long. 159°59′09″ W)

That airspace extending upward from 700 feet above the surface within a 7.3-mile radius of the Point of Origin.

AAL AK E5 Shageluk, AK [Amended]

Shageluk Airport, AK
(Lat. 62°41′32″ N, long. 159°34′09″ W)
Point of Origin
(Lat. 62°41′32″ N, long. 159°34′09″ W)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of the Point of Origin.

AAL AK E5 Shaktoolik, AK [Amended]

Shaktoolik Airport, AK
(Lat. 64°22′16″ N, long. 161°13′26″ W)
Point of Origin
(Lat. 64°22′16″ N, long. 161°13′26″ W)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of the Point of Origin.

AAL AK E5 Shishmaref, AK [Amended]

Shishmaref Airport, AK
(Lat. 66°14′59″ N, long. 166°05′22″ W)
Point of Origin
(Lat. 66°14′58″ N, long. 166°05′22″ W)
Point in Space
(Lat. 66°15′29″ N, long. 166°03′09″ W)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Point of Origin, within 4 miles southeast and 8 miles northwest of the Point in Space's 061° bearing extending to 16 miles northeast of the Point in Space, and within 4 miles southeast and 8 miles northwest of the Point in Space's 245° bearing extending to 16 miles southwest of the Point in Space.

AAL AK E5 Shungnak, AK [Amended]

Shungnak Airport, AK
(Lat. 66°53′17″ N, long. 157°09′45″ W)
Point of Origin
(Lat. 66°53′17″ N, long. 157°09′45″ W)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of the Point of Origin.

AAL AK E5 Soldotna, AK [Amended]

Soldotna Airport, AK
(Lat. 60°28′31″ N, long. 151°02′23″ W)
Point of Origin
(Lat. 60°28′31″ N, long. 151°02′23″ W)

That airspace extending upward from 700 feet above the surface within a 10.1-mile radius of the Point of Origin, within 2.4 miles either side of the Point of Origin's 270° bearing extending to 11 miles west of the Point of Origin, and within 3.5 miles either side of the Point of Origin's 090° bearing extending to 14.3 miles east of the Point of Origin.

AAL AK E5 Sparrevohn, AK [Amended]

Sparrevohn LRRS, AK
(Lat. 61°05′50″ N, long. 155°34′29″ W)
Point of Origin
(Lat. 61°05′50″ N, long. 155°34′27″ W)

That airspace extending upward from 700 feet above the surface within a 3-mile radius of the Point of Origin.

AAL AK E5 St. Michael, AK [Amended]

St. Michael Airport, AK
(Lat. 63°29′24″ N, long. 162°06′37″ W)
Point of Origin
(Lat. 63°29′24″ N, long. 162°06′37″ W)

That airspace extending upward from 700 feet above the surface within an 8.4-mile radius of the Point of Origin.

AAL AK E5 Talkeetna, AK [Amended]

Talkeetna Airport, AK
(Lat. 62°19′17″ N, long. 150°05′34″ W)
Point of Origin
(Lat. 62°19′14″ N, long. 150°05′37″ W)
Point in Space
(Lat. 62°17′55″ W, long. 150°06′20″ W)

That airspace extending upward from 700 feet above the surface within a 7.5-mile radius of the Point of Origin, within 3.2 miles either side of the Point in Space's 191° bearing extending to 12.4 miles southwest of the Point of Origin, and within 2.5 miles either side of the Point in Space's 207° bearing extending to 12.4 miles southwest of the Point of Origin.

AAL AK E5 Tanana, AK [Amended]

Ralph M. Calhoun Memorial Airport, AK
(Lat. 65°10′28″ N, long. 152°06′29″ W)
Point of Origin
(Lat. 65°10′28″ N, long. 152°06′29″ W)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of the Point of Origin and within 1.9 miles either side of the Point of Origin's 101° bearing extending to 10.5 miles east of the Point of Origin.

AAL AK E5 Tatitlek, AK [Amended]

Tatitlek Airport, AK
(Lat. 60°52′21″ N, long. 146°41′28″ W)
Point of Origin
(Lat. 60°52′21″ N, long. 146°41′28″ W)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of the Point of Origin and within 2 miles southwest and 3.4 miles northeast of the Point of Origin's 149° bearing extending to 11.8 miles southeast of the Point of Origin.

AAL AK E5 Teller, AK [Amended]

Teller Airport, AK
(Lat. 65°14′25″ N, long. 166°20′22″ W)
Point of Origin
(Lat. 65°14′25″ N, long. 166°20′22″ W)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Point of Origin.

AAL AK E5 Tin City, AK [Amended]

Tin City LRRS, AK
(Lat. 65°33′51″ N, long. 167°55′21″ W)
Point of Origin
(Lat. 65°33′51″ N, long. 167°55′21″ W)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Point of Origin.

AAL AK E5 Tok, AK [Amended]

Tok Junction Airport, AK
(Lat. 63°19′46″ N, long. 142°57′13″ W)
Point of Origin
(Lat. 63°19′46″ N, long. 142°57′13″ W)

That airspace extending upward from 700 feet above the surface within a 6.9-mile radius of the Point of Origin.

AAL AK E5 Toksook Bay, AK [Amended]

Toksook Bay Airport, AK
(Lat. 60°32′29″ N, long. 165°05′14″ W)
Point of Origin
(Lat. 60°32′29″ N, long. 165°05′14″ W)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of the Point of Origin.

AAL AK E5 Umiat, AK [Removed]

Umiat Airport, AK
(Lat. 69°22′16″ N, long. 152°08′06″ W)

AAL AK E5 Unalakleet, AK [Amended]

Unalakleet Airport, AK
(Lat. 63°53′19″ N, long. 160°47′57″ W)
Point of Origin
(Lat. 63°53′19″ N, long. 160°47′57″ W)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Point of Origin, within a 13.5-mile radius of the Point of Origin between its 260° bearing clockwise to its 360° bearing, and within 6 miles either side of the Point of Origin's 185° bearing extending to 10 miles south of the Point of Origin, excluding that airspace beyond 12 miles of the shoreline.

AAL AK E5 Utopia Creek, AK [Amended]

Indian Mountain LRRS, AK
(Lat. 65°59′34″ N, long. 153°42′13″ W)
Point of Origin
(Lat. 65°59′34″ N, long. 153°42′16″ W)

That airspace extending upward from 700 feet above the surface within a 4-mile radius of the Point of Origin.

AAL AK E5 Utqiagvik, AK [Amended]

Wiley Post-Will Rogers Memorial Airport, AK
(Lat. 71°17′06″ N, long. 156°46′07″ W)
Point of Origin
(Lat. 71°17′06″ N, long. 156°46′07″ W)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of the Point of Origin.

AAL AK E5 Valdez, AK [Amended]

Valdez Pioneer Field, AK
(Lat. 61°08′03″ N, long. 146°14′41″ W)
Point of Origin
(Lat. 61°08′02″ N, long. 146°14′54″ W)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of the Point of Origin and within 3 miles north and 3.2 miles south of the Point of Origin's 256° bearing extending to 12.8 miles west.

AAL AK E5 Venetie, AK [Amended]

Venetie Airport, AK
(Lat. 67°00′31″ N, long. 146°21′59″ W)
Point of Origin
(Lat. 67°00′31″ N, long. 146°21′59″ W)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of the Point of Origin, and within 3.9 miles either side of the Point of Origin's 062° bearing extending to 10.1 miles northeast of the Point of Origin.

AAL AK E5 Wainwright, AK [Amended]

Wainwright Airport, AK
(Lat. 70°38′17″ N, long. 159°59′41″ W)
Point of Origin
(Lat. 70°38′17″ N, long. 159°59′41″ W)

That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the Point of Origin.

AAL AK E5 Wales, AK [Amended]

Wales Airport, AK
(Lat. 65°37′21″ N, long. 168°05′42″ W)
Point of Origin
(Lat. 65°37′26″ N, long. 168°05′57″ W)

That airspace extending upward from 700 feet above the surface within a 6.35-mile radius of the Point of Origin.

AAL AK E5 Willow, AK [Amended]

Willow Airport, AK
(Lat. 61°45′15″ N, long. 150°03′06″ W)
Point of Origin
(Lat. 61°45′16″ N, long. 150°03′06″ W)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of the Point of Origin.

AAL AK E5 Yakutat, AK [Amended]

Yakutat Airport, AK
(Lat. 59°30′12″ N, long. 139°39′37″ W)
Point of Origin
(Lat. 59°30′39″ N, long. 139°38′53″ W)

That airspace extending upward from 700 feet above the surface within the area bounded by lat. 59°47′42″ N, 139°58′48″ W, to lat. 59°37′33″ N, long. 139°40′54″ W, then along the Point of Origin's 7-mile radius clockwise to lat. 59°28′54″ N, long. 139°25′36″ W, to lat. 59°20′16″ N, long. 139°10′20″ W, to lat. 59°02′49″ N, long. 139°47′45″ W, to lat. 59°30′15″ N, long. 140°36′43″ W, to the point of beginning, excluding that airspace beyond 12 miles of the shoreline.

AAL AK E5 Yukon-Kuskokwim Delta, AK [Removed]

* * * * *

Paragraph 6006 En Route Domestic Airspace Areas.

* * * * *

AAL AK E6 Alaska, AK [New]

That airspace extending upward from 1,200 feet above the surface within the boundary of the state of Alaska including that airspace within 12 miles of the state's shoreline, excluding that airspace: within the lateral boundaries of the Northeast High, Northwest High, Southeast High, and South High Class E6 airspace areas, that airspace 14,500 feet MSL or higher when less than 1,500 feet above the surface of the earth, that airspace over the Alaskan Peninsula west of longitude 160°00′00″ W, and that airspace within special use airspace, when active.

AAL AK E6 Northeast, AK [Removed]

AAL AK E6 Northeast High, AK [New]

That airspace extending upward from 4,000 feet above the surface within a boundary beginning at lat. 69°00′00″ N, long. 141°00′00″ W, thence south via the U.S./Canada border to lat. 65°30′00″ N, long. 141°00′00″ W, to lat. 65°30′00″ N, long. 144°00′00″ W, to lat. 66°10′00″ N, long. 144°00′00″ W, to lat. 66°10′00″ N, long. 142°30′00″ W, to lat. 67°00′00″ N, long. 142°30′00″ W, to lat. 67°00′00″ N, long. 143°20′00″ W, to lat. 69°00′00″ N, long. 143°20′00″ W, to the point of beginning, excluding that airspace within special use airspace, when active.

AAL AK E6 Northwest High, AK [New]

That airspace extending upward from 4,000 feet above the surface within a boundary beginning at lat. 69°30′00″ N, long.

153°00′00″ W, to lat. 67°50′00″ N, long. 153°00′00″ W, to lat. 67°50′00″ N, long. 161°00′00″ W, to lat. 69°30′00″ N, long. 161°00′00″ W, to the point of beginning, excluding that airspace within special use airspace, when active.

AAL AK E6 South High, AK [New]

That airspace extending upward from 4,000 feet above the surface within a boundary beginning at lat. 63°30′00″ N, long. 151°30′00″ W, to lat. 61°30′00″ N, long. 151°30′00″ W, to lat. 61°30′00″ N, long. 156°00′00″ W, to lat. 62°15′00″ N, long. 156°00′00″ W, to lat. 62°30′00″ N, long. 155°00′00″ W, to lat. 62°30′00″ N, long. 154°00′00″ W, to lat. 63°00′00″ N, long. 153°30′00″ W, to lat. 63°30′00″ N, long. 153°30′00″ W, to the point of beginning, excluding that airspace within special use airspace, when active.

AAL AK E6 Southeast, AK [Removed]

AAL AK E6 Southeast High, AK [New]

That airspace extending upward from 4,000 feet above the surface within a boundary beginning at lat. 62°00′00″ N, long. 141°00′00″ W, thence south via the U.S./Canada border to lat. 60°19′00″ N, long. 141°00′00″ W, to lat. 59°49′00″ N, long. 142°02′00″ W, to lat. 59°30′00″ N, long. 144°50′00″ W, to lat. 60°05′00″ N, long. 145°30′00″ W, to lat. 61°00′00″ N, long. 144°45′00″ W, to lat. 62°00′00″ N, long. 143°00′00″ W, thence to the point of beginning, excluding that airspace beyond 12 miles from the shoreline of Alaska and that airspace within special use airspace, when active.

* * * * *

Issued in Des Moines, Washington, on September 24, 2026.

B.G. Chew,

Group Manager, Operations Support Group, Western Service Center.

[FR Doc. 2026–19815 Filed 9–25–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Parts 1 and 301

[REG–116506–25]

RIN 1545–BR82

Information Reporting Regarding Qualified Opportunity Zones and Updated Qualified Opportunity Fund Certification and Decertification Procedures

Correction

In proposed rule document 2026–18574 beginning on page 57968 in the issue of Friday, September 11, 2026, make the following correction:

On page 57968, in the first column, in the second line of the DATES section, ‘‘October 16, 2026’’ should read ‘‘October 26, 2026’’.

[FR Doc. C1–2026–18574 Filed 9–25–26; 8:45 am]

BILLING CODE 0099–10–D

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 60 and 63

[EPA–HQ–OAR–2025–0302; FRL–8202.1–01–OAR]

RIN 2060–AW66

National Emission Standards for Hazardous Air Pollutants for Gasoline Distribution Facilities and Standards of Performance for Bulk Gasoline Terminals Reconsideration

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; reconsideration of final rule.

SUMMARY: On May 8, 2024, the U.S. Environmental Protection Agency (EPA) published the National Emission Standards for Hazardous Air Pollutants (NESHAP): Gasoline Distribution Technology Reviews and New Source Performance Standards (NSPS) Review for Bulk Gasoline Terminals final rule (‘‘2024 Final Rule’’). The EPA is reconsidering various provisions of the 2024 Final Rule in this proposed rule, including the operating limits and continuous compliance requirements for air emission control devices, and the vapor tightness requirements for gasoline cargo tanks. The EPA is also reconsidering the modification criteria in the NSPS and proposing other technical corrections and clarifications. The EPA does not anticipate that this proposed action will impact volatile organic compound (VOC) or hazardous air pollutant (HAP) emissions generated by gasoline distribution facilities because the proposed amendments do not impact the stringency of the emission standards set by the 2024 Final Rule. As such, the EPA expects the proposed amendments will have no impact on air quality or overall human health. The EPA is not reopening any other aspect of the 2024 Final Rule and does not intend to respond to comments addressing any other issues or provisions not specifically addressed in this proposed rulemaking.

DATES: Comments must be received on or before November 12, 2026. Comments on the information collection provisions of the proposed rule under the Paperwork Reduction Act (PRA) must be received by the Office of Management and Budget's Office of Information and Regulatory Affairs (OMB–OIRA) on or before October 28, 2026. Please refer to the PRA section under ‘‘Statutory and Executive Order Reviews’’ in this preamble for specific instructions.

Public hearing: If anyone contacts us requesting a public hearing on or before October 5, 2026, we will hold a virtual public hearing. See **SUPPLEMENTARY INFORMATION** for information on requesting and registering for a public hearing.

ADDRESSES: You may send comments, identified by Docket ID No. EPA–HQ–OAR–2025–0302, by any of the following methods:

- *Federal eRulemaking Portal: https://www.regulations.gov* (our preferred method). Follow the online instructions for submitting comments.
- *Email: a-and-r-docket@epa.gov.* Include Docket ID No. EPA–HQ–OAR–2025–0302 in the subject line of the message.
- *Mail:* U.S. Environmental Protection Agency, EPA Docket Center, Docket ID No. EPA–HQ–OAR–2025–0302, Mail Code 28221T, 1200 Pennsylvania Avenue NW, Washington, DC 20460.
- *Hand/Courier Delivery:* EPA Docket Center, WJC West Building, Room 3334, 1301 Constitution Avenue NW, Washington, DC 20004. The Docket Center's hours of operation are 8:30 a.m. to 4:30 p.m. Eastern Time (ET), Monday through Friday (except Federal holidays).

Instructions: All submissions received must include the Docket ID No. for this rulemaking. Comments received may be posted without change to *https://www.regulations.gov,* including any personal information provided. For detailed instructions on sending comments and additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this preamble.

FOR FURTHER INFORMATION CONTACT: For information about this proposed rule, contact U.S. EPA, Attn: Rudolf Abdelmessih, Industrial Processing and Power Division (E143–01), 109 T.W. Alexander Drive, P.O. Box 12055, Research Triangle Park, North Carolina 27711; telephone number: (919) 541–2928; and email address: *abdelmessih.rudolf@epa.gov.*

SUPPLEMENTARY INFORMATION:

Participation in virtual public hearing. To request a virtual public hearing, contact the public hearing team at (888) 372–8699 or by email at *IPPDpublichearing@epa.gov.* If the EPA receives a request for a public hearing, the Agency will hold a hearing via virtual platform on October 13, 2026.

If the EPA receives a request for a public hearing, the Agency will begin pre-registering speakers for the hearing no later than one business day after receiving the request. To register to speak at the virtual hearing, please use the online registration form available at *https://www.epa.gov/stationary-sources-air-pollution/gasoline-distribution-mact-and-gact-national-emission-standards* or contact the public hearing team at (888) 372–8699 or by email at *IPPDpublichearing@epa.gov.* The last day to pre-register to speak at the hearing will be October 13, 2026. Prior to the hearing, the EPA will post a general agenda that will list pre-registered speakers at: *https://www.epa.gov/stationary-sources-air-pollution/gasoline-distribution-mact-and-gact-national-emission-standards.*

Each commenter will have four minutes to provide oral testimony. The EPA may ask clarifying questions during the oral presentations but will not respond to the presentations at that time. The EPA encourages commenters to submit the text of your oral testimony as written comments to the rulemaking docket. The EPA will consider written statements and supporting information submitted during the comment period with the same weight as oral testimony and supporting information presented at the public hearing.

The EPA will make every effort to follow the schedule as closely as possible on the day of the hearing; however, the Agency may close a session 15 minutes after the last pre-registered speaker has testified if there are no additional speakers. Please plan for the hearings to run either ahead of schedule or behind schedule.

Please note that the EPA will post updates to any aspect of the hearing online at *https://www.epa.gov/stationary-sources-air-pollution/gasoline-distribution-mact-and-gact-national-emission-standards.* While the EPA expects the hearing to go forward as set forth earlier in this preamble, please monitor our website or contact the public hearing team at (888) 372–8699 or by email at *IPPDpublichearing@epa.gov* to determine if there are any updates. The EPA does not intend to publish a document in the **Federal Register** (FR) announcing updates.

If you require special accommodation, such as audio description, please pre-register for the hearing with the public hearing team and describe your needs by October 5, 2026. The EPA may not be able to arrange accommodation without advance notice.

Docket. The EPA has established a docket for this action under Docket ID No. EPA–HQ–OAR–2025–0302. All documents in the docket are listed at *https://www.regulations.gov.* Although listed, some information is not publicly available, *e.g.,* Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. The EPA does not place certain other material, such as copyrighted material, on the internet; this material is publicly available only as portable document format (PDF) versions accessible only on EPA computers in the docket office reading room. The public cannot download certain databases and physical items from the docket but may request these items by contacting the docket office at (202) 566–1744. The docket office has 10 business days to respond to such requests. With the exception of such material, publicly available docket materials are available electronically at *https://www.regulations.gov* or on EPA computers in the docket office reading room at the EPA Docket Center, WJC West Building, Room Number 3334, 1301 Constitution Ave. NW, Washington, DC. The Public Reading Room hours of operation are 8:30 a.m. to 4:30 p.m. ET, Monday through Friday (except for Federal holidays). The telephone number for the Public Reading Room is (202) 566–1744, and the telephone number for the EPA Docket Center is (202) 566–1742.

Written Comments. Direct your comments to Docket ID No. EPA–HQ–OAR–2025–0302. The EPA's policy is that the public docket will contain all comments received without change and made available online at *https://www.regulations.gov,* including any personal information provided, unless the comment includes information claimed to be CBI or other information for which a statute restricts disclosure. Do not submit electronically to *https://www.regulations.gov* any information that you consider to be CBI or other information for which a statute restricts disclosure. You should submit this type of information as described in the Submitting CBI section of this preamble.

The EPA may publish any comment received to its public docket. A written comment must accompany multimedia submissions (audio, video, etc.). The EPA considers the written comment to be the official comment, and it 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.*

The *https://www.regulations.gov* website allows you to submit your comment anonymously, 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 the EPA places in the public docket and made available on the internet. If you submit an electronic comment, the EPA recommends that you include your name and other contact information in the body of your comment and with any digital storage media you submit. If the EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, the Agency may not be able to consider your comment. Electronic files should not include special characters or any form of encryption and should be free of any defects or viruses. For additional information about the EPA's public docket, visit the EPA Docket Center homepage at *https://www.epa.gov/dockets.*

The EPA is soliciting comment on numerous aspects of this proposed rule. The EPA has indexed each comment solicitation with an identifier (*e.g.,* "C–1, C–2, . . .") to provide a consistent framework for effective and efficient provision of comments. Accordingly, the EPA asks that commenters include the corresponding identifier when providing comments relevant to that comment solicitation. The EPA asks that commenters include the identifier either in a heading or within the text of each comment (*e.g.,* "In response to C–1, . . .") to make clear which comment solicitation they are addressing. The EPA emphasizes that the Agency is not limiting comment to these identified areas and encourages commenters to provide any other comments relevant to this proposal.

Submitting CBI. Do not submit information containing CBI to the EPA through *https://www.regulations.gov.* Clearly mark the part or all the information that you claim to be CBI. For CBI information on any digital storage media that you mail to the EPA, note the docket ID, mark the outside of the digital storage media as CBI, and identify electronically within the digital storage media the specific information that is claimed as CBI. In addition to one complete version of the comments that includes information claimed as CBI, you must submit a copy of the comments that does not contain the information claimed as CBI directly to the public docket through the procedures outlined in the *Written Comments* section of this preamble. If you submit any digital storage media that does not contain CBI, mark the outside of the digital storage media clearly that it does not contain CBI and note the docket ID. Information not marked as CBI will be included in the public docket and the EPA's electronic public docket without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 Code of Federal Regulations (CFR) part 2.

Our preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol (FTP), or other online file sharing services (*e.g.,* Dropbox, OneDrive, Google Drive). Electronic submissions must be transmitted directly to the Office of Clean Air Programs (OCAP) at the email address: *ocapcbi@epa.gov* and, as described earlier in this preamble, should include clear CBI markings and note the docket ID. If assistance is needed with submitting large electronic files that exceed the file size limit for email attachments, and if you do not have your own file sharing service, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section of this preamble to receive instructions.

Preamble acronyms and abbreviations. Throughout this preamble the use of ''we,'' ''us,'' or ''our'' refers to the EPA. The EPA uses multiple acronyms and terms in this preamble. While this list may not be exhaustive, to ease the reading of this preamble and for reference purposes, the EPA defines the following terms and acronyms here:

AFPM American Fuel & Petrochemical Manufacturers
API American Petroleum Institute
AVO audio, visual, or olfactory
BSER best system of emission reduction
Btu British thermal unit
CAA Clean Air Act
CAAA Clean Air Act Amendments of 1977
CBI Confidential Business Information
CEDRI Compliance and Emissions Data Reporting Interface
CEMS continuous emission monitoring system
CFR Code of Federal Regulations
EAV equivalent annualized value
EIA Economic Impact Analysis
EPA Environmental Protection Agency
FR Federal Register
ft^2 square foot
GACT generally available control technologies or management practices
HAP hazardous air pollutant
ICR Information Collection Request
ILTA International Liquid Terminals Association
LDAR leak detection and repair
MACT maximum achievable control technology
mg/L milligram per liter
NAICS North American Industry Classification System
NESHAP national emission standards for hazardous air pollutants
NHV net heating value
NHV_{cz} combustion zone net heating value
NHV_{dil} net heating value dilution
NSPS new source performance standards
NTTAA National Technology Transfer and Advancement Act
OCAP Office of Clean Air Programs
OGI optical gas imaging
OMB Office of Management and Budget
ppmv part per million by volume
PRA Paperwork Reduction Act
RFA Regulatory Flexibility Act
RIN Regulatory Information Number
scf standard cubic foot
scfm standard cubic foot per minute
TOC total organic compounds
tpy ton per year
UMRA Unfunded Mandates Reform Act
U.S.C. United States Code
VCS voluntary consensus standards
VOC volatile organic compound

Table of Contents

I. General Information

A. Executive Summary

On May 8, 2024, the EPA published the 2024 Final Rule.[1] This final action included revisions to two existing NESHAP rules (40 CFR part 63, subparts R and BBBBBB) (''NESHAP subpart R'' and ''NESHAP subpart BBBBBB,'' respectively) and a new NSPS (40 CFR part 60, subpart XXa) (''NSPS subpart XXa''). Following the promulgation of the 2024 Final Rule, the EPA received three petitions for reconsideration. On February 28, 2025, the EPA granted reconsideration of the 2024 Final Rule as a matter of voluntary discretion. After reviewing the 2024 Final Rule and issues raised in the petitions for reconsideration, the EPA proposes to clarify the modification criteria associated with equipment leak detection and repair (LDAR) requirements under NSPS subpart XXa. In addition, the EPA proposes changes to address equipment leak compliance provisions, thermal oxidation systems compliance provisions, and vapor recovery system compliance provisions under the NESHAP and NSPS rules. Furthermore, the EPA proposes changes to address vapor tightness requirements for gasoline cargo tanks under the NESHAP and NSPS rules. Finally, the EPA is proposing minor editorial and technical revisions. Clean Air Act (CAA) sections 111 and 112, as amended, provide the statutory authority for this action.[2]

The proposed revisions to the modification criteria include: (1) adding a capital expenditure threshold to help determine if certain process improvement changes to a facility qualify as modifications, and (2) adding a definition to clarify the meaning of ''process improvement.''

The proposed revisions to equipment leak compliance provisions include: (1) requiring affected facilities under NSPS

[1] 89 FR 39304 (May 8, 2024).

[2] 42 U.S.C. 7411 and 7412.

subpart XXa to conduct the first instrument monitoring survey within 180 calendar days of becoming subject to the monitoring requirements; (2) clarifying that affected facilities must conduct monitoring inspections when actively loading gasoline into a gasoline cargo tank; (3) enumerating the connector leak monitoring exceptions within NSPS subpart XXa instead of cross-referencing 40 CFR part 60, subpart VVa (''NSPS subpart VVa''); (4) clarifying that the detection of fugitive emissions during pre-performance test screening does not in itself constitute a violation of the standards, provided that the affected facility subsequently meets the applicable repair requirements; and (5) clarifying that equipment leak compliance provisions require facilities to monitor backup or secondary control devices only when actively using these devices to process gasoline or gasoline vapors.

The proposed revisions to the thermal oxidation system compliance provisions include: (1) simplifying the recordkeeping requirements for affected facilities that—as an operational practice—control displaced vapors during liquid product loading, assuming all loading operations involve gasoline cargo tanks; (2) revising the definition of diameter in the net heating value dilution (NHV_{dil}) parameter equation to account for the differences in air mixing patterns when using multi-burner thermal oxidation systems; (3) revising the requirements for the temperature operating limit, by co-proposing two compliance options for the operating limit: Option 1 based on revised requirements for the performance test, and Option 2 based on a fixed minimum mid-stack temperature operating limit of 400 degrees Fahrenheit; (4) requiring affected facilities to set the maximum air assist rate at the rate used during the performance test, if using air-assisted thermal oxidation systems, and to set the maximum air assist rate at the minimum needed to maintain smokeless operations at high gasoline loading rates, if using air-assisted flares; and (5) revising the 14-day sampling period—used for determining the minimum net heating value (NHV) content of gas streams—to allow facilities that comply with the flare monitoring alternative to conduct sampling over a shorter period.

The proposed revisions to the vapor recovery system compliance provisions include: (1) increasing the averaging period for the concentration emission limits from a 3-hour rolling average to a 6-hour rolling average, and (2) revising the limited alternative monitoring plan requirements—during continuous emission monitoring system (CEMS) downtime—to require the development and submittal of a site-specific monitoring plan, rather than requiring affected facilities to rely on the parameters of the 10 previous operational cycles.

The EPA anticipates that this proposed action, specifically the proposed amendments to the monitoring requirements for thermal oxidation systems, would result in cost savings for area source gasoline distribution facilities subject to NESHAP subpart BBBBBB if finalized as proposed. The EPA estimates that these proposed amendments would result in total average annual compliance cost savings of $713,400 or $565,800 (in 2024 dollars), depending on the finalized monitoring option. The EPA does not anticipate this proposed action to have a net cost impact on major source gasoline distribution facilities subject to NESHAP subpart R.

In addition, the EPA does not anticipate that this proposed action will impact VOC or HAP emissions generated by gasoline distribution facilities because the proposed amendments do not impact the stringency of the emission standards set by the 2024 Final Rule. The EPA expects that the proposed amendments to the compliance provisions will assist affected sources to achieve compliance with the relevant emission limits. As such, the EPA expects the proposed amendments will have no impact on air quality and no impact on overall human health.

B. Does this action apply to me?

Regulated entities. This proposal addresses the Gasoline Distribution source categories regulated under NESHAP subparts R and BBBBBB and the Petroleum Transportation and Marketing source category regulated under NSPS subpart XXa. Table 1 of this preamble lists the categories and entities potentially regulated by this proposed rule.

TABLE 1—INDUSTRIAL SOURCE CATEGORIES AFFECTED BY THIS PROPOSED ACTION

Source categories	NAICS [a] code
Petroleum Refineries	324110
Petroleum Bulk Stations and Terminals	424710
Pipeline Transportation of Refined Petroleum Products	486910
Other Warehousing and Storage	493190

[a] North American Industry Classification System (NAICS).

The EPA provides table 1 of this preamble as a guide, not as an exhaustive list of entities that this proposed action is likely to affect. To determine whether this action affects your facility, examine the applicability criteria in the appropriate NESHAP and NSPS rules. If you have any questions regarding the applicability of any aspect of these NESHAP and NSPS rules, contact the appropriate person listed in the **FOR FURTHER INFORMATION CONTACT** section of this preamble.

Once promulgated, the proposed standards will apply directly to the affected sources. This proposed action would not affect Federal, State, local, or Tribal government entities.

As defined in the *Initial List of Categories of Sources Under Section 112(c)(1) of the Clean Air Act Amendments of 1990* [3] and *Documentation for Developing the Initial Source Category List, Final Report,*[4] the Gasoline Distribution (Stage 1) source category relates to ''the storage and transfer facilities associated with the movement of gasoline. This category includes, but is not limited to, the gasoline vapor emissions associated with the loading of transport trucks or rail cars, storage tank emissions, and equipment leaks from leaking pumps, valves, and connections at bulk terminals, bulk plants, and pipeline facilities.'' On July 19, 1999, the EPA added this category to the list of area source categories for regulation under a **Federal Register** publication for the Integrated Urban Air Toxics Strategy.[5] [6]

[3] 57 FR 31576 (July 16, 1992).

[4] EPA–450/3–91–030, July 1992.

[5] 64 FR 38706 (July 19, 1999).

[6] In addition to those identified emissions points, the listed Gasoline Distribution (Stage 1) source category includes storage tank filling operations—regulated under 40 CFR part 63, subpart CCCCCC

The EPA included Petroleum Transportation and Marketing on its Priority List as a source category requiring standards of performance under CAA section 111.[7] The NSPS for this source category applies to the total of all the loading racks at a bulk gasoline terminal that deliver liquid product into gasoline cargo tanks. The EPA defines a bulk gasoline terminal as any gasoline facility that receives gasoline by pipeline, ship, barge, or cargo tank and has a gasoline throughput greater than 75,700 liters per day.

C. What is the statutory authority for the reconsideration action?

The statutory authority for this action is provided by both CAA section 112, as amended,[8] and section 111, as amended.[9]

1. NESHAP

Section 112 of the CAA establishes a multi-stage regulatory process to develop standards for emissions of hazardous air pollutants (HAP) from stationary sources. Generally, the first stage involves establishing technology-based standards that reflect the maximum achievable control technology (MACT) or appropriate alternative.[10] The second stage involves evaluating those standards within eight years under CAA section 112(f)(2) to determine whether additional standards are needed to address any remaining risk associated with HAP emissions.[11] This second stage is commonly referred to as the ''residual risk review.'' In addition to the residual risk review, CAA section 112(d)(6) also requires the EPA to review the standards every eight years and to ''revise as necessary,'' taking into account any ''developments in practices, processes, and control technologies.'' [12] This review is commonly referred to as the ''technology review.''

In the first stage of the CAA section 112 standard-setting process, the EPA promulgates technology-based standards under CAA section 112(d) for categories of sources identified as emitting one or more of the HAP listed in CAA section 112(b). Sources of HAP emissions are either major sources or area sources, and CAA section 112 establishes different requirements for major source standards and area source standards. ''Major sources'' are those that emit or have the potential to emit 10 tons per year (tpy) or more of a single HAP or 25 tpy or more of any combination of HAP.[13] All other sources are ''area sources.'' For major sources, CAA section 112(d)(2) provides that the technology-based NESHAP must reflect the maximum degree of reduction in emissions of HAP achievable (after considering cost, energy requirements, and non-air quality health and environmental impacts). These standards are commonly referred to as maximum achievable control technology (MACT) standards. In developing MACT standards, CAA section 112(d)(2) directs the EPA to consider the application of measures, processes, methods, systems, or techniques, including, but not limited to, those that reduce the volume of or eliminate HAP emissions through process changes, substitution of materials, or other modifications; enclose systems or processes to eliminate emissions; collect, capture, or treat HAP when released from a process, stack, storage, or fugitive emissions point; are design, equipment, work practice, or operational standards; or any combination of the above.

Section 112(d)(3) of the CAA establishes a minimum control level for MACT standards, known as the MACT ''floor,'' based on emission controls achieved in practice by the best performing sources. The EPA also considers control options that are more stringent than the floor. Standards more stringent than the floor are commonly referred to as ''beyond-the-floor'' standards. For new sources, the MACT floor cannot be less stringent than the emission control achieved in practice by the best-controlled similar source. For existing sources, the MACT standards can be less stringent than floors for new sources, but the standards cannot be less stringent than the average emission limitation achieved by the best-performing 12 percent of existing sources in the category or subcategory (or the best-performing five sources for categories or subcategories with fewer than 30 sources).[14] In certain instances, as provided in CAA section 112(h), the EPA may set work practice standards in lieu of numerical emission standards. The EPA must also consider control options that are more stringent than the floor and may establish standards more stringent than the floor taking into consideration the cost of achieving the emission reductions, and any non-air quality health and environmental impacts and energy requirements.[15]

In the second stage of the regulatory process, for categories of major sources and any area source categories subject to MACT standards, CAA section 112 requires the EPA to address any remaining (*i.e.,* ''residual'') risk within eight years pursuant to CAA section (f)(2) and to conduct a technology review pursuant to CAA section 112(d)(6). This latter provision requires the EPA to review the technology-based standards and revise them ''as necessary (taking into account developments in practices, processes, and control technologies)'' no less frequently than every eight years. In conducting this review, which we call the ''technology review,'' the EPA is not required to recalculate the MACT floors that were established in earlier rulemakings.[16] The EPA may consider cost in deciding whether to revise the standards pursuant to CAA section 112(d)(6).[17] Finally, the EPA reviews available data to determine if there are certain unregulated emissions of HAP within the major source category and evaluates these data for use in developing new emission standards.[18]

Under the residual risk review conducted pursuant to CAA section 112(f), the EPA must within eight years of promulgating the technology-based standards for a source category evaluate the risk to public health remaining after the application of the technology-based standards and revise the standards, if necessary, to provide an ample margin of safety to protect public health or to prevent an adverse environmental effect, taking into consideration costs, energy, safety, and other relevant factors. For categories of area sources subject to generally available control technologies or management practices (GACT) standards, there is no requirement to address residual risk. However, all standards established under CAA section 112(d) require a technology review, including GACT standards that apply to area sources.[19]

(''NESHAP subpart CCCCCC'')—that occur at public and private gasoline dispensing facilities (*e.g.,* service stations and convenience stores). The EPA did not review NESHAP subpart CCCCCC during the rulemaking process of the 2024 Final Rule, and NESHAP subpart CCCCCC is not part of this proposed rule.

[7] 40 CFR 60.16; 44 FR 49222 (August 21, 1979).

[8] 42 U.S.C. 7412.

[9] 42 U.S.C. 7411.

[10] 42 U.S.C. 7412(d)(1)–(3).

[11] 42 U.S.C. 7412(f)(2).

[12] 42 U.S.C. 7412(d)(6).

[13] *Id.* 7412(a)(1).

[14] *Id.* 7412(d)(3)(A) and (B).

[15] *Id.* 7412(d)(2).

[16] *Ass'n of Battery Recyclers, Inc.* v. *EPA,* 716 F.3d 667 (D.C. Cir. 2013); *Natural Resources Defense Council (NRDC)* v. *EPA,* 529 F.3d 1077, 1084 (D.C. Cir. 2008).

[17] 42 U.S.C. 7412(d)(2), (6); *Ass'n of Battery Recyclers,* 716 F.3d at 673–74.

[18] *La. Envtl. Action Network* v. *EPA,* 955 F.3d 1088 (D.C. Cir. 2020).

[19] For categories of area sources subject to GACT standards, CAA sections 112(d)(5) and (f)(5) provide that the EPA is not required to conduct a residual risk review under CAA section 112(f)(2). However, the EPA is required to conduct periodic technology

Continued

Several additional CAA sections specifically address regulation of HAP emissions from area sources. Collectively, CAA sections 112(k)(3), (c)(3), and (d)(5) are the basis of the Area Source Program under the Urban Air Toxics Strategy, which provides the framework for regulation of area sources under CAA section 112.

Section 112(k)(3)(B) of the CAA requires the EPA to identify at least 30 HAP that pose the greatest potential health threat in urban areas with a primary goal of achieving a 75 percent reduction in cancer incidence attributable to HAP emitted from stationary sources. As discussed in the Integrated Urban Air Toxics Strategy, the EPA identified 30 HAP emitted from area sources that pose the greatest potential health threat in urban areas, and these HAP are commonly referred to as the ''30 urban HAP.''[20]

Section 112(c)(3) of the CAA requires the EPA to list sufficient categories or subcategories of area sources to ensure that area sources representing 90 percent of the emissions of the 30 urban HAP are subject to regulation. The EPA implemented these requirements through the Integrated Urban Air Toxics Strategy by identifying and setting standards for categories of area sources including the Gasoline Distribution source category that is addressed in this action.

Section 112(d)(5) of the CAA provides that the EPA may promulgate standards or requirements for area sources ''which provide for the use of generally available control technology or management practices [GACT] by such sources to reduce emissions of hazardous air pollutants'' in lieu of setting MACT standards (which are generally required for major source categories). In developing GACT standards, the EPA evaluates the control technologies and management practices for reducing HAP emissions that are generally available for each area source category. Consistent with the legislative history, the EPA can consider costs and economic impacts in determining what constitutes GACT.[21]

The EPA set GACT standards for the Gasoline Distribution area source category in 2008.[22] The EPA set MACT standards for the Gasoline Distribution major source category in 1994 and completed the residual risk review and initial technology review for the major source category in 2006.[23] [24] The 2024 Final Rule promulgated the required CAA section 112(d)(6) technology reviews for the standards for major and area sources in that source category.

2. NSPS

Section 111(b)(1)(A) of the CAA requires the EPA Administrator to promulgate a list of categories of stationary sources that the Administrator, ''in his judgment,'' finds ''causes, or contributes significantly to, air pollution which may reasonably be anticipated to endanger public health or welfare.'' The EPA has the authority under this section to define the scope of the source categories; to determine, consistent with the statutory requirements, the pollutants for which standards should be developed; and to distinguish among classes, types, and sizes within categories in establishing the standards.[25] Once the EPA lists a source category that contributes significantly to dangerous air pollution, the EPA must, under CAA section 111(b)(1)(B), establish ''standards of performance'' for ''new sources'' in the source category. These standards are referred to as new source performance standards, or NSPS. The NSPS are national requirements that apply directly to the sources subject to them.

Under CAA section 111(a)(1), a ''standard of performance'' is defined as ''a standard for emissions of air pollutants'' that is determined in a specified manner. When the EPA establishes or revises a performance standard, CAA section 111(a)(1) provides that such standard must ''reflect[ ] the degree of emission limitation achievable through the application of the best system of emission reduction which (taking into account the cost of achieving such reduction and any nonair quality health and environmental impact and energy requirements) the Administrator determines has been adequately demonstrated.'' Thus, the term ''standard of performance'' as used in CAA section 111 makes clear that the EPA must determine both the ''best system of emission reduction . . . adequately demonstrated'' (BSER) for emissions of the relevant air pollutants by regulated sources in the source category and the ''degree of emission limitation achievable through the application of the [BSER].''[26] As explained further below, to determine the BSER, the EPA first identifies the ''system[s] of emission reduction'' that are ''adequately demonstrated,'' and then determines the ''best'' of those adequately demonstrated systems, ''taking into account'' factors including ''cost,'' ''nonair quality health and environmental impact,'' and ''energy requirements.'' The EPA then derives from that system an ''achievable'' ''degree of emission limitation.'' The EPA must then, under CAA section 111(b)(1)(B), promulgate ''standard[s] for emissions''—the NSPS—that reflect that level of stringency. The EPA may determine that different sets of sources have different characteristics relevant for determining the BSER for emissions of the relevant air pollutants and may subcategorize sources accordingly.[27] CAA section 111(b)(5) generally precludes the EPA from prescribing a particular technological system that must be used to comply with a standard of performance. Rather, sources can select any measure or combination of measures that will achieve the standard.

Pursuant to the definition of new source in CAA section 111(a)(2), standards of performance apply to facilities that begin construction, modification, or reconstruction after the date of publication of the proposed standards in the **Federal Register**. Under CAA section 111(a)(4), ''modification'' means any physical change in, or change in the method of operation of, a stationary source which increases the amount of any air pollutant emitted by such source or which results in the emission of any air pollutant not previously emitted. Changes to an existing facility that do not result in an increase in emissions are not considered modifications. Under the provisions in 40 CFR 60.15, reconstruction means the replacement of components of an existing facility such that: (1) the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility; and (2) it is technologically and economically feasible to meet the applicable standards. Pursuant to CAA section 111(b)(1)(B), the standards of performance or revisions thereof shall become effective upon promulgation.

Key Elements of Determining a Standard of Performance

Congress first defined the term ''standard of performance'' when enacting CAA section 111 in the 1970 Clean Air Act, amended the definition in the Clean Air Act Amendments

reviews for such sources under CAA section 112(d)(6).

[20] 64 FR 38706, 38715 (July 19, 1999).

[21] Sen. Rep. No. 101–228 (1989).

[22] 73 FR 1916 (January 10, 2008).

[23] 59 FR 64303, December 14, 1994; FR Doc No: 94–30402.

[24] 71 FR 17352 (April 6, 2006).

[25] 42 U.S.C. 7411(b)(2) provides the EPA the authority to establish subcategories.

[26] *West Virginia* v. *EPA,* 597 U.S. 697, 709 (2022).

[27] 42 U.S.C. 7411(b)(2).

(CAAA) of 1977, and then amended the definition again in the 1990 CAAA to largely restore the definition as it read in the 1970 CAA. The D.C. Circuit has reviewed CAA section 111 rulemakings on numerous occasions since 1973 and has developed a body of caselaw that interprets the term.[28] The basis for standards of performance is the ''degree of emission limitation'' that is ''achievable'' by sources in the source category by application of the ''best system of emission reduction'' that the EPA determines is ''adequately demonstrated'' (BSER). As explained further below in this section, the D.C. Circuit has explained that systems are not ''adequately demonstrated'' if they are ''purely theoretical or experimental.'' [29] The D.C. Circuit has stated that in determining the ''best'' adequately demonstrated system for the pollutants at issue, the EPA must also take into account ''the amount of air pollution'' reduced.[30] The D.C. Circuit has also stated that the EPA may weigh the various factors identified in the statute and caselaw to determine the ''best'' system and has emphasized that the EPA has significant discretion in weighing the factors.[31]

After determining the BSER, the EPA sets an achievable emission limit based on application of the BSER.[32] For a CAA section 111(b) rule, the EPA determines the standard of performance that reflects the achievable emission limit. To qualify for selection as the BSER, the system of emission reduction must be ''adequately demonstrated'' as ''the Administrator determines.'' The plain text of CAA section 111(a)(1), and in particular the terms ''adequately'' and ''the Administrator determines,'' confer discretion to the EPA in identifying the appropriate system, including making scientific and technological determinations and considering a broad range of policy considerations.[33] However, the terms ''adequately'' and ''demonstrated,'' as well as applicable caselaw, make clear that the EPA may not determine that a ''purely theoretical or experimental'' system is ''adequately demonstrated.'' [34]

In addition, CAA section 111(a)(1) requires the EPA to account for ''the cost of achieving [the emission] reduction'' in determining the adequately demonstrated BSER. Although the CAA does not describe how the EPA is to account for costs to affected sources, the D.C. Circuit has formulated the cost standard in various ways, including stating that the EPA may not adopt a standard the cost of which would be ''excessive'' or ''unreasonable.'' [35] The EPA has considerable discretion in considering cost under CAA section 111(a), both in determining the appropriate level of costs and in balancing costs with other BSER factors.[36] The D.C. Circuit has repeatedly upheld the EPA's consideration of cost in reviewing standards of performance.[37]

Under CAA section 111(a)(1), the EPA is required to take into account ''any nonair quality health and environmental impact and energy requirements'' in determining the BSER. Non-air quality health and environmental impacts may include the impacts of the disposal of byproducts of the air emission controls, or requirements of the air pollution control equipment for water.[38] Energy requirements may include the impact, if any, of the air emission controls on the source's own energy needs.[39] In addition, based on the D.C. Circuit's interpretations of CAA section 111, energy requirements may also include the impact, if any, of the air emission controls on the energy supply for a particular area or nationwide.[40] In addition, the EPA has considered under this statutory factor whether possible controls would create risks to the reliability of the electric system.

After the EPA evaluates the statutory factors with respect to adequately demonstrated control technologies, the EPA compares the various systems of emission reductions and determines which system is ''best,'' and therefore represents the BSER. The D.C. Circuit has also held that the term ''best'' authorizes the EPA to consider factors in addition to the ones enumerated in CAA section 111(a)(1) that further the purpose of the statute. In particular, consistent with the plain language and the purpose of CAA section 111(a)(1), which requires the EPA to determine the ''best system of emission reduction'' (emphasis added), the EPA must consider the quantity of emissions at issue.[41] In determining which adequately demonstrated system of emission reduction is the ''best,'' the EPA has broad discretion. In *Sierra Club* v. *Costle,* 657 F.2d 298 (D.C. Cir. 1981), the D.C. Circuit explained that ''section 111(a) explicitly instructs the EPA to balance multiple concerns when promulgating a NSPS'' [42] and emphasized that ''[t]he text gives the EPA broad discretion to weigh different factors in setting the standard,'' including the amount of emission reductions, the cost of the controls, and the non-air quality environmental impacts and energy requirements.[43]

The EPA then establishes a standard of performance that reflects the degree of emission limitation achievable through the implementation of the BSER. A standard of performance is ''achievable'' if a technology can reasonably be projected to be available to an individual source at the time it is constructed so as to allow it to meet the standard.[44] For purposes of evaluating the source category and determining BSER, the EPA can determine whether

[28] *Portland Cement Ass'n* v. *Ruckelshaus,* 486 F.2d 375 (D.C. Cir. 1973); *Essex Chemical Corp.* v. *Ruckelshaus,* 486 F.2d 427 (D.C. Cir. 1973); *Sierra Club* v. *Costle,* 657 F.2d 298 (D.C. Cir. 1981); *Lignite Energy Council* v. *EPA,* 198 F.3d 930 (D.C. Cir. 1999); *Portland Cement Ass'n* v. *EPA,* 665 F.3d 177 (D.C. Cir. 2011); *American Lung Ass'n* v. EPA, 985 F.3d 914 (D.C. Cir. 2021), rev'd in part, *West Virginia* v. *EPA,* 597 U.S. 697 (2022). *See also Delaware* v. *EPA,* 785 F.3d 1 (D.C. Cir. 2015).

[29] *Essex Chem. Corp.* v. *Ruckelshaus,* 486 F.2d 427, 433–34 (D.C. Cir. 1973).

[30] *See Sierra Club* v. *Costle,* 657 F.2d 298, 326 (D.C. Cir. 1981). The D.C. Circuit has stated that EPA must also take into account ''technological innovation.'' *See id.* at 347.

[31] *See Lignite Energy Council,* 198 F.3d at 933 (''Because section 111 does not set forth the weight that should be assigned to each of these factors, we have granted the agency a great degree of discretion in balancing them.'').

[32] *See, e.g.,* Oil and Natural Gas Sector: New Source Performance Standards and National Emission Standards for Hazardous Air pollutants Reviews (77 FR 49494 (August 16, 2012)) (describing the three-step analysis in setting a standard of performance).

[33] *Nat'l Asphalt Pavement Ass'n* v. *Train,* 539 F.2d 775, 786 (D.C. Cir. 1976); *Essex Chem. Corp.* v. *Ruckelshaus,* 486 F.2d 427, 434 (D.C. Cir. 1973).

[34] *Essex Chem. Corp.,* 486 F.2d at 433–34; *see Portland Cement Assn.* v. *Ruckelshaus,* 486 F.2d 375, 391–92 (D.C. Cir. 1973) (EPA may not base an ''adequately demonstrated'' determination on a '' 'crystal ball' inquiry'') (citation omitted).

[35] *Sierra Club* v. *Costle,* 657 F.2d 298, 343 (D.C. Cir. 1981). *See* 79 FR 1430, 1464 (January 8, 2014); *Lignite Energy Council,* 198 F.3d at 933 (costs may not be ''exorbitant''); *Portland Cement Ass'n* v. *EPA,* 513 F.2d 506, 508 (D.C. Cir. 1975) (costs may not be ''greater than the industry could bear and survive'').

[36] *Sierra Club* v. *Costle,* 657 F.2d 298, 343 (D.C. Cir. 1981).

[37] *See Essex Chemical Corp.* v. *Ruckelshaus,* 486 F.2d 427, 440 (D.C. Cir. 1973); *Portland Cement Ass'n* v. *Ruckelshaus,* 486 F.2d 375, 387–88 (D.C. Cir. 1973); *Sierra Club* v. *Costle,* 657 F.2d 298, 313 (D.C. Cir. 1981).

[38] *Portland Cement Ass'n* v. *Ruckelshaus,* 465 F.2d 375, 387–88 (D.C. Cir. 1973), cert. denied, 417 U.S. 921 (1974).

[39] For details on the modeled energy requirements associated with CCS, please see section 6.4 of the RIA for this rule.

[40] *See Sierra Club* v. *Costle,* 657 F.2d at 327–28 (quoting 44 FR 33583–84; June 11, 1979); 79 FR 1430, 1465 (January 8, 2014) (citing *Sierra Club* v. *Costle,* 657 F.2d at 351).

[41] *Sierra Club* v. *Costle,* 657 F.2d 298, 326 (D.C. Cir. 1981). The D.C. Circuit has also held that Congress intended for CAA section 111 to create incentives for new technology and therefore that the EPA is required to consider technological innovation as one of the factors in determining the ''best system of emission reduction.'' *See id.* at 346–47.

[42] *Sierra Club* v. *Costle,* 657 F.2d at 319; *see also AEP* v. *Connecticut,* 564 U.S. 410, 427 (2011).

[43] *Sierra Club* v. *Costle,* 657 F.2d at 321; *see also New York* v. *Reilly,* 969 F.2d at 1150.

[44] *Sierra Club* v. *Costle,* 657 F.2d at 364, n.276.

subcategorization is appropriate based on classes, types, and sizes of sources, and may identify a different BSER and establish different performance standards for each subcategory. The result of the analysis and BSER determination leads to standards of performance that apply to facilities that begin construction, reconstruction, or modification after the date of publication of the proposed standards in the **Federal Register**. Because the NSPS reflects the BSER under conditions of proper operation and maintenance, in doing its review, the EPA also evaluates and determines the proper testing, monitoring, recordkeeping and reporting requirements needed to ensure compliance with the emission standards.

The EPA promulgated the NSPS for Bulk Gasoline Terminals in 1983 and promulgated the required NSPS review for that source category in the 2024 Final Rule.[45]

3. Reconsideration

The EPA received three petitions for reconsideration of the 2024 Final Rule. The International Liquid Terminals Association (ILTA) submitted two petitions: one on June 28, 2024, and one on July 8, 2024. The American Fuel & Petrochemical Manufacturers (AFPM) and the American Petroleum Institute (API) submitted a joint petition on July 8, 2024. On February 28, 2025, the EPA granted reconsideration on one specific issue of the 2024 Final Rule—namely, the modification criteria associated with equipment leak detection and repair (LDAR) requirements under NSPS subpart XXa—as a matter of voluntary discretion, while continuing review of other issues for which parties requested reconsideration.[46] In this action, the EPA is proposing amendments to certain provisions in the 2024 Final Rule after reviewing the 2024 Final Rule and the petitions for reconsideration. These provisions pertain to operating limits and continuous compliance requirements for control devices used during gasoline loading operations in the NESHAP and NSPS rules. The provisions under reconsideration also pertain to modification criteria for the ''collection of equipment at a bulk gasoline terminal affected facility'' in the NSPS. Furthermore, in this proposed rule, the EPA addresses concerns with the feasibility of revised vapor tightness requirements for gasoline cargo tanks that the Agency amended in the 2024 Final Rule.

D. Where can I get a copy of this document and other related information?

In addition to being available in the docket, an electronic copy of this action is available on the internet. In accordance with 5 U.S.C. 553(b)(4), the EPA provides a brief summary of this rule at *https://www.regulations.gov,* Docket ID No. EPA–HQ–OAR–2025–0302. Following signature by the EPA Administrator, the EPA will post a copy of this proposed action at *https://www.epa.gov/stationary-sources-air-pollution/gasoline-distribution-mact-and-gact-national-emission-standards.* Following publication in the **Federal Register**, the EPA will post the **Federal Register** version of the proposal and key technical documents at this same website.

The EPA has placed in the docket (Docket ID No. EPA–HQ–OAR–2025–0302) a memorandum showing the rule edits that would be necessary to incorporate the changes to 40 CFR part 63, subparts R and BBBBBB and 40 CFR part 60, subpart XXa proposed in this action.

II. Background

On June 10, 2022, the EPA proposed amendments to NESHAP subparts R and BBBBBB (''2022 Proposal'') and proposed new NSPS subpart XXa.[47] On May 8, 2024, after considering public comments on the proposed rule, the EPA published the 2024 Final Rule that included final amendments to NESHAP subparts R and BBBBBB for gasoline distribution facilities and final standards for bulk gasoline terminals in NSPS subpart XXa.[48]

A. What petitions for reconsideration did the EPA receive?

Following promulgation of the 2024 Final Rule, the EPA received three petitions for reconsideration. ILTA submitted two petitions: one on June 28, 2024, and one on July 8, 2024. AFPM and API submitted a joint petition on July 8, 2024. The June 28, 2024, ILTA petition focused on the modification provisions for the ''collection of equipment at a bulk gasoline terminal affected facility'' in NSPS subpart XXa. ILTA requested that the EPA include a minimum capital expenditure to trigger a modification, similar to that provided in the equipment leak NSPS for the Synthetic Organic Chemicals Manufacturing Industry.[49] The July 8, 2024, ILTA petition raised issues regarding the monitoring requirements for emission control devices, including a request to assume the previous load of a cargo tank is the same as its current load. In addition, this petition raised issues related to the equipment leak provisions, including a request for skip monitoring periods and a correction to the cross-references to connector monitoring requirements in NSPS subpart VVa (which the EPA later removed from that other rule). The July 8, 2024, AFPM and API petition raised issues regarding equipment leak provisions and monitoring requirements for emission control devices similar to those raised in ILTA's July petition. Additionally, AFPM and API requested that the EPA clarify and harmonize equipment leak provisions with other equipment leak NSPS rules.

B. What is the scope of this reconsideration proposal?

On February 28, 2025, the EPA sent a letter to petitioners that granted reconsideration of the modification provisions in subpart XXa as a matter of voluntary discretion.[50] In that letter, the EPA addressed the modification provisions for ''each collection of equipment at a bulk gasoline terminal affected facility,'' and the associated need for a capital expenditure threshold similar to other equipment leak NSPS rules.[51] The EPA also stated that the Agency would continue to review all issues raised in the petitions. The EPA will not respond to comments addressing any other issues or any other provisions of the final rule that the Agency does not specifically address in this proposed rulemaking.

The EPA identified the following additional reconsideration issues that the Agency is addressing in this proposal: (1) equipment leak compliance provisions—including compliance timing, connector monitoring provisions, and ''no detectable emissions'' provisions; (2) thermal oxidation systems compliance provisions—including NHV_{dil} for enclosed thermal combustors and

[45] For information on how the EPA conducts an NSPS review, *see* 89 FR 39304 (May 8, 2024).

[46] The EPA granted voluntary, discretionary reconsideration of the provisions in NSPS subpart XXa in the 2024 Final Rule related to the modification of each collection of equipment at a bulk gasoline terminal affected facility and the associated need for a capital expenditure test similar to other equipment leak new source performance standards, and the Agency stated that it was continuing to review other issues raised in the petitions.

[47] 87 FR 35608 (June 10, 2022).

[48] 89 FR 39304 (May 8, 2024).

[49] 40 CFR part 60, subpart VVb.

[50] A copy of the letter to petitioners is available in the docket for the 2024 Final Rule (Docket ID No. EPA–HQ–OAR–2020–0371). See the document titled *Response Letter to William Wehrum and Leakhena Swett* (Document ID No: EPA–HQ–OAR–2020–0371–0158).

[51] *E.g.,* 40 CFR part 60, subparts VV, VVa, VVb, GGG, and GGGa.

operating limits for thermal oxidation systems; and (3) vapor recovery systems compliance provisions—including alternative monitoring provisions during CEMS downtime and averaging periods for concentration emission limits. The EPA also identified the vapor tightness requirements for gasoline cargo tanks as a reconsideration issue that was not included in the petitions for reconsideration.

III. Reconsideration and Other Issues, Proposed Changes, and Rationale

A. What are the results and proposed decisions based on our reconsideration, and what is the rationale for those decisions?

On February 28, 2025, the EPA sent a letter to petitioners that granted reconsideration of the modification provisions in subpart XXa as a matter of voluntary discretion.[52] Based on the EPA's reconsideration of these provision, the Agency is proposing to add a provision in 40 CFR 60.500a(e)(3) that includes a capital expenditure threshold for modification, specific to the ''collection of equipment at a bulk gasoline terminal affected facility.'' In addition, the EPA is proposing to add a definition for ''process improvement'' projects. Those revisions will allow facilities to complete small projects without triggering the applicability of NSPS subpart XXa.

The petitioners noted that most equipment leak provisions—such as those in the equipment leak NSPS rules at 40 CFR part 60, subparts VV, VVa, and VVb—include a capital expenditure threshold for modification. According to the petitioners, minimal changes to a facility, such as adding a crossover line to improve operational flexibility and safety, would constitute a modification of the ''collection of equipment at a bulk gasoline terminal affected facility'' without a capital expenditure threshold, because this modification would slightly increase the total number of equipment pieces at the facility, which consequently ''increases the amount of any air pollutant (to which a standard applies) emitted into the atmosphere by that facility'' through potential equipment leaks.[53] According to the petitioners, facilities can generally accomplish these small projects without permit modification. However, triggering NSPS subpart XXa applicability would require permit modification and cause extensive delays for these small projects. Accordingly, the petitioners requested that the EPA include a capital expenditure threshold for modification so that facilities can complete small projects, such as those to improve operational flexibility and safety, without triggering the applicability of NSPS subpart XXa.

The EPA reviewed the current capital expenditure thresholds in NSPS subparts VV, VVa, and VVb. The EPA agrees with petitioners that a capital expenditure threshold for equipment leaks has been available in these rules, and that small process improvement projects should be able to proceed without triggering the applicability of NSPS subpart XXa. Therefore, the EPA is proposing to add a provision in 40 CFR 60.500a(e)(3), in parallel with the equipment leak NSPS subpart VVb. The proposed provision includes a capital expenditure threshold (equation) for modification, specific to the ''collection of equipment at a bulk gasoline terminal affected facility.'' Equation 1 of this preamble shows the proposed capital expenditure equation.

Equation 1—Capital Expenditure Equation

$$P = R \times Y \times \frac{B}{100}$$

Where:

P = Maximum allowed price of repair allowance ($).

R = Replacement cost, which is the capital needed to purchase all the depreciable components in the collection of equipment at a bulk gasoline terminal affected facility ($).

Y = Consumer Price Index (CPI) ratio = CPI of date of construction/most recently available CPI of date of project. You must use the ''CPI–U, U.S. city average, all items'' for each CPI value.

B = Basic annual asset guideline repair allowance. You must use B = 8.0.

In this equation, the EPA is proposing that the value of the basic annual asset guideline repair allowance, B, is 8.0 for this industry sector.[54] Accordingly, if the cost of a process improvement project does not exceed 8 percent of the product of the replacement cost of all the depreciable components in the ''collection of equipment at a bulk gasoline terminal affected facility'' and the CPI ratio (as defined in the capital expenditure equation), then the project does not constitute a modification and will not trigger the applicability of the modification provisions in NSPS subpart XXa. In addition, the EPA is proposing to add the following definition of ''process improvement'': ''*Process improvement* means routine changes made for safety and occupational health requirements, for energy savings, for better utility, for ease of maintenance and operation, for correction of design deficiencies, for bottleneck removal, for changing product requirements, or for environmental control.'' The EPA solicits comment on the proposal to add a capital expenditure threshold, which would prevent small process improvement projects from triggering modification of the ''collection of equipment at a bulk gasoline terminal affected facility'' under NSPS subpart XXa (C–1). As part of this C–1 request for comment, the EPA also solicits comment on the proposal to add a definition of ''process improvement,'' and whether the proposed definition is appropriate.

B. What other amendments are we proposing, and what is the rationale for those amendments?

1. Equipment Leak Compliance Provisions

a. Timing of the First Instrument Monitoring Survey for Equipment Leaks

The EPA is proposing to require affected facilities under NSPS subpart XXa to conduct the first instrument monitoring survey for equipment leaks within 180 calendar days of becoming subject to the equipment leak monitoring requirements.

In the preamble to the 2024 Final Rule, the EPA stated, ''The effective date of the final rule requirements in NSPS subpart XXa, will be July 8, 2024. Affected sources that commence construction, reconstruction, or modification after June 10, 2022, must comply with all requirements of NSPS subpart XXa, no later than the effective date of the final rule or upon startup, whichever is later.'' The petitioners noted that this timing provided only 60 days for facilities that may have modified the ''collection of equipment at a bulk gasoline terminal affected facility'' to comply with the rule, a timeframe that petitioners viewed as inadequate. The petitioners argued that facilities needed more time to determine if they had modified the ''collection of equipment'' between June 10, 2022, and May 8, 2024, and subsequently, to implement an LDAR program that complies with the monitoring provisions in NSPS subpart XXa. The petitioners requested an extension of the compliance deadline for the ''collection of equipment at a bulk gasoline terminal affected facility'' for modified sources,

[52] A copy of the letter to petitioners is available in the docket for the 2024 Final Rule (Docket ID No. EPA–HQ–OAR–2020–0371). See the document titled *Response Letter to William Wehrum and Leakhena Swett* (Document ID No: EPA–HQ–OAR–2020–0371–0158).

[53] 40 CFR 60.2 Definition of ''Modification.''

[54] Distributive trade and services.

particularly for sources modified between proposal (June 10, 2022) and promulgation (May 8, 2024).

The EPA reviewed the compliance times provided in other equipment leak NSPS rules and found compliance requirements within 180 days of initial startup.[55] In addition, per the General Provisions of 40 CFR part 60, a modified affected facility generally has 180 days after completion of any physical or operational changes to achieve compliance with all applicable standards.[56] For consistency with similar standards, the EPA is proposing to revise 40 CFR 60.502a(j)(1) to require bulk gasoline terminal affected facilities to conduct the first LDAR monitoring survey under NSPS subpart XXa within 180 calendar days of becoming subject to the equipment leak monitoring requirements. The EPA solicits comment on the proposal to require owners and operators of the ''collection of equipment at a bulk gasoline terminal affected facility'' to conduct the first instrument monitoring survey for equipment leaks no later than 180 days after becoming subject to NSPS subpart XXa (C–2).

Gasoline distribution NESHAP subparts R and BBBBBB cross-reference the equipment leak provisions in NSPS subpart XXa, but the NESHAP rules provide existing sources up to three years to comply with the cross-referenced provisions. As such, an additional 180 days to complete the first instrument monitoring survey for equipment leaks when cross-referencing NSPS subpart XXa is not warranted. Therefore, the EPA is proposing to add a clarification in 40 CFR 60.502a(j)(1) that affected facilities must conduct the first required instrument monitoring survey for equipment leaks—when these provisions are cross-referenced by another subpart—by the compliance date of the cross-referencing subpart that specifies these provisions as a monitoring requirement. The EPA solicits comment on the proposal to specify that facilities required by a cross-referencing subpart to comply with the equipment leak provisions in NSPS subpart XXa must conduct the first instrument monitoring survey for equipment leaks no later than the compliance date of the cross-referencing subpart that specifies these provisions as a monitoring requirement, without an additional 180 days (C–3).

b. Timing of Instrument Monitoring Surveys for Equipment Leaks Concurrently With Active Gasoline Loading

The EPA is proposing to clarify the equipment leak monitoring provisions so that they clearly state that the affected facility must conduct instrument monitoring inspections when actively loading gasoline into a gasoline cargo tank.

For either EPA Method 21 of 40 CFR part 60, appendix A–7 [57] (''EPA Method 21'') or optical gas imaging [58] (OGI) to effectively detect leaks from vapor collection systems or control devices, the systems and devices must be processing gasoline vapors at the time of the inspection. The pre-performance test monitoring requirements in 40 CFR 60.503a(a)(2) specify that affected facilities must conduct instrument monitoring surveys for equipment leaks when actively loading gasoline into a gasoline cargo tank, but the equipment leak provisions in 40 CFR 60.502a(j)(1) do not include this specification.

Therefore, the EPA is proposing to clarify that affected facilities must conduct instrument monitoring surveys for equipment leaks required under 40 CFR 60.502a(j)(1) while actively loading gasoline into a gasoline cargo tank. The EPA solicits comment on the proposal to specify that facilities must conduct instrument monitoring surveys for equipment leaks during the active loading of gasoline into a gasoline cargo tank (C–4).

c. Connector Monitoring Requirements

The EPA is proposing to enumerate the connector leak monitoring exceptions within NSPS subpart XXa instead of cross-referencing NSPS subpart VVa.

NSPS subpart XXa cross-referenced the connector monitoring provisions in NSPS subpart VVa that listed exceptions to the connector monitoring requirements. However, on May 14, 2024, the EPA promulgated revisions to NSPS subpart VVa that removed the connector monitoring provisions because the Agency had finalized them without proper proposal and opportunity for comment. ILTA requested that the EPA remove cross-references to the connector monitoring provisions from NSPS subpart XXa, which the Agency had removed from NSPS subpart VVa. The EPA agrees that the monitoring requirements for connectors in NSPS subpart XXa need revision based on the removal of the section in NSPS subpart VVa that the monitoring requirements in NSPS subpart XXa currently cross-reference. Therefore, the EPA is proposing to enumerate the connector monitoring exceptions within NSPS subpart XXa at 40 CFR 60.502a(j)(1)(ii)(C) and (D). Additionally, the EPA is proposing to reference the pumps and valves paragraphs (in addition to the connectors paragraph) to clarify that these provisions apply to all component types. The unsafe-to-monitor or inaccessible provisions already apply to pumps and valves based on the cross-referenced sections in NSPS subpart VVa; referencing only the connectors paragraph in the unsafe-to-monitor or inaccessible provisions could incorrectly suggest they do not apply to pumps and valves. The proposed revisions to 40 CFR 60.502a(j)(1)(ii)(C) and (D) are substantively equivalent to the provisions that the Agency had proposed and finalized prior to revising NSPS subpart VVa.[59] These revisions simply clarify the connector monitoring exceptions that the EPA intended to provide in the 2024 Final Rule. The EPA solicits comment on the proposal to remove the NSPS subpart VVa cross-references and to enumerate the monitoring requirements for all component types (*i.e.,* connectors, pumps, and valves) in NSPS subpart XXa (C–5).

d. Repair Provisions for Pre-Performance Test Leak Monitoring

The EPA is proposing to clarify that detecting fugitive emissions above an EPA Method 21 instrument reading of 500 parts per million by volume (ppmv) during the pre-performance test screening for equipment leaks does not in itself constitute a violation of the standards, provided that the affected facility subsequently meets the applicable repair requirements.

In the 2024 Final Rule, the EPA included LDAR provisions in NSPS subpart XXa requiring the monitoring and repair of leaks in the terminal's vapor collection system prior to conducting the performance test.[60] 40 CFR part 60, subpart XX (''NSPS subpart XX'') includes similar provisions requiring the repair of detected leaks, with a leak defined as an instrument reading of 10,000 ppmv or greater. However, the EPA revised these provisions in NSPS subpart XXa to require no detectable emissions, with a leak defined as an instrument reading of

[55] 40 CFR part 60, subparts VV, VVa, VVb, GGG, and GGGa.

[56] 40 CFR 60.14(g).

[57] 40 CFR part 60, appendix A–7. Method 21—Determination of volatile organic compound leaks.

[58] 40 CFR part 60, appendix K—Determination of Volatile Organic Compound and Greenhouse Gas Leaks Using Optical Gas Imaging.

[59] 87 FR 35608 (June 10, 2022).

[60] 40 CFR 60.503a(a)(2).

500 ppmv or greater above background, using EPA Method 21. Additionally, the EPA included periodic LDAR requirements in NSPS subpart XXa that define a leak as an instrument reading of 10,000 ppmv or greater.[61] Petitioners (AFPM and API) requested that the EPA clarify that identifying fugitive emissions above an instrument reading of 500 ppmv is not a violation of the equipment leak standards. According to the petitioners, equipment leak standards are work practice standards, and identifying a leak should only trigger corrective action for repair. The petitioners requested that the EPA clearly state in the rule that detection of fugitive emissions from equipment subject to LDAR requirements do not constitute a violation of the standards.

The EPA considers the current provisions to clearly indicate that identified equipment leaks trigger repair requirements. The EPA notes that the pre-performance test screening requirements use the term ''no detectable emissions'' and a leak definition of 500 ppmv, but these requirements also contain provisions stating that facilities must repair leaks identified during the instrument monitoring survey prior to conducting the performance test.[62] Nonetheless, the EPA agrees that the term ''no detectable emissions'' could suggest an operating limit that affected facilities must meet at all times, even though that was not EPA's intent in adopting that phrase. Therefore, the EPA is proposing to remove the phrase ''. . . is operated with no detectable emissions . . .'' and replace it with ''. . . has no leaks at or above an instrument reading of 500 ppmv.'' The EPA clarifies in this preamble that the pre-performance test monitoring requirement is simply an LDAR inspection to ensure that the vapor collection system conveys all gasoline vapors displaced from cargo tanks to the control device and that the performance test accurately assesses the effectiveness of the control device. Any leaks identified during this inspection only trigger the applicable repair requirements. The EPA expects that the proposed replacement of the phrase ''no detectable emissions'' with the term ''leak'' provides adequate clarification that the 500 ppmv value is a work practice standard rather than an operating limit that affected facilities must meet at all times.

Additionally, though the final sentence in 40 CFR 60.503a(a)(2) clearly indicates that affected facilities must repair all leaks identified during the pre-performance test instrument monitoring survey prior to conducting the performance test, the EPA is concerned that affected sources may incorrectly read the reference to the timeframe in 40 CFR 60.502a(j)(7) to allow delay of repair of some of these leaks. Therefore, the EPA is also proposing to clarify that the ''delay of repair'' provisions do not apply for leaks identified during the pre-performance test instrument monitoring survey.

Because NESHAP subparts R and BBBBBB cross-reference the pre-performance test requirements in NSPS subpart XXa, the EPA does not need to revise those standards to address this issue.

With these proposed minor edits to 40 CFR 60.503a(a)(2), the EPA considers the provisions to clearly indicate that leaks identified during the pre-performance test equipment monitoring and regular periodic equipment monitoring always trigger the repair requirements. In addition, leaks identified during either of these surveys are not considered violations of the equipment leak work practice standards. However, not repairing leaks identified during the pre-performance test equipment monitoring prior to conducting the performance test would be a violation of the provisions in 40 CFR 60.503a(a)(2), just as not repairing leaks identified according to the provisions in 40 CFR 60.502a(j) would be a violation of the equipment leak work practice standards.

The EPA solicits comment on whether the proposed revisions to 40 CFR 60.503a(a)(2) adequately clarify that the pre-performance test instrument monitoring survey is a work practice standard—not an operating limit—and that identifying leaks during this survey simply triggers the requirement to repair all identified leaks prior to conducting the performance test (C–6).

e. Requirements for Leak Monitoring of Backup Control Systems

The EPA is proposing to revise the definition of ''in gasoline service'' to clarify that a facility must monitor backup or secondary control systems for leaks only when actively using these systems to process gasoline or gasoline vapors.

The EPA notes that equipment leak monitoring requirements, including periodic instrument monitoring, are specific to equipment ''in gasoline service.'' Backup systems that are closed off from gasoline or gasoline vapors would not have VOC emissions or identifiable ''leaks'' during instrument monitoring. Therefore, periodic monitoring of equipment that is not ''in gasoline service'' is unnecessary. Backup control systems are subject to leak detection using audio, visual, or olfactory (AVO) methods while used during normal duties. In addition, backup control systems are subject to instrument monitoring requirements if a facility uses the backup control systems during a regularly scheduled instrument monitoring survey. However, a facility is not required to conduct an additional instrument monitoring survey to specifically test for equipment leaks while using the backup control system. The EPA understands that the current definition of ''in gasoline service'' could suggest that facilities must periodically monitor backup control systems because these systems occasionally transfer gasoline or gasoline vapors. To clarify that a piece of equipment is only ''in gasoline service'' when contacting or containing gasoline or gasoline vapors, the EPA is proposing to amend the definition of ''in gasoline service'' in NESHAP subparts R and BBBBBB and NSPS subpart XXa, replacing the phrase ''. . . is used in a system that transfers . . .'' gasoline or gasoline vapors with the phrase ''. . . contains or contacts . . .'' gasoline or gasoline vapors. The EPA solicits comment on the proposed revision to the definition of ''in gasoline service'' to clarify equipment monitoring requirements for backup or secondary control systems (C–7).

f. Requirements for Leak Monitoring at Bulk Gasoline Plants and Pipeline Pumping Stations

The EPA is not proposing to revise the equipment leak monitoring requirements for bulk gasoline plants and pipeline pumping stations.

In their petition, ILTA requested that the EPA reconsider the annual instrument monitoring and repair requirements for equipment leaks at bulk gasoline plants and pipeline pumping stations in NESHAP subpart BBBBBB. According to the petitioner, the EPA understated the costs of the final equipment leak monitoring requirements. In their petition, ILTA included a table comparing EPA's cost estimates with those from two vendor quotes—included as petition exhibits (Proposals 1 and 2)—to support ILTA's argument that the Agency understated the costs for the equipment leak monitoring requirements. According to the petitioner, the higher costs, as provided by the vendor quotes, indicate that the annual instrument monitoring requirement is not cost-effective for HAP emission reductions.

The EPA interprets ILTA's table comparison of EPA Method 21 startup costs with the vendor quotes as a

[61] 40 CFR 60.502a(j).

[62] 40 CFR 60.503a(a)(2).

misunderstanding of the costs that the Agency included in EPA Method 21 startup costs. EPA Method 21 startup costs only include initial identification and labeling of equipment components that the facility must monitor. EPA Method 21 startup costs do not include the costs for conducting the initial monitoring event. Essentially, EPA Method 21 startup costs are the difference between the costs of conducting the initial monitoring event and the costs to conduct subsequent monitoring events. Only the full ''Proposal 2'' vendor quote differentiated these costs, not the table in the petition or Proposal 1. EPA Method 21 startup costs in Proposal 2 are $1,970 per facility. While this is higher than the EPA's estimate of $508 to $540 for EPA Method 21 startup costs, it is much more comparable than the values presented in the petitioner's table.

In addition, the values for the ongoing monitoring costs presented in the petitioner's table based on the vendor quotes appear to be higher than the EPA had estimated. The EPA recognizes that different vendors can provide different quotes depending on the experience of the vendor, the location of vendor relative to the monitored facility, and other similar factors. Based on the EPA's review of the provided vendor quotes, monitoring costs for some facilities, particularly remotely located facilities, could be higher than the average costs per facility that the Agency projected.

The key issue with the Proposal 1 vendor quote is that the vendor requires a minimum of two days to cover travel and monitoring. The EPA estimated that monitoring all components using EPA Method 21 would take approximately four hours at a bulk gasoline plant or pipeline pumping station based on the number of equipment components at these smaller facilities and the average component monitoring rate via Method 21 based on information collected from monitoring vendors. The EPA included additional costs for traveling to the facility, but the Agency projected that typical bulk gasoline plants and pipeline pumping stations require only one day (excluding overnight) to travel and monitor for leaks. The daily rate included in the Proposal 1 vendor quote was $2,150. The EPA expects that other vendors are available that do not apply this two-day minimum charge or that the facility could negotiate the daily rate for subsequent monitoring events depending on the location of the facility relative to the vendor's location. The EPA understands that some facilities may have remote locations and require an overnight stay. However, based on information collected from monitoring vendors used to develop EPA's cost estimates,[63] the Agency expects that the one-day fee in this quote is likely more representative of the costs incurred by typical small gasoline distribution facilities.

Costs in the Proposal 2 quote provides the costs for monitoring two facilities (''terminals located at multiple facilities,'' noted in the first sentence of the Scope of Work section of the proposal). In addition, while the proposal refers to the facilities as ''terminals'', this quote appears to cover a bulk gasoline plant or pipeline pumping station based on the number of component tags indicated in the vendor quote. The costs for ongoing (subsequent) monitoring for individual facilities ranged from $3,125 to $3,455 if using EPA Method 21, and $2,680 to $4,180 if using OGI. Although the vendor's quotes for per-facility ongoing monitoring costs are higher than the EPA's cost estimates, the costs are not four or five times higher, as the petitioner suggested.

Industry stakeholders indicated in subsequent conversations that their primary concern is pipeline pumping stations, as these facilities are usually remote and have higher projected monitoring costs due to the required travel time. The EPA understands that remote facilities may require longer travel times and therefore have higher than average monitoring costs. Nonetheless, based on the EPA's review of the ILTA petition and the provided vendor quotes, the Agency disagrees with the petitioner's conclusion that actual costs for typical bulk plants or pipeline pumping stations are at least four times higher than EPA projected such that instrument monitoring is not cost-effective for bulk plants and pipeline pumping stations. Therefore, the EPA is not proposing to revise the requirement to conduct annual instrument monitoring using either EPA Method 21 or OGI for bulk gasoline plants and pipeline pumping stations, as finalized in the 2024 Final Rule. The EPA maintains that annual instrument monitoring and leak repair requirements, including repair of leaks identified by AVO methods during normal operating duties, achieve greater emission reductions at reasonable costs in comparison to the historical monthly AVO inspections that NESHAP subpart BBBBBB previously required before the promulgation of the 2024 Final Rule. In the 2024 Final Rule, the EPA estimated that the annual instrument monitoring requirements—compared to historical monthly AVO inspections—would achieve HAP emission reductions of approximately 60 tons per year (tpy) and VOC emission reductions of approximately 600 tpy across 1,800 pipeline pumping stations. The EPA understands that some remote facilities may have higher than average costs, but the Agency concludes that the cost of achieving the projected emission reductions is reasonable considering the average nationwide costs for bulk plants and pipeline pumping stations.

The EPA solicits comment on its determination to not propose to revise the annual instrument monitoring requirements for bulk gasoline plants and pipeline pumping stations in NESHAP subpart BBBBBB (C–8). As part of this C–8 request for comment, the EPA also solicits comment and supporting information on alternative options to revising pipeline pumping station monitoring requirements. Specifically, monitoring alternatives could include allowing instrument monitoring once every two years based on performance (*i.e.,* a skip period) or reverting to monthly AVO monitoring inspections. Additionally, the EPA solicits comment on restricting the less stringent equipment leak monitoring requirements to ''small'' pipeline pumping stations, or alternatively to ''remote'' pipeline pumping stations. The EPA solicits comment on how to clearly define a ''small'' facility (*e.g.,* based on a certain number of pumps), or alternatively how to clearly and effectively define a ''remote'' facility (*e.g.,* located more than a certain distance from the boundary of the nearest metropolitan statistical area). Furthermore, for pipeline pumping stations that qualify for ''remote'' status, the EPA solicits comment on how often these facilities must re-evaluate whether they continue to meet the definition of a ''remote'' facility.

2. Thermal Oxidation System Compliance Provisions

a. Previous Load Assumption

The EPA is not proposing to revise the definition of ''gasoline cargo tank'' or the requirement that a cargo tank be considered a gasoline cargo tank when the content of the immediate previous load is not known. However, the EPA is proposing to clarify certain associated recordkeeping requirements.

Since 1980, NSPS subpart XX has defined a ''gasoline tank truck'' as ''a delivery tank truck used at bulk gasoline terminals which is loading gasoline, or

[63] For more detail on the EPA's cost analysis, see the memorandum titled *Updated Control Options for Equipment Leaks at Gasoline Distribution Facilities* available in the docket for the 2024 Final Rule (Docket ID No. EPA–HQ–OAR–2020–0371).

which has loaded gasoline on the immediately previous load.'' [64] Industry representatives have long indicated that they control vapors displaced from gasoline cargo tanks during all product loading operations, regardless of the immediate previous load of the gasoline cargo tank. NSPS subpart XXa expands the term ''gasoline cargo tank'' by adding railcars to the historical definition in NSPS subpart XX. Specifically, NSPS subpart XXa states that ''*Gasoline cargo tank* means a delivery tank truck or railcar which is loading gasoline, or which has loaded gasoline on the immediately previous load.'' [65]

Based on comments that the EPA received on the 2022 Proposal regarding the proposed definition of ''3-hour rolling average,'' the Agency clarified in the 2024 Final Rule which time periods qualify to provide ''valid operating data,'' based on control device type and monitored parameter. Specifically, for thermal oxidation systems using the combustion zone temperature operating parameter, the EPA noted that ''[v]alid operating data must exclude periods when there is no liquid product being loaded. If previous contents of the cargo tanks are known, you may also exclude periods when liquid product is loaded but no gasoline cargo tanks are being loaded provided that you excluded these periods in the determination of the combustion zone temperature operating limit according to the provisions in § 60.503a(c)(8)(ii).'' [66] The provision in 40 CFR 60.503a(c)(8)(ii) states ''[u]sing only the 5-minute periods in which liquid product is loaded into gasoline cargo tanks, determine the 1-hour average temperature for each hour of the performance test. If you do not know the previous contents of the cargo tank, you must assume liquid product loading is performed in gasoline cargo tanks such that you use all 5-minute periods in which liquid product is loaded into gasoline cargo tanks when determining the 1-hour average temperature for each hour of the performance test.'' Similarly, for flares and thermal oxidation systems for which the flare operating limits are selected, the EPA required that ''[f]or the purpose of this subpart, 'regulated materials' refers to 'vapors displaced from gasoline cargo tanks during product loading'. If you do not know the previous contents of the cargo tank, you must assume that cargo tank is a gasoline cargo tank.'' [67] Consistent with these provisions, 40 CFR 60.502a(g) requires that the ''[l]oading of liquid product into gasoline cargo tanks at a gasoline loading rack affected facility shall only be conducted when the terminal's and the cargo tank's vapor collection systems are connected. If you do not know the previous contents of a cargo tank, you must assume that cargo tank is a gasoline cargo tank.''

The petitioners requested that the EPA revise these provisions to allow terminals to assume that—unless there is information to the contrary—the immediate previous content of the cargo tank is the same as the liquid being loaded. ILTA went further to request revision of the definition of ''gasoline cargo tank'' to invoke the same assumption. All petitioners indicated that reliable information on the previous load of a cargo tank is difficult to obtain. In addition, petitioners suggested that ''switch loading'' is uncommon, so in most instances it is likely that the previous content of the cargo tank is the same as the product being loaded. The petitioners indicated that the requirement to consider a cargo tank with unknown previous load as a gasoline cargo tank would require the use of auxiliary fuel to maintain vapor combustion unit operating temperatures when loading only non-gasoline fuel (*e.g.,* diesel). In addition, some industry representatives expressed concern over the recordkeeping requirements in 40 CFR 60.505a(a)(2)(viii) and (8). Industry suggested that affected sources could construe these provisions to require operators to obtain knowledge of the previous cargo tank loads, and industry recommended revising or deleting these recordkeeping requirements.

The ''previous load'' requirement has been part of the gasoline loading control requirements for more than 40 years. If the previous content of a cargo tank is gasoline, and switch loading does occur, significant quantities of gasoline vapors could be released into the atmosphere uncontrolled (if there is a revision to the ''gasoline cargo tank'' definition) or poorly controlled (if the operating limits do not apply during these periods). Furthermore, the control of these cargo tanks whose previous load was gasoline is a bedrock assumption for HAP control as part of the NESHAP for gasoline dispensing facilities.[68] The petitioners' suggestion that facilities should assume that the immediate previous content of the cargo tank is the same as the liquid being loaded, unless there is information to the contrary, is not sufficiently protective as petitioners stated that operators generally do not know the previous contents of cargo tanks. Including that language would likely disincentivize terminal operators from attempting to ''know'' the previous contents in order to avoid any compliance requirements. The EPA is not proposing to revise the requirement that if the previous content of a cargo tank is not known, the cargo tank must be considered a gasoline cargo tank, or the requirement that the operating limits apply during all periods when liquid product is loaded into a gasoline cargo tank.

Although the petitioners suggested that they do not have reliable information on a tank's previous load, they indicated in meetings with the EPA that cargo tank dispatchers can provide information regarding previous loads on a targeted basis. Therefore, if switch loading is infrequent, and dispatchers have information on the previous load, terminals should be able to demand either that operators do not dispatch cargo tanks that entail switch loading, or, at a minimum, that operators notify the terminal when dispatching for non-gasoline loading a cargo tank whose previous load was gasoline. Additionally, the EPA is not proposing to revise the provisions that allow affected facilities to use knowledge of the previous load when establishing the operating limits and when calculating the 3-hour rolling average for compliance with the established operating limit. These provisions will help minimize the need for auxiliary fuel use when loading only non-gasoline fuel given that the previous content of the cargo tank is known not to have been gasoline. In addition, the EPA is proposing alternative provisions for establishing the temperature operating limit for thermal oxidation systems that the Agency expects will reduce the need for auxiliary fuel use.[69]

The EPA solicits comment on its proposal to not revise the definition of ''gasoline cargo tank'' or the requirement that a cargo tank must be considered a gasoline cargo tank when the contents of the immediate previous load are not known (C–9).

While the EPA is proposing to not revise the current definition of ''gasoline cargo tank,'' the Agency is proposing to clarify the recordkeeping requirements in 40 CFR 60.505a(a)(2)(viii) and (8). The proposed revisions would simplify the recordkeeping requirements for affected facilities that as an operational practice control displaced vapors during liquid product loading using the assumption that all loading operations

[64] *See* 48 FR 37590 (August 18, 1983).

[65] *See* 89 FR 39344 (May 8, 2024).

[66] *See* 40 CFR 60.502a(b)(1)(ii) and (c)(1)(ii).

[67] *See* 40 CFR 60.502a(c)(3)(i).

[68] 40 CFR part 63, subpart CCCCCC.

[69] See section III.B.2.c. of this preamble for more detail on these proposed revisions.

involve gasoline cargo tanks. These facilities must keep records only of liquid product loading periods, as for facilities using that assumption, this is the information needed to identify periods when the emission limits apply.

Additionally, the recordkeeping requirements in 40 CFR 60.505a(a)(2)(viii)—for flares and thermal oxidation systems that elect to comply with the flare monitoring alternative—are largely duplicative of the general recordkeeping requirements in 40 CFR 60.505a(a)(8). Therefore, the EPA is proposing to exclude sources subject to the recordkeeping requirements in 40 CFR 60.505a(a)(2) from the recordkeeping requirements in 40 CFR 60.505a(a)(8). Furthermore, the EPA is proposing to revise the recordkeeping requirements for the flare monitoring alternative to clearly indicate that the ''time periods'' for the associated requirements in 40 CFR 60.505a(a)(2)(viii) are 15-minute block periods. The EPA notes that only flares or thermal oxidation systems electing to set minimum gasoline loading rates and minimum gasoline to total liquid product loading rates must comply with the 5-minute period recordkeeping requirements in 40 CFR 60.505a(a)(2)(v). The EPA solicits comment on its proposal to revise the recordkeeping requirements in 40 CFR 60.505a(a)(2)(viii) and (8) to clarify these requirements and eliminate duplicative requirements (C–10).

b. NHV_{dil} for Thermal Oxidation Systems

The EPA is proposing to retain NHV_{dil} as an operating limit for air-assisted flares and thermal oxidation systems. However, the EPA is proposing to revise the definition of diameter (''Diam'') in the NHV_{dil} equation to account for the differences in air mixing patterns when using multi-burner thermal oxidation systems.

In the 2022 Proposal, for NESHAP subpart R and NSPS subpart XXa, the EPA proposed requiring combustion zone temperature as the operating limit for all thermal oxidation systems. However, in NESHAP subpart BBBBBB, the EPA proposed that operators subject to the 35 milligrams per liter (mg/L) gasoline loaded emission limit could elect either to use combustion zone temperature as the operating limit or alternatively to comply with the flare monitoring requirements.[70] This alternative requires a minimum combustion zone net heating value (NHV_{cz}) of 270 British thermal units per standard cubic foot (Btu/scf); for air-assisted flares, it also requires a minimum NHV_{dil} of 22 Btu per square foot (Btu/ft^2). In response to public comments, the EPA expanded the use of this flare monitoring alternative to NESHAP subpart R and NSPS subpart XXa for sources subject to the 10 mg/L gasoline loaded emission limit.

In their comments on the 2022 Proposal, ILTA suggested that the NHV_{dil} operating limit should not apply to enclosed thermal oxidation systems but did not provide data to support that position. After publication of the 2024 Final Rule, ILTA funded a study at the Zeeco Global Technology Center testing facility in Broken Arrow, Oklahoma.[71] The study was conducted on the Zeeco Zephyr #8 portable enclosed combustion unit using mixtures of propane and air to evaluate whether NHV_{dil} is an appropriate operating limit for thermal oxidation systems complying with the flare monitoring requirements. Petitioners submitted the results along with a summary of findings from the study.[72] According to the petitioners, the data indicated that there was no reduction in performance with lower NHV_{dil} values.

The EPA reviewed the data that petitioners submitted. The data raised many questions as it showed substandard performance (*i.e.,* less than 98 percent destruction efficiency) at times when the combustion unit met the flare operating limits (*i.e.,* the NHV_{cz} and NHV_{dil} operating limits) and indicated excellent performance at times when the unit did not meet the flare operating limits. In their summaries, the petitioners excluded runs with what they considered to be excessively high air assist rates, indicating that the blower on the tested unit is larger than those commonly installed in the industry. The test runs in the culled data set had destruction efficiencies of 90 percent or greater. In addition, the data excluded from the culled data set included four test runs where destruction efficiencies dropped to near zero. For two of these runs, both the NHV_{cz} and the NHV_{dil} parameters indicated poor performance. For the other two test runs, only the NHV_{dil} parameter indicated poor performance. Nonetheless, the test data indicated that any significant drop in performance occurred at much lower NHV_{dil} values than expected (*i.e.,* well below 22 Btu/ft^2). The EPA expects that this is because the enclosed flare has a multi-burner design, and there are significant differences in how the assist air is mixed at the burner tips as compared to assist air added around the perimeter of larger single-burner flare stacks.

Because the NHV_{dil} parameter was the only flare operating parameter indicating the significant performance drop for two of the test runs, the EPA is proposing to retain NHV_{dil} as an operating limit for air-assisted thermal oxidation systems.

In addition, the EPA evaluated ILTA's data to determine if the Agency should provide a lower NHV_{dil} value for enclosed thermal oxidation systems. However, with only one unit tested, the EPA is uncertain how well the data represent the performance of other thermal oxidation system designs. Because the study used a system with two burner tips, the EPA evaluated the impact of revising the definition of the effective diameter of the flare tip when calculating NHV_{dil} as the effective diameter of the multi-burner system. Using the effective diameter of the multi-burner system yielded calculations of NHV_{dil} values below the 22 Btu/ft^2 operating limit in only a few cases where performance was high (*i.e.,* destruction efficiencies of 98 percent or more) but continued to identify the poor performance of all four runs where the destruction efficiency dropped to near zero.

While the EPA will require additional data to effectively evaluate the performance of other enclosed combustor designs, for thermal oxidation systems that have multiple burner tips, the Agency is proposing to add at 40 CFR 60.502a(c)(3) an additional subparagraph (x) to allow those systems to use the ''distance from the outer edge of one burner tip to the outer edge of the furthest burner tip, ft'' for the definition of the ''Diam'' term in the NHV_{dil} calculation rather than the ''effective diameter of the unobstructed flare tip for flare gas flow, ft.'' The EPA expects this proposed revision to account for the differences in air mixing patterns when using thermal oxidation systems that have multiple burner tips while retaining the NHV_{dil} operating limit. The EPA maintains that retaining the NHV_{dil} operating limit is critical for identifying significant degradation in control efficiencies.

The EPA solicits comment on the need to retain the NHV_{dil} operating limit for air-assisted thermal oxidation systems and the proposed revision to the definition of the diameter term used in calculating NHV_{dil} for thermal oxidation systems with multiple burner

[70] The flare monitoring requirements are based on the requirements in the petroleum refineries NESHAP at 40 CFR 63.670.

[71] A copy of the test plan, test report, and data analysis submitted by ILTA are available in the docket for this proposed rule (Docket ID No. EPA–HQ–OAR–2025–0302).

[72] *Id.*

tips (C–11). To the extent available, the EPA requests commenters to provide additional operating and test data that evaluate the performance of different air-assisted thermal oxidation system designs while processing gasoline vapors—rather than propane—to support their position.

c. Temperature Operating Limit for Thermal Oxidation Systems

The EPA is co-proposing two options for the monitoring requirements applicable to thermal oxidation systems complying with the temperature operating limit. The EPA based Option 1 on revised requirements for conducting the performance test for sources subject to the 1 mg/L, 10 mg/L, and 35 mg/L emission limits, and based Option 2 on a fixed minimum mid-stack temperature operating limit of 400 degrees Fahrenheit (°F) for sources subject to either the 10 mg/L or 35 mg/L emission limit.

In their assessment of the data from the Zeeco Zephyr #8 portable enclosed combustion unit, ILTA suggested that the data support an operating limit of 400 °F for thermal oxidation systems.[73] ILTA argued that the operating limit determined based on the current performance test requirements will be artificially high due to the minimum gasoline loading quantity required for the performance test. ILTA suggested that the test data from the Zeeco facility indicated that the vapor combustion unit obtained high destruction efficiencies at mid-stack temperatures of 400 °F or higher. Hence, ILTA requested that the EPA set a fixed minimum temperature operating limit of 400 °F for sources subject to either the 10 mg/L or 35 mg/L emission limit. Additionally, ILTA suggested a shorter evaluation period of the fixed temperature operating limit (*i.e.,* each 5-minute period) when loading liquid product into gasoline cargo tanks as a way to ensure that the unit is always at the minimum operating temperature.[74]

The EPA reviewed the data that ILTA submitted. The performance data, including for runs with air assist rates over 4,500 standard cubic feet per minute (scfm), raised concerns for EPA due to several runs having destruction efficiencies under 90 percent, even with mid-stack temperatures exceeding 400 °F. In addition, the EPA is concerned about using test data from a single thermal oxidation system to set a fixed temperature operating limit for all thermal oxidation systems. These systems can have different burner designs, locations for temperature measurements, louver designs, air flow characteristics, and stack lengths than the tested unit, potentially impacting the combustion properties and the zone of combustion, which consequently would impact the temperature operating limit necessary to achieve the required destruction efficiency. Furthermore, the petitioner conducted the study using mixtures of air and propane, not gasoline. Unlike propane, which is a homogenous substance with a uniform composition, gasoline is a complex mixture of hydrocarbons with physical properties that are different than those of propane (*e.g.,* vapor pressure, heat content, flash point, *etc.*). Therefore, these data may not be adequately representative of temperatures and destruction efficiencies when burning gasoline vapors. The EPA finds that establishing a unit-specific operating limit, based on a representative performance test of the thermal oxidation system while loading gasoline cargo tanks, is more reliable.

The EPA recognizes that the current testing requirements require a minimum gasoline loading volume so that the temperature operating limit can represent conditions of high gasoline loading rates. In addition, the EPA agrees with the petitioners that at lower gasoline loading rates or during mixed product loading (*e.g.,* at facilities where some racks are loading gasoline and other racks are loading diesel fuel) the temperature in the combustion zone will likely be lower. The question is whether the unit meets the 10 mg/L or 35 mg/L operating limit, as applicable, at these lower gasoline loading rates and under mixed product loading scenarios. Because loading a mixture of products is common practice in the industry and will likely yield lower combustion zone temperatures (due to lower NHV in the vapors routed to the thermal oxidation system), the EPA is considering an option for operators to demonstrate compliance at these lower gasoline loading rates and under mixed product loading scenarios as an alternative to the petitioner's suggested option. Upon considering these points, the EPA is co-proposing two options as described below.

Co-proposed Option 1 is to revise the testing requirements to provide operators with testing flexibility over a broader range of gasoline loading rates and to encourage testing under mixed product loading scenarios. This will help to develop a temperature operating limit representative of normal operating conditions—instead of conditions of high gasoline loading rates—while demonstrating compliance with the emission limit under these scenarios. Under this option, the EPA would retain the 3-hour rolling average temperature operating limit. The EPA anticipates that this revision would yield lower 3-hour rolling average temperature limits while still ensuring that adequate combustion consistently occurs. Specifically, under Option 1, the EPA is proposing to revise the testing provisions in 40 CFR 60.503a(c)(1) to require that the performance test be a minimum of three hours long—instead of six—and include a minimum of thirty-six 5-minute testing intervals of either loading gasoline or loading liquid product into cargo tanks that facilities know contained gasoline on their previous load (''known'' gasoline cargo tanks). Facilities could test for longer than the minimum of three hours to evaluate performance over a broader range of operating conditions. The EPA is proposing that facilities conduct testing under conditions representative of normal operations. Facilities may use any ratio of gasoline to other products being loaded as long as the ratio is representative of the site's operation and the per loading-rack loading rate is representative of typical loading-rack loading rates used at the facility. Furthermore, the EPA is proposing revisions to the testing requirements in 40 CFR 63.503a(c)(8) to specify that the 3-hour rolling average temperature operating limit only includes the 5-minute intervals of either active gasoline loading or loading of other liquid products into ''known'' gasoline cargo tanks. Under Option 1, the revised testing requirements would apply to all bulk gasoline terminals, regardless of whether the source is new, modified, reconstructed, or subject to the requirements due to cross-referencing. Under Option 1, the EPA is not proposing revisions to 40 CFR 60.502a(b)(1)(ii) or (c)(1)(ii). The proposed revisions to the operating limit calculation allow facilities to calculate numerous 3-hour rolling averages—if the test is extended for several minutes or an hour—and to select the lowest 3-hour rolling average determined during a compliant performance test. The proposed revisions to the calculation procedure improve alignment with the calculations that facilities use in determining compliance with the operating limit.

Industry representatives have indicated reluctance to revise the performance test requirements for thermal oxidation systems, suggesting

[73] See section III.B.2.b of this preamble for further description of the tests conducted.

[74] This commenter also wanted to re-define ''gasoline cargo tank'' to eliminate consideration of the immediate previous load; *see* discussion in section III.B.2.a of this preamble.

that: (1) coordination of certain loading configurations on a single test day is impractical due to customer-driven loading schedules, (2) regulatory inconsistencies with test requirements may necessitate permit modification or require dual testing when subject to both NESHAP subpart BBBBBB and NSPS subpart XX, and (3) mixed loading scenarios are likely to make meeting the mass emission limit—which is based only on gallons of gasoline loaded—more challenging.

With respect to the concern that more loading configuration logistics may be associated with the proposed revisions to the performance test requirements compared to the current 6-hour performance test, the EPA anticipates that the proposed revisions will provide affected facilities greater flexibility in conducting performance tests. First, the proposed revisions do not require a minimum gasoline loading quantity. Under the current testing requirements, operators tend to configure loading of primarily—if not only—gasoline over the 6-hour testing period because of the minimum amount of gasoline operators must load during the performance test. Second, the proposed revisions do not specify certain loading configurations; rather, they require testing under conditions that are representative of normal operations. Therefore, the proposed revisions should allow affected facilities to easily conduct testing with minimal or no changes to the daily operation of the site. Although operators may test using loading configurations that optimize the combustion zone temperature operating limit, there is no requirement to change the operating conditions at the site for the purpose of conducting the performance test. Third, the proposed duration of the performance test is shorter than the current requirement, so a facility choosing to operate at a targeted loading configuration will be required to do so for less time. Additionally, the EPA expects facilities would continue to ensure that no non-gasoline fuel is loaded into a cargo tank whose previous load was gasoline under the proposed testing requirements. In conclusion, the EPA finds that the proposed testing requirement entails less loading configuration planning than the current 6-hour performance test requirement.

With respect to the concern that revisions to the testing requirements in NSPS subpart XXa, which NESHAP subparts R and BBBBBB cross-reference, may require a permit modification, the EPA expects very limited impacts, if any. Most permits do not specify testing requirements; rather, most permits reference the applicable rules and require compliance with those provisions. Additionally, if a facility is subject to both a NESHAP (subpart R or BBBBBB) and NSPS subpart XX, the EPA disagrees that such a facility would need to conduct dual tests to meet both testing requirements; NSPS subpart XX only has initial testing requirements, and affected facilities have already conducted all initial performance tests under NSPS subpart XX.[75] Even though 40 CFR 60.8 states ''or at such other times specified by this part. . .'', and the procedures for conducting the periodic performance testing required under NESHAP subparts R and BBBBBB are specified in NSPS subpart XXa, the language in the General Provisions of 40 CFR part 60 taken with the periodic testing requirement of 40 CFR part 63 do not together require periodic testing under NSPS subpart XX, as NSPS subpart XX does not prescribe periodic performance testing or have any timeframes for conducting periodic performance testing. Because the NSPS subpart XX does not require conduction of periodic performance tests, the testing procedures prescribed in NSPS subpart XX do not apply to these periodic performance tests. Therefore, only the periodic performance test procedures of the applicable NESHAP apply to facilities subject to both NESHAP (subpart R or BBBBBB) and NSPS subpart XX.

With respect to concerns about the form of the emission limit, which is based only on the volume of gasoline loading, the EPA notes that the vapor pressure of diesel fuel—the liquid product of which the sector loads the second-largest volume after gasoline—is less than one one-thousandth that of gasoline, and the vapor pressure of kerosene is roughly one one-hundredth that of gasoline. As such, the EPA does not expect the loading of non-gasoline liquid products to significantly impact the quantity of the total organic compounds (TOC) displaced from these cargo tanks. The EPA has always based the form of the emission standards on the TOC emissions per volume of gasoline loaded for this reason. The EPA expects that industry is more concerned about the reduced flammability of gasoline vapors under mixed product loading scenarios, which could reduce the destruction efficiency of thermal oxidation systems. The EPA finds that this concern highlights the need to test under mixed loading scenarios.

Co-proposed Option 2 is to revise the temperature operating limit that facilities use to demonstrate continuous compliance with the applicable mass emission limit. Currently, the combustion zone temperature operating limit is based on the average temperature that the thermal oxidation system achieves during the performance test. Under Option 2, based on ILTA's test data, the EPA is proposing to revise the temperature operating limit provision at 40 CFR 60.502a(c)(1)(ii) to require thermal oxidation systems at facilities—subject to either the 10 mg/L or 35 mg/L mass emission limit—to maintain a mid-stack temperature at or above 400 °F for each 5-minute period during active loading of liquid product into gasoline cargo tanks. These facilities must demonstrate compliance with the applicable emission standard when using the mid-stack temperature operating limit of 400 °F or higher during the performance test. Under Option 2, affected facilities would not be able to set the temperature operating limit below 400 °F, because the EPA is proposing that sources using this alternative must maintain each 5-minute lower mid-stack temperature at or above 400 °F during the performance test. In addition, the EPA is proposing revisions to the operating temperature calculation requirements for new sources subject to the 1.0 mg/L mass emission limit. As proposed, new sources would set their 3-hour average combustion zone temperature operating limit based on the minimum 3-hour rolling average combustion zone temperature during the performance test—considering only 5-minute periods during either active gasoline loading or during liquid product loading into ''known'' gasoline cargo tanks—and would maintain the temperature at or above that limit as required in 40 CFR 60.502a(b)(1)(ii).

As part of Option 2, the EPA proposes to define ''mid-stack temperature'' as the temperature taken at a location that is at least 19 feet above the top of the thermal oxidation system burners or as the temperature 3 feet from the top of a stack that is less than 22 feet above the top of the burners. The EPA is basing this specification on the location of the temperature measurement in the petitioner's submitted test data. The EPA solicits comment on whether this definition of mid-stack temperature is appropriate, or if not, what alternative definition would be appropriate and why.

Under the CAA, finalized changes become effective on the date of the promulgation of the final rule. Therefore, for sources that conducted performance tests earlier (*i.e.,* before the compliance deadline of the 2024 Final Rule), the EPA is proposing provisions that allow facilities to maintain those

[75] *See* 40 CFR 60.8.

recently established operating limits until the next required performance test. Although facilities may elect to conduct performance tests under the testing or operational limit requirements in the proposed rule (if finalized as proposed), the EPA is not proposing to require facilities to re-test their thermal oxidizers before the next required performance test.

The EPA solicits comment and supporting data on the two co-proposed options to establish an effective temperature operating limit that ensures continuous compliance with the applicable mass emission limit while accounting for the differences in gasoline loading rates (C–12). As part of this request for comment, the EPA also solicits information and supporting data for other options to ensure continuous compliance with the applicable mass emission limit for thermal oxidation systems. Specific questions to consider under this request for comment include:

- Should the EPA be more prescriptive regarding the requirements for testing conditions (*e.g.,* require performance testing to include both high and low gasoline loading rate scenarios)?
- Are there thermal oxidation system designs or operational scenarios for which a default minimum mid-stack temperature of 400 °F would not ensure continuous compliance with the mass emission limit?
- Are there available data to either support or refute that a mid-stack temperature limit of 400 °F demonstrates continuous compliance with the emission standards or that indicate that the temperature does or does not vary based on different design configurations (*e.g.,* burner design, louver design, thermal oxidation system size, stack height)?
- Is the proposed definition for the location of mid-stack temperature appropriate, or is another definition more appropriate (*e.g.,* defining mid-stack as the true mid-point of the stack height versus some height from the top of the thermal oxidation system burners)?
- Should the EPA consider other options to ensure that thermal oxidation systems continuously meet the mass emission limit (*e.g.,* through the monitoring of other parameters)?
- Are the proposed provisions to transition to the proposed testing requirements or operating limits (if finalized as proposed) clear and reasonable?

d. Maximum Air Assist Rate Requirements for Flares and Thermal Oxidation Systems

The EPA is proposing to add a requirement for affected facilities to set the maximum air assist rate at the rate that was used during the performance test, if using air-assisted thermal oxidation systems, and to set the maximum air assist rate at the minimum rate needed to maintain smokeless operations at high gasoline loading rates, if using air-assisted flares.

As noted in the discussion of the enclosed combustor study funded by ILTA in sections III.B.2.b and c of this preamble, test runs with high air assist rates showed poor performance. In addition, the petitioner excluded runs when the air assist rate exceeded 4,500 scfm in developing their recommendations regarding both the NHV_{dil} requirement and setting a minimum combustion zone temperature operating limit of 400 °F. According to the petitioner, the portable test unit had a larger air blower than typical thermal oxidations systems, and facilities would not normally operate their thermal oxidation systems at those blower settings. In addition, the petitioner indicated that tuning the air assist rates is common practice when first installing the thermal oxidation unit (and not adjusting the air blowers thereafter). The petitioners suggested that the EPA could require air assist rate tuning to the minimum rate that ensures smokeless operation of the combustion device during periods of high gasoline loadings and require conducting daily inspections of the blower and dampers to ensure the air assist rate remains constant for thermal oxidation systems electing to comply with the NHV operating limit. Based on the EPA's assessment of ILTA's test data, air-assisted thermal oxidation systems meeting the 400 °F temperature operating limit would require similar provisions due to the exclusion of runs with air assist rates exceeding 4,500 scfm in developing that operating limit.

Considering the petitioners' recommendations and the EPA's independent review of the submitted test data, the Agency is proposing to require that all air-assisted flares and air-assisted thermal oxidation systems set a maximum air assist rate and conduct daily (each operating day) inspections of the blower settings and damper positions to prevent exceedances of the maximum established air assist rates. For air-assisted thermal oxidation systems, the EPA is proposing that affected facilities set the maximum air assist rate at the rate used during the performance test. For air-assisted flares, the EPA is proposing that: (1) affected facilities conduct an initial air assist tuning to the minimum rate needed for maintaining smokeless operations at high gasoline loading rates, and (2) the established air assist rate from this initial tuning is the maximum air assist rate for that flare. In addition, the EPA is proposing that affected facilities evaluate the maximum air assist rate based on the blower setting and damper position. Moreover, the EPA is proposing to require daily inspections (each operating day) of the blower setting and damper position to ensure that the air assist rate does not exceed the established maximum rate. Furthermore, in NESHAP subparts R and BBBBBB, and NSPS subpart XXa, the EPA is proposing to add (1) recordkeeping requirements for the established maximum air assist rate and daily inspections, and (2) reporting requirements for exceedances of the maximum air assist rate based on observed blower setting and damper position. Based on the EPA's review of the submitted test data for runs with high air assist rates, the Agency determined that these proposed requirements are necessary to ensure that air-assisted flares and thermal oxidation systems meet the required mass emission limits at all times.

The EPA solicits comment on its proposal to establish a maximum air assist rate for air-assisted flares and thermal oxidation systems and to add the associated monitoring, recordkeeping, and reporting requirements (C–13).

e. Minimum NHV Determination

The EPA is proposing to revise the flare requirements referenced at 40 CFR 60.502a(c)(3)(vii)(C). Specifically, the EPA is proposing to revise the 14-day sampling period for determining the minimum NHV content of gas streams that have a consistent composition or fixed minimum NHV. The proposed revision reduces the required time interval between the collection of the grab samples, allowing the affected facilities to conduct sampling over a shorter period.

The 2022 Proposal and the 2024 Final Rule both included cross-references to the flare provisions in the Refinery NESHAP subpart CC.[76] In the 2024 Final Rule, the EPA included additional details for using the 14-day sampling demonstration to determine minimum gasoline loading rates and minimum ratio of gasoline to total liquid loading rates that would ensure sufficient NHV

[76] 40 CFR 63.670(j)(6).

to comply with the flare monitoring provisions—facilities that comply with the 10 or 35 mg/L emission limit can elect to comply with the flare monitoring provision for their thermal oxidation systems. Petitioners suggested that the 14-day sampling period is arbitrary and unnecessary to demonstrate the NHV at a given gasoline loading rate or ratio of gasoline to total liquid loading rates. According to the petitioners, the NHV for gasoline will be consistent, and the contribution of other product loading will be minimal, so the impacts of dilution on NHV will also be consistent. As such, the petitioners suggested a single test should be sufficient to determine the minimum NHV associated with a minimum gasoline loading rate and minimum ratio of gasoline to other product loading rates.

The EPA disagrees that the 14-day sampling period is arbitrary; the EPA based this period on the Refinery NESHAP provisions. The EPA expects that the NHV will vary slightly more than the petitioners suggest because the amount of displaced gasoline vapors during loading will depend on the ambient temperature, and could vary based on the type of loaded gasoline (*e.g.,* regular versus premium) and the current fill level of the gasoline cargo tank. All these variables will impact the NHV of the vapors that are directed to the control device. Additionally, the loading of non-gasoline fuel into a gasoline cargo tank (*i.e.,* a cargo tank containing gasoline on its immediate previous load) will contribute significant NHV and displace gasoline vapors. The intent of the requirement to obtain 14 samples is to assess the variability of NHV during similar loading scenarios and account for these factors.

However, the EPA agrees that affected facilities can conduct the sampling over shorter time intervals without compromising the purpose of this minimum NHV sampling demonstration. The EPA understands a typical cargo tank may take 15 to 20 minutes to load. If facilities conduct sampling at intervals of no less than 20 minutes, then facilities could collect 14 grab samples within approximately 4.5 hours. This sample collection period would still account for variations in NHV due to changes in temperature, gasoline products loaded, and liquid level in the cargo tank. The EPA considers the collection of 14 grab samples necessary because this number of samples—as opposed to fewer—ensures representative testing, where the majority of sampling does not occur during infrequent switch loading events (*i.e.,* the loading of non-gasoline fuel into a gasoline cargo tank). Therefore, the EPA is proposing to revise the provisions at 40 CFR 60.502a(c)(3)(vii)(C) to allow the collection of 14 grab samples over a shorter period, given that there are at least 20 minutes between the collection of each grab sample. This provision will reduce the burden of the minimum NHV sampling demonstration while still accounting for changes in NHV due to temperature and other process conditions.

The EPA solicits comment on the proposed revisions to reduce the required time interval between the collection of grab samples when conducting the minimum NHV sampling demonstration (C–14).

3. Vapor Recovery System Compliance Provisions

a. Emission Limit Averaging Time

The EPA is proposing to revise the compliance provisions for vapor recovery systems to allow affected facilities to evaluate the applicable operating limit on a 6-hour, rather than 3-hour, rolling average basis.

The petitioners requested that the EPA restore the historical 6-hour averaging time for the vapor recovery operating limit. The petitioners noted that historically performance tests for vapor recovery units were six hours long, and the EPA therefore determined operating limits for these units based on a 6-hour averaging period. According to the petitioners, facilities sized their vapor recovery units based on a 6-hour averaging period, which allows balance between high and low gasoline loading rates. ILTA conducted an informal survey of member companies that suggested five of 15 vapor recovery units would have to either upgrade or curtail gasoline loading because of the change in the averaging period. ILTA recommended revising NESHAP subpart BBBBBB to allow a 6-hour averaging period for vapor recovery units; API and AFPM suggested that the EPA should allow all previously installed vapor recovery units (*i.e.,* those installed prior to the effective date of the 2024 Final Rule) to use a 6-hour averaging period.

The EPA reviewed the information that petitioners provided and the data that the Agency used to assess the new source standards in NSPS subpart XXa. The EPA acknowledges that all the historical data the Agency used to establish these operating standards are based on 6-hour averaging periods. The concentration emission limit for vapor recovery units is calculated directly from the mass emission limit (mg/L gasoline loaded), and the EPA agrees that compliance with this standard has been historically evaluated on a 6-hour average basis. Therefore, to provide consistency between the concentration emission limits and the test data used to establish the performance standards, the EPA is proposing to revise the standards in NESHAP subparts R and BBBBBB and in NSPS subpart XXa to evaluate the concentration emission limits on a 6-hour rolling average basis. The EPA is proposing to add a definition of ''6-hour rolling average'' in NSPS subpart XXa that applies to vapor recovery units and is structurally analogous to the definition of ''3-hour rolling average,'' *i.e.,* the 6-hour rolling average consists of seventy-two 5-minute periods rather than thirty-six 5-minute periods. In addition, the EPA is proposing minor edits to the recordkeeping and reporting requirements in NESHAP subparts R and BBBBBB and NSPS subpart XXa to refer to the vapor recovery system concentration limit as a 6-hour rolling average rather than a 3-hour rolling average.

The EPA solicits comment on the proposed revisions to increase the averaging period for the concentration emission limits for vapor recovery systems from a 3-hour rolling average to a 6-hour rolling average (C–15).

b. Periods When Vapor Recovery Emission Limit Applies

The EPA is not proposing revisions to the requirement that affected facilities must meet the applicable concentration emission limit at all times while operating a vapor recovery system, including during periods of carbon bed regeneration and purging cycles, when there is no active loading of liquid products.

ILTA suggested revising or clarifying the language regarding the application of the concentration operating limit. ILTA suggested that the concentration limit should apply only ''when the vapor recovery unit is available as the active vapor collection system for the loading rack.'' In the suggested paradigm, the operating limit would not apply during periods without active liquid product loading because during those periods the loading rack would be isolated from the vapor recovery unit. The petitioner indicated that this ''clarification'' is especially important given the 2024 Final Rule's 3-hour rolling average concentration limit.

The EPA disagrees with this suggestion because the vapor recovery system still processes gasoline vapors even when there is no active loading. While there may be no flow directly from the loading racks to the ''adsorbing bed,'' the ''desorbing bed'' will be releasing gasoline vapors. The gasoline vapors that are not knocked out and captured in the recovery system will be diverted to the adsorbing bed. Thus, there are still emissions from the stack even when there is no active product loading. The EPA considers the language in 40 CFR 60.502a(b)(2)(i) and (ii) to be clear that affected facilities must operate the vapor recovery system when ''liquid product is being loaded, during carbon bed regeneration, and when preparing the beds for reuse'' (the latter including a purging cycle). The EPA considers the requirement to operate the carbon bed adsorption system during carbon bed regeneration and when preparing the beds for reuse to apply whether or not liquid product loading is occuring during these times. As such, the EPA maintains that facilities must include these periods in the rolling average concentration limit.

In addition, the EPA finds that including these periods is consistent with operations during the performance test. There may be 5-minute periods during the performance test without the loading of liquid product due to switching vehicles, but the TOC emitted during the performance test still includes emissions from these periods. Furthermore, based on the phrasing of the petitioner's request, the EPA expects that reverting to a 6-hour rolling average for vapor recovery units—as described in section III.B.3.a of this preamble—effectively renders this issue moot. Regardless, the EPA maintains that the emission limit applies while the vapor recovery system is ''operating'' during all periods as specified in 40 CFR 60.502a(b)(2)(i) or (c)(2)(i), even though some period may not include active loading of liquid product. Therefore, the EPA is not proposing additional revisions to the periods that facilities must include in the proposed 6-hour rolling average concentration limit for vapor recovery units.

In reviewing the recordkeeping requirements in 40 CFR 60.505a(a)(8) as described in section III.B.2.a of this preamble, the EPA realized that this paragraph does not specify the requirement to maintain records of each 5-minute period while the vapor recovery system is operating. This information is necessary for calculating the 6-hour rolling average TOC concentration to compare with the applicable TOC concentration emission limit, so operators would already need records of this information. To directly require these records, the EPA is proposing to revise 40 CFR 60.505a(a)(8) to clarify that records for vapor recovery systems must include each 5-minute period while the vapor recovery system is operating.

The EPA solicits comment on the proposal to not revise the requirement to meet the applicable concentration emission limit at all times that the vapor recovery system is operating, which includes periods of carbon bed regeneration and purging cycles, when there is no active loading of liquid products, and to clarify that operators must maintain records of each 5-minute period while the vapor recovery system is operating (C–16).

c. Limited Alternative Provisions for Vapor Recovery Systems

The EPA is proposing to revise the limited alternative monitoring plan requirements for vapor recovery systems during CEMS downtime. The revisions will allow affected facilities to develop and submit a site-specific monitoring plan instead of relying on the 10 previous operational cycles.

The petitioners indicated that the limited alternative monitoring plan provisions for vapor recovery units during CEMS downtime are impractical and could be unworkable in cases when there is limited or no gasoline loaded during the previous 10 adsorption cycles. According to the petitioners, having to evaluate and set different operating parameters for different CEMS outage periods is burdensome and difficult to implement immediately when there is a CEMS outage. Additionally, the previous 10 cycles could include periods of low product loading, and this would, according to the petitioners, needlessly restrict loading rates or cycle times during higher product loading times. ILTA noted that operators do not commonly know the purge gas quantities but only know when the valves cycle open or closed. The petitioners requested that the EPA allow facilities to develop a limited alternative operating plan consistent with the design of the vapor recovery system so that operators have a clear and consistent set of operating limits to maintain during any given CEMS outage period.

In the 2024 Final Rule, the EPA required that facilities base the operating limits of the limited alternative plan for vapor recovery systems on the 10 previous operational cycles because of the reduced adsorption capacity of used carbon beds over time. By using ''recent'' cycle information, the EPA expected the established operating limits would be more directly tied to the adsorption capacity of the carbon beds. The EPA met with the petitioners to better understand why they would initiate regeneration cycles during periods of low product loading. According to the petitioners, many facilities use fixed cycling times and do not extend these cycles during periods of low product loading. The EPA considered adding fixed cycle times as an alternative, while maintaining the 10 previous cycle evaluation for facilities that do not use timed cycles. However, the EPA acknowledges that it is difficult for operators to assess the information and establish downtime-specific operating limits, given that the typical cycle time is approximately 30 minutes. In addition, this option does not address facilities that do not have a means to measure purge gas quantities.

Based on the EPA's evaluation of this issue, the Agency is proposing to base the limited alternative monitoring plan requirements for vapor recovery systems during CEMS downtime on a site-specific monitoring plan. The EPA is proposing that facilities must develop and submit the ''limited alternative monitoring plan'' to the Agency through the EPA's Compliance and Emissions Data Reporting Interface (CEDRI) as a record. The EPA is proposing minimum requirements for the monitoring plan, using timed cycles or operating limits similar to those used in the current ''10-cycle'' assessment. The EPA is proposing to allow the determination of the duration of the purge cycle based on valve sequencing and timing. The EPA expects that the proposed limited alternative monitoring plan requirements will provide adequate assurance that the vapor recovery system is operating efficiently for the short periods that affected facilities are allowed to use this plan.

These proposed revisions also impact the recordkeeping and reporting requirements in NESHAP subparts R and BBBBBB and in NSPS subpart XXa regarding periods when affected facilities use the limited alternative monitoring plan. Therefore, the EPA is proposing to include new requirements to retain records of the most recently approved limited alternative monitoring plan. In addition, the EPA is proposing to require a record of the start and end dates (including times) for each use of the plan. The latter requirement is necessary for demonstrating compliance with the 240-hour per calendar year time limit for using the limited alternative monitoring plan. Other proposed revisions to the recordkeeping and reporting requirements are primarily wording changes to reference the operating limits in the monitoring plan, rather than the 10 previous cycles, and to include ''and plans'' to the

CEDRI report submittal requirements in 40 CFR 60.605a(e).

The EPA solicits comment on the proposal to require facilities to develop and comply with a site-specific monitoring plan during CEMS downtime. In addition, the EPA solicits comment on the sufficiency of the specific monitoring elements required in the plan (C–17).

4. Vapor Tightness Requirements for Gasoline Cargo Tanks

The EPA is proposing to revise the vapor tightness requirements for gasoline cargo tanks. The proposed revisions would allow owners and operators of all gasoline cargo tanks that load liquid product at a gasoline loading rack affected facility to meet the annual certification test requirements by complying with the maximum allowable pressure or vacuum change that NESHAP subpart R required prior to the promulgation of the 2024 Final Rule.

The EPA was notified of concerns from cargo tank fleet operators regarding the frequency of cargo tanks failing the 0.5 inches of water column pressure drop threshold for certifying that a cargo tank is vapor-tight. According to the operators, this threshold requires unrealistic temperature equilibration to achieve that level of precision and may falsely trigger replacement of equipment or unnecessary re-tests. As the EPA began evaluating the concerns, the Agency examined the precision of the test method and found that EPA Method 27 of 40 CFR part 60, appendix A–8 (''EPA Method 27''), which operators must use to conduct the ''pressure vacuum test'' on gasoline cargo tanks, has a reported precision of ± 0.5 inches of water column and that operators must repeat the test until two consecutive runs agree within 0.5 inches of water column.[77] [78] Given that the current vapor pressure limits are set at a value equal to the precision level of the test method, the EPA expects that false indications of failures of the test may result in situations where the cargo tank is actually vapor-tight. Using the ideal gas law, a temperature change of only 1 °F could cause a pressure change of over 0.5 inches of water. The EPA recognizes that one State (California) implemented the graduated limits from 0.5 to 1.25 inches of water column; however, the Agency does not have data demonstrating that a pressure drop limit of 0.5 inches of water column can be accurately and universally demonstrated in practice using EPA Method 27, especially in other States that have less temperate climates.[79]

The EPA re-evaluated the assumed failure rate of testing and other assumptions the Agency made in assessing the impacts of the vapor tightness requirements during the rulemaking for the 2024 Final Rule. The EPA found the original NESHAP subpart R requirements for vapor tightness (graduated limits from 1.0 to 2.5 inches of water column depending on the size of the cargo tank compartment) were cost-effective compared to a limit of 3.0 inches of water column (as in NSPS subpart XX and the original NESHAP subpart BBBBBB) under all alternative assumptions the Agency evaluated. However, the incremental cost-effectiveness of going from the original NESHAP subpart R requirements to the more stringent standards in the 2024 Final Rule (graduated limits from 0.5 to 1.25 inches of water column) highly depended upon the modeling assumptions and was often not cost-effective based on reasonable alternative assumptions.[80]

Based on the EPA's evaluation of EPA Method 27 precision limits and the additional analyses for assessing the uncertainty in the Agency's original impact assessment, the Agency concludes that the more stringent standards in the 2024 Final Rule are not achievable in practice nationwide and are likely not cost-effective.[81] Therefore, the EPA is proposing that it was not ''necessary'' under CAA section 112(d)(6) to revise the standards in the 2024 Final Rule. Accordingly, the EPA is proposing to revise the vapor tightness standards in all gasoline distribution rules to the graduated limits from 1.0 to 2.5 inches of water column, as originally provided in NESHAP subpart R prior to the promulgation of the 2024 Final Rule. The EPA solicits comment on the proposed revisions to the vapor tightness requirements and solicits comment and supporting information related to: (1) the precision of EPA Method 27; (2) the lower limit of pressure or vacuum change that can be accurately assessed in practice, particularly in climates with extreme low or high temperatures; and (3) potential alternative vapor tightness standards (C–18).

5. Editorial Revisions

The EPA is proposing the following editorial revisions:

- Replace all references to ''parts per million'' (or ''ppm'') to ''parts per million by volume'' (or ''ppmv''). Most of these edits are specific to leak thresholds for the equipment leak provisions and more accurately reflect the units of these measurements. These proposed revisions appear in NESHAP subparts R and BBBBBB and in NSPS subpart XXa.
- Add '', as applicable for the parameter(s) for which there was a deviation during this event'' to the deviation reporting requirements at the end of the first sentence at each of 40 CFR 60.505a(c)(2)(i)(C), 63.428(m)(2)(i)(C), and 63.11095(d)(2)(i)(C). The EPA intends this proposed revision to clarify that, for a given deviation event, only the operating values for the parameter(s) that had a deviation during that event require reporting. For example, facilities may be subject to both the temperature operating limit and the maximum loading pressure operating limit. If there is a deviation of only the temperature operating limit, facilities must only report the operating temperatures during that deviation and are not required to report the operating pressures during that deviation.
- Revise the definition of ''vapor-tight gasoline cargo tank'' in NESHAP subpart BBBBBB to refer to 40 CFR 63.11092(g) rather than 63.11092(f) to correct a cross-reference error.

The EPA solicits comment on the proposed editorial revisions and other potential revisions to correct cross-references or add clarity to the requirements in the gasoline distribution rules (C–19).

C. What compliance dates are we proposing, and what is the rationale for the proposed compliance dates?

The EPA is not proposing new emission limits in this proposal. As such, the EPA is not proposing changes to the compliance dates as set by the 2024 Final Rule. All revisions will become effective as of the date of the promulgation of the final rule.[82] However, in this proposal, the EPA is clarifying that facilities must conduct the first instrument monitoring survey for equipment leaks, for new, modified, or reconstructed sources, no later than

[77] 40 CFR part 60, appendix A–8. Method 27—Determination of Vapor Tightness of Gasoline Delivery Tank Using Pressure Vacuum Test; sections 13.1 and 8.2.2.5, respectively.

[78] An alternative test method is available only for railcar gasoline cargo tanks, provided the railcar tank meets certain requirements. *See* 40 CFR 60.503a(f)(3).

[79] CP–204, Certification Procedure for Vapor Recovery Systems of Cargo Tanks, California Air Resources Board, amended November 7, 2014.

[80] For more detail on the analysis conducted, see the memorandum titled *Sensitivity and Uncertainty of Cargo Tank Vapor Tightness Requirements,* included in Docket ID No. EPA–HQ–OAR–2025–0302.

[81] *Id.*

[82] *See* CAA sections 111(b)(1)(B) and 112(d)(10).

180 days of becoming a ''collection of equipment at a bulk gasoline terminal affected facility'' subject to NSPS subpart XXa. Additionally, the EPA is clarifying that existing sources subject to NESHAP subpart R or BBBBBB must conduct the first instrument monitoring survey for equipment leaks by the compliance date specified in those rules (*i.e.,* May 8, 2027). Regarding the proposed options for thermal oxidation systems, the EPA expects that, if finalized, either the proposed changes to the testing requirements or the proposed changes involving the operating limits will become effective on the date of the promulgation of the final rule, and the Agency is proposing to allow retention of operating limits established under recent tests until the next required performance test. The EPA also notes that while the Agency is not proposing changes to the compliance date, industry representatives have requested a compliance date extension in order to provide sufficient time to meet the amended requirements of the rule. The EPA solicits comment on the sufficiency and clarity of the proposed compliance dates (C–20).

IV. Summary of Environmental and Economic Impacts

A. What are the affected facilities?

There are approximately 9,500 facilities subject to the Gasoline Distribution NESHAP rules and the Bulk Gasoline Terminals NSPS. An estimated 210 facilities are classified as major sources and 9,260 are area sources. The EPA estimated that there will be five new facilities and 15 modified/reconstructed facilities subject to NSPS subpart XXa in the next five years.

B. What are the air quality impacts?

This proposed action will have no impact on VOC or HAP emissions from gasoline distribution facilities. The amendments proposed in this action do not impact the stringency of the 2024 Final Rule emission standards. The EPA expects that the proposed amendments to the compliance provisions will assist affected sources achieve compliance with the relevant emission limits. In addition, the EPA does not expect the changes to the cargo tank vapor tightness standards to impact air quality because the Agency has determined the previous standards to be practically infeasible. As such, the EPA expects the proposed amendments will have no impact on air quality and no impact on overall human health.

C. What are the costs?

The EPA expects this proposed action, if finalized as proposed, to result in compliance cost savings to gasoline distribution facilities from the proposed amendments to testing and monitoring requirements for thermal oxidation systems and flares controlling VOC and HAP emissions from the loading racks at these facilities. These proposed amendments result in estimated total average annual compliance cost savings of $713,400 (in 2024 dollars) for area sources subject to NESHAP subpart BBBBBB under proposed Option 1 (revising the performance test duration and requirements). For proposed Option 2 (fixed temperature operating limit), the estimated total average annual compliance cost savings for area sources subject to NESHAP subpart BBBBBB is $565,800 (in 2024 dollars). The EPA has calculated average annual costs by dividing costs over five years by five.

Major source gasoline distribution facilities generally use vapor recovery systems, so the proposed revisions to the testing and monitoring requirements for thermal oxidation systems and flares do not impact those facilities. The EPA expects gasoline distribution facilities that use vapor recovery units (both major and area sources) to have no net cost impacts regarding the proposed revisions to the limited alternative for vapor recovery systems. All major sources would incur initial costs to develop the limited alternative monitoring plan, but the sources would have lower costs when implementing the plan as compared to evaluating the 10 previous cycles each time a CEMS outage occurs. Over the first one to three years (depending on the number of CEMS outages that occur each year), the EPA expects these costs to offset, so the Agency is not projecting any costs for major source gasoline distribution facilities as a result of the proposed revisions to the limited alternative for vapor recovery systems. In subsequent years, the EPA expects the proposed use of the limited alternative monitoring plan to result in slight annual cost savings.

The changes to the cargo tank vapor tightness standards are not expected to result in compliance cost changes. The 2024 Final Rule projected cost savings associated with the more stringent standards (*i.e.,* the graduated pressure/vacuum loss limits from 0.5 to 1.25 inches of water column) due to the value of the recovered product. However, those cost savings are not realizable, as the EPA has determined in this reconsideration proposal rulemaking that the previous standards are practically infeasible. Therefore, reverting to the originally provided standards in NESHAP subpart R prior to the promulgation of the 2024 Final Rule, will not incur cost (*i.e.,* loss of cost savings) on the affected sources.

D. What are the benefits?

The EPA does not expect the proposed action to impact VOC or HAP emissions from gasoline distribution facilities. The amendments proposed in this action do not impact the stringency of the 2024 Final Rule emission standards. The EPA expects that the proposed amendments to the compliance provisions will assist affected sources achieve compliance with the relevant emission limits. Therefore, the EPA does not anticipate public health benefits or disbenefits from the proposed action.

E. What are the economic impacts?

The EPA prepared an Economic Impact Analysis (EIA), titled *Economic Impact Analysis for the National Emission Standards for Hazardous Air Pollutants: Gasoline Distribution Technology Review and Standards of Performance for Bulk Gasoline Terminals Review: Reconsideration Proposal,* which is available in the docket for this proposed rule. The EIA analyzes the potential cost and benefit impacts of the proposed action, and the EPA presents potential impacts for the 2027 to 2041 timeframe. The EIA analyzes the potential impacts of the proposed action to better inform the public about its potential effects.

The EPA estimates that the proposed rulemaking will result in social cost savings discounted to 2025 of $9.1 million in present value (PV) ($0.81 million equivalent annualized value (EAV)) using a 3 percent social discount rate and $6.9 million in present value ($0.87 million EAV) using a 7 percent social discount rate from 2027 to 2041. The EAV are calculated to represent constant cost saving flows occurring in each period from 2027 to 2041 that, when discounted to 2025, are equal in PV to the original stream of cost savings. Details on the estimated social cost savings of the proposed rulemaking are in the EIA.

V. Request for Comments

The EPA solicits comment on this proposed action. In addition to general comments on this proposed action, the EPA is also interested in additional data that may improve the analyses. Please refer to the relevant sections for more detail on the specific points on which the EPA seeks comment.

C–1: Should the EPA include a capital expenditure threshold for the modification provisions for the ''collection of equipment at a bulk gasoline terminal affected facility'' under NSPS subpart XXa?

C–2: Should the EPA clarify that affected facilities must conduct the first instrument monitoring survey for equipment leaks under NSPS subpart XXa within 180 days of becoming a ''collection of equipment at a bulk gasoline terminal affected facility''?

C–3: Should the EPA clarify in NSPS subpart XXa that affected facilities must conduct the first instrument monitoring survey for equipment leaks under NESHAP R or BBBBBB (*i.e.,* cross-referencing subparts) by the compliance date of the applicable provisions in NESHAP R or BBBBBB?

C–4: Should the EPA clarify that affected facilities must conduct instrument monitoring surveys for equipment leaks during periods of gasoline loading into gasoline cargo tanks?

C–5: Should the EPA specify the connector monitoring requirements and directly enumerate monitoring exceptions for all component types (*i.e.,* connectors, valves, and pumps) in NSPS subpart XXa?

C–6: Do the proposed revisions to 40 CFR 60.503a(a)(2) adequately clarify that the pre-performance test instrument monitoring survey for equipment leaks is a work practice standard, not an operating limit, and that affected facilities must repair leaks identified during this survey prior to conducting the performance test?

C–7: Does the proposed revision to the definition of ''in gasoline service'' adequately clarify equipment monitoring requirements for backup or secondary control systems?

C–8: Should the EPA retain the annual instrument monitoring requirements for bulk gasoline plants and pipeline pumping stations? Or should the EPA provide reduced monitoring requirements for pipeline pumping stations or ''remote'' facilities?

C–9: Should the EPA retain the historical definition of ''gasoline cargo tank'' and the requirement that facilities must consider a cargo tank as a gasoline cargo tank when the immediate previous load is not known?

C–10: Do the revisions to the reporting requirements in 40 CFR 60.506a(a)(2)(viii) and (8) adequately clarify these requirements and eliminate duplicative recordkeeping requirements?

C–11: Is the proposed revision to the definition of diameter in the NHV_{dil} calculation for thermal oxidation systems with multiple burner tips appropriate? Does the revision adequately address differences in performance of enclosed combustors based on the petitioners' data? Are there additional operating and test data available for different air-assisted thermal oxidation system designs that can inform revisions to NHV_{dil} requirements?

C–12: Should the EPA revise the performance testing requirements to allow a broader range of loading scenarios in order to establish an effective combustion zone temperature operating limit that ensures continuous compliance with the applicable mass emission limit while accounting for the differences in gasoline loading rates? Or should the EPA establish a default minimum mid-stack temperature operating limit of 400 °F or other default value?

C–13: Should the EPA establish a maximum air assist rate for air-assisted flares and thermal oxidation systems and add associated monitoring, recordkeeping, and reporting requirements?

C–14: Is the proposed 20-minute interval between grab samples sufficient to assess variability in minimum NHV sampling demonstration?

C–15: Should the EPA increase the averaging period for the concentration emission limits for vapor recovery systems from a 3-hour rolling average to a 6-hour rolling average?

C–16: Should the EPA maintain the requirements to meet the applicable concentration emission limit at all times while operating the vapor recovery system and clarify the recordkeeping requirements for vapor recovery system operating time periods?

C–17: Are the EPA's proposed revisions for the limited alternative requirements for vapor recovery systems sufficient and workable for demonstrating continuous compliance during CEMS downtime?

C–18: Should the EPA revise the vapor tightness requirements to graduated limits, ranging from 1.0 to 2.5 inches of water column, or alternative limits based on the accuracy and precision of EPA Method 27 and considering the uncertainty in the impacts of revised vapor tightness requirements?

C–19: Does the EPA need additional editorial revisions to correct cross-references or add clarity to the rule requirements?

C–20: Are the compliance dates for the amendments clear and appropriate?

VI. Statutory and Executive Order Reviews

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

A. Executive Order 12866: Regulatory Planning and Review and Executive Order 13563: Improving Regulation and Regulatory Review

This action is not a significant regulatory action and was therefore not submitted to the Office of Management and Budget (OMB) for review.

B. Executive Order 14192: Unleashing Prosperity Through Deregulation

This action is expected to be an Executive Order 14192 deregulatory action. Details on the estimated cost savings of this proposed rule can be found in EPA's analysis of the potential costs and benefits associated with this action.

C. Paperwork Reduction Act (PRA)

1. NESHAP Subpart R

The proposed amendments are not expected to alter the burden associated with NESHAP subpart R because all facilities subject to NESHAP subpart R are expected to use vapor recovery systems. The proposed revisions to the averaging period for the concentration emission limits applicable to facilities using vapor recovery systems may eliminate the need for some facilities to have to upgrade their control system, according to the petitioners. However, in the 2024 Final Rule, the EPA previously assumed no upgrades to the control equipment would be needed to meet the concentration limit. Thus, the impacts of shifting to a 6-hour rolling average helps ensure that the impacts previously estimated for NESHAP subpart R are accurate and do not need to be revised. Similarly, the EPA does not expect the proposed revisions to the limited alternative monitoring provisions to alter the average burden associated with the alternative monitoring provision as included in the Information Collection Request (ICR) for the 2024 Final Rule. Therefore, we are not submitting an ICR document for approval to the OMB under the PRA for NESHAP subpart R.

Respondents/affected entities: Owners or operators of gasoline distribution facilities.

Respondent's obligation to respond: Mandatory (40 CFR part 63, subpart R).

Estimated number of respondents: 210 (assumes no new respondents over next three years).

Frequency of response: Initially, semiannually, and annually.

Total estimated burden: 0 hours (per year) to comply with the proposed amendments (incremental to the 2024 Final Rule promulgated amendments) in the NESHAP. Burden is defined at 5 CFR 1320.3(b).

Total estimated cost: $ 0 (per year), including no annualized capital or operation and maintenance costs, to comply with the proposed amendments in the NESHAP.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for the EPA's regulations in 40 CFR are listed in 40 CFR part 9.

Submit your comments on the Agency's need for this information, the accuracy of the provided burden estimates and any suggested methods for minimizing respondent burden to the EPA using the docket identified at the beginning of this proposed rule. The EPA will respond to any ICR-related comments in the final rule.

2. NESHAP Subpart BBBBBB

The information collection activities in this proposed rule have been submitted for approval to the OMB under the PRA. The ICR document that the EPA prepared has been assigned EPA ICR number 2237.09. You can find a copy of the ICR in the docket for this proposed rule, and the EPA briefly summarizes the ICR here.

The EPA is proposing amendments to revise provisions related to the compliance requirements for thermal oxidation systems and for flares that will impact burden associated with large bulk gasoline terminals subject to NESHAP BBBBBB. These revisions include options for either altering the performance test requirements or establishing a set minimum temperature operating limit, reducing the time interval between samples when conducting the determination of a consistent or minimum NHV for the vent gas, and addition of maximum air assist rate requirements. The EPA is also proposing amendments to the compliance requirements for vapor recovery systems at large bulk gasoline terminals, but these proposed revisions are not expected to alter the compliance burden relative to the 2024 Final Rule as discussed in section VI.C.1 of this preamble. This information will be collected to assure compliance with NESHAP subpart BBBBBB.

Respondents/affected entities: Owners or operators of gasoline distribution facilities.

Respondent's obligation to respond: Mandatory (NESHAP subpart BBBBBB).

Estimated number of respondents: 9,263 (assumes no new respondents over the next three years); only 178 respondents are projected to have revised burden.

Frequency of response: Initially, semiannually, and annually.

Total estimated burden: Under Option 1, 1,135 hours (per year) to comply with the proposed amendments in the NESHAP relative to the 2024 Final Rule. Under Option 2, 1,198 hours (per year) to comply with the proposed amendments in the NESHAP relative to the 2024 Final Rule. Burden is defined at 5 CFR 1320.3(b).

Total estimated cost: Under Option 1, net cost savings of $713,373 per year (in 2024 dollars), including savings for reduced operation and maintenance costs, to comply with the proposed amendments in the NESHAP. Under Option 2, net cost savings of $565,753 per year (in 2024 dollars), including savings for reduced operation and maintenance costs, to comply with the proposed amendments in the NESHAP.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for the EPA's regulations in 40 CFR are listed in 40 CFR part 9. Submit your comments on the Agency's need for this information, the accuracy of the provided burden estimates and any suggested methods for minimizing respondent burden to the EPA using the docket identified at the beginning of this rulemaking. The EPA will respond to any ICR-related comments in the final rule. You may also send your ICR-related comments to OMB's Office of Information and Regulatory Affairs using the interface at *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. OMB must receive comments no later than October 28, 2026.

3. NSPS Subpart XXa

The EPA does not expect the proposed amendments to alter the burden associated with NSPS subpart XXa because the EPA expects most facilities subject to NSPS subpart XXa to use vapor recovery systems as discussed in section VI.C.1 of this preamble. The EPA expects that the proposed clarification to the modification provision for the equipment leak requirements for a ''collection of equipment at a bulk gasoline terminal affected facility'' will limit the number of facilities that become subject to NSPS subpart XXa. However, in the 2024 Final Rule, the EPA assumed only four new sources would become subject to these provisions each year. The proposed revisions to the equipment leak modification provisions simply aligns the burden associated with these provisions with the burden previously assumed for NSPS subpart XXa. Therefore, we are not expecting the proposed revisions to alter the current ICR, and we are not submitting an ICR revision document for approval to the OMB under the PRA.

Respondents/affected entities: Owners or operators of bulk gasoline terminals.

Respondent's obligation to respond: Mandatory (NSPS subpart XXa).

Estimated number of respondents: 12 (assumes four new respondents each year over the next three years).

Frequency of response: Initially, semiannually, and annually.

Total estimated burden: 0 hours (per year) to comply with the proposed amendments (incremental to NSPS subpart XXa in the 2024 Final Rule). Burden is defined at 5 CFR 1320.3(b).

Total estimated cost: $ 0 (per year), including no annualized capital or operation and maintenance costs, to comply with the proposed amendments (incremental to NSPS subpart XXa in the 2024 Final Rule).

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for the EPA's regulations in 40 CFR are listed in 40 CFR part 9.

Submit your comments on the Agency's need for this information, the accuracy of the provided burden estimates and any suggested methods for minimizing respondent burden to the EPA using the docket identified at the beginning of this rule. The EPA will respond to any ICR-related comments in the final rule.

D. Regulatory Flexibility Act (RFA)

The EPA certifies that this action will not have a significant economic impact on a substantial number of small entities under the RFA. In making this determination, the EPA concludes that the impact of concern for this rule is any significant adverse economic impact on small entities and the Agency is certifying that this rule will not have a significant economic impact on a substantial number of small entities because the rule relieves regulatory burden on the small entities subject to the rule. The EPA estimates that this proposed action would result in estimated total average annual compliance cost savings of $713,400 or $565,800 (in 2024 dollars)—depending on the monitoring option for thermal oxidation systems the Agency ultimately finalizes—for area sources subject to NESHAP subpart BBBBBB, including small entities. In total, the EPA estimates that this proposed rulemaking will result in social cost savings, discounted to 2025, of $0.81 and $0.87 million in EAV using 3 and 7 percent social discount rates, respectively, from 2027 to 2041. For a more detailed analysis, please see the document titled *Economic Impact Analysis for the National Emission Standards for Hazardous Air Pollutants: Gasoline Distribution Technology Review and Standards of Performance for Bulk Gasoline Terminals Review: Reconsideration Proposal* available in the docket for this proposed rule. The EPA has therefore concluded that this action will relieve regulatory burden for all directly regulated small entities.

E. Unfunded Mandates Reform Act (UMRA)

This action does not contain an unfunded mandate of $100 million or more (adjusted for inflation) as described in UMRA, 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments. While this action creates an enforceable duty on the private sector, the costs involved in this action are estimated not to exceed $100 million or more (adjusted for inflation) in any one year.

F. Executive Order 13132: Federalism

This action does not have federalism implications. It will not have substantial direct effects on the States, on the relationship between the National government and the States, or on the distribution of power and responsibilities among the various levels of government.

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

This action does not have Tribal implications as specified in Executive Order 13175. The EPA estimates there are approximately 210 major source and 9,260 area source gasoline distribution facilities; however, the EPA had location information for only 117 of the major source facilities and 1,229 of the area source facilities. The EPA has not identified any facilities affected by this action as owned or operated by Tribal governments or located within Tribal lands. Thus, Executive Order 13175 does not apply to this action. However, consistent with the *EPA Policy on Consultation and Coordination with Indian Tribes,* the EPA will offer government-to-government consultation with Tribes upon request.

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

Executive Order 13045 directs Federal agencies to include an evaluation of the health and safety effects of the planned regulation on children in Federal health and safety standards and to explain why the regulation is preferable to potentially effective and reasonably feasible alternatives. This action is not subject to Executive Order 13045 because it is not a significant regulatory action under section 3(f)(1) of Executive Order 12866, and because the EPA does not believe the environmental health or safety risks addressed by this action present a disproportionate risk to children. The proposed revisions do not impact VOC or HAP emissions generated by gasoline distribution facilities and are projected to have no impact on overall health, including that of children.

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

This action is not subject to Executive Order 13211, because it is not a significant regulatory action under Executive Order 12866.

J. National Technology Transfer and Advancement Act (NTTAA)

The NTTAA requires the EPA to use voluntary consensus standards (VCS) in addition to Agency methods in regulatory activities unless doing so would be inconsistent with applicable law or otherwise impracticable. VCS are technical documents, such as test methods, that are developed or adopted by VCS bodies using procedures that ensure that the standards development process is open to all interested parties. VCS bodies are generally private sector, not-for-profit entities such as the American Society for Testing and Materials.

The EPA searched the Enhanced National Standards System Network Database managed by the American National Standards Institute for VCS that could be used in the Reconsideration of National Emission Standards for Hazardous Air Pollutants: Gasoline Distribution Technology Reviews and New Source Performance Standards Review for Bulk Gasoline Terminals. The EPA also contacted VCS organizations and accessed and searched their databases. While the EPA has made a reasonable effort to identify and evaluate potentially practical VCS, the Agency's findings do not necessarily represent all potential alternative standards which may exist.

According to 40 CFR 63.7(f) and 63.8(f) of subpart A—General Provisions, a source may apply to the EPA to use alternative test methods or alternative monitoring requirements in place of any required testing methods, performance specifications or procedures in the final rule or subsequent amendments.

The EPA welcomes comments on this aspect of the proposed rulemaking and specifically invites the public to identify potentially applicable VCS and to explain why such standards should be used in this regulation.

1. NESHAP Subpart R

The EPA searched for acceptable alternatives for EPA Methods 21 and 22 of 40 CFR part 60, appendix A–7; EPA Method 27 of 40 CFR part 60, appendix A–8; and ''Determination of Volatile Organic Compound and Greenhouse Gas Leaks Using Optical Gas Imaging'' of 40 CFR part 60, appendix K. The EPA found no VCS are acceptable alternatives for EPA Methods 21, 22, and 27. The EPA found no VCS are an acceptable alternative for ''Determination of Volatile Organic Compound and Greenhouse Gas Leaks Using Optical Gas Imaging'' of 40 CFR part 60, appendix K.

2. NESHAP Subpart BBBBBB

The EPA searched for acceptable alternatives for EPA Methods 21 and 22 of 40 CFR part 60, appendix A–7; EPA Method 27 of 40 CFR part 60, appendix A–8; and ''Determination of Volatile Organic Compound and Greenhouse Gas Leaks Using Optical Gas Imaging'' of 40 CFR part 60, appendix K. The EPA found no VCS are acceptable alternatives for EPA Methods 21, 22, and 27. The EPA found no VCS are an acceptable alternative for ''Determination of Volatile Organic Compound and Greenhouse Gas Leaks Using Optical Gas Imaging'' of 40 CFR part 60, appendix K.

3. NSPS Subpart XXa

The EPA searched for acceptable alternatives for EPA Method 2B of 40 CFR part 60, appendix A–1; EPA Method 18 of 40 CFR part 60, appendix A–6; EPA Methods 21, 22, 25, 25A, and 25B of 40 CFR part 60, appendix A–7; EPA Method 27 of 40 CFR part 60, appendix A–8; EPA Performance Specifications 2, 8, 8A, and 9 of 40 CFR part 60, appendix B; ''Determination of Volatile Organic Compound and Greenhouse Gas Leaks Using Optical Gas Imaging'' of 40 CFR part 60, appendix K; and EPA Method 320 of 40 CFR part 63, appendix A. The EPA found no VCS are acceptable alternatives for EPA Methods 2B, 18, 21, 22, 25, 25A, 25B, and 27. The EPA found no VCS are acceptable alternatives for EPA Performance Specifications 2, 8, 8A, and 9. The EPA found no VCS are an acceptable alternative for ''Determination of Volatile Organic Compound and Greenhouse Gas Leaks Using Optical Gas Imaging'' of 40 CFR part 60, appendix K.

The EPA found one VCS that is an acceptable alternative standard for the purposes of this rule. ASTM D6348–03 (2010), ASTM D6348–12el, and ASTM D6348–12 (R2020), ''Determination of Gaseous Compounds by Extractive Direct Interface Fourier Transform (FTIR) Spectroscopy,'' are acceptable alternatives to EPA Method 320, with caveats. When using ASTM D6348–03 (2010), ASTM D6348–12el, or ASTM D6348–12 (R2020), the following conditions must be met:

(1) The test plan preparation and implementation in the Annexes to ASTM D 6348–03, sections A1 through A8 are mandatory; and

(2) In ASTM D6348–03 Annex A5 (Analyte Spiking Technique), the percent (%) R must be determined for each target analyte (Equation A5.5). In order for the test data to be acceptable for a compound, %R must be $70\% \geq R \leq 130\%$. If the %R value does not meet this criterion for a target compound, the test data is not acceptable for that compound and the test must be repeated for that analyte (*i.e.,* the sampling and/or analytical procedure should be adjusted before a retest). The %R value for each compound must be reported in the test report, and all field measurements must be corrected with the calculated %R value for that compound by using the following equation:

$$\text{Reported Results} = (\text{Measured Concentration in Stack})/(\%R) \times 100.$$

List of Subjects in 40 CFR Parts 60 and 63

Environmental protection, Administrative practice and procedures, Air pollution control, Hazardous substances, Intergovernmental relations, Reporting and recordkeeping requirements.

Lee Zeldin,

Administrator.

[FR Doc. 2026–19774 Filed 9–25–26; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

46 CFR Part 390

[Docket Number MARAD–2026–1552]

RIN 2133–AC06

Capital Construction Fund Revision; Correction

AGENCY: Maritime Administration (MARAD), U.S. Department of Transportation (DOT).

ACTION: Notice of proposed rulemaking (NPRM), request for comments; correction.

SUMMARY: MARAD published a document in the **Federal Register** on Tuesday, September 22, 2026, concerning requests for comments to the proposed revision of its Capital Construction Fund (CCF) program regulations and an associated proposed information collection. MARAD already maintains an active information collection under the Office of Management and Budget Information Collection Number 2133–0027 that would provide for all contemplated revisions to the CCF program regulations.

DATES: September 28, 2026.

FOR FURTHER INFORMATION CONTACT: Mitch Hudson, Office of the Chief Counsel, (202) 366–9373 or via email at *marad.rulemaking@dot.gov.* Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 to contact the above individual during business hours. The FIRS is available twenty-four hours a day, seven days a week, to leave a message or question. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION:

Correction

In the **Federal Register** of September 22, 2026, in FR Doc. 26–19367, on page 60058, in the third column, correct the ''Paperwork Reduction Act'' caption to read:

Paperwork Reduction Act

Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501, *et seq.*), a person is not required to respond to a collection of information by a Federal agency unless the collection displays a valid OMB control number. This OMB approved collection of information is identified under OMB Control Number 2133–0027 (Capital Construction Fund and Exhibits). The collection is necessary for MARAD to determine an applicant's eligibility to enter a Capital Construction Fund (CCF) Agreement, and their compliance with the requirements of the program. The annual burden estimate is $2,160.00.

By order of the Maritime Administrator.

T. Mitchell Hudson, Jr.

Secretary, Maritime Administration.

[FR Doc. 2026–19786 Filed 9–25–26; 8:45 am]

BILLING CODE 4910–81–P

Notices

Federal Register
Vol. 91, No. 186
Monday, September 28, 2026

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Natural Resources Conservation Service

Rescission Notice; Pleasant Creek Supplemental Watershed Plan, Sanpete County, Utah

AGENCY: Natural Resources Conservation Service (NRCS), United States Department of Agriculture (USDA).

ACTION: Notice; rescission.

SUMMARY: The NRCS Utah State Office, in coordination with Mt. Pleasant City, Pleasant Creek Irrigation Company, and Twin Creek Irrigation Company, is rescinding the Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) for the Pleasant Creek Supplemental Watershed Plan in Sanpete County, Utah, which was published in the **Federal Register** on May 8, 2024. NRCS has determined that the NOI was issued prior to confirming viable alternatives and need for an EIS.

DATES: Effective upon publication, this notice rescinds the NOI to prepare an EIS (89 FR 38861), which was published in the **Federal Register** on May 8, 2024.

FOR FURTHER INFORMATION CONTACT: Ammon Boswell; telephone: (435) 459–1621; email: *ammon.boswell@usda.gov.* Individuals with disabilities who require alternative means for communication should contact the USDA Target Center at (202) 720–2600 (voice and text telephone (TTY)) or dial 711 for Telecommunications Relay Service (both voice and text telephone users can initiate this call from any telephone).

SUPPLEMENTARY INFORMATION: The NRCS Utah State Office, in coordination with Mt. Pleasant City, Pleasant Creek Irrigation Company, and Twin Creek Irrigation Company, and consistent with the requirements of 7 CFR 1b.7, is issuing this notice to advise Federal, State, and local government agencies and the public that NRCS will continue the planning process to determine whether an EIS is needed for the Pleasant Creek Supplemental Watershed Plan. The project area is located within and surrounding Mt. Pleasant City in central Utah. This notice rescinds the NOI to prepare an EIS (89 FR 38861), published on May 8, 2024.

During the watershed planning process, NRCS determined that the NOI (89 FR 38861) was issued prematurely, before identifying all reasonable alternatives and assessing whether an EIS was needed. If the planning process indicates that an EIS is appropriate, NRCS will publish a new NOI. The watershed planning process is continuing and will comply with the National Environmental Policy Act (NEPA). Any public comment received from the original NOI and scoping period will be considered during Watershed Plan development. Watershed planning is authorized by the Watershed Protection and Flood Prevention Act of 1954 (Pub. L. 83–566), as amended, and the Flood Control Act of 1944 (Pub. L. 78–534).

Travis Mote,

Acting Utah State Conservationist, Natural Resources Conservation Service.

[FR Doc. 2026–19772 Filed 9–25–26; 8:45 am]

BILLING CODE 3410–16–P

DEPARTMENT OF AGRICULTURE

Natural Resources Conservation Service

Rescission Notice; Upper Price River Watershed Project, Carbon County, Utah

AGENCY: Natural Resources Conservation Service (NRCS), United States Department of Agriculture (USDA).

ACTION: Notice; rescission.

SUMMARY: The NRCS Utah State Office, in coordination with Price City, is rescinding the Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) for the Upper Price River Watershed Project, Carbon County, Utah, which was published in the **Federal Register** on June 3, 2021. NRCS has determined that the NOI was issued prior to confirming viable alternatives and need for an EIS.

DATES: Effective upon publication, this notice rescinds the NOI to prepare an EIS (86 FR 29739), which was published in the **Federal Register** on June 3, 2021.

FOR FURTHER INFORMATION CONTACT: Ammon Boswell; telephone: (435) 459–1621; email: *ammon.boswell@usda.gov.* Individuals with disabilities who require alternative means for communication should contact the USDA Target Center at (202) 720–2600 (voice and text telephone (TTY)) or dial 711 for Telecommunications Relay Service (both voice and text telephone users can initiate this call from any telephone).

SUPPLEMENTARY INFORMATION: The NRCS Utah State Office, in coordination with Price City, and consistent with the requirements of 7 CFR 1b.7, is issuing this notice to advise Federal, State, and local government agencies and the public that NRCS will continue the planning process to determine whether an EIS is needed for the Upper Price River Watershed Project. The project area is located within and surrounding the cities of Price, Helper, and Wellington, as well as Price Canyon and Scofield Reservoir in Carbon County, Utah. This notice rescinds the NOI to prepare an EIS (86 FR 29739), published on June 3, 2021.

During the watershed planning process, NRCS determined that the NOI (86 FR 29739) was issued prematurely, before identifying all reasonable alternatives and assessing whether an EIS was needed. If the planning process indicates that an EIS is appropriate, NRCS will publish a new NOI. The watershed planning process is continuing and will comply with the National Environmental Policy Act (NEPA). Any public comment received from the original NOI and scoping period will be considered during Watershed Plan development. Watershed planning is authorized by the Watershed Protection and Flood Prevention Act of 1954 (Pub. L. 83–566), as amended, and the Flood Control Act of 1944 (Pub. L. 78–534).

Travis Mote,

Acting Utah State Conservationist, Natural Resources Conservation Service.

[FR Doc. 2026–19770 Filed 9–25–26; 8:45 am]

BILLING CODE 3410–16–P

CIVIL RIGHTS COLD CASE RECORDS REVIEW BOARD

[Agency Docket Number: CRCCRRB–2026–0022–N]

Notice of Formal Determination on Records Release

AGENCY: Civil Rights Cold Case Records Review Board.

ACTION: Notice.

SUMMARY: The Civil Rights Cold Case Records Review Board previously reviewed and made formal disclosure determinations on records related to civil rights cold case incident 2024–003–003 in which the Department of Justice (DOJ) proposed postponements. The DOJ later proposed 9 additional postponements. On September 23, 2026, the Review Board approved 2 of these additional postponements. By issuing this notice, the Review Board complies with the Civil Rights Cold Case Records Collection Act of 2018 that requires the Review Board to publish in the **Federal Register** its determinations on the disclosure or postponement of records in the Collection no more than 14 days after the date of its decision.

FOR FURTHER INFORMATION CONTACT: Stephannie Oriabure, Chief of Staff, Civil Rights Cold Case Records Review Board, 1800 F Street NW, Washington, DC 20405, (771) 221–0014, *info@coldcaserecords.gov.*

SUPPLEMENTARY INFORMATION:

Incident identifier	Postponement identifier	Review board decision
2024–003–003	2024–DOJ–03–0091a and 2024–DOJ–03–0091b	Approve.
2024–003–003	2024–DOJ–03–0136a	Reject.
2024–003–003	2024–DOJ–03–0191a	Reject.
2024–003–003	2024–DOJ–03–0203a	Reject.
2024–003–003	2024–DOJ–03–0205a	Reject.
2024–003–003	2024–DOJ–03–0215a	Reject.
2024–003–003	2024–DOJ–03–0227a	Reject.
2024–003–003	2024–DOJ–03–0229a	Reject.

Dated: September 24, 2026.

Stephannie Oriabure,

Chief of Staff.

[FR Doc. 2026–19783 Filed 9–25–26; 8:45 am]

BILLING CODE 6820–SY–P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Oregon Advisory Committee to the U.S. Commission on Civil Rights

AGENCY: Commission on Civil Rights.

ACTION: Announcement of public briefing.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission), and the Federal Advisory Committee Act (FACA), that a public briefing of the Oregon Advisory Committee to the U.S. Commission on Civil Rights will hold a public briefing via Zoom. The purpose of the briefing is to gather testimony on the Committee's chosen topic.

DATES: Panel I—Thursday, October 15, 2026, from 1:00 p.m.–3:00 p.m. Pacific Time.

ADDRESSES: The briefing will be held via Zoom.

October 15th Registration Link (Audio/Visual): https://www.zoomgov.com/webinar/register/WN_7yg5Y4aJQjaKXGHvDhSpbg.

Join by Phone (Audio Only): 1–833 435 1820 USA Toll Free; Webinar ID: 165 217 0609.

Briefing Agenda: https://usccr.box.com/s/2x0rmdx2coz4x2g83zq9j9obgwbcl9oc (Note: a final briefing agenda will be available prior to the briefing date).

FOR FURTHER INFORMATION CONTACT: Kayla Fajota, Designated Federal Officer (DFO) at *kfajota@usccr.gov,* or (434) 515–2395.

SUPPLEMENTARY INFORMATION: This virtual committee meeting is available to the public through the registration link above. Any interested member of the public may join at the link to listen to this meeting. An open comment period will be provided to allow members of the public to make a statement as time allows. Pursuant to the Federal Advisory Committee Act, public minutes of the meeting will include a list of persons who are present at the meeting. If joining via phone, callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Closed captioning is available by selecting ''CC'' in the Zoom meeting platform. To request additional accommodations, please email Angelica Trevino, Support Services Specialist at *atrevino@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 within 30 days following the meeting. Written comments may be emailed to Kayla Fajota, Designated Federal Officer at *kfajota@usccr.gov.* Persons who desire additional information may contact the Regional Programs Coordination Unit at (434) 515–2395.

Records generated from this meeting may be inspected and reproduced at the Regional Programs Coordination Unit Office, as they become available, both before and after the meeting. Records of the meetings will be available via the file sharing website: *https://usccr.app.box.com/folder/271061562007?s=r6h92j9j27b78vvft9voq7b6kzdphlbl* as well as at: *www.facadatabase.gov* under the Commission on Civil Rights, selecting the Advisory Committee of interest. 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.

Dated: September 24, 2026.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2026–19796 Filed 9–25–26; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–124–2026]

Foreign-Trade Zone (FTZ) 106, Notification of Proposed Production Activity; Hitachi Vantara Manufacturing; (Enterprise Datacenter Disk Storage System Hardware); Norman, Oklahoma

Hitachi Vantara Manufacturing submitted a notification of proposed production activity to the FTZ Board (the Board) for its facility in Norman, Oklahoma, within FTZ 106. The notification conforming to the requirements of the Board's regulations (15 CFR 400.22) was received on September 16, 2026.

Pursuant to 15 CFR 400.14(b), FTZ production activity would be limited to the specific foreign-status material(s)/component(s) and specific finished product(s) described in the submitted notification (summarized below) and subsequently authorized by the Board. The benefits that may stem from conducting production activity under FTZ procedures are explained in the background section of the Board's website—accessible via *www.trade.gov/ftz.*

The proposed finished products include: various fans (microprocessor cooling; accelerator); various bezels (flash model; front cover); various drives (hard disk; flash module; solid state); various boards (channel; front end communication controller; disk; processor blade); various boxes (channel board; internal components drive bay; flash drive); various chassis (controller; computer); various adapters (host; back end communication disk); service processors; cache memory chips; various kits (earthquake resistant rail attachment; operation panel); brackets; computer chassis rack rails; various modules (compression accelerator; optional encryption); computer controllers; various panels (name plate décor; filler); key kit brackets; computer chassis racks; controller slot safety covers; storage bridge bays; RK42 rack side covers; maintenance PC trays; power control units; nickel-metal hydride (NiMH) batteries; fiber channel blades; network connection points; various cables (high performance data; optical; peripheral component interconnect express; copper; ethernet; local area network; quad small form factor pluggable); various transceivers (quad small form factor pluggable; small form factor pluggable); and, temporary data cache flash memory chips (duty rate ranges from duty-free to 3.4%).

The proposed foreign-status materials/components include: various ribbon (thermal transfer; label); various labels (blank polyester film; self-adhesive polyester film; printed barcode); polyethylene bags; various plastic components (connector covers; insulation sheets; name plates; cable ties; tags; clamps); textile gaskets; longhead bolts of iron or steel; various nickel components (bind screws; bolts; screws; nuts); various steel components (not threaded ball studs; longhead bolts; rail springs); stainless steel nuts; springs of iron or steel; various fans (microprocessor cooling; axial); sheet metal boxes for fans; various drives (hard magnetic disk; flash memory; solid state); various units (adapter; computer controller; computer bezel faceplate; central processing); mix adaptor instrument connectors; various modules (dual in-line memory; optional encryption); accelerators with fans; air guides; ball catches; various sheet metal components (base plates; computer cage security enclosures; computer outer shell cannisters; disc adaptor face plate covers; controller fan latch plates); brackets; cable ducts; chamfer angle brackets; various boards (channel; light emitting device; printed circuit); computer chassis; flexible polyurethane foam cushions; drive boxes; dummy spacers; flanges; gaskets; heat sinks; polyphenylene insulation; key plates; mylar sheets; indicator panels; polycarbonate light pipes; printed circuit board assemblies; rack rails; sheet metal fillers; shield fingers; wind shields; AC/DC switching power supplies; chip inductors; chassis with printed circuit board assemblies; various batteries (NiMH; lithium); network connection points; various switches (ethernet; interconnect; push; slide); optical transceivers; printed circuit board assemblies with local area network controllers; various memory chips (temporary data cache flash; dynamic read write random access; non-volatile flash storage; electrically erasable programmable read only); chip capacitors; chip resistors; computer connector ports; central processing unit sockets; backplanes; various covers (quad small form factor pluggable; front frame); socket carriers; power connector housings; transistors; switch regulators; piezoelectric quartz crystals; computer controllers; complex programmable logic devices; field programmable gate arrays; system-on-chip processors; oscillators; flash memory drive; power management integrated circuits; various cables (copper telecommunication; flexible flat; optical fiber); insulated wires; insulation sheets; and, polymer clad optical fiber (duty rate ranges from duty-free to 7.9%).

The request indicates that certain materials/components are subject to duties under section 232 of the Trade Expansion Act of 1962, or section 301 of the Trade Act of 1974, depending on the country of origin. The applicable section 232, and section 301 decisions require subject merchandise to be admitted to FTZs in privileged foreign status as described in 19 CFR 146.41.

Public comment is invited from interested parties. Submissions shall be addressed to the Board's Executive Secretary and sent to: *ftz@trade.gov.* The closing period for their receipt is November 9, 2026.

A copy of the notification will be available for public inspection in the ''Online FTZ Information System'' section of the Board's website.

For further information, contact Juanita Chen at *juanita.chen@trade.gov.*

Dated: September 23, 2026.

Colin Agostisi,

Executive Secretary.

[FR Doc. 2026–19777 Filed 9–25–26; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–533–840]

Certain Frozen Warmwater Shrimp From India: Rescission of Antidumping Duty Administrative Review, In Part; 2025–2026

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: On March 31, 2026, the U.S. Department of Commerce (Commerce) initiated an administrative review of the antidumping duty (AD) order on certain frozen warmwater shrimp (shrimp) from India for the period of review (POR) February 1, 2025, through January 31, 2026, for 393 companies. We are rescinding this administrative review with respect to certain companies because they had no reviewable entries of subject merchandise during the POR. For a list of the companies for which we are rescinding this review in the absence of suspended entries of subject merchandise during the POR, *see* Appendix I to this notice. For a list of the companies for which the review is continuing, *see* Appendix II to this notice.

DATES: Applicable September 28, 2026.

FOR FURTHER INFORMATION CONTACT: Anastasiia Frizner, 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) 482–0145.

SUPPLEMENTARY INFORMATION:

Background

On February 2, 2026, Commerce published in the **Federal Register** a notice of opportunity to request an administrative review of the AD order on shrimp from India for the POR February 1, 2025, through January 31, 2026.[1] In February and March 2026, Commerce received timely requests, in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act), to conduct an administrative review of the *Order* from the Ad Hoc Shrimp Trade Action Committee (the petitioner),[2] the American Shrimp Processors Association (ASPA),[3] the American Shrimp Association (ASA),[4] the U.S. Shrimpers Coalition (USSC),[5] and certain individual companies.[6] Based upon these requests, on March 31, 2026, in accordance with section 751(a) of the Act and 19 CFR 351.221(c)(1)(i), Commerce published a notice of initiation in the **Federal Register** covering 394 companies for which Commerce received timely requests for review.[7] On April 1, 2026, Commerce issued data from U.S. Customs and Border Protection (CBP) regarding the POR entries of shrimp from India.[8]

In June 2025, interested parties timely withdrew their requests for an administrative review of certain companies.[9] However, because there are review requests remaining for each of these companies, these companies remain under administrative review.

Partial Rescission

Pursuant to 19 CFR 351.213(d)(3), Commerce's practice is to rescind an administrative review of an AD order where it concludes that there were no suspended entries of subject merchandise during the POR.[10] Normally, upon completion of an administrative review, the suspended entries are liquidated at the antidumping duty assessment rate for the review period.[11] Therefore, for an administrative review to be conducted, there must be a reviewable, suspended entry that Commerce can instruct CBP to liquidate at the calculated antidumping duty assessment rate for the review period.[12] Commerce notified all interested parties of its intent to rescind the instant review regarding the companies listed in Appendix I because there were no reviewable, suspended entries of subject merchandise from these companies during the POR and invited interested parties to comment.[13] We received comments from Sprint Exports Private Limited (Sprint), which argued that Commerce should not rescind the review for it because it had entries during the POR.[14] After further review of the CBP data, we note that we are not rescinding the review of Sprint because this company appears in the CBP data.[15]

We also received comments from Aadhya Sea Foods Private Limited (Aadhya), which argued that we should not rescind the review for it because it had a POR shipment of the subject merchandise and provided documentation to support this claim.[16] Subsequently, Commerce placed information from CBP regarding the entry in question on the record.[17] Consistent with our practice, in the absence of any suspended entries of subject merchandise during the POR for the companies listed in Appendix I (including Aadhya), we are rescinding this administrative review for these companies, in accordance with 19 CFR 351.213(d)(3).

Assessment

For the companies for which this review is being rescinded, in part, Commerce will instruct CBP to assess antidumping duties on all appropriate entries. Antidumping duties shall be assessed at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, 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 publication of this notice in the **Federal Register**.

Notification to Importers

This notice serves as a 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

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[1] *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review and Join Annual Inquiry Service List,* 91 FR 4500 (February 2, 2026); *see also Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Frozen Warmwater Shrimp from India,* 70 FR 5147 (February 1, 2005) (*Order*).

[2] *See* Petitioner's Letter, ''Request for Administrative Reviews,'' dated February 27, 2026.

[3] *See* ASPA's Letter, ''American Shrimp Processors Association's Request for Administrative Reviews,'' dated February 26, 2026.

[4] *See* ASA's letter, ''American Shrimp Association's Request for Administrative Review,'' dated February 27, 2026.

[5] *See* USSC's Letter, ''Request for Administrative Review,'' dated March 2, 2026.

[6] *See* the Indian Producers and Exporters' Letter, ''Request for Antidumping Duty Administrative Review covering the Period from February 1, 2025 to January 31, 2026,'' dated February 25, 2026; *see also* Megaa Moda Pvt. Ltd.'s (Megaa Moda's) Letter, ''Request for Administrative Review of Megaa Moda Pvt. Ltd. for the POR February 01, 2025 to January 31, 2026,'' dated February 27, 2026; and Snow World Marine Exports Private Limited's (Snow World's) Letter, ''Snow World Request for Administrative Review of the Antidumping Duty Order on Certain Frozen Warmwater Shrimp from India for POR 2025–2026,'' dated February 27, 2026.

[7] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 91 FR 15951 (March 31, 2026) (*Initiation Notice*). We note that, in this notice, we are combining two companies listed separately in the *Initiation Notice, i.e.,* Vasista Marine and Vasista Marine Private Limited.

[8] *See* Memorandum, ''Release of U.S. Customs and Border Protection Entry Data,'' dated April 1, 2026 (CBP Data Release Memorandum).

[9] *See* Megaa Moda's Letter, ''Withdrawal of Request for Review of the Antidumping Duty Order on Certain Frozen Warm-water Shrimp from India (A–533–840) for period of February 01, 2025 to January 31, 2025,'' dated June 29, 2026; *see also* Snow World's Letter, ''Withdrawal of Request for Review of the Antidumping Duty Order on Certain Frozen Warm-water Shrimp from India (A–533–840) for period of February 1, 2025 to January 31, 2026,'' dated June 29, 2026.

[10] *See, e.g., Certain Carbon and Alloy Steel Cut-to Length Plate from the Federal Republic of Germany: Recission of Antidumping Administrative Review; 2020–2021,* 88 FR 4154 (January 24, 2023).

[11] *See* 19 CFR 351.212(b)(1).

[12] *See, e.g., Shanghai Sunbeauty Trading Co.* v. *United States,* 380 F.Supp.3d 1328, 1336–37 (CIT 2019), at 12 (referring to section 751(a) of the Act, the CIT held: ''While the statute does not explicitly require that an entry be suspended as a prerequisite for establishing entitlement to a review, it does explicitly state the determined rate will be used as the liquidation rate for the reviewed entries. This result can only obtain if the liquidation of entries has been suspended''; *see also Certain Frozen Fish Fillets from the Socialist Republic of Vietnam: Final Results of Antidumping Duty Administrative Review and Final Determination of No Shipments; 2018–2019,* 86 FR 36102, and accompanying Issues and Decision Memorandum at Comment 4; and *Solid Fertilizer Grade Ammonium Nitrate from the Russian Federation: Notice of Rescission of Antidumping Duty Administrative Review,* 77 FR 65532 (October 29, 2012) (noting that ''for an administrative review to be conducted, there must be a reviewable, suspended entry to be liquidated at the newly calculated assessment rate'').

[13] *See* Memorandum, ''Notice of Intent to Rescind Review, In Part,'' dated April 20, 2026 (Intent to Rescind Memorandum).

[14] *See* Sprint's Letter, ''Comments on the Proposed Rescission of Sprint's Review,'' dated April 27, 2026.

[15] *See* CBP Data Release Memorandum.

[16] *See* Aadhya's Letter, ''Comments on the Proposed Rescission of Aadhya Sea Foods Private Limited's Review,'' dated April 27, 2026.

[17] *See* Memorandum, ''Placing U.S. Customs and Border Protection Entry Information on the Record,'' dated April 30, 2026.

occurred and the subsequent assessment of doubled antidumping duties.

Notification Regarding Administrative Protective Orders

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

Notification to Interested Parties

This notice is issued and published in accordance with section 751(a)(1) of the Act and 19 CFR 351.213(d)(4).

Dated: September 23, 2026.

Scot Fullerton,

Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

Appendix I

Companies for Which the Review Is Rescinded

1. Aachi Masala Foods (P) Ltd.
2. Aadhya Sea Foods Private Limited
3. Aarshi Overseas Private Ltd.
4. Abad Overseas Private Limited
5. ADF Foods Ltd.
6. Aerath Business Corp.
7. AJS Enterprises LLP
8. Albys Agro Private Limited
9. Al-Hassan Overseas Private Limited
10. Allana Frozen Foods Pvt. Ltd.
11. Allanasons Ltd.
12. Alps Ice & Cold Storage Private Limited
13. Amaravathi Aqua Exports Private Ltd.
14. Amarsagar Seafoods Private Limited
15. Amulya Sea Foods; Amulya Seafoods
16. Anantha Seafoods Private Limited
17. Andaman Sea Foods Pvt. Ltd.
18. Anjaneya Sea Foods
19. Apar Industries Limited
20. Aparna Marine Exports
21. Aquamarine Food Products Ltd.
22. Aquastar Marine Exports
23. Ariba Foods Pvt. Ltd.
24. Asvini Agro Exports
25. Asvini Exports
26. Aswin Associates
27. Atlas Fisheries Private Limited
28. Avla Nettos Exports
29. Ayshwarya Sea Food Private Limited; Ayshwarya Seafood Private Limited
30. B R Traders
31. Baby Marine Eastern Exports
32. Baby Marine Exports
33. Baby Marine International
34. Baby Marine Sarass
35. Baby Marine Ventures
36. Bafna Enterprises
37. Bakemill Foods
38. Balasore Marine Exports Private Limited
39. Baraka Overseas Traders
40. Basu International
41. BB Estates & Exports Private Limited
42. Bell Foods (Marine Division); Bell Exim Private Limited
43. Bergwerff Organic India Pvt. Ltd.
44. Bhavani Seafoods
45. Bijaya Marine Products
46. Birendrashok Seafoods Private Limited
47. Blue Park Seafoods Private Limited; Blue Park Sea Foods Pvt. Ltd.; Bluepark Seafoods Pvt. Ltd.
48. Blue Sea Resources Private Limited
49. Blue Water Foods & Exports P. Ltd.
50. Bluetide Eservices Pvt., Ltd.
51. Britannia Industries Limited
52. Britto Seafoods Exp. Pvt. Ltd.; Britto Exports; Britto Exports Pvt. Ltd.
53. C Private Limited
54. C P Aquaculture (India) Ltd; C.P. Aquaculture (India) Pvt. Ltd.
55. Canaan Marine Products
56. CAP Seafoods Private Limited
57. Capital Foods Private Limited
58. Capithan Exporting Co.
59. Cargomar Private Limited
60. Chakri Fisheries Private Limited
61. Charoen Pokphand Group Co., Ltd.
62. Chemmeens (Regd)
63. Cherukattu Industries (Marine Div); Cherukattu Industries
64. Choice Canning Company
65. Cochin Frozen Food Exports Pvt. Ltd.
66. Continental Fisheries India Private Limited
67. Coreline Exports
68. Corlim Marine Exports Pvt. Ltd.
69. Costar Overseas Private Limited
70. Costar Processor
71. CPF India Private Ltd.
72. Crystal Sea Foods Private Limited
73. Crystalnova Foods Pvt., Ltd.
74. Danica Aqua Exp. Private Ltd.
75. Datla Sea Foods
76. Deepak Nexgen Foods And Feeds Private Limited
77. Deepmala Marine Exports
78. Delsea Exports Pvt. Ltd.
79. Desai Foods Private Ltd.
80. Devi Sea Foods Limited
81. Digha Seafood Exports Pvt. Ltd.
82. DSF Aquatech Private Limited
83. Eden Garden Exports
84. Ega Trade Center No. 809
85. Empire Industries Limited
86. Entel Food Products Private Limited
87. Esmario Export Enterprises
88. Everblue Sea Foods Private Limited
89. Fair Exp. (India) Pvt., Ltd.
90. Febin Marine Foods Private Limited; Febin Marine Foods
91. Five Star Marine Exports Private Limited
92. Food Products Pvt., Ltd.; Parayil Food Products Pvt., Ltd.
93. Forstar Frozen Foods Private Limited
94. Fouress Food Products Private Limited
95. Frontline Exports Pvt. Ltd.
96. G A Randerian Ltd.; G A Randerian (P) Limited
97. Gadre Marine Exports Pvt. Ltd.; Gadre Marine Exports
98. Galaxy Maritech Exports P. Ltd.
99. Gaurav International
100. Geo Aquatic Products (P) Ltd.
101. GKS Business Associates Private Limited
102. Global Gourmet Private Limited
103. Glossy Impex Private Limited
104. Goana Foods
105. Goana Foods Prop. Cyd Paes
106. Gokul Overseas Ltd.
107. Grand Marine Foods
108. Grandtrust Overseas (P) Ltd.
109. GVR Exports Pvt. Ltd.
110. Hari Marine Private Limited
111. Haripriya Marine Exports Pvt. Ltd.
112. Heiploeg Seafood India Pvt., Ltd.
113. High Care Marine Foods Exports Private Limited
114. Hiravati Exports Pvt. Ltd.
115. Hiravati International Pvt. Ltd.
116. Hiravati Marine Products Private Limited
117. HMG Industries Ltd.
118. HN Indigos Private Ltd.
119. HT Foods Private Limited
120. Hyson Logistics and Marine Exports Private Limited
121. India Gills
122. Indian Aquatic Products
123. Indo Aquatics
124. Indo Fisheries
125. Indo French Shellfish Company Private Limited
126. Innovative Foods Limited
127. International Freezfish Exports
128. Intl Exporters Foodparks Private Ltd.
129. Jana Brothers Sea Food LLP
130. JCC Marine Exports
131. Jeelani Marine Products
132. Jigar Enterprises
133. Jinny Marine Traders
134. Joecons Marine Exp. Pvt., Ltd.
135. Jude Foods India Private Limited
136. K R Sea Foods Private Limited
137. K.V. Marine Exports; K V Marine Exports
138. Kanu Krishna Corporation
139. Karam Chand Thapar & Bros. Ltd.
140. Karunya Marine Exports Private Limited
141. Kaushalya Aqua Marine Product Exports Pvt. Ltd.
142. Kiefer Sea Foods
143. Kings Infra Ventures Limited
144. Kings Marine Products
145. Kohinoor Foods Limited
146. Koluthara Exports Ltd.
147. Kumars Foods
148. Kyobashi Premier Freeze Dry Private Ltd.
149. Latecoere India Private Ltd.
150. Libran Foods
151. M.J. Sea Foods Private Limited
152. Magnum Export; Magnum Exports Pvt. Ltd.
153. Mangala Sea Products
154. Manjilas Food Tech Private Ltd.
155. Maria Aquacon Private Limited
156. Marine Harvest India
157. Maritime Aqua Exportz
158. Meghmani Industries Ltd.
159. Milsha Agro Exports Pvt. Ltd.
160. Milsha Sea Products
161. Minaxi Fisheries Private Limited
162. Minh Phu Group
163. MTR Foods
164. Naik Frozen Foods Private Limited; Naik Frozen Foods
165. Naik Oceanic Exports Pvt. Ltd.; Rafiq Naik Exports Pvt. Ltd.
166. Naik Seafoods Ltd.
167. Nanak Nutritions Food (Taloja) Pvt., Ltd.
168. Naq Foods India Private Limited

169. Nas Fisheries Pvt. Ltd.
170. Nector Exp. Pvt., Ltd.
171. New Faizan Foods
172. Nilamel Exp.
173. Nine Up Frozen Foods
174. NNK Marine Exports Pvt Ltd.
175. Nutrient Marine Foods Limited
176. Oceanic Edibles International Limited
177. Orchid Marine Exports Private Limited
178. Oriental Export Corporation
179. Orkla India Limited (MTR Division)
180. Paragon Sea Foods Pvt. Ltd.
181. Paramount Seafoods
182. Pesca Marine Products Pvt., Ltd.
183. Phillips Foods India Pvt. Ltd.
184. Pijikay International Exports P Ltd.
185. Pohoomal Kewalram Sons Exports Pvt Ltd.
186. Poyilakada Fisheries Private Limited
187. Pravesh Seafood Private Limited
188. Premas Enterprises Private Ltd.
189. Premier Exports International
190. Premier Marine Foods
191. Premier Seafoods Exim (P) Ltd.
192. Pridel Pvt., Ltd.
193. Protech Organo Foods Private Limited
194. R V R Marine Products Private Limited; RVR Marine Products Private Limited
195. R.K. Industries IV
196. Raju Exports
197. Rajyalakshmi Marine Exports
198. Raunaq Ice & Cold Storage
199. Razban Seafoods Ltd.
200. RDR Exports
201. Relish Custom Foods
202. RF Exports Private Limited
203. Rising Tide
204. Riyarchita Agro Farming Private Limited
205. Ronisha Exp.
206. Royal Exports
207. Royalux Exports Private Limited
208. RSA Marines; Royal Oceans
209. Ruthi Imp. & Exp.
210. S Chanchala Combines
211. S.H. Marine Exim
212. Safera Food International
213. Sagar Marine Imp. & Exp.
214. Sagar Samrat Seafoods
215. Sahada Exports
216. Sai Aquatechs Private Limited
217. Sai Sea Foods; Sai Seafoods
218. Salet Seafoods Pvt. Ltd.
219. Sam Aqua Exports LLP
220. Samaki Exports Private Limited
221. Sanchita Marine Products Private Limited; Sanchita Marine Products P Ltd.
222. Sandy Bay Seafoods India Private Limited
223. Sarveshwari Exports Private Limited
224. Sas Exports
225. Sassoondock Matsyodyog Sahakari Society Ltd.
226. Satish Marine Exim Private Limited
227. Sea Doris Marine Exports
228. Seaeyes Stem Limited
229. Seagold Overseas Pvt. Ltd.
230. Sealands
231. Seasaga Enterprises Private Limited; Seasaga Group; Elimar Frozen Food
232. Seema Enterprises
233. Sheseema Exp.
234. Shimpo Exports Private Limited
235. Shimpo Seafoods Private Limited
236. Shiva Frozen Food Exp. Pvt. Ltd.
237. Shree Ram Agro Industries
238. Shree Ulka Llp
239. Shroff Processed Food & Cold Storage P Ltd.
240. Silver Seafood
241. Sita Marine Exports
242. SKML Exim Private Limited
243. SMD Rays
244. Sonia Fisheries
245. Sonia Marine Exports Private Limited
246. Sresta Natural Bioproducts Pvt., Ltd.
247. Sri Ayyanar Exp.
248. Sri Sai Marine Exp.
249. Sri Sakkthi Cold Storage
250. SSF Ltd.
251. St. Peter and Paul Sea Food Exports Private Limited
252. Star Organic Foods Private Limited
253. Stellar Marine Foods Private Limited
254. Sterling Foods
255. Subu Sea Foods
256. Sun Agro Exim
257. Sunrise Aqua Food Exports
258. Supran Exim Private Limited
259. Suvarna Rekha Exports Private Limited
260. Suvarna Rekha Marines P Ltd.
261. Swadam Exp. (Opc) Pvt., Ltd.
262. TBR Exports Pvt. Ltd.
263. Teekay Marines Private Limited; Teekay Marine P. Ltd.
264. Tej Aqua Feeds Private Limited
265. Torry Harris Seafoods Ltd.
266. TRDP Happy World Private Limited
267. Triveni Fisheries P Ltd.
268. U & Company Marine Exports
269. Uniloids Biosciences Private Limited
270. Uniroyal Marine Exports Ltd.
271. Unitriveni Overseas Private Limited; Unitriveni Overseas
272. Upasana Exports
273. Ushodaya Enterprises Private Ltd.
274. Vaibhav Global Ltd.
275. Vasai Frozen Food Co.
276. Veronica Marine Exports Private Limited
277. Victoria Marine & Agro Exports Ltd.
278. Vinner Marine
279. Vitality Aquaculture Pvt. Ltd.
280. Vivek Agro Products
281. VKM Foods Private Limited
282. VRC Marine Foods LLP
283. West Coast Fine Foods (India) Private Limited
284. West Coast Foods Private Limited
285. West Coast Frozen Foods Private Limited

Appendix II

Companies Remaining Subject to the Review

1. Abad Fisheries; Abad Fisheries Pvt. Ltd.
2. ABM Marine Products
3. Accelerated Freeze Drying Co., Ltd.; Accelerated Freeze-Drying Co.
4. Adivishnu Marine Foods Private Limited
5. Akshay Food Impex Private Limited
6. Alashore Marine Exports (P) Ltd.
7. Alpha Marine; Alpha Marine Limited
8. Ananda Aqua Applications; Ananda Aqua Exports (P) Limited; Ananda Foods
9. Ananda Enterprises (India) Private Limited
10. Apex Frozen Foods Limited
11. Aquatech Feed & Seafoods Pvt Ltd
12. Aquatica Frozen Foods Global Pvt. Ltd.
13. Arya Sea Foods Private Limited
14. Asvini Fisheries Ltd.; Asvini Fisheries Private Limited
15. Avanti Frozen Foods Private Limited
16. Bhatsons Aquatic Products
17. Bhimraj Exports Private Limited
18. Blue-Fin Frozen Foods Pvt. Ltd.; Blue-Fin Frozen Foods Private Limited
19. BMR Exports; BMR Exports Private Limited
20. BMR Industries Private Limited
21. B-One Business House Pvt. Ltd.
22. BRC Marine Products
23. Calcutta Seafoods Pvt. Ltd.; Bay Seafood Pvt. Ltd.; Elque Ventures Private Limited
24. Castlerock Fisheries Ltd
25. Choice Trading Corporation Pvt. Ltd.
26. Coastal Aqua Private Limited
27. Coastal Corporation Ltd.
28. Cofoods Processors Private Limited
29. Contai Marine Fish Export Private Limited
30. Devi Fisheries Limited; Satya Seafoods Private Limited; Usha Seafoods; Devi Aquatech Private Limited
31. DN Sea Shells Private Limited
32. Dwaraka Sea Foods
33. Edhayam Frozen Foods Pvt. Ltd.; Kadalkanny Frozen Foods; Theva & Company; Diamond Seafoods Exports
34. Falcon Marine Exports Limited; KR Enterprises
35. Fedora Sea Foods Private Limited
36. Geo Seafoods
37. Ghan Marine Products
38. Godavari Mega Aqua Food Park Private Limited
39. Green Asia Impex Private Limited
40. Growel Processors Private Limited
41. HIC ABF Special Foods Pvt. Ltd.
42. Highland Agro Food Private Limited
43. Hyson Exports Private Limited
44. IFB Agro Industries Limited
45. ITC Ltd.
46. Jagadeesh Marine Exports
47. Jaya Lakshmi Sea Foods Pvt. Ltd.
48. Kader Exports Private Limited
49. Kalyan Aqua & Marine Exp. India Pvt. Ltd.; Kalyan Aqua & Marine Exp. India Pvt. Ltd.
50. Kay Kay Exports; Kay Kay Foods
51. KNC Agro Limited; KNC AGRO PVT. LTD.
52. Lito Marine Exports Private Limited
53. LNSK Greenhouse Agro Products LLP
54. Magnum Sea Foods Limited; Magnum Estates Limited; Magnum Estates Private; Magnum Estates Private Limited
55. Mangala Marine Exim India Pvt. Ltd.
56. Mangala Seafoods; Mangala Sea Foods
57. Megaa Moda Pvt. Ltd.
58. Mekworld Marines and Exports Private Limited
59. Milesh Marine Exports Private Limited
60. Mindhola Foods LLP
61. MMC Exports Limited
62. Monsun Foods Pvt. Ltd.
63. Mourya Aquex Pvt. Ltd.
64. Munnangi Seafoods (Pvt) Ltd.
65. N.K. Marine Exports LLP
66. Naga Hanuman Fish Packers
67. Neeli Aqua Private Limited
68. Nekkanti Mega Food Park Private Limited
69. Nekkanti Sea Foods Limited
70. Nezami Rekha Sea Foods Private Limited; Nezami Rekha Sea Food Private Limited
71. Nila Sea Foods Exports; Nila Sea Foods Pvt. Ltd.
72. Pasupati Aquatics Private Limited
73. Penver Products Pvt. Ltd.; Penver

Products (P) Ltd.
74. Ram's Assorted Cold Storage Ltd.
75. Rizwan Ice & Cold Storage Partnership Firm Pvt. Ltd.
76. Royal Imports and Exports
77. Royale Marine Impex Pvt. Ltd.
78. Rupsha Fish Private Limited
79. S.A. Exports; SA Exports
80. Safa Global Imp. & Exp.
81. Sagar Grandhi Exports Pvt. Ltd.
82. Sai Marine Exports Pvt. Ltd.
83. Sanchita Frozen Foods
84. Sandhya Aqua Exports Pvt. Ltd.
85. Sandhya Marines Limited
86. Sea Foods Private Limited
87. Sharat Industries Ltd.
88. Shree Datt Aquaculture Farms Pvt. Ltd.
89. Sigma Seafoods
90. Snow World Marine Exports Private Limited
91. Southern Tropical Foods Pvt. Ltd.
92. Sprint Exports Pvt. Ltd.
93. Sreeragam Export Private Limited
94. Srikanth International Private Limited
95. Star Agro Marine Exports Private Limited
96. Summit Marine Exports Private Limited
97. Sunrise Seafoods India Private Limited
98. Suryamitra Exim Pvt. Ltd.
99. The Waterbase Ltd.
100. Ulka Seafoods (P) LTD; Ulka Sea Foods Private Limited
101. V V Marine Products
102. Vaisakhi Bio-Marine Pvt. Ltd.
103. Varma Marine Private Limited
104. Vasista Marine; Vasista Marine Private Limited
105. Veerabhadra Exports Private Limited
106. Wellcome Fisheries Limited
107. Z.A. Sea Foods Pvt. Ltd.; Z.A. Sea Foods Pvt. Ltd.
108. Zeal Aqua Limited

[FR Doc. 2026–19779 Filed 9–25–26; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XG058]

New England Fishery Management Council; Public Meeting

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

ACTION: Notice of public meeting.

SUMMARY: The New England Fishery Management Council (Council) is scheduling a public meeting of its Transboundary Management Guidance Committee to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

DATES: This meeting will be held on Wednesday, October 14 and Thursday, October 15, 2026 at 8:30 a.m. EDT Webinar registration URL information: *https://nefmc-org.zoom.us/meeting/register/DmTEfwDuTMGHcqwirZGBaA.*

ADDRESSES: This meeting will be held at the Marriott Boston Downtown/North Station, 107 Beverly Street, Boston, MA 02114; Phone (617) 725–0003.

Council address: New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

FOR FURTHER INFORMATION CONTACT: Cate O'Keefe, Executive Director, New England Fishery Management Council; telephone: (978) 465–0492.

SUPPLEMENTARY INFORMATION:

Agenda

The Transboundary Management Guidance Committee (TMGC) will meet to review information provided through domestic stock assessments and the 2026 Integrated Science Advice for Transboundary Stocks Report. The Committee will also recommend Total Allowable Catches for Fishing Year (FY) 2027 for Eastern Georges Bank haddock and cod, and Georges Bank yellowtail flounder. Other business will be discussed as necessary.

Although non-emergency issues not contained on the agenda may come before this Council for discussion, those issues may not be the subject of formal action during this meeting. Council action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency. The public also should be aware that the meeting will be recorded. Consistent with 16 U.S.C. 1852, a copy of the recording is available upon request.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Cate O'Keefe, Executive Director, at (978) 465–0492, at least 5 days prior to the meeting date.

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

Dated: September 23, 2026.

Rey Israel Marquez,

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

[FR Doc. 2026–19753 Filed 9–25–26; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XG073]

South Atlantic Fishery Management Council—Public Meetings

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

ACTION: Notice of a public meeting.

SUMMARY: The South Atlantic Fishery Management Council (Council) will host a meeting of the Mackerel Cobia Advisory Panel (AP) on November 2 and November 3, 2026.

DATES: The meeting will be held from 1:30 p.m. until 5 p.m. EDT on November 2 and from 9 a.m. until 5 p.m. on November 3, 2026.

ADDRESSES:

Council Address: South Atlantic Fishery Management Council, 4055 Faber Place Drive, Suite 201, N Charleston, SC 29405.

Meeting Address: The AP meeting will be held at the Town & Country Inn and Suites; 2008 Savannah Hwy., Charleston, SC 29407; phone: (843) 571–1000. The meeting will also be available via webinar. Registration is required. Webinar registration, an online public comment form, and briefing book materials will be available 2 weeks prior to the meetings at: *https://safmc.net/advisory-panel-meetings/.*

FOR FURTHER INFORMATION CONTACT: Christina Curtis, Fishery Social Scientist, SAFMC; phone 843/302–8437 or toll free 866/SAFMC–10; FAX 843/769–4520; email: *christina.curtis@safmc.net.*

SUPPLEMENTARY INFORMATION: The Mackerel Cobia AP will receive updates on active Council amendments, Southeast Data Assessment and Review assessments planned for Atlantic king mackerel and Atlantic Spanish mackerel, updated Marine Recreational Information Program Fishing Effort Survey estimates, the Southeast Area Monitoring, Assessment, and Prediction Coastal Trawl Survey, and the Council's Citizen Science Program. The AP will discuss and provide recommendations on Coastal Migratory Pelagics Amendment 38, which addresses the commercial Atlantic Spanish mackerel fishing year, and sale of tournament caught king and Spanish mackerel. The AP will also discuss recent Council efforts to modify fishery management plan framework procedures and fish sale regulations. The AP will receive a presentation from the Southeast Fisheries Science Center on in-season catch monitoring for Atlantic Spanish mackerel. Finally, the AP will update their fishery performance reports for Atlantic king mackerel and Atlantic Spanish mackerel.

Special Accommodations: These meetings are physically accessible to people with disabilities. Requests for auxiliary aids should be directed to the Council office (see **ADDRESSES**) 5 days prior to the meeting.

Note: The times and sequence specified in this agenda are subject to change.

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

Dated: September 24, 2026.

Rey Israel Marquez,

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

[FR Doc. 2026–19781 Filed 9–25–26; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XG082]

Marine Mammals; File No. 29889

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

ACTION: Notice; receipt of application.

SUMMARY: Notice is hereby given that NMFS' Southwest Fisheries Science Center, 8901 La Jolla Shores Dr., La Jolla, CA 92037 (Responsible Party: Douglas Krause, Ph.D.), has applied in due form for a permit to conduct research on pinnipeds in the Antarctic peninsula region.

DATES: Written comments must be received on or before October 28, 2026.

ADDRESSES: The application and related documents are available for review upon written request via email to *NMFS.Pr1Comments@noaa.gov.*

Written comments on this application should be submitted via email to *NMFS.Pr1Comments@noaa.gov.* Please include File No. 29889 in the subject line of the email comment.

Those individuals requesting a public hearing should submit a written request via email to *NMFS.Pr1Comments@noaa.gov.* The request should set forth the specific reasons why a hearing on this application would be appropriate.

FOR FURTHER INFORMATION CONTACT: Sara Young or Shasta McClenahan, Ph.D., (301) 427–8401.

SUPPLEMENTARY INFORMATION: The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*) and the regulations governing the taking and importing of marine mammals (50 CFR part 216).

The applicant proposes to take six pinniped species in the Antarctic Peninsula region, primarily at Cape Shirreff, Livingston Island, as part of a long-term ecosystem monitoring and research program established in 1986. The six species are: Antarctic fur seals (*Arctocephalus gazella*), southern elephant seals (*Mirounga leonina*), crabeater seals (*Lobodon carcinophaga*), leopard seals (*Hydrurga leptonyx*), Ross seals (*Ommatophoca rossii*), and Weddell seals (*Leptonychotes weddellii*). The applicant also requests permission to import tissue samples collected from any animals captured and from salvaged carcasses of any species of pinniped or cetacean found in the study area.

The applicant requests to capture and handle Antarctic fur seals, leopard seals, and Weddell seals. Research on captured animals could include administering drugs or other substances, capture and restraint, external and internal instrumentation, other intrusive sampling, and marking. Additional Antarctic fur seals, leopard seals, and Weddell seals, as well as southern elephant seals, crabeater seals, and Ross seals would be taken annually by harassment during aerial and ground surveys, including behavioral observations, photo-identification, and use of uncrewed aircraft systems. The applicant has requested an annual mortality allowance of: two Antarctic fur seal adults or juveniles; five Antarctic fur seal pups; two leopard seal adults or juveniles; and two Weddell seal adults or juveniles. The research would occur over 10 years.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of the application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: September 24, 2026.

Larissa Plants,

Deputy Director, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2026–19789 Filed 9–25–26; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XG083]

South Atlantic Fishery Management Council; Public Meeting

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

ACTION: Meeting of the South Atlantic Fishery Management Council's Executive Committee.

SUMMARY: The South Atlantic Fishery Management Council (Council) will hold a meeting of its Executive Committee via webinar to discuss staff benefits and the Council budget and workplan.

DATES: The meeting will be held from 1 p.m. until 3 p.m. on Monday, October 26, 2026.

ADDRESSES:

Meeting address: The meeting will be held via webinar. Webinar registration is required.

Council address: South Atlantic Fishery Management Council, 4055 Faber Place Drive, Suite 201, N Charleston, SC 29405. Details are included in **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT: John Carmichael, Executive Director, SAFMC; phone (843) 571–4366 or toll free (866) SAFMC–10; FAX (843) 769–4520; email: *john.carmichael@safmc.net.*

SUPPLEMENTARY INFORMATION: Meeting information, including the webinar registration link, online public comment form, agenda, and briefing book materials will be posted on the Council's website at: *https://safmc.net/council-meetings/.* Comments become part of the Administrative Record of the meeting and will automatically be posted to the website and available for Council consideration.

At this meeting the Council's Executive Committee will review the 2026 Council budget status, planned activities for 2027, and the draft 2027 operating budget. The Committee will also consider paid parental leave benefits for Council staff and planning for public hearings. The meeting will include a closed session to discuss personnel and contract topics.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for auxiliary aids should be directed to the council office (see **ADDRESSES**) 5 days prior to the meeting.

Note: The times and sequence specified in this agenda are subject to change.

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

Dated: September 24, 2026.

Rey Israel Marquez,

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

[FR Doc. 2026–19780 Filed 9–25–26; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XG071]

South Atlantic Fishery Management Council—Public Meeting

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

ACTION: Meeting; South Atlantic Fishery Management Council Shrimp Workgroup.

SUMMARY: The South Atlantic Fishery Management Council (Council) will hold a meeting of the Shrimp Workgroup.

DATES: The Shrimp Workgroup will meet from 1 p.m. on Wednesday, November 4, 2026, until 12:30 p.m. on Thursday, November 5, 2026.

ADDRESSES:

Meeting address: The meeting will be held at the Town and Country Inn and Suites, 2008 Savannah Hwy., Charleston, SC 29407; phone (843) 571–1000.

Council address: South Atlantic Fishery Management Council, 4055 Faber Place Drive, Suite 201, N Charleston, SC 29405. The meeting will also be available via webinar. See **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT: Allie Iberle, Fishery Scientist, South Atlantic Fishery Management Council; phone: (843) 225–8135 or toll free at (866) SAFMC–10; fax: (843) 769–4520; email: *allie.iberle@safmc.net.*

SUPPLEMENTARY INFORMATION: Meeting information, including the agenda, overview, briefing book materials, and an online public comment form and webinar registration information will be posted on the Council's website at: *https://safmc.net/advisory-panel-meetings/.* The meeting is open to the public and available via webinar as it occurs. Public comment on agenda items may be submitted through the Council's online comment form available from the Council's website. The Council formed the Shrimp workgroup to identify workable solutions to reduce interactions with smalltooth sawfish and giant manta rays in the South Atlantic Federal shrimp trawl fishery. During the meeting representatives from the shrimp fishery, National Marine Fisheries Service, Council staff, Council members, Scientific and Statistical Committee, and relevant researchers will review available data and information pertaining to giant manta rays, smalltooth sawfish, and the South Atlantic Federal shrimp fisheries. In addition, they will discuss a list of potential options for bycatch reduction and/or mitigation.

Special Accommodations

The meeting is physically accessible to people with disabilities. Requests for auxiliary aids should be directed to the Council office (see **ADDRESSES**) 5 days prior to the meeting.

Note: The times and sequence specified in this agenda are subject to change.

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

Dated: September 23, 2026.

Rey Israel Marquez,

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

[FR Doc. 2026–19717 Filed 9–25–26; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XG078]

South Atlantic Fishery Management Council, Gulf Fishery Management Council (Council)—Public Meetings

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

ACTION: Notice of a meeting.

SUMMARY: The South Atlantic and Gulf Fishery Management Councils (Councils) will hold a joint meeting of their Scientific and Statistical Committees (SSC) on October 20, 2026, and the South Atlantic Council will hold a meeting of their SSC from October 20–22, 2026.

DATES: The joint meeting of the SSC will be held from 8:30 a.m. until 12 p.m. on October 20, 2026. The South Atlantic SSC meeting will be held from 1:30 p.m. until 5 p.m. EDT on October 20, from 8:30 a.m. until 5 p.m. on October 21, and from 8:30 a.m. until 12 p.m. on October 22, 2026.

ADDRESSES:

Council address: South Atlantic Fishery Management Council, 4055 Faber Place Drive, Suite 201, N Charleston, SC 29405.

Meeting Address: The meetings will be held at the Town and Country Inn, 2008 Savannah Highway, Charleston, SC 29407; phone: 843–571–1000. The meetings will also be available via webinar. Registration is required. Webinar registration, an online public comment form, and briefing book materials will be available 2 weeks prior to the meetings at: *https://safmc.net/scientific-and-statistical-committee-meeting/.*

FOR FURTHER INFORMATION CONTACT: Dr. Judd Curtis, Quantitative Fishery Scientist, 4055 Faber Place Drive, Suite 201, North Charleston, SC 29405; phone 843/571–4366 or toll free 866/SAFMC–10; FAX 843/769–4520; email: *judd.curtis@safmc.net.*

SUPPLEMENTARY INFORMATION:

Joint SSC—The joint SSC meeting agenda includes the review of the Black Grouper Management Strategy Evaluation, and other business as needed.

South Atlantic SSC—The South Atlantic SSC meeting agenda includes the review of SEDAR (Southeast Data, Assessment, and Review) 94: Florida Hogfish (Florida Keys and East Florida model), the Dolphinfish Management Strategy Evaluation, and the Standardized Bycatch Reporting Methodology. The SSC will receive updates on the revised Marine Recreational Information Program Fishing Effort Survey and Recreational Angler Partnership Improvement Directive, Resilient Fisheries Project on Spatial Distribution Models, and Precision Threshold Workgroup progress. The SSC will also receive updates on Fishery Management Plan amendments, stock assessment schedules, SSC workgroup and SEDAR panel progress, and conduct other business as needed.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for auxiliary aids should be directed to the council office (see **ADDRESSES**) 5 days prior to the meeting.

Note: The times and sequence specified in this agenda are subject to change.

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

Dated: September 23, 2026.

Rey Israel Marquez,

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

[FR Doc. 2026–19752 Filed 9–25–26; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Reporting Requirements for Sea Otter Interactions With Coastal Pelagic Species Fisheries; Coastal Pelagic Species Fishery Management Plan

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. We invite the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. Public comments were previously requested via the **Federal Register** on May 7, 2026, during a 60-day comment period. This notice allows for an additional 30 days for public comments.

Agency: National Oceanic and Atmospheric Administration (NOAA), Commerce.

Title: Reporting Requirements for Sea Otter Interactions with the Pacific Sardine Fishery; Coastal Pelagic Species Fishery Management Plan.

OMB Control Number: 0648–0566.

Form Number(s): None.

Type of Request: Regular submission (extension of a current information collection).

Number of Respondents: Two respondents.

Average Hours per Response: 0.25 (15 minutes).

Total Annual Burden Hours: Roughly 1 hour.

Needs and Uses: This is a request for renewal of an approved information collection. This collection is necessary under the regulations implementing the Coastal Pelagic Species (CPS) Fishery Management Plan (FMP) at 50 CFR 660.520.

On May 30, 2007, NOAA's National Marine Fisheries Service (NMFS) published a final rule (*72 FR 29891*) implementing a requirement under the CPS FMP to report any interactions that may occur between a CPS vessel and/or fishing gear and sea otters. In accordance with the regulations implementing the Endangered Species Act (ESA), NMFS initiated an ESA section 7 consultation with the United States Fish and Wildlife Service (USFWS) regarding the effects of implementing the final rule (*72 FR 29891*), which codified Amendment 11 to the CPS FMP. USFWS determined that formal consultation was necessary on the possible effects to the threatened southern sea otter. USFWS completed a biological opinion for this action and although it was concluded that fishing activities were not likely to jeopardize the continued existence of the southern sea otter, there remained the potential to incidentally take southern sea otters. USFWS determined that certain measures should be put in place to ensure the continued protection of the species, including certain reporting requirements.

Specifically, these reporting requirements are:

(1) If a southern sea otter is entangled in a net, regardless of whether the animal is injured or killed, the vessel operator must report this interaction within 24 hours to the Regional Administrator.

(2) While fishing for CPS, vessel operators must record all observations of otter interactions (defined as otters within encircled nets or coming into contact with nets or vessels, including but not limited to entanglement) with their purse seine net(s) or vessel(s). With the exception of an entanglement, which must be initially reported as described in paragraph (1) of this section, all other observations must be reported within 20 days to the Regional Administrator.

(3) When contacting NMFS after an interaction, vessel operators must provide the location (latitude and longitude) of the interaction and a description of the interaction itself. If available, location information should also include water depth, distance from shore, and relation to port or other landmarks. Descriptive information of the interaction should include whether or not the otters were seen inside or outside the net; if inside the net, had the net been completely encircled; whether any otters came in contact with either the net or the vessel; the number of otters present; duration of interaction; the otter's behavior during interaction; measures taken to avoid interaction.

Affected Public: Business or other for-profit organizations.

Frequency: As necessary.

Respondent's Obligation: Mandatory.

Legal Authority: 50 CFR 660.520; MSA.

This information collection request may be viewed at *www.reginfo.gov.* Follow the instructions to view the Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function and entering either the title of the collection or the OMB Control Number 0648–0566.

Sheleen Dumas,

Departmental PRA Compliance Officer, Office of the Under Secretary for Economic Affairs, Commerce Department.

[FR Doc. 2026–19740 Filed 9–25–26; 8:45 am]

BILLING CODE 3510–22–P

CONSUMER PRODUCT SAFETY COMMISSION

[Docket No. CPSC–2009–0092]

Agency Information Collection Activities; Extension of Collection; Standard for the Flammability of Clothing Textiles, 16 CFR Part 1610; Standard for the Flammability of Vinyl Plastic Film, 16 CFR Part 1611

AGENCY: Consumer Product Safety Commission.

ACTION: Notice of information collection; request for comment.

SUMMARY: As required by the Paperwork Reduction Act of 1995 (PRA), the Consumer Product Safety Commission (CPSC or Commission) announces that the Commission has submitted to the Office of Management and Budget (OMB) a request for extension of approval of information collection requirements associated with the Standard for the Flammability of Clothing Textiles and the Standard for the Flammability of Vinyl Plastic Film. OMB previously approved the

collection of information under control number 3041–0024. OMB's most recent extension of approval will expire on October 31, 2026. On June 25, 2026, CPSC published a notice in the **Federal Register** to announce the agency's intention to seek extension of approval of the collection of information. The Commission did not receive any public comments. By publication of this notice, the Commission announces that CPSC has submitted to OMB a request for extension of approval of that collection of information.

DATES: Submit comments on the collection of information by October 28, 2026.

ADDRESSES: Submit comments about this request by email: *OIRA_submission@omb.eop.gov* or fax: 202–395–3888. Comments by mail should be sent to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the CPSC, Office of Management and Budget, Room 10235, 725 17th Street NW, Washington, DC 20503. Written comments that are sent to OMB also should be submitted electronically at *http://www.regulations.gov,* under Docket No. CPSC–2009–0092.

FOR FURTHER INFORMATION CONTACT: Cynthia Gillham, Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814; (301) 504–7791, or by email to: *pra@cpsc.gov.*

SUPPLEMENTARY INFORMATION: CPSC seeks to renew the following currently approved collection of information:

Title: Standard for the Flammability of Clothing Textiles, 16 CFR part 1610; Standard for the Flammability of Vinyl Plastic Film, 16 CFR part 1611.

OMB Number: 3041–0024.

Type of Review: Renewal of collection.

Frequency of Response: On occasion.

Affected Public: Manufacturers and importers of clothing and fabrics intended for use in clothing, as well as manufacturers and importers of clothing made from vinyl plastic film and vinyl plastic film intended for use in clothing. This also includes downstream distributors and retailers who handle, sell, or further distribute these products, as they may be impacted by recordkeeping requirements and guaranty provisions under the applicable standards.

General Description of Collection: The Safety Standard for Flammability of Clothing Textiles (16 CFR part 1610) addresses the danger of injury and loss of life by prohibiting dangerously flammable textiles and textile products for clothing use from being distributed in United States commerce. The standard includes methods of testing the flammability of clothing and textiles intended to be used for clothing, establishes three classes of flammability, sets forth the requirements which textiles shall meet to be classified, and warns against the use of those textiles which have burning characteristics unsuitable for clothing.

The Standard for the Flammability of Vinyl Plastic Film (16 CFR part 1611) provides a minimum standard for the flammability of vinyl plastic film for use in wearing apparel. The material covered by the standard is nonrigid, unsupported, vinyl plastic film, including transparent, translucent, and opaque material that is plain, embossed, molded, or otherwise surface treated. This standard prescribes a test to ensure that articles of wearing apparel, and fabrics and film intended for use in wearing apparel, are not dangerously flammable because of rapid and intense burning.

Section 8 of the Flammable Fabrics Act (FFA), 15 U.S.C. 1197, provides that a person who receives a guaranty in good faith that a product complies with an applicable flammability standard is not subject to criminal prosecution for a violation of the FFA resulting from the sale of any product covered by the guaranty. Section 8 of the FFA requires that a guaranty must be based on ''reasonable and representative tests.'' For both standards, recordkeeping requirements for firms that issue original and continuing guaranties include maintaining records of tests to support the issuance of guaranties and records of any received guaranties for three years, as set forth in 16 CFR 1610.38 and 16 CFR 1611.38. To file a continuing guaranty with the Commission, firms may submit a CPSC form with the Office of the Secretary.[1]

In addition, CPSC requires manufacturers and importers of general-use products for which consumer product safety rules apply, such as adult wearing apparel, to certify, in a written General Certificate of Conformity (GCC), also based on testing or a reasonable testing program and supported by the test records, that the products comply with 16 CFR parts 1610 and 1611. The majority of GCC burden is captured in OMB control number 3041–0203, Revisions to 16 CFR part 1110, and the remainder is assumed to be negligible (approaching zero) because it is essentially similar to issuing a guarantee.

Manufacturers and importers of children's wearing apparel, subject to 16 CFR parts 1610 and 1611, must certify in a children's product certificate (CPC) that the product complies with the applicable standards based on testing by a CPSC-accredited third party conformity assessment body. CPC burden is accounted for under OMB control number 3041–0159, Third Party Testing of Children's Products.

Both standards also include a documentation requirement for shipment of wearing apparel or textile fabrics to be treated to reduce their flammability in accordance with the applicable standards. In addition, importers of such shipments must maintain proof of treatment, provide affidavits to U.S. Customs and Border Protection, and, if required, furnish a performance bond to ensure compliance. CPSC assumes that fewer than 10 shipments for the purpose of finishing or processing are received to the United States annually because finishing treatments are typically conducted abroad. Therefore, there is no burden estimate for such shipments.

Estimated Number of Respondents: CPSC estimates 10,000 firms will conduct the required recordkeeping, and 160 firms will voluntarily file a continuing guaranty with the Commission, annually. Therefore, the total number of respondents is 10,160 firms.

Estimated Time per Response: For recordkeeping, CPSC assumes that each record will take one hour to create and maintain. To file a continuing guaranty, CPSC assumes that each form will take one hour to create and submit. Therefore, the estimated time per response for this collection is two hours.

Total Estimated Annual Burden: For recordkeeping, CPSC assumes that there will be 100,000 responses annually (10,000 firms × 10 fabrics per firm = 100,000 records). CPSC assumes that each record will take one hour to create and maintain, therefore the total burden is approximately 100,000 hours, annually. To file a continuing guaranty, CPSC assumes that there will be 1,600 form submissions annually (160 firms × 10 forms per firm = 1,600 forms). CPSC assumes that each form will take one hour to create and submit, therefore the total burden is approximately 1,600 hours, annually. Accordingly, the total estimated annual burden for the collection is 101,600 hours.

Total Estimated Annual Cost to Respondents: At an average hourly wage rate of $80.04 (U.S. Bureau of Labor Statistics, ''Employer Costs for

[1] Continuing Guaranty Under the Flammable Fabrics At for Filing with the U.S. Consumer Product Safety Commission: *https://www.cpsc.gov/Regulations-Laws--Standards/Statutes/Flammable-Fabrics-Act/Frequently-Asked-Questions-for-Continuing-Guaranties-under-the-Flammable-Fabrics-Act-and-Filed-with-the-Commission.*

Employee Compensation,'' December 2025, Table 4, Total compensation of all management, professional, and related occupations in goods-producing industries: *https://www.bls.gov/news.release/archives/ecec_03202026.htm*), the total cost for the collection of information is approximately $8.1 million, annually (101,600 hours × $80.04 per hour = $8,132,064).

Alberta E. Mills,

Secretary, Consumer Product Safety Commission.

[FR Doc. 2026–19748 Filed 9–25–26; 8:45 am]

BILLING CODE 6355–01–P

CONSUMER PRODUCT SAFETY COMMISSION

[Docket No. CPSC–2011–0014]

Agency Information Collection Activities; Extension of Collection; Comment Request; Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery

AGENCY: Consumer Product Safety Commission.

ACTION: Notice of information collection; request for comment.

SUMMARY: As required by the Paperwork Reduction Act of 1995 (PRA), the Consumer Product Safety Commission (CPSC or Commission) requests comments on a proposed extension of approval of a generic clearance for the collection of qualitative feedback on agency service delivery. The Office of Management and Budget (OMB) previously approved the collection of information under control number 3041–0148. OMB's most recent extension of approval will expire on December 31, 2026. The Commission will consider all comments received in response to this notice before requesting an extension of this collection of information from OMB.

DATES: Submit comments on the collection of information by November 27, 2026.

ADDRESSES: You may submit comments, identified by Docket No. CPSC–2011–0014, within 60 days of publication of this notice by any of the following methods:

Electronic Submissions: Submit electronic comments to the Federal eRulemaking Portal at: *https://www.regulations.gov.* Follow the instructions for submitting comments. Do not submit the following through this website: confidential business information, trade secret information, or other sensitive or protected information that you do not want to be available to the public. The Commission typically does not accept comments submitted by email, except as described below.

Instructions: All submissions received must include the agency name and docket number for this notice. CPSC may post all comments without change, including any personal identifiers, contact information, or other personal information provided, to: *https://www.regulations.gov.* If you wish to submit confidential business information, trade secret information, or other sensitive or protected information that you do not want to be available to the public, you may submit such comments by email to *cpsc-os@cpsc.gov.*

Docket: For access to the docket to read background documents or comments received, go to: *https://www.regulations.gov,* insert docket number CPSC–2011–0014.

FOR FURTHER INFORMATION CONTACT: Cynthia Gillham, Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814; (301) 504–7791, or by email to: *pra@cpsc.gov.*

SUPPLEMENTARY INFORMATION: CPSC seeks to renew the following currently approved collection of information:

Title: Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery.

OMB Number: 3041–0148.

Type of Review: Renewal of collection.

Frequency of Response: On occasion.

Affected Public: Individuals and households, businesses and organizations, state, local, or tribal government.

General Description of Collection: Executive Order 12862 (Sept. 11, 1993) directs Federal agencies such as CPSC to provide service to the public that matches or exceeds the best service available in the private sector. To that end, CPSC seeks to renew OMB approval of a generic clearance to collect qualitative feedback on CPSC's service delivery. Qualitative feedback means information that provides useful insights on perceptions and opinions. This does not include statistical surveys that yield quantitative results that can be generalized to the population of study. This collection of information is necessary to enable CPSC to garner customer and stakeholder feedback in an efficient, timely manner, in accordance with CPSC's commitment to improving service delivery.

This feedback will provide insights into customer or stakeholder perceptions, experiences, and expectations; provide an early warning of issues with service; and help focus attention on areas where communication, training, or changes in operations might improve delivery of products or services. These collections will allow for ongoing, collaborative, and actionable communications between CPSC and its customers and stakeholders. It will also allow feedback to contribute directly to the improvement of program management.

Estimated Burden: CPSC will use a variety of instruments and platforms to collect information from respondents. CPSC estimates the burden of the collection of information is as follows:

ESTIMATED ANNUAL REPORTING BURDEN

Type of collection	Number of respondents	Annual frequency per response	Hours per response	Total hours
Qualitative Surveys (3)	600	1	.25	150
Focus Groups	200	1	4	800
Customer Satisfaction Surveys (3)	600	1	.25	150
Usability Tests	200	1	.5	100
Online Complaint Forms	2,500	1	.25	625

Based on the above numbers, the total estimated burden for qualitative surveys, focus groups, customer satisfaction surveys, usability tests and complaint forms combined is 1,825 hours annually. Thus, assuming an hourly rate of $49.32 (U.S. Bureau of Labor Statistics, ''Employer Costs for Employee Compensation,'' All Civilian

Workers, Total compensation, *https://www.bls.gov/news.release/archives/ecec_06122026.htm,* March 2026) the total burden cost is approximately $90,000 annually ($49.32 per hour × 1,825 hours = $90,009).

Request for Comments: The Commission solicits written comments from all interested persons about the proposed collection of information. The Commission specifically solicits information relevant to the following topics:

- whether the collection of information described above is necessary for the proper performance of the Commission's functions, including whether the information would have practical utility;
- whether the estimated burden of the proposed collection of information is accurate;
- whether the quality, utility, and clarity of the information to be collected could be enhanced; and
- whether the burden imposed by the collection of information could be minimized by use of automated, electronic or other technological collection techniques, or other forms of information technology.

Alberta E. Mills,

Secretary, Consumer Product Safety Commission.

[FR Doc. 2026–19750 Filed 9–25–26; 8:45 am]

BILLING CODE 6355–01–P

DEPARTMENT OF DEFENSE

Office of the Secretary

Science and Technology Reinvention Laboratory Personnel Demonstration Project Program

AGENCY: Under Secretary of Defense for Research and Engineering (USD(R&E)), Department of Defense (DoD).

ACTION: Notice of demonstration project.

SUMMARY: *Science and Technology Reinvention Laboratories (STRLs) may implement Senior Business Technical Manager (SBTM) positions, which are defined as senior business and technical positions comparable to positions classified above the General Schedule (GS)-15 level.* SBTMs are senior business and operations leaders within the STRL, serving as primary advisors to the STRL's Commanding Officers and/or members of the Senior Executive Service (SES). SBTMs oversee and operationalize the STRL's business operations, administration, and technology functions. SBTM positions may only be established at authorized STRLs with personnel demonstration projects.

DATES: Implementation of this **Federal Register** notice (FRN) will begin no earlier than September 28, 2026.

FOR FURTHER INFORMATION CONTACT:

Department of Defense:

- Office of the Under Secretary of Defense for Research and Engineering, Science and Technology Foundations: Dr. Richard T. LaVoie, 703–545–9457, *richard.t.lavoie2.civ@mail.mil.*

Defense Health Agency:

- *Defense Health Agency Research and Development:* Ms. Lyn Krout, 301–619–7276, *linda.j.krout.civ@health.mil.*

Department of the Air Force:

- *Air Force Research Laboratory:* Ms. Rosalyn Jones-Byrd, 937–656–9747, *Rosalyn.Jones-Byrd@us.af.mil.*
- *Joint Warfare Analysis Center:* Ms. Amy Balmaz, 540–653–8598, *Amy.T.Balmaz.civ@mail.mil.*

Department of the Army:

- *Transformation and Training Command:* Ms. Marlowe Richmond, 571–588–1219, *Marlowe.Richmond.civ@army.mil.*
- *Army Research Institute for the Behavioral and Social Sciences:* Dr. Scott Shadrick, 254–288–3800, *Scottie.B.Shadrick.civ@army.mil.*
- *Combat Capabilities Development Command Armaments Center:* Ms. Pota Kripotos, 973–724–9165, *Pota.Kripotos.civ@army.mil.*
- *Combat Capabilities Development Command Army Research Laboratory:* Mr. Christopher Tahaney, 410–845–7834, *Christopher.S.Tahaney.civ@army.mil.*
- *Combat Capabilities Development Command Aviation and Missile Center:* Mr. Justin Page, 256–755–1698, *justin.d.page4.civ@army.mil.*
- *Combat Capabilities Development Command Chemical Biological Center:* Ms. Patricia Knuckey, 410–417–2343, *Patricia.L.Knuckey.civ@army.mil.*
- *Combat Capabilities Development Command*—Command, Control, Communications, Computers, Cyber, Intelligence, Surveillance, and Reconnaissance Center: Mr. Gregory Peck, 520–674–6820, *gregory.a.peck16.civ@army.mil.*
- *Combat Capabilities Development Command Ground Vehicle Systems Center:* Ms. Erin Stein, 586–459–8362, *Erin.m.stein.civ@army.mil.*
- *Combat Capabilities Development Command Soldier Center:* Ms. Sarah Palmer, 508–206–3421, *Sarah.B.Palmer.civ@army.mil.*
- *Communications-Electronics Command Software Engineering Center: Ms. Teresa Manganaro, 443–861–8149, Teresa.A.Manganaro.civ@army.mil.*
- *Engineer Research and Development Center:* Dr. Lucy Priddy, 601–634–2282, *Lucy.P.Priddy@usace.army.mil.*
- *Medical Research and Development Command:* Ms. Linda Krout, 301–619–7276, *Linda.J.Krout.civ@health.mil.*
- *Technical Center, Space and Missile Defense Command:* Dr. Chad Marshall, 256–955–5697, *Chad.J.Marshall.civ@army.mil.*

Department of the Navy:

- *Naval Air Warfare Center, Weapons Division and Aircraft Division:* Mr. Dustin Kirby, 760–608–9248, *Dustin.k.kirby.civ@us.navy.mil.*
- *Naval Facilities Engineering Command Engineering and Expeditionary Warfare Center:* Ms. Kelly Mitchell, 564–226–0476, *Kelly.L.Mitchell16.civ@us.navy.mil.*
- *Naval Information Warfare Centers:*
  - *Naval Information Warfare Center Atlantic:* Ms. Alissa Lopez, 843–218–3871, *Alissa.m.lopez4.civ@us.navy.mil.*
  - *Naval Information Warfare Center Pacific:* Ms. Sharmeka Speights, 619–553–6282, *Sharmeka.m.speights.civ@us.navy.mil.*
- *Naval Medical Research Center:* Dr. Jill Phan, 301–319–7645, *Jill.C.Phan.civ@mail.mil.*
- *Naval Research Laboratory:* Ms. Annemarie Slattery, 771–216–7577, *annemarie.m.slattery.civ@us.navy.mil.*
- *Naval Sea Systems Command Warfare Centers:* Ms. Emily Grauwiler, 301–312–1185, *emily.r.grauwiler.civ@us.navy.mil.*
- *Office of Naval Research:* Mr. Damien Raphael, 703–696–0383, *urlins.d.raphael.civ@us.navy.mil.*

Marine Corps:

- *Marine Corps Tactical Systems Support Activity:* Ms. Lissa Henriksen, 760–587–6893, *lissa.lalonde@usmc.mil.*

SUPPLEMENTARY INFORMATION:

1. Background

Through the USD(R&E), the Secretary of Defense exercises the authorities granted to the Office of Personnel Management (OPM) under title 5 of United States Code (U.S.C.) section 4703 to conduct personnel demonstration projects at DoD laboratories designated as STRLs. All STRLs authorized pursuant to 10 U.S.C. 4121(a) and (b) may use the provisions described in this FRN. STRLs implementing these flexibilities must have an approved personnel demonstration project plan published in an FRN. Each STRL will establish internal operating procedures (IOPs) as appropriate.

The 24 current STRLs are:

- Defense Health Agency Research and Development

- Air Force Research Laboratory
- Joint Warfare Analysis Center
- Transformation and Training Command
- Army Research Institute for the Behavioral and Social Sciences
- Combat Capabilities Development Command Armaments Center
- Combat Capabilities Development Command Army Research Laboratory
- Combat Capabilities Development Command Aviation and Missile Center
- Combat Capabilities Development Command Chemical Biological Center
- Combat Capabilities Development Command—Command, Control, Communications, Computers, Cyber, Intelligence, Surveillance, and Reconnaissance Center
- Combat Capabilities Development Command Ground Vehicle Systems Center
- Combat Capabilities Development Command Soldier Center
- Communications—Electronics Command Software Engineering Center
- Engineer Research and Development Center
- Medical Research and Development Command
- Technical Center, U.S. Army Space and Missile Defense Command
- Marine Corps Tactical Systems Support Activity
- Naval Air Systems Command Warfare Centers
- Naval Facilities Engineering Command Engineering and Expeditionary Warfare Center
- Naval Information Warfare Centers, Atlantic and Pacific
- Naval Medical Research Center
- Naval Research Laboratory
- Naval Sea Systems Command Warfare Centers
- Office of Naval Research

2. Summary of Comments

On January 9, 2026, the DoD published a notice (91 FR 985–990) concerning a new flexibility, SBTM, for a 30-day public comment period. The public comment period ended on February 9, 2026. Three comments were received and are addressed as follows.

Comment: One commenter expressed concern over the requirement that SBTMs typically report to an SES or an SES equivalent-level position and stated that it could pose a conflict with Navy regulations that direct a comptroller to report to the head of the activity, who may or may not be an SES or equivalent.

Response: No changes were made to the notice based on this comment. The FRN language was intentionally crafted to reflect the significant variety in reporting structures across STRLs and their Components. In recognition of these differences in organizational frameworks and externally imposed grade-level restrictions, the FRN specifies that SBTMs ''typically'' report to an SES or SES equivalent-level position. This provides flexibility rather than imposing a rigid requirement for SES-level reporting.

Comment: One commenter expressed several concerns about the creation of SBTM positions:

1. Exceeds DoD's statutory authority under 10 U.S.C. 4121.
2. Is inconsistent with the requirement that STRL projects be ''generally similar'' to the China Lake demonstration project.
3. Circumvents established statutory frameworks for senior federal positions.
4. Lacks the reasoned analysis required under the Administrative Procedure Act.
5. Lacks adequate safeguards.
6. Poses substantial risks to the integrity and mission of STRLs.

Response: No changes were made to the notice based on these comments. While 10 U.S.C. 4121 designates STRLs, 5 U.S.C. 4703 is the authorizing statute for demonstration projects. The notice waives all necessary statutory requirements in title 5 U.S.C. and title 5 Code of Federal Regulations (CFR) sections to implement the SBTM authority. The phrase ''generally similar'' in 10 U.S.C. 4121, as it relates to the China Lake model, is language Congress intentionally left flexible. It does not mean ''identical,'' nor does it require STRLs to replicate China Lake feature-for-feature. The SBTM authority does not establish a new category of executive positions. These positions are not classified as SES or equivalent and will be classified appropriately under the STRLs' delegated classification authority. Regarding safeguards and risks to the integrity of the STRL missions, Congress directed oversight of the STRL demonstration projects to the Secretary of Defense, through the USD(R&E), who follows the evaluation and review requirements in 5 U.S.C. 4703.

Comment: One commenter stated the notice should specify that SBTMs will be classified into the appropriate career track/path for business and technical/professional positions.

Response: Two sentences were changed to clarify the appropriate career track/path for SBTMs. The second to last sentence of the last paragraph in Section 3.I.A. and Section 3.II.A.2.(b) are modified to clarify that SBTMs will be classified under the appropriate career track/path for business and technical/professional positions.

3. Overview

I. Introduction

A. Purpose

This FRN grants a new authority to establish SBTM positions, above the GS–15 level, for STRL senior business administration, operations, and technology functions that support and enable the laboratories' research and development missions. A strong business and operations support framework and staff are essential to ensuring the STRLs are prepared and able to advance military technology and capability in accordance with the National Defense Strategy. The SBTM category encompasses positions that would exceed the GS–15 classification criteria of the GS and contain characteristics of SES and Senior Level (SL).

The SL classification designation would not be appropriate because SBTM positions may direct the work of an organizational unit; be held accountable for the success of one or more specific programs; monitor the progress toward organizational goals and objectives and periodically evaluate and make appropriate adjustments to such goals; supervise the work of employees other than administrative assistants; or otherwise exercise important policy-development and implementation, or other executive level functions. SES classification designation would also not be appropriate because SBTMs do not *exercise the full scope* of managerial authority and impact required of SES positions. The SBTMs establish a separate pay band level in the business and technical/professional career track. This notice implements the SBTM authority.

B. Required Waivers to Law and Regulation

Waivers and adaptations of certain title 5 U.S.C. and title 5 CFR provisions are required only to the extent that these statutory and regulatory provisions limit or are inconsistent with the actions authorized under this demonstration project.

Appendix A lists waivers needed to enact authorities described in this FRN. Nothing in this plan is intended to preclude the demonstration project from adopting or incorporating any law or regulation enacted, adopted, or amended after the effective date of this FRN.

C. Expected Benefits

The SBTM authority is expected to:

(1) Allow proper classification of positions that are engaged in operationalizing laboratory management functions, recognizing the exceptionally high level of expertise required to oversee enterprise-wide business and technical operations, such as financial management, information technology and information assurance, contract management, facilities and infrastructure management, and human capital management.

(2) Attract, retain, and appropriately compensate highly qualified business and technology professionals with significant experience and expertise managing the supporting business elements of highly complex and technology-focused organizations.

(3) Provide the opportunity for career development and expand the pool of experienced, prominent business and technical candidates meeting the levels of proficiency and leadership essential for enabling the operation of world-class DoD laboratories.

II. Personnel System Changes

All current STRL demonstration project plans are hereby amended to add the following:

A. Description and Implementation of SBTM Positions

1. Authorized Positions

The number of authorized SBTM positions in each STRL shall not exceed one percent of the number of civilian and military positions employed at such laboratory, inclusive of positions both within and outside the STRL's personnel demonstration project, which are filled as of the close of the preceding fiscal year. If one percent of authorized positions does not equate to a whole number, the STRL shall round down to the next lower number; however, each STRL shall be authorized at least one SBTM position regardless of the number of positions employed at such laboratory. Though the authorized number of SBTM positions may increase or decrease as the overall civilian and military workforce increases or decreases, no SBTM employees will have their classification as a SBTM changed or their pay reduced, because the size of the STRL's civilian and military workforce has decreased. In such circumstances, an STRL may temporarily exceed its new SBTM authorized number until attrition occurs.

2. Position Classification

(a) Position Requirements

At a minimum, all SBTM positions require senior manager up to executive level knowledge, skills, and abilities in competencies related to STRL business and operations of highly complex technical organizations or business units. SBTMs have a crucial role in driving strategic direction, supporting research and development in defense planning, ensuring operational excellence, and fostering a culture of integrity and innovation to achieve sustainable success. Incumbents will typically possess extensive knowledge and experience in one or more business or technical requirements below or another area determined by the STRL director:

- Implementing and managing major policies and programs and advising senior officials on programs such as human capital, contracting, financial management, operations, facility management, or environmental policy and their impact on research programs.
- Managing defense acquisition policy and familiarity with policies concerning contracting for services.
- Managing information technology, including policy formulation and technical expertise across all aspects of information management at the STRL, with a special focus on creating visionary plans for future mission and business information systems.
- Managing defense cyber competencies that support science and technology initiatives to contribute to the development of cyber resilient transformation and readiness technologies.

Examples of other requirements may include strategic and operational leadership, configuration management, quality assurance, stakeholder engagement, laboratory governance, leadership development, strategic partnership, regulatory compliance, crisis management, and innovation and adaptation.

SBTMs typically report to an SES or an SES equivalent-level position. Since all SBTM positions will typically be administrative supervisors, they may be eligible for a supervisory pay differential at the discretion of the STRL director.

(b) Pay Bands/Career Track

This FRN authorizes STRLs to modify the existing career track for business and technical/professional positions to accommodate the SBTM category and broadband level. Specific details will be included in STRL IOPs.

3. Designated Classification Officials for SBTM Positions

STRL directors are designated as the classification officials for SBTM positions. Each STRL's IOP will provide specific details on each STRL's classification process, control, and management of these positions.

4. Staffing and Recruitment

(a) Positions may be filled on a temporary, flexible term, or permanent basis utilizing appropriate internal or external competitive recruitment procedures, direct hire authority, or through accretion-of-duties promotions. Positions may also be filled temporarily using noncompetitive procedures (*e.g.,* detail and temporary promotions).

(b) In addition to permanent appointments, the following appointment types may be used:

(1) Flexible-Length and Renewable Term Appointments

This appointment authority may be used to fill SBTM positions for a period of more than one year but not more than five years. The flexible term appointment may be made for a period up to five years, and the STRL director may extend the appointment in up to five-year increments. Prior to extending a term appointment, management will determine if the work or services continue to be temporary in nature, or if they should be made permanent. Candidates selected from outside the Federal government may be hired using the flexible term appointment authority and may be eligible for extension or conversion to career or career-conditional appointment if services are deemed permanent. To be converted, the employee must: (1) have been notified in writing at the time of the initial appointment of the possibility for conversion to a permanent SBTM position at a later date; (2) have served a minimum of one year of continuous service; and (3) have at least a fully successful or equivalent SBTM performance rating applicable to the STRL demonstration project. Additionally, to be eligible for conversion, when positions being filled using the flexible term appointment authority are announced, whether via competitive or merit promotion procedures, the vacancy announcement must contain a statement notifying applicants that the position may be eligible for extension or conversion to a permanent appointment. The probationary or trial period specified in each STRL's FRN in Appendix B will apply to individuals appointed under the Flexible Term Appointment. Personnel appointed under the Flexible-Length and Renewable Term authority described in this section shall be provided with benefits comparable to those provided to status or permanent employees at the STRL concerned, including professional development opportunities, eligibility for all awards programs, and designation as ''status applicants'' for the purposes of eligibility for positions in the Federal service.

(2) Flexible Temporary Promotions

STRLs may use flexible temporary promotions to SBTM positions for not more than five years, with the ability to extend in five-year increments for candidates who are current Federal employees. Prior to extending a temporary promotion, management will determine if the work or services continue to be temporary in nature or should be made permanent. If not extended or made permanent, the employee will return to a position for which the employee is qualified that is the same grade as previously held before the assignment. Upon termination of temporary promotion, pay will be set in accordance with the STRLs' IOP. Candidates may be eligible for conversion to a permanent SBTM position if the position requirements are deemed permanent by the STRL director. To be converted, the employee must: (1) have been notified in writing at the time of the initial action of the possibility for conversion to a permanent SBTM position at a later date; (2) have served a minimum of one year of continuous service in the temporary assignment; and (3) have at least a fully successful or equivalent SBTM performance rating applicable to the STRL demonstration project.

(c) STRL directors have the discretion to select the recruitment and staffing method most appropriate based on the specialized position requirements and available candidate pool. Each STRL will further describe recruitment and staffing methodologies in its respective IOP.

STRLs must establish recruitment and staffing methodologies that include:

(1) an internal process that incorporates an impartial, rigorous, and demanding assessment of candidates to evaluate the breadth of their expertise;

(2) an external recruitment process which incorporates an impartial, rigorous, and demanding assessment of candidates to evaluate the breadth of their expertise; or

(3) the creation of panels to assist in filling positions or other comparable recruitment or staffing mechanisms.

5. Basic Pay Range

The minimum basic pay for SBTM positions is 115 percent of the minimum rate of basic pay for GS–15. Maximum SBTM basic pay with locality pay is limited to Executive Level III (EX–III), and maximum salary without locality pay may not exceed EX–IV.

6. Performance Management

Each STRL will determine the appropriate performance or contribution management system, non-SES/SL/ST or SES/SL/ST program, to be used to evaluate an SBTM employee's performance or contribution. The selected method will be documented in each STRL's IOP.

7. Pay Retention

Pay retention may be provided to SBTM members under criteria established by each STRL if they are impacted by a reduction in force, work realignment, or other planned management action that would necessitate moving the incumbent to a position in a lower pay band within the STRL. Pay retention may also be provided under criteria established by each STRL when an SES/ST/SL employee is placed in a SBTM position as a result of a reduction in force or other management action. Grade retention is not authorized for SBTM positions.

8. SBTM Supervisory Pay Differential

A supervisory pay differential may be used by STRL directors to provide an incentive to appropriately compensate SBTM personnel. This pay differential is a pay incentive that may range up to 5 percent of basic pay (excludes locality pay) for SBTM personnel. It is paid on a pay period basis and must be reviewed annually. This pay differential is not included as part of basic pay for any purpose. Criteria to be considered in determining the amount of the pay differential are:

(a) needs of the organization;

(b) budgetary constraints;

(c) years and quality of related experience;

(d) relevant training;

(e) performance appraisals;

(f) experience as a supervisor or manager;

(g) organizational level of the position; and

(h) impact on the organization.

The pay differential may be terminated or reduced at the discretion of the STRL director based on legitimate business reasons; however, the pay differential must be terminated if the employee is removed from a position for which a pay differential is approved, regardless of cause. Each STRL will document in its IOP the method used for determining payment, reduction, or discontinuation of the pay differential. All personnel actions involving a supervisory pay differential will require a statement signed by the employee acknowledging that the pay differential may be terminated or reduced at the discretion of the STRL director. The termination or reduction of the pay differential is not an adverse action and is not subject to appeal. The total pay (including locality pay) may not exceed the midpoint between the maximum rate of basic pay of EX–III and the maximum rate of basic pay of EX–II, (for example, for 2024 $213,000; the calculation is rounded up to the next thousand). SBTM employees are subject to the aggregate limitation on pay pursuant to 5 U.S.C. 5307 and 5 CFR subpart 530.203.

9. SBTM Program Oversight

The program shall be managed and administered by the STRL director in compliance with the provisions of this FRN and any IOPs developed by each STRL.

10. Evaluation

Procedures for evaluating this authority will be incorporated into the STRL personnel demonstration project evaluation process conducted by the STRLs in conjunction with the USD(R&E) Science and Technology Workforce Office.

Appendix A: Required Waivers to Laws and Regulations

Title 5, United States Code	Title 5, Code of Federal Regulations
5 U.S.C. 3104—Employment of Specially Qualified Scientific and Professional Personnel. Waive to allow scientific or professional positions for this authority. 5 U.S.C. 3324—Appointments to Positions Classified Above GS–15; Waived in entirety. 5 U.S.C. 3304 & 3304a—Waived to the extent necessary to allow flexible term appointments as described in this FRN. 5 U.S.C. 5301—Policy; 5 U.S.C. 5302(8) and (9)—Definitions; 5 U.S.C. 5303—Annual Adjustments to Pay Schedules; 5 U.S.C. 5304—Locality-based Comparability Payments; and 5 U.S.C. 5306—Pay Fixed by Administrative Action. Waived to the extent necessary to allow SBTM employees to be treated as GS employees and basic rates of pay under the demonstration project to be treated as scheduled rates of basic pay and to permit SBTM pay not to exceed EX–IV and locality adjusted SBTM rates not to exceed EX—III. 5 U.S.C. 5363—Waived to the extent necessary to allow SBTMs to receive pay retention as described in this FRN. 5 U.S.C. 5755—Waived to the extent necessary to allow SBTMs to receive supervisory pay differentials as described in this FRN.	5 CFR part 316—Waived to the extent necessary to allow flexible term appointments as described in this FRN. 5 CFR part 330, section 330.707(h): Exceptions to Interagency Career Transition Assistance Plan (ICTAP) selection priority.—Waived to the extent necessary to allow conversion to permanent positions without clearing ICTAP. 5 CFR 335.102(f) Agency authority to promote, demote, or reassign—Waived to the extent necessary to allow temporary promotions as described in this FRN. 5 CFR 359.705—Waived to allow demonstration project rules governing pay retention to apply to a former SES placed on an SBTM position. 5 CFR part 531, subpart F Locality-based Comparability Payments.—Waived to the extent necessary to allow SBTM employees to be treated as GS employees and basic rates of pay under the SBTM to be treated as scheduled annual rates of pay. 5 CFR 536.306(a)—Waived to the extent necessary to allow SBTMs to receive pay retention as described in this FRN. 5 CFR part 575, subpart D—Waived to the extent necessary to allow SBTMs to receive supervisory pay differentials as described in this FRN.

Appendix B. Authorized STRLs and Federal Register Notices

STRL	**Federal Register** notice
Air Force Research Laboratory	61 FR 60400 amended by 75 FR 53076.
Joint Warfare Analysis Center	85 FR 29414.
Transformation and Training Command	89 FR 13548.
Army Research Institute for Behavioral and Social Sciences	85 FR 76038.
Combat Capabilities Development Command Armaments Center	76 FR 3744.
Combat Capabilities Development Command Army Research Laboratory	63 FR 10680.
Combat Capabilities Development Command Aviation and Missile Center	62 FR 34906 and 62 FR 34876 amended by 65 FR 53142 (Aviation Research, Development, and Engineering Center and Aviation and Missile Research, Development and Engineering Center merged together).
Combat Capabilities Development Command Chemical Biological Center	74 FR 68936.

STRL	Federal Register notice
Combat Capabilities Development Command—Command, Control, Communications, Cyber, Intelligence, Surveillance, and Reconnaissance Center.	66 FR 54872.
Combat Capabilities Development Command Ground Vehicle Systems Center	76 FR 12508.
Communications-Electronics Command Software Engineering Center	Not published.
Combat Capabilities Development Command Soldier Center	74 FR 68448.
Defense Health Agency Research & Development	91 FR 58853.
Engineer Research and Development Center	63 FR 14580 amended by 65 FR 32135.
Medical Research and Development Command	63 FR 10440.
Technical Center, US Army Space and Missile Defense Command	85 FR 3339.
Naval Air Systems Command Warfare Centers	76 FR 8530.
Naval Facilities Engineering Command Engineering and Expeditionary Warfare Center	86 FR 14084.
Naval Information Warfare Centers, Atlantic and Pacific	76 FR 1924.
Naval Medical Research Center	Not published.
Naval Research Laboratory	64 FR 33970.
Naval Sea Systems Command Warfare Centers	62 FR 64050.
Office of Naval Research	75 FR 77380.
Marine Corps Tactical Systems Support Activity	Not published.

Dated: September 24, 2026.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2026–19805 Filed 9–25–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DOD–2026–OS–1620]

Submission for OMB Review; Comment Request

AGENCY: Office of the Under Secretary of Defense (Comptroller)/Chief Financial Officer (CFO), Department of Defense (DoD).

ACTION: 30-Day information collection notice.

SUMMARY: The Department of Defense (referred to herein as ''the Department'', ''Department of War'' or ''DoW'') has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act.

DATES: Consideration will be given to all comments received by October 28, 2026.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Reginald Lucas, (571) 372–7574, *whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil.*

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Application for Former Spouse Payments from Retired Pay, DD Form 2293; OMB Number 0730–0008.

Type of Request: Revision.

Number of Respondents: 25,000.

Responses per Respondent: 1.

Annual Responses: 25,000.

Average Burden per Response: 30 minutes.

Annual Burden Hours: 12,500.

Needs and Uses: The information collection requirement is necessary to provide the Defense Finance Accounting Service with the basic data needed to process court orders for division of military retired pay as property or order alimony and child support payment from that retired pay per title 10 United States Code 1408.

Affected Public: Individuals or households.

Frequency: On occasion.

Respondent's Obligation: Voluntary.

DOD Clearance Officer: Mr. Reginald Lucas.

Dated: September 23, 2026.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2026–19737 Filed 9–25–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DOD–2026–OS–2080]

Proposed Collection; Comment Request

AGENCY: Office of the Under Secretary of Defense for Acquisition and Sustainment (OUSD(A&S)), Department of Defense (DoD).

ACTION: 60-Day information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Defense Contract Management Agency (DCMA) announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: 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; the accuracy of the agency'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 information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by November 27, 2026.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

Federal eRulemaking Portal: http://www.regulations.gov. Follow the instructions for submitting comments.

Mail: Department of Defense, Office of the Director of Administration and Management, Oversight and Compliance Directorate, Regulatory Division, 4800 Mark Center Drive, Mailbox #24, Suite 05F16, Alexandria, VA 22350–1700.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to Defense Contract Management Agency HQ, 6090 Strathmore Rd., Richmond, VA 23237, ATTN: Mr. Michael Fludovich, or call 804–279–4318.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Request for Approval for Qualification Training and Approval of Contractor Flight Crewmember; DD Forms 1821, 2627, 2628, 3062; OMB Control Number 0704–0347.

Needs and Uses: The information collection requirement supported by these DD Forms supports contractor requirements to have government approval of contract flight crewmembers and contract flights as specified in Defense Contract Management Command Instruction (DCMA INST) 8210.1, Contractor's Ground and Flight Operations. The contractor provides information on contractor personnel to the government. The government approves the contractor's request for aircrew training and, eventually, approval for contractor personnel to operate and fly government aircraft. The government also approves all flights under contract.

The DD Form 2627 is used by contractors to request qualification training for contractor crew members. The contractor provides a personal history, verifies the crewmember's records, and requests government approval for training in a particular type of government aircraft. The 2627 and supporting documentation can be provided in hard or soft copy.

The DD Form 1821 is used by contractors to provide a succinct summary of a crew member's flight history. This form is submitted along with DD Form 2627 as part of the supporting documentation for the request for qualification training.

The DD Form 2628 is used by contractors to request aircrew qualification for contractor crew members. The contractor verifies the crewmember's training completion and requests government approval for specific aircrew qualification in a particular type of government aircraft. The 2628 and supporting documentation can be provided in hard or soft copy.

The DD Form 3062 is used by contractors to request approval of flights under contract. The 3062 can be provided in hard or soft copy. Without the approval from the government, the contractor cannot fly under the liability coverage provided by Defense Federal Acquisition Regulation Supplement 252–228–7001, Ground and Flight Risk.

Affected Public: Individuals or households.

[DD Form 1821]

Number of Respondents: 100.
Number of Responses per Respondent: 5.
Number of Total Annual Responses: 500.
Response Time: 30 minutes.
Respondent Burden Hours: 250 hours.

[DD Form 2627]

Number of Respondents: 100.
Number of Responses per Respondent: 5.
Number of Total Annual Responses: 500.
Response Time: 30 minutes.
Respondent Burden Hours: 250 hours.

[DD Form 2628]

Number of Respondents: 100.
Number of Responses per Respondent: 5.
Number of Total Annual Responses: 500.
Response Time: 30 minutes.
Respondent Burden Hours: 250 hours.

[DD Form 3062]

Number of Respondents: 100.
Number of Responses per Respondent: 52.
Number of Total Annual Responses: 5,200.
Response Time: 15 minutes.
Respondent Burden Hours: 1,300 hours.

[Total]

Total Number of Respondents: 200.
Total Responses per Respondent: 33.5.
Total Annual Responses: 6,700.
Total Average Burden per Response: 18.36 minutes.
Total Annual Burden Hours: 2,050.
Frequency: DD Forms 1821, 2627, and 2628 are completed once to verify a contractor's aircrew qualification. DD Form 3062 is completed as needed to request approval of flights under contract.

Dated: September 23, 2026.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2026–19734 Filed 9–25–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DOD–2026–OS–1618]

Submission for OMB Review; Comment Request

AGENCY: Office of the Under Secretary of Defense (Comptroller)/Chief Financial Officer(CFO), Department of Defense (DoD).

ACTION: 30-Day information collection notice.

SUMMARY: The Department of Defense (referred to herein as ''the Department'', ''Department of War'' or ''DoW'') has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act.

DATES: Consideration will be given to all comments received by October 28, 2026.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Reginald Lucas, (571) 372–7574, *whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil.*

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Custodianship Certification to Support Claims on Behalf of Minor Children of Deceased Members of the Armed Forces; DD Form 2790; OMB Control Number 0730–0010.

Type of Request: Revision.
Number of Respondents: 300.
Responses per Respondent: 1.
Annual Responses: 300.
Average Burden per Response: 10 Minutes.
Annual Burden Hours: 50.

Needs and Uses: Per DoW Financial Management Regulation, 7000.14–R, Volume 7B, Chapter 46, paragraph 460103A (1), an annuity for a minor child is paid to the legal guardian, or, if there is no legal guardian, to the natural parent who has care, custody, and control of the child as the custodian, or to a representative payee of the child. Annuity may be paid directly to the child when the child is of majority age under the law in the state of residence. The child then is considered an adult for annuity purposes, and a custodian or legal fiduciary is not required.

Affected Public: Individuals or households.

Frequency: On occasion.

Respondent's Obligation: Voluntary.

DoD Clearance Officer: Mr. Reginald Lucas.

Dated: September 23, 2026.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2026–19738 Filed 9–25–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DOD–2026–OS–1619]

Submission for OMB Review; Comment Request

AGENCY: Office of the Assistant Secretary of Defense Finance and Accounting Service (DFAS), Department of Defense (DoD)

ACTION: 30-Day information collection notice.

SUMMARY: The Department of Defense (referred to herein as ''the Department'', ''Department of War'' or ''DoW'') has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act.

DATES: Consideration will be given to all comments received by October 28, 2026.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Reginald Lucas, (571) 372–7574, *whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil.*

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Certificate for Child Annuitant; DD Form 2828; OMB Control Number 0730–0011.

Type of Request: Revision.

Number of Respondents: 240.

Responses per Respondent: 1.

Annual Responses: 240.

Average Burden per Response: 2 hours.

Annual Burden Hours: 480.

Needs And Uses: The information collection requirement is necessary to support an incapacitation occurring prior to age 18. The form provides the authority for the DFAS to establish and pay a Retired Serviceman's Family Protection Plan (RSFPP) or Survivor Benefit Plan annuity to the incapacitated individual.

Affected Public: Individuals or households.

Frequency: On occasion.

Respondent's Obligation: Voluntary.

DOD Clearance Officer: Mr. Reginald Lucas.

Dated: September 23, 2026.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2026–19739 Filed 9–25–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DOD–2026–OS–2113]

Privacy Act of 1974; System of Records

AGENCY: Office of the Secretary of Defense, Department of Defense (DoD).

ACTION: Notice of a new system of records.

SUMMARY: In accordance with the Privacy Act of 1974, the DoD is establishing a new system of records titled, Abuse Incident Reporting System, DPR 49. This system of records is being established to facilitate the uniform identification, monitoring, and tracking of the entire life cycle of cases of child abuse/neglect and domestic abuse across the Department. Records maintained within the system will also support the analysis of the scope of actions taken for each reported incident of child abuse/neglect and domestic abuse, types of abuse, and information about victims and alleged abusers to identify emerging trends and develop changes in policy to address child abuse/neglect and domestic abuse.

DATES: This system of records is effective upon publication; however, comments on the Routine Uses will be accepted on or before October 28, 2026. The Routine Uses will become effective on the 31st day following publication in the **Federal Register**, unless comments have been received from interested members of the public that require modification and republication of the notice.

ADDRESSES: You may submit comments, identified by docket number and title, by either of the following methods:

* *Federal Rulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments.

* *Mail:* Department of Defense, Office of the Director of Administration and Management, Oversight and Compliance Directorate, Regulatory Division, 4800 Mark Center Drive, Attn: Mailbox 24, Suite 05F16, Alexandria, VA 22350–1700.

Instructions: All submissions received must include the agency name and docket number for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at *https://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: Jessica Levin, Privacy and Civil Liberties Officer, Office of the Secretary of Defense for Personnel and Readiness, 703–697–2121, 4000 Defense Pentagon, Washington, DC 20301, email: *osd.pentagon.ousd-p-r.mbx.ousdpr-privacy-and-foia-program@mail.mil.*

SUPPLEMENTARY INFORMATION:

I. Background

The Family Advocacy Program (FAP) is the Department's program designated to address child abuse and neglect, domestic abuse and problematic sexual behavior in children and youth. FAP directly provides or coordinates a range of services for individuals and families to prevent and respond to child abuse and neglect and domestic abuse. FAP's top priority is safety for individuals and families in the military community who may be at risk for, or are experiencing, abuse.

This system of records covers records on incidences of child abuse/neglect and domestic abuse. Records maintained within the system will be used to facilitate uniform identification, monitoring, and tracking cases of child abuse/neglect and domestic abuse, including provision of services to victims and any investigations and actions taken against subjects. Records will also be used to support the analysis and enhancement of response and prevention efforts across the Department.

DoD SORNs are published in the **Federal Register** and are available from the address in **FOR FURTHER INFORMATION CONTACT** or at the Oversight and Compliance Directorate, Privacy and Civil Liberties Division website at *https://doc.defense.gov/*

DIRECTORATES/Privacy-and-Civil-Liberties-Directorate/Privacy/SORNs/.

II. Privacy Act

Under the Privacy Act, a ''system of records'' is a group of records under the control of an agency from which information is retrieved by the name of an individual or by some identifying number, symbol, or other identifying particular assigned to the individual. In the Privacy Act, an individual is defined as a U.S. citizen or lawful permanent resident.

In accordance with 5 U.S.C. 552a(r) and Office of Management and Budget (OMB) Circular No. A–108, DoD has provided a report of this system of records to the OMB and to Congress.

Dated: September 24, 2026.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

SYSTEM NAME AND NUMBER:

Abuse Incident Reporting System, DPR 49.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Department of Defense (Department or DoD), located at 1000 Defense Pentagon, Washington, DC 20301–1000, and other Department installations, offices, or mission locations. Information may also be stored within a government-certified cloud, implemented and overseen by the Department's Chief Information Officer (CIO), 6000 Defense Pentagon, Washington, DC 20301–6000.

SYSTEM MANAGER(S):

Office of the Under Secretary of Defense for Personnel and Readiness (USD/P&R), Deputy Assistant Secretary of Defense (DASD) for Military Community and Family Policy (MC&FP), 4800 Mark Center Drive, Suite 06G18, Alexandria, VA 22350–2300, email: *osd.mc-alex.ousd-p-r.mbx.mcad@mail.mil.*

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 136, Under Secretary of Defense for Personnel and Readiness; 10 U.S.C. 1562, Database on Domestic Violence Incidents; DoD Instruction (DoDI) 1030.02, Victim and Witness Assistance; DoDI 6400.01, Family Advocacy Program; DoDI 6400.06, DoD Coordinated Community Response to Domestic Abuse Involving DoD Military and Certain Affiliated Personnel; DoD Manual (DoDM) 6400.01 V2, Family Advocacy Program (FAP): Child Abuse and Domestic Abuse Incident Reporting System.

PURPOSE(S) OF THE SYSTEM:

A. To facilitate uniform identification, monitoring, and tracking cases of child abuse/neglect and domestic abuse, including provision of services to victims and case disposition.

B. To analyze the scope of abuse/neglect, types of abuse/neglect, and information about victims and alleged abusers to identify emerging trends and develop changes in policy to address child abuse/neglect and domestic abuse.

C. To support the management of prevention and response programs to manage and reduce the incidence of abuse/neglect throughout the military communities, including determination of budgetary requirements.

D. To facilitate reports to Congress on reports of child abuse/neglect and domestic abuse involving members of the Armed Forces and other military affiliated individuals.

E. To facilitate collaboration and coordination among law enforcement, legal counsel, community resources, civilian authorities, child protection agencies, unit commanders, and preventive services.

F. Records may also be used as a management tool for statistical analysis, tracking, reporting, evaluating program effectiveness, conducting research and surveys, and case and business management. De-identified data may also be used to respond to mandated reporting requirements.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Eligible military members and their dependents, National Guard and Reserve members who are victims of domestic abuse when performing in active service in accordance with Sections 101(d)(3) and 101(d)(5) of Title 10, U.S.C., intimate partners of military members, children of intimate partners, and other DoD affiliated personnel.

CATEGORIES OF RECORDS IN THE SYSTEM:

A. Personal information to include name, DoD ID number, FAP case number, date of birth, affiliation (Service member, DoD employee, civilian, or foreign national), personal/work phone, email, and address, military status (active or guard/reserve), military service, grade/rank, sex, ethnicity, race, and age at time of incident.

B. Alleged subject information may also include relationship to victim, prior reports of child abuse/neglect or domestic abuse, disposition type (charges preferred to court-martial, charges brought to non-judicial punishment/article 15, administrative separation, adverse administrative action, referred for counseling/treatment), disposition date, resources provided (*e.g.,* behavioral health, chaplain/spiritual care, etc.), results of non-judicial punishment and administrative separations, and description of other administrative actions (counseling, admonishment, or reprimand).

C. Other incident information collected to support case and business management to include date of incident, fatality occurrence, reporting service and installation, safety/danger assessment dates and scores, abuse maltreatment type (physical, neglect, emotional, or sexual, incident description, and reporting command information (name, rank, position, email, and phone number).

D. Law enforcement information to include investigative case number, incident location (*e.g.,* on or off installation), investigating organization (Military Criminal Investigative Organizations, installation law enforcement, civilian law enforcement), alcohol and weapons involvement, and military or civilian protective order issuance.

E. Legal information to include legal office assigned, legal consultant information (name, rank, and position), date of legal consultation, offenses under review, charges preferred/referred to court-martial, article 32 hearing details, result of court martial or separation in lieu of trial, characterization of service, and conviction and sentencing status.

F. Child protective services (CPS) information to include case number, date of report, location (county/state), worker name, and disposition.

RECORD SOURCE CATEGORIES:

Records and information stored in this system of records are obtained from the individual, educational institutions, medical institutions, police and investigating officers, state and local government agencies, witnesses, and records and reports prepared on behalf of the Department by boards, committees, panels, auditors, etc. Information may also derive from interviews, personal history statements, and observations of behavior by professional persons (*i.e.,* social workers, physicians, including psychiatrists and pediatricians, psychologists, nurses, and lawyers).

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act of 1974, as amended, all or a portion of the records or information contained herein may specifically be disclosed outside the DoD as a Routine Use pursuant to 5 U.S.C. 552a(b)(3) as follows:

A. To contractors, grantees, experts, consultants, students, and others performing or working on a contract, service, grant, cooperative agreement, or other assignment for the Federal government when necessary to accomplish an agency function related to this system of records.

B. To the appropriate Federal, State, local, territorial, tribal, foreign, or international law enforcement authority or other appropriate entity where a record, either alone or in conjunction with other information, indicates a violation or potential violation of law, whether criminal, civil, or regulatory in nature.

C. To any component of the Department of Justice for the purpose of representing the DoD, or its components, officers, employees, or members in pending or potential litigation to which the record is relevant and necessary.

D. In an appropriate proceeding before a court, grand jury, or administrative or adjudicative body or official, when the DoD or other Agency representing the DoD determines that the records are relevant and necessary to the proceeding; or in an appropriate proceeding before an administrative or adjudicative body when the adjudicator determines the records to be relevant to the proceeding.

E. To the National Archives and Records Administration for the purpose of records management inspections conducted under the authority of 44 U.S.C. 2904 and 2906.

F. To a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of, and at the request of, the individual who is the subject of the record.

G. To appropriate agencies, entities, and persons when (1) the DoD suspects or confirms a breach of the system of records; (2) the DoD determines as a result of the suspected or confirmed breach there is a risk of harm to individuals, the DoD (including its information systems, programs, and operations), the Federal Government, or national security; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the DoD's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

H. To another Federal agency or Federal entity, when the DoD determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in (1) responding to a suspected or confirmed breach or (2) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

I. To another Federal, State or local agency, in coordination with an Office of Inspector General, for the purpose of conducting an audit, investigation, inspection, evaluation, or other review as authorized by the Inspector General Act of 1978, as amended.

J. To such recipients and under such circumstances and procedures as are mandated by Federal statute or treaty.

K. To departments and agencies of the Executive Branch of government in performance of their official duties relating to coordination of family advocacy programs, medical care, and research concerning child abuse and neglect, and spouse/intimate partner abuse.

L. To Federal, State, or local governmental agencies when it is deemed appropriate to use civilian resources in counseling and treating individuals or families involved in child abuse/neglect or domestic abuse; or when appropriate or necessary to refer a case to civilian authorities for civil or criminal law enforcement; or when a state, county, or municipal child protective service agency inquirers about a prior record of substantiated abuse for the purpose of investigating a suspected case of abuse.

M. To victims and witnesses of a crime for purposes of providing information consistent with the requirements of the Victim and Witness Assistance Program, regarding the investigation and disposition of an offense.

N. To permit the disclosure of records of closed cases of Unrestricted Reports to the Department of Veterans Affairs (DVA) for the purpose of providing mental health and medical care to former Service members and retirees, to determine eligibility for or entitlement to benefits, and to facilitate collaborative research activities between the DoD and DVA.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

Records may be stored electronically or on paper in secure facilities in a locked drawer behind a locked door. Electronic records may be stored locally on digital media; in agency-owned cloud environments; or in vendor Cloud Service Offerings certified under the Federal Risk and Authorization Management Program (FedRAMP).

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Records may be retrieved by name and DoD ID number.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Temporary. Cut off after the end of the calendar year in which the case disposition and review is complete. Destroy 25 years after cutoff.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

DoD safeguards records in this system of records according to applicable rules, policies, and procedures, including all applicable DoD automated systems security and access policies. DoD administrative safeguards include policies requiring the use of controls to minimize the risk of compromise of personally identifiable information (PII) in paper and electronic form and restrict access to those individuals who have a need-to-know and appropriate clearances. Additionally, DoD has established security audit and accountability policies and procedures which support the safeguarding of PII and detection of incidents involving PII (breaches). DoD also employs administrative controls including mandatory cyber assurance and privacy training for individuals who will have access; identification, marking, and safeguarding of PII. Personnel, including contractors, must pass a background investigation and receive a security clearance, when necessary. Personnel must also sign nondisclosure documents. DoD routinely employs technical safeguards such as the following: multifactor authentication including presentation of a Common Access Card (CAC) and password; and use of a physical token. Other technological controls are employed such as network encryption to protect data transmitted over the network; disk encryption securing disks storing data; key management services to safeguard encryption keys; masking of sensitive data as practicable; detection and electronic alert systems for access to servers and other network infrastructure; and electronic intrusion detection systems in DoD facilities. Computerized records in a controlled area accessible only to authorized personnel. Records are maintained in a controlled facility and physical entry is restricted by the use of locks, guards, and is accessible only to authorized personnel. Physical and electronic access is restricted to designated individuals having a need for access in the performance of official duties and who are properly screened and cleared for need-to-know.

RECORD ACCESS PROCEDURES:

Individuals seeking access to their records should follow the procedures in 32 CFR part 310. Individuals should address written inquiries to the DoD component with oversight of the records, as the component has Privacy Act responsibilities concerning access, amendment, and disclosure of the records within this system of records. The public may identify the contact information for the appropriate DoD office through the following website: *www.FOIA.gov.* Signed written requests should contain the name and number of this system of records notice along with the full name, current address, and email address of the individual. In addition, the requester must provide either a notarized statement or an unsworn declaration made in accordance with 28 U.S.C. 1746, in the appropriate format:

If executed outside the United States: ''I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (date). (Signature).''

If executed within the United States, its territories, possessions, or commonwealths: ''I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature).''

CONTESTING RECORD PROCEDURES:

Individuals seeking to amend or correct the content of records about them should follow the procedures in 32 CFR part 310.

NOTIFICATION PROCEDURES:

Individuals seeking to determine whether information about themselves is contained in this system of records should follow the instructions for Record Access Procedures above.

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

None.

HISTORY:

None.

[FR Doc. 2026–19773 Filed 9–25–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DOD–2026–OS–1621]

Submission for OMB Review; Comment Request

AGENCY: Office of the Under Secretary of Defense (Comptroller)/Chief Financial Officer (CFO), Department of Defense (DoD).

ACTION: 30-Day information collection notice.

SUMMARY: The Department of Defense (referred to herein as ''the Department'', ''Department of War'' or ''DoW'') has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act.

DATES: Consideration will be given to all comments received by October 28, 2026.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Reginald Lucas, (571) 372–7574, *whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil.*

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Child Annuitant's School Certification; DD Form 2788; OMB Control Number 0730–0001.

Type of Request: Revision.

Number of Respondents: 7,200.

Responses per Respondent: 1.

Annual Responses: 7,200.

Average Burden per Response: 30 minutes.

Annual Burden Hours: 3,600.

Needs and Uses: Child annuitants, between the ages of 18 and 22 years of age, must provide evidence of intent to continue studying or training at a recognized educational institution. The certificate is required for the school semester or other period in which the school year is divided. Without this certification, funds cannot be released to annuitant/payee.

Affected Public: Individuals or households.

Frequency: Each semester or other period in which the school year is divided.

Respondent's Obligation: Voluntary.

DOD Clearance Officer: Mr. Reginald Lucas.

Dated: September 23, 2026.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2026–19736 Filed 9–25–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DOD–2026–OS–2047]

Proposed Collection; Comment Request

AGENCY: Office of the Under Secretary of Defense for Personnel and Readiness (OUSD(P&R)), Department of Defense (DoD).

ACTION: 60-Day information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* OUSD(P&R) announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: 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; the accuracy of the agency'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 information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by November 27, 2026.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

Federal eRulemaking Portal: http://www.regulations.gov. Follow the instructions for submitting comments.

Mail: Department of Defense, Office of the Director of Administration and Management, Oversight and Compliance Directorate, Regulatory Division, 4800 Mark Center Drive, Mailbox #24, Suite 05F16, Alexandria, VA 22350–1700.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to Defense Manpower Data Center, 4800 Mark Center Drive, Alexandria, VA 22350, ATTN: Dianna Ganote, Alexandria, VA 22350; *dianna.m.ganote.civ@mail.mil* or by telephone: (571) 372–3990.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Department of Defense Consent to Conduct Installation Records Check (IRC) (DD 3058); OMB 0704–0586.

Needs and Uses: The information collection requirement is necessary to obtain information pertinent to the criminal history background investigation of individuals working with children in DoD childcare programs. The form facilitates vetting an individual's military installation criminal history records and used for suitability and/or fitness determination to work with children. Authority is granted by DoD Instruction 1402.05, Background Checks on Individual in DoD Child Care Services Programs which states all individuals who have regular contact with children under 18 years of age in DoD-sanctioned childcare services programs and who also have a current or prior DoD affiliation must also undergo an installation records check (IRC). Individuals who are interested in working for DoD or for a program operated by or through a contract with the DoD must complete the DD Form 3058 ''DoD Installation Records Check'' before working with children under the age of 18 years. DoD programs and services that use this form include but are not limited to: Child Protective Services (CPS) (including the investigation of child abuse and neglect reports), faith-based (religious) programs, Social Services Programs, Health and Mental Health Care Programs, to include Physicians, Dentists, Nurse Practitioners, Technicians; Childcare, Education Programs (whether or not directly involved in teaching), Foster Care, Residential care, Recreational or Rehabilitative programs, and Detention, Correctional, and Treatment services. The types of individuals screened include civilian applicants and employees, military members, contractors, family childcare/home day care providers and their family members, and volunteers. These critical checks help ensure all individuals working with children have been thoroughly vetted and that all background check findings have been properly adjudicated before the individual is authorized to have access to children.

Affected Public: Individuals and households.

Annual Burden Hours: 2,333.

Number of Respondents: 14,000.

Responses per Respondent: 1.

Annual Responses: 14,000.

Average Burden per Response: 10 minutes.

Frequency: Every 5 years.

Dated: September 23, 2026.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2026–19714 Filed 9–25–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DOD–2026–OS–2081]

Proposed Collection; Comment Request

AGENCY: United States Transportation Command (USTRANSCOM), Department of Defense (DoD).

ACTION: 60-Day information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* USTRANSCOM announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: 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; the accuracy of the agency'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 information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by November 27, 2026.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

Federal eRulemaking Portal: http://www.regulations.gov. Follow the instructions for submitting comments.

Mail: Department of Defense, Office of the Director of Administration and Management, Oversight and Compliance Directorate, Regulatory Division, 4800 Mark Center Drive, Mailbox #24, Suite 05F16, Alexandria, VA 22350–1700.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to United States Transportation Command, 1 Scott Drive, Bldg. 1900 West, Scott AFB, IL 62225–5006, Nicholas Armone, 618–817–4621.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Global Air Transportation Execution System (GATES); OMB Control Number 0704–0530.

Needs and Uses: GATES is the single DoD port processing and manifesting system providing support for the global air and surface movement of personnel and materiel, to include processing and tracking from port to port. It supports USTRANSCOM air and surface port management, provides functionality for Defense Courier Divisions, SDDC/G3, and AMC/A4T, while providing billing information for Transportation Working Capital Fund (TWCF) accounting.

Affected Public: Individuals or households.

Annual Burden Hours: 17,239.

Number of Respondents: 517,163.

Responses per Respondent: 1.

Annual Responses: 517,163.

Average Burden per Response: 2 minutes.

Frequency: As required.

Dated: September 23, 2026.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2026–19735 Filed 9–25–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Department of the Navy

[Docket ID: USN–2026–HQ–0333]

Submission for OMB Review; Comment Request

AGENCY: Department of the Navy, Department of Defense (DoD).

ACTION: 30-Day information collection notice.

SUMMARY: The Department of Defense (referred to herein as ''the Department'', ''Department of War'' or ''DoW'') has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act.

DATES: Consideration will be given to all comments received by October 28, 2026.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Reginald Lucas, (571) 372–7574, *whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil.*

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Distinguished Visitor (DV)/Friends of the Navy (FON) Embark Request; OPNAV Form 5720/11; OMB Control Number 0703–0060.

Type of Request: Extension.

Number of Respondents: 3,000.

Responses per Respondent: 1.

Annual Responses: 3,000.

Average Burden per Response: 15 minutes.

Annual Burden Hours: 750.

Needs and Uses: The Department of the Navy collects information from individuals who request to embark on U.S. Navy surface ships or submarines as part of the DV or FON programs. The primary purpose of this information collection is to facilitate embarkation, determine eligibility and qualification (including physical and medical soundness), and ensure safety and security during the embarkation.

Affected Public: Individuals or households.

Frequency: On occasion.

Respondent's Obligation: Voluntary.

DOD Clearance Officer: Mr. Reginald Lucas.

Dated: September 23, 2026.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2026–19730 Filed 9–25–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Department of the Navy

[Docket ID: USN–2026–HQ–0331]

Submission for OMB Review; Comment Request

AGENCY: Department of the Navy, Department of Defense (DoD).

ACTION: 30-Day information collection notice.

SUMMARY: The Department of Defense (referred to herein as ''the Department'', ''Department of War'' or ''DoW'') has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act.

DATES: Consideration will be given to all comments received by October 28, 2026.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Reginald Lucas, (571) 372–7574, *whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil.*

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Naval Air Systems Command Candidate Form; OMB Control Number 0703–0088.

Type of Request: Reinstatement.

Number of Respondents: 7,256.

Responses per Respondent: 1.

Annual Responses: 7,256.

Average Burden per Response: 5 minutes.

Annual Burden Hours: 605.

Needs and Uses: In order to properly evaluate candidates' qualifications for employment, Naval Air Systems Command (NAVAIR) must collect the information necessary to rate applicants for Federal jobs in accordance with Title 5 of the United States Code (U.S.C.) sections 1104, 1302, 3301, 3304, 3320, 3361, 3393, and 3394. Per 5 U.S.C. 1104, the Director of the Office of Personnel Management may delegate authority for competitive examinations to the heads of agencies in the executive branch and other agencies employing persons in the competitive service. This application enables recruiters to collaborate to attract and engage top talent while providing vital command recruiting metrics that provide meaningful insights, leading to more informed decisions and more strategic recruitment initiatives and outcomes. Additionally, it improves the ability to control access to candidate data and allows NAVAIR the ability to view, clean, analyze, and aggregate data as necessary to perform return on investment (ROI) data analysis of recruiting efforts. The web-based candidate information form provides a digital mechanism to capture candidates' information in real time at recruitment events, via marketing and sourcing campaigns. The web form is hosted on the Yello Pro app and captures basic candidate information, as well as educational and experience details, allowing recruiters to review, assess, and select for interviews and contingent offers. Using the web form, NAVAIR can actively or passively look for candidates that align with hiring requirements providing full transparency and access to hiring manager's enterprise wide.

Affected Public: Individuals or households.

Frequency: On occasion.

Respondent's Obligation: Voluntary.

DOD Clearance Officer: Mr. Reginald Lucas.

Dated: September 23, 2026.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2026–19732 Filed 9–25–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Department of the Navy

[Docket ID: USN–2026–HQ–0463]

Proposed Collection; Comment Request

AGENCY: Department of the Navy, Department of Defense (DoD).

ACTION: 60-Day information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Department of the Navy announces the proposed extension of an approved public information collection and seeks public comment on the provisions thereof. Comments are invited on: whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; the accuracy of the agency'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 information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by November 27, 2026.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

Federal eRulemaking Portal: http://www.regulations.gov. Follow the instructions for submitting comments.

Mail: Department of Defense, Office of the Director of Administration and Management, Oversight and Compliance Directorate, Regulatory Division, 4800 Mark Center Drive, Mailbox #24, Suite 05F16, Alexandria, VA 22350–1700.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to OPNAV Forms/Information Collections Office (DNS–14), 2000 Navy Pentagon, Room 4E563, Washington, DC 20350–2000, ATTN: Ms. Ashley Alford, or call 703–614–7585.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Navy Family Accountability and Assessment System; OMB Control Number 0703–0091.

Needs and Uses: The primary purpose of the Navy Family Accountability and Assessment System (NFAAS) is personnel accountability following a natural or man-made disaster for all Active Duty, Reserve, Navy Civilians, Contractors serving Outside the Continental United States (OCONUS), and their dependents. NFAAS also assesses the impact of the disaster on Navy families and Command's ability to fulfill its missions by providing services and tracking support provided to families in recovery. Additionally, NFAAS supports the sponsor and family members during Sailor Individual Augmentation deployments. This collection of information is authorized by DoDI 3001.02, ''Personnel Accountability in Conjunction with Natural or Manmade Disasters,'' and OPNAVINST 3006.1, ''Personnel Accountability in Conjunction with Catastrophic Events.'' Respondents include all Navy personnel who are responsible for accounting after a disaster and updating or verifying sponsor and dependent information. Per DoDI 3001.02, this includes all active and reserve military personnel, Navy civilian employees, Nonappropriated Fund employees, Navy Exchange employees, and OCONUS contractors. CONUS contractors are not included. For the purpose of complying with the Paperwork Reduction Act, the burden estimates in this information collection request only account for respondents who are members of the public.

Affected Public: Individuals or households.

Annual Burden Hours: 195.

Number of Respondents: 1,674.

Responses per Respondent: 2.

Annual Responses: 3,348.

Average Burden per Response: 3.5 minutes.

Frequency: On Occasion.

Dated: September 23, 2026.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2026–19733 Filed 9–25–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Department of the Navy

[Docket ID: USN–2026–HQ–0332]

Submission for OMB Review; Comment Request

AGENCY: Department of the Navy, Department of Defense (DoD).

ACTION: 30-Day information collection notice.

SUMMARY: The Department of Defense (referred to herein as ''the Department'', ''Department of War'' or ''DoW'') has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act.

DATES: Consideration will be given to all comments received by October 28, 2026.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Reginald Lucas, (571) 372–7574, *whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil.*

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Navy Child and Youth Programs Forms; OPNAV Forms 1700/1, 1700/7–1700/9, 1700/12–1700/15, and 1700/17–1700/23; OMB Control Number 0703–0087.

Type of Request: Revision.

Registration Forms

Number of Respondents: 17,152.

Responses per Respondent: 5.25.

Annual Responses: 90,059.

Average Burden per Response: 43.57 minutes.

Annual Burden Hours: 65,395.

Medical Forms

Number of Respondents: 19,054.

Responses per Respondent: 1.

Annual Responses: 19,054.

Average Burden per Response: 44.86 minutes.

Annual Burden Hours: 14,246.

Total

Annual Burden Hours: 79,641.

Number of Respondents: 36,206.

Annual Responses: 109,113.

Needs And Uses: Navy Child and Youth Programs (CYP) collects information in order to facilitate accurate and efficient operation of all programs and activities as part of fulfilling CYP's mission to provide services to eligible patrons. Numerous forms are used by patrons to complete the enrollment/registration process to enroll children and youths into CYP programs and activities, establish patron fees, determine the general health status of CYP participants and ensure that all their needs are documented.

Affected Public: Individuals or households.

Frequency: On occasion.

Respondent's Obligation: Voluntary.

DOD Clearance Officer: Mr. Reginald Lucas.

Dated: September 23, 2026.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2026–19731 Filed 9–25–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: RP26–1267–000.
Applicants: Iroquois Gas Transmission System, L.P.
Description: 4(d) Rate Filing: 9.23.26 Negotiated Rates—Vitol Inc. R–7495–31 to be effective 11/1/2026.
Filed Date: 9/23/26.
Accession Number: 20260923–5040.
Comment Date: 5 p.m. ET 10/5/26.

Docket Numbers: RP26–1268–000.
Applicants: Iroquois Gas Transmission System, L.P.
Description: 4(d) Rate Filing: 9.23.26 Negotiated Rates—Vitol Inc. R–7495–32 to be effective 11/1/2026.
Filed Date: 9/23/26.
Accession Number: 20260923–5041.
Comment Date: 5 p.m. ET 10/5/26.

Docket Numbers: RP26–1269–000.
Applicants: Iroquois Gas Transmission System, L.P.
Description: 4(d) Rate Filing: 9.23.26 Negotiated Rates—Vitol Inc. R–7495–33 to be effective 11/1/2026.
Filed Date: 9/23/26.
Accession Number: 20260923–5043.
Comment Date: 5 p.m. ET 10/5/26.

Docket Numbers: RP26–1270–000.
Applicants: Iroquois Gas Transmission System, L.P.
Description: 4(d) Rate Filing: 9.23.26 Negotiated Rates—Vitol Inc. R–7495–34 to be effective 11/1/2026.
Filed Date: 9/23/26.
Accession Number: 20260923–5046.
Comment Date: 5 p.m. ET 10/5/26.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

Filings in Existing Proceedings

Docket Numbers: RP26–1199–001.
Applicants: RH energytrans, LLC.
Description: Compliance filing: Compliance to 160 to be effective 1/1/2027.
Filed Date: 9/22/26.
Accession Number: 20260922–5097.
Comment Date: 5 p.m. ET 10/5/26.

Any person desiring to protest in any the above proceedings must file in accordance with Rule 211 of the Commission's Regulations (18 CFR 385.211) on or before 5:00 p.m. Eastern time on the specified comment date.

The filings are accessible in the Commission's eLibrary system (*https://elibrary.ferc.gov/idmws/search/fercgensearch.asp*) by querying the docket number.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation at (202) 502–6595 or *OPP@ferc.gov.*

Dated: September 23, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–19747 Filed 9–25–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RM98–1–000]

Records Governing Off-the-Record Communications Public Notice

This constitutes notice, in accordance with 18 CFR 385.2201(b), of the receipt of prohibited and exempt off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who make or receive a prohibited or exempt off-the-record communication relevant to the merits of a contested proceeding, to deliver to the Secretary of the Commission, a copy of the communication, if written, or a summary of the substance of any oral communication.

Prohibited communications are included in a public, non-decisional file associated with, but not a part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become a part of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to respond to any facts or contentions made in a prohibited off-the-record communication and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such a request only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record communication shall serve the document on all parties listed on the official service list for the applicable proceeding in accordance with Rule 2010, 18 CFR 385.2010.

Exempt off-the-record communications are included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e)(1)(v).

The following is a list of off-the-record communications recently received by the Secretary of the Commission. Each 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. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov* or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659.

Docket Nos.	File date	Presenter or requester
Prohibited:		
None.		
Exempt:		
1. EL26–70–000	9–10–2026	FERC Staff.[1]
2. P–2146–288	9–16–2026	U.S. Representative Mike Rogers.
3. P–2302–101	9–22–2026	FERC Staff.[2]

[1] Letter communication dated 9/9/26 from U.S. Representative Victoria Spartz to the Department of Energy and the Department of Interior.
[2] Memorandum forwarding email communication dated 9/4/26 from Advisory Council on Historic Preservation.

Dated: September 23, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–19749 Filed 9–25–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following Exempt Wholesale Generator filings:

Docket Numbers: EG26–325–000.
Applicants: Washington West Solar LLC.
Description: Washington West Solar LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.
Filed Date: 9/22/26.
Accession Number: 20260922–5086.
Comment Date: 5 p.m. ET 10/13/26.

Docket Numbers: EG26–326–000.
Applicants: Janus Solar PV, LLC.
Description: Janus Solar PV, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.
Filed Date: 9/22/26.
Accession Number: 20260922–5132.
Comment Date: 5 p.m. ET 10/13/26.

Take notice that the Commission received the following Electric Rate filings:

Docket Numbers: ER20–59–011; ER15–1471–018; ER10–1946–021; ER15–632–019; ER16–915–012; ER15–634–019; ER10–2721–022; ER13–291–013; ER15–1672–017; ER20–422–008; ER20–58–008; ER10–2861–017; ER20–57–008; ER19–2287–010; ER16–2520–010; ER10–2756–017; ER16–2010–012; ER14–2939–017; ER10–1874–021; ER19–9–015; ER15–2728–019; ER10–2201–014; ER19–2294–010; ER18–97–008; ER14–2140–018; ER12–1308–020; ER15–1952–018; ER16–711–016; ER14–2466–020; ER14–2465–020; ER14–2141–018; ER16–2561–011; ER19–8–010; ER13–1504–018; ER17–318–010; ER20–339–008; ER19–2305–010.
Applicants: Valencia Power, LLC, Twiggs County Solar, LLC, Three Peaks Power, LLC, SWG Arapahoe, LLC, Sweetwater Solar, LLC, Sunflower Wind Project, LLC, Selmer Farm, LLC, RE Columbia Two LLC, RE Camelot LLC, Pio Pico Energy Center, LLC, Pavant Solar LLC, Palouse Wind, LLC, Mulberry Farm, LLC, MS Solar 3, LLC, Mesquite Power, LLC, Marina Energy, LLC, Maricopa West Solar PV, LLC, Mankato Energy Center II, LLC, Mankato Energy Center, LLC, Imperial Valley Solar Company (IVSC) 2, LLC, Hancock Wind, LLC, Griffith Energy LLC, Grand View PV Solar Two LLC, Goal Line L.P., GA Solar 3, LLC, Fountain Valley Power, L.L.C., FL Solar 4, LLC, FL Solar 1, LLC, Evergreen Wind Power II, LLC, EnergyMark, LLC, El Paso Electric Company, Cottonwood Solar, LLC, Comanche Solar PV, LLC, CID Solar, LLC, Broad River Energy LLC, Blue Sky West, LLC, AZ Solar 1, LLC.
Description: Notice of Non-Material Change in Status of AZ Solar 1, LLC, et al.
Filed Date: 9/21/26.
Accession Number: 20260921–5382.
Comment Date: 5 p.m. ET 10/13/26.

Docket Numbers: ER21–737–000.
Applicants: Lakehurst Solar, L.L.C.
Description: Refund Report: Refund Report to be effective N/A.
Filed Date: 9/23/26.
Accession Number: 20260923–5002.
Comment Date: 5 p.m. ET 10/14/26.

Docket Numbers: ER26–2023–002.
Applicants: Midcontinent Independent System Operator, Inc.
Description: Compliance filing: 2026–09–23_SA 4726 Compliance Ameren MO-Ameren MO GIA (E0017) to be effective 3/26/2026.
Filed Date: 9/23/26.
Accession Number: 20260923–5072.
Comment Date: 5 p.m. ET 10/14/26.

Docket Numbers: ER26–2699–002.
Applicants: Sun Chief Solar Farm, LLC.
Description: Compliance filing: Compliance Filing to be effective 7/13/2026.
Filed Date: 9/23/26.
Accession Number: 20260923–5078.
Comment Date: 5 p.m. ET 10/14/26.

Docket Numbers: ER26–2899–002.
Applicants: Southwest Power Pool, Inc.
Description: Tariff Amendment: Southwest Power Pool, Inc. submits tariff filing per 35.17(b): 2881R23 City of Chanute, KS NITSA NOA to be effective 9/1/2026.
Filed Date: 9/23/26.
Accession Number: 20260923–5016.
Comment Date: 5 p.m. ET 10/14/26.

Docket Numbers: ER26–2914–002.
Applicants: Southwest Power Pool, Inc.
Description: Tariff Amendment: 1976R17 FreeState Electric Cooperative, Inc. NITSA and NOA to be effective 9/1/2026.
Filed Date: 9/23/26.
Accession Number: 20260923–5017.
Comment Date: 5 p.m. ET 10/14/26.

Docket Numbers: ER26–2917–002.
Applicants: Southwest Power Pool, Inc.
Description: Tariff Amendment: 3599R7 MO Joint Municipal Electric Utility Commission NITSA NOA to be effective 9/1/2026.
Filed Date: 9/23/26.
Accession Number: 20260923–5024.
Comment Date: 5 p.m. ET 10/14/26.

Docket Numbers: ER26–2966–002.
Applicants: Southwest Power Pool, Inc.
Description: Tariff Amendment: Southwest Power Pool, Inc. submits tariff filing per 35.17(b): 3620R9 Kansas City Board of Public Utilities NITSA NOA to be effective 9/1/2026.
Filed Date: 9/23/26.
Accession Number: 20260923–5029.
Comment Date: 5 p.m. ET 10/14/26.

Docket Numbers: ER26–3064–003.
Applicants: Southwest Power Pool, Inc.
Description: Tariff Amendment: 1276R43 Evergy Metro NITSA NOA Amended to be effective 9/1/2026.
Filed Date: 9/23/26.
Accession Number: 20260923–5034.
Comment Date: 5 p.m. ET 10/14/26.

Docket Numbers: ER26–3818–000.
Applicants: Portage Solar, LLC.
Description: Initial Rate Filing: Market-Based Rate Application to be effective 11/22/2026.
Filed Date: 9/22/26.
Accession Number: 20260922–5125.
Comment Date: 5 p.m. ET 10/13/26.

Docket Numbers: ER26–3819–000.
Applicants: Bell Solar, LLC.
Description: Request for Limited and Prospective Waiver, et al. of Bell Solar LLC.
Filed Date: 9/23/26.
Accession Number: 20260923–5025.
Comment Date: 5 p.m. ET 10/14/26.

Docket Numbers: ER26–3820–000.
Applicants: PJM Interconnection, L.L.C.
Description: 205(d) Rate Filing: Original GIA, SA No. 8055; Project Identifier No. S93/AH1–684 to be effective 8/24/2026.
Filed Date: 9/23/26.
Accession Number: 20260923–5026.
Comment Date: 5 p.m. ET 10/14/26.

Docket Numbers: ER26–3821–000.
Applicants: PJM Interconnection, L.L.C.
Description: 205(d) Rate Filing: Original GIA Service Agreement No. 8053; Project Identifier #S96/AH1–693 to be effective 8/24/2026.
Filed Date: 9/23/26.
Accession Number: 20260923–5028.
Comment Date: 5 p.m. ET 10/14/26.

Docket Numbers: ER26–3822–000.
Applicants: Emerald Green Solar LLC.
Description: Initial Rate Filing: Application for Market-Based Rate Authorization, Request for Related Waivers to be effective 11/26/2026.

Filed Date: 9/23/26.
Accession Number: 20260923–5047.
Comment Date: 5 p.m. ET 10/14/26.

Docket Numbers: ER26–3823–000.
Applicants: PJM Interconnection, L.L.C.
Description: 205(d) Rate Filing: GIA, SA# 8052; Project ID AA2–079/AH1–696; Cancellation, ISA, SA# 2135; AA2–079 to be effective 8/24/2026.
Filed Date: 9/23/26.
Accession Number: 20260923–5053.
Comment Date: 5 p.m. ET 10/14/26.

Docket Numbers: ER26–3824–000.
Applicants: Wisconsin Electric Power Company.
Description: 205(d) Rate Filing: Formula Rate Update Filing for 2025 Rate Year to be effective 1/1/2025.
Filed Date: 9/23/26.
Accession Number: 20260923–5063.
Comment Date: 5 p.m. ET 10/14/26.

Docket Numbers: ER26–3825–000.
Applicants: PJM Interconnection, L.L.C.
Description: 205(d) Rate Filing: GIA, Service Agreement No. 8056; S94/AH1–685 to be effective 8/24/2026.
Filed Date: 9/23/26.
Accession Number: 20260923–5085.
Comment Date: 5 p.m. ET 10/14/26.

Docket Numbers: ER26–3826–000.
Applicants: Evergy Metro, Inc.
Description: 205(d) Rate Filing: Garnett IA and DPFA to be effective 11/23/2026.
Filed Date: 9/23/26.
Accession Number: 20260923–5095.
Comment Date: 5 p.m. ET 10/14/26.

Docket Numbers: ER26–3827–000.
Applicants: Evergy Missouri West, Inc.
Description: 205(d) Rate Filing: Liberal, Mo IA to be effective 11/23/2026.
Filed Date: 9/23/26.
Accession Number: 20260923–5098.
Comment Date: 5 p.m. ET 10/14/26.

Docket Numbers: ER26–3828–000.
Applicants: New York Independent System Operator, Inc.
Description: 205(d) Rate Filing: NYISO 205: Amended LGIA Holtsville Energy Storage SA2836 (CEII) to be effective 9/9/2026.
Filed Date: 9/23/26.
Accession Number: 20260923–5105.
Comment Date: 5 p.m. ET 10/14/26.

Docket Numbers: ER26–3829–000.
Applicants: PJM Interconnection, L.L.C.
Description: 205(d) Rate Filing: GIA, Service Agreement No. 8054; AA1–123/AH1–699 to be effective 8/24/2026.
Filed Date: 9/23/26.
Accession Number: 20260923–5116.
Comment Date: 5 p.m. ET 10/14/26.

Take notice that the Commission received the following Public Utility Holding Company filings:

Docket Numbers: PH26–18–000.
Applicants: Base Power, Inc.
Description: Base Power, Inc. submits FERC 65–B Notice of Change in Fact to Waiver Notification.
Filed Date: 9/21/26.
Accession Number: 20260921–5378.
Comment Date: 5 p.m. ET 10/13/26.

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.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation at (202) 502–6595 or *OPP@ferc.gov.*

Dated: September 23, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–19746 Filed 9–25–26; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2017–0751; FRL–13645–01–OCSPP]

Pesticide Registration Review; 4–CPA Final Decision; Notice of Availability

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces the availability of EPA's final registration review decision for 4–CPA.

FOR FURTHER INFORMATION CONTACT:

For pesticide specific information, contact: The Chemical Review Manager identified in Table 1 of Unit I.

For general information on the registration review program, contact: Melanie Biscoe, Pesticide Re-Evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: 202–566–0701; email address: *biscoe.melanie@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Purpose of This Notice

Pursuant to 40 CFR 155.58(c), this notice announces the availability of EPA's final registration review decision for 4–CPA (Table1). The final registration review decision is supported by rationale included in the docket established for the chemical.

TABLE 1—FINAL REGISTRATION REVIEW DECISION BEING ISSUED

Registration review case name and number	Docket ID No.	Chemical review manager and contact information
4–CPA, Case Number 2115	EPA–HQ–OPP–2014–0544	Christian Bongard, *bongard.christian@epa.gov*, (202)-566–2248.

II. Background

EPA is conducting its registration review of 4–CPA pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) section 3(g) (7 U.S.C. 136a(g)) and the Procedural Regulations for Registration Review at 40 CFR part 155, subpart C. FIFRA section 3(g) provides, among other things, that pesticide registrations are to be reviewed every 15 years. Consistent with 40 CFR 155.57, in its final registration review decision, EPA will ultimately determine whether a pesticide continues to meet the registration standard in FIFRA section 3(c)(5) (7 U.S.C. 136a(c)(5)). As part of the registration review process, the

Agency has completed a final registration review decision for 4–CPA.

Prior to completing the final decision for 4–CPA, EPA posted the proposed decision and invited the public to submit any comments or new information, consistent with 40 CFR 155.58(a). EPA considered and responded to any comments or information received during the public comment period in the final registration review decision.

For additional background on the registration review program, see: *https://www.epa.gov/pesticide-reevaluation.*

Authority: 7 U.S.C. 136 *et seq.*

Dated: September 23, 2026.

Jean Anne Overstreet,

Director, Pesticide Re-Evaluation Division, Office of Pesticide Programs.

[FR Doc. 2026–19744 Filed 9–25–26; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2009–0361; FRL–13597–02–OCSPP]

Glyphosate Open Literature Search To Inform Human Health Risk Assessment; Extension of Comment Period

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice; extension of comment period.

SUMMARY: EPA issued a notice in the **Federal Register** of August 25, 2026, concerning a glyphosate open literature search to inform the human health risk assessment. This document extends the comment period for 60 days, from September 24, 2026, to November 23, 2026. The comment period is being extended to allow for further meaningful input from stakeholders.

DATES: Comments, identified by docket identification (ID) number EPA–HQ–OPP–2009–0361, must be received on or before November 23, 2026.

ADDRESSES: Follow the detailed instructions provided under **ADDRESSES** in the **Federal Register** document of August 25, 2026 (91 FR 54870) (FRL–13597–01).

FOR FURTHER INFORMATION CONTACT: Cathryn Britton, Risk Management and Implementation Branch 5, Pesticide Re-evaluation Division, Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: (202) 566–2339; email address: *glyphosateregreview@epa.gov.*

SUPPLEMENTARY INFORMATION: This document extends the public comment period established in the **Federal Register** document of August 25, 2026 (91 FR 54870) (FRL–13597–01). EPA is hereby extending the comment period, which was set to end on September 24, 2026, to November 23, 2026.

To submit comments, or access the docket, please follow the detailed instructions provided under **ADDRESSES** in the **Federal Register** document of August 25, 2026 (91 FR 54870) (FRL–13597–01). If you have questions, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

Authority: 7 U.S.C. 136 *et seq.*

Dated: September 24, 2026.

Jean Anne Overstreet,

Director, Pesticide Re-Evaluation Division, Office of Pesticide Programs.

[FR Doc. 2026–19775 Filed 9–25–26; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

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 the BHC Act (12 U.S.C. 1842(c)).

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, Benjamin W. McDonough, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington DC 20551–0001, not later than October 28, 2026.

A. Federal Reserve Bank of Chicago (Christopher Koopmans, Senior Vice President) 230 South LaSalle Street, Chicago, Illinois 60690–1414. Comments can also be sent electronically to *Comments.applications@chi.frb.org:*

1. *1870 Holdings, Inc., Monmouth, Illinois;* to merge with Rushville Bancshares, Inc., and thereby indirectly acquire Rushville State Bank, both of Rushville, Illinois.

Board of Governors of the Federal Reserve System.

Michele Taylor Fennell,

Associate Secretary of the Board.

[FR Doc. 2026–19759 Filed 9–25–26; 8:45 am]

BILLING CODE P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[60Day–26–1074; Docket No. CDC–2026–1552]

Proposed Data Collection Submitted for Public Comment and Recommendations

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice with comment period.

SUMMARY: The Centers for Disease Control and Prevention (CDC), as part of its continuing effort to reduce public burden and maximize the utility of government information, invites the general public and other federal agencies the opportunity to comment on a continuing information collection, as required by the Paperwork Reduction Act of 1995. This notice invites comment on a proposed information collection project titled Colorectal Cancer Control Program (CRCCP) Monitoring Activities. CDC is requesting approval to continue information collection via an annual survey, a clinic-level data collection instrument, and a quarterly recipient-level program update survey.

DATES: CDC must receive written comments on or before November 27, 2026.

ADDRESSES: You may submit comments, identified by Docket No. CDC–2026–1552 by either of the following methods:

• *Federal eRulemaking Portal: www.regulations.gov.* Follow the instructions for submitting comments.

• *Mail:* Jeffrey M. Zirger, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE, MS H21–8, Atlanta, Georgia 30329.

Instructions: All submissions received must include the agency name and Docket Number. CDC will post, without change, all relevant comments to *www.regulations.gov.*

Please note: Submit all comments through the Federal eRulemaking portal (*www.regulations.gov*) or by U.S. mail to the address listed above.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the information collection plan and instruments, contact Jeffrey M. Zirger, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE, MS H21–8, Atlanta, Georgia 30329; Telephone: 404–639–7118; Email: *omb@cdc.gov.*

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. In addition, the PRA also requires federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each new proposed collection, each proposed extension of existing collection of information, and each reinstatement of previously approved information collection before submitting the collection to the OMB for approval. To comply with this requirement, we are publishing this notice of a proposed data collection as described below.

The OMB is particularly interested in comments that will help:

1. 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;

2. 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;

3. Enhance the quality, utility, and clarity of the information to be collected;

4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submissions of responses; and

5. Assess information collection costs.

Proposed Project

Colorectal Cancer Control Program (CRCCP) Monitoring Activities (OMB Control No. 0920–1074, Exp. 6/30/2027)—Extension—National Center for Chronic Disease Prevention and Health Promotion (NCCDPHP), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

The Centers for Disease Control and Prevention (CDC) is requesting an Extension to Colorectal Cancer Control Program (CRCCP) Monitoring Activities (OMB Control No. 0920–1074). CDC proposes information collection using the Annual Awardee Survey, Clinic-Level Data Collection Instrument, and Quarterly Program Update. Colorectal cancer (CRC) is the fourth leading cause of death from cancer in the United States among cancers that affect both men and women. There is substantial evidence that CRC screening reduces the incidence of and death from the disease. Screening for CRC can detect disease early when treatment is more effective and prevent cancer by finding and removing precancerous polyps. Of individuals diagnosed with early-stage CRC, more than 90% live five or more years. Despite strong evidence supporting screening, Behavioral Risk Factor Surveillance System (BRFSS) data from 2022 showed that 62.1% of eligible Americans 45 to 75 years old are up to date with colorectal cancer screening and 32.3% have never been screened. To reduce CRC morbidity, mortality, and associated costs, use of CRC screening tests must be increased among age-eligible adults with the lowest CRC screening rates.

The purpose of the Colorectal Cancer Control Program (CRCCP) is to partner with health systems and their individual primary care clinics to implement Evidence-based Interventions (EBIs) to increase CRC screening among defined populations of adults ages 45–75 that have CRC screening rates lower than the national, regional, or local rate. In 2025, CDC issued the funding opportunity, Changing Health Systems Using Evidence-based Interventions to Increase Colorectal Cancer Screening (DP25–0012), a 5-year cooperative agreement to increase CRC screening among defined populations of adults. DP25–0012 funds recipients to partner with health systems and their primary care clinics to implement multiple EBIs, partner with organizations to support implementation of EBIs in those clinics and collect high-quality clinic-level data when a clinic is recruited to participate (baseline) and annually thereafter to monitor EBI implementation and assess screening rate changes. DP25–0012 also requires recipients to conduct a formal capacity/readiness assessment of potential clinics to implement EBIs, use assessment findings to select appropriate EBIs for implementation, and provide clinics with limited financial resources to support follow-up colonoscopies for under- and uninsured patients after an abnormal CRC screening test.

CDC proposes three information collections—the Annual Awardee Survey, the Clinic-Level Data Collection Instrument, and the Quarterly Program Update—to reflect the strategies and objectives detailed in DP25–0012. The Annual Awardee Survey assesses program management, clinic readiness assessment activities, data management, technical assistance (TA) needs, and partnerships, at the recipient level. CDC will conduct the survey among all 38 recipients following the end of each program year. The Clinic-level Information Collection Instrument assesses health system and clinic characteristics; program reach; CRC screening practices and outcomes; clinics' quality improvement and monitoring activities; EBI implementation, and additional factors that affect EBI implementation over time. Clinic-level information will be collected from all 38 recipients within three months after the end of each program year. The Quarterly Program Update will collect standardized recipient-level information on aspects of program management, including: (1) quarterly program expenditures; (2) current staff vacancies; (3) program successes and challenges; and (4) current TA needs at the recipient level. These data are collected quarterly to enable rapid reporting of programmatic information to support CDC program consultants in providing tailored and meaningful TA. The Quarterly Program Update will be administered among all 38 recipients in the month following each program quarter (*i.e.,* December, March, June, September).

This information collection enables CDC to gauge progress in meeting

CRCCP program goals and monitor implementation activities, evaluate outcomes, and identify recipients' TA needs. In addition, data collected will inform program improvement and help identify successful activities that need to be maintained, replicated, or expanded.

OMB approval is requested for three years. The total estimated annualized burden is 699 hours. There is no cost to respondents other than their time to participate.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondent	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hr)	Total burden (in hr)
CRCCP Recipients	CRCCP Annual Awardee Survey	38	1	15/60	10
	CRCCP Clinic-level Information Collection Instrument	38	20	50/60	633
	CRCCP Quarterly Program Update	38	4	22/60	56
Total					699

Jeffrey M. Zirger,

Lead, Information Collection Review Office, Office of Public Health Ethics and Regulations, Office of Science, Centers for Disease Control and Prevention.

[FR Doc. 2026–19766 Filed 9–25–26; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[60Day–26–0284; Docket No. CDC–2026–1585]

Proposed Data Collection Submitted for Public Comment and Recommendations

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice with comment period.

SUMMARY: The Centers for Disease Control and Prevention (CDC), as part of its continuing effort to reduce public burden and maximize the utility of government information, invites the general public and other federal agencies the opportunity to comment on a proposed information collection, as required by the Paperwork Reduction Act of 1995. This notice invites comment on a proposed information collection project titled Public Health Emergency Preparedness (PHEP) Cooperative Agreement. This request proposes to collect information from the PHEP Cooperative Agreement awardees to document and monitor their performance measure progress and fulfillment.

DATES: CDC must receive written comments on or before November 27, 2026.

ADDRESSES: You may submit comments, identified by Docket No. CDC–2026–1585 by either of the following methods:

- *Federal eRulemaking Portal: www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Jeffrey M. Zirger, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE, MS H21–8, Atlanta, Georgia 30329.

Instructions: All submissions received must include the agency name and Docket Number. CDC will post, without change, all relevant comments to *www.regulations.gov.* Please note: Submit all comments through the Federal eRulemaking portal (*www.regulations.gov*) or by U.S. mail to the address listed above.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the information collection plan and instruments, contact Jeffrey M. Zirger, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE, MS H21–8, Atlanta, Georgia 30329; Telephone: 404–639–7570; Email: *omb@cdc.gov.*

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. In addition, the PRA also requires federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each new proposed collection, each proposed extension of existing collection of information, and each reinstatement of previously approved information collection before submitting the collection to the OMB for approval. To comply with this requirement, we are publishing this notice of a proposed data collection as described below.

The OMB is particularly interested in comments that will help:

1. 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;
2. 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;
3. Enhance the quality, utility, and clarity of the information to be collected;
4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submissions of responses; and
5. Assess information collection costs.

Proposed Project

Public Health Emergency Preparedness (PHEP) Cooperative Agreement—Existing Collection in use without an OMB Control Number—Office of Readiness and Response (ORR), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

The Public Health Emergency Preparedness (PHEP) Cooperative Agreement is a five-year program administered by the Office of Readiness and Response's Division of State and Local Readiness. The PHEP Cooperative Agreement aims to strengthen the capability of state, tribal, local, and territorial (STLT) public health systems to prepare for, respond to, and recover from public health threats and emergencies. The 62 awardees of the PHEP Cooperative Agreement include the 50 State governments, Territorial governments and freely associated states of American Samoa, Commonwealth of the Northern Mariana Islands, Federated States of Micronesia, Guam, Puerto Rico, Republic of the Marshall Islands, Republic of Palau, and U.S. Virgin Islands and the local governments of Chicago, Los Angeles County, New York City, and Washington, DC.

The goal of the PHEP Cooperative Agreement is to enhance readiness to save lives during emergencies that exceed the day-to-day capacity of public health response agencies. This funding opportunity provides a roadmap for PHEP recipients to develop strategies and activities that will increase their readiness to execute plans, respond to public health threats and emergencies, and recover from them. CDC will use the collected information from the 62 PHEP Cooperative Agreement awardees to monitor their progress of activities described in the cooperative agreement Notice of Funding Opportunity (NOFO), track preparedness capacity trends over time, identify technical assistance needs, and ensure their appropriate use of government funds.

This information collection request is comprised of the following:

The ''PHEP Capacity Indicator Survey'' aims to support recipients' self-assessment of public health emergency preparedness capacity and requirements. Beyond capacity ratings, this collection includes supplemental questions to capture qualitative and policy-relevant information that the indicator framework alone cannot address. These questions cover areas such as EOC activation frequency, depth of partner integration in exercises and real incidents, and the economic value of pre-positioned PHEP-funded resources. Responses to supplemental questions are intended to inform technical assistance targeting, identify common jurisdictional challenges, and support CDC's internal policy development for future cooperative agreement periods.

The ''Public Health Capability Crosswalk'' with Response Readiness Framework (RRF) areas provides recipients with an opportunity to connect and align the 15 Public Health Capabilities and the 10 RRF framework areas This mapping exercise ensures that recipients can articulate the functional relationships between specific public health capabilities—such as community preparedness, emergency operations coordination, and medical countermeasure dispensing—and the overarching readiness response framework areas that structure the required PHEP activities. By completing this crosswalk, recipients provide evidence that their preparedness infrastructure comprehensively addresses all required readiness areas, supporting both program accountability and the identification of gaps in jurisdictional preparedness capacity.

The ''Planned Exercise Schedule'' serves as a planning and accountability tool, enabling recipients to demonstrate a deliberate, forward-looking approach to fulfilling their exercise obligations—including functional exercises, full-scale exercises, and tabletop exercises—in alignment with the Homeland Security Exercise and Evaluation Program (HSEEP) standards.

The ''PHEP 5-Year Workplan'' is an iterative planning process that ensures recipients maintain a current and actionable roadmap for strengthening jurisdictional preparedness capacity while providing CDC with a consistent mechanism for monitoring long-term program performance and accountability.

The ''PHEP Continuation Workplan'' allows CDC to assess recipient performance, verify alignment with program priorities, and make informed funding decisions while ensuring recipients maintain momentum in building and sustaining public health emergency preparedness capacity.

These ''PHEP Administrative & Federal Requirements,'' outlined in the Pandemic and All-Hazards Preparedness and Advancing Innovation Act (PAHPAI) and other relevant federal statutes and guidance, ensure that recipients maintain sound stewardship of public funds and operate their programs with transparency and accountability. Recipients are responsible for ensuring that all subrecipients and contractors operating under the cooperative agreement also adhere to these administrative and federal requirements throughout the period of performance.

The ''PHEP Progress Updates'' serve as an ongoing communication mechanism between recipients and CDC project officers, ensuring that emerging issues are identified and addressed in a timely manner rather than surfacing only at the end of a budget period. Progress updates also allow recipients to document adjustments to their work plans, report on expenditures relative to planned budgets, and demonstrate continued alignment with PHEP program priorities and requirements.

Recipients must submit a ''PHEP Budget Narrative'' because it provides CDC with the transparency and detail necessary to evaluate whether proposed costs are reasonable, allowable, and aligned with the programmatic activities and preparedness priorities outlined in their work plan. A well-constructed budget narrative also serves as a planning tool for recipients, helping to ensure that financial resources are thoughtfully allocated across all required capabilities and activities for the upcoming budget period. Additionally, the budget narrative establishes a baseline against which CDC can monitor spending patterns throughout the budget period, supporting accountability for the use of federal funds and facilitating productive conversations between recipients and CDC project officers when adjustments to planned expenditures are needed.

The ''PHEP Spend Plan'' helps ensure that recipients are making steady and appropriate progress in obligating and expending funds in alignment with their approved budget narrative and planned programmatic activities.

CDC requests OMB approval for three years. The annual estimated burden for this information collection is 880 hours. There is no cost to respondents other than their time.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)	Total burden (in hours)
PHEP Awardees	Capacity Indicator Survey	62	1	36/60	37
PHEP Awardees	Public Health Capability Crosswalk	62	1	12/60	12
PHEP Awardees	Planned Exercises	62	1	12/60	12
PHEP Awardees	Work Plan	62	1	2	124
PHEP Awardees	Continuation Application	62	1	72/60	62
PHEP Awardees	Administrative & Federal Requirements	62	1	1	62
PHEP Awardees	Progress Updates	62	2	1.5	186
PHEP Awardees	Budget Narrative	62	1	2	124

ESTIMATED ANNUALIZED BURDEN HOURS—Continued

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)	Total burden (in hours)
PHEP Awardees	Spend Plans	62	4	1	248
Total					880

Jeffrey M. Zirger,

Lead, Information Collection Review Office, Office of Public Health Ethics and Regulations, Office of Science, Centers for Disease Control and Prevention.

[FR Doc. 2026–19765 Filed 9–25–26; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[30Day–26–1425]

Agency Forms Undergoing Paperwork Reduction Act Review

In accordance with the Paperwork Reduction Act of 1995, the Centers for Disease Control and Prevention (CDC) has submitted the information collection request titled ''Reporting of the Essentials for Childhood (EfC): Preventing Adverse Childhood Experiences through Data to Action Program'' to the Office of Management and Budget (OMB) for review and approval. CDC previously published a ''Proposed Data Collection Submitted for Public Comment and Recommendations'' notice on June 18, 2026, to obtain comments from the public and affected agencies. CDC received two comments related to the previous notice. This notice serves to allow an additional 30 days for public and affected agency comments.

CDC will accept all comments for this proposed information collection project. The Office of Management and Budget is particularly interested in comments that:

(a) 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;

(b) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(c) Enhance the quality, utility, and clarity of the information to be collected;

(d) Minimize the burden of the collection of information on those who are to respond, including, through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses; and

(e) Assess information collection costs.

To request additional information on the proposed project or to obtain a copy of the information collection plan and instruments, call (404) 639–7570. Comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function. Direct written comments and/or suggestions regarding the items contained in this notice to the Attention: CDC Desk Officer, Office of Management and Budget, 725 17th Street NW, Washington, DC 20503 or by fax to (202) 395–5806. Provide written comments within 30 days of notice publication.

Proposed Project

Reporting of the Essentials for Childhood (EfC): Preventing Adverse Childhood Experiences through Data to Action Program (OMB Control No. 0920–1425, Exp 12/31/2026)—Revision—National Center for Injury Prevention and Control (NCIPC), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

The purpose of the information collection effort is to collect Essentials for Childhood (EfC) program recipient data related to surveillance, implementation, program evaluation, and performance monitoring. Program evaluation is an essential public health function and important for performance monitoring. Evaluation activities allow CDC to identify and disseminate information about best practices for successful implementation of violence prevention programs by recipients. This data collection is necessary to ensure that programs are progressing toward achievement of their stated goals and objectives, as well as consistently demonstrating efficient and appropriate use of federal funds. CDC will use the information collected to further understand the facilitators, barriers, and critical factors to implementing specific violence prevention strategies and conducting related program evaluation activities. Data collected will also be used to inform CDC's training and technical assistance, program improvement, and the development of future funding opportunities.

Data collection is designed to address the following key program evaluation questions:

• *Q1:* What has the recipient accomplished to achieve the overall goals and objectives of the NOFO, and the short-term and intermediate-outcomes in their logic model?

• *Q2:* How has the recipient leveraged multi-sector partnerships and resources among state agencies (additional funding at the local level) and other sectors to prevent ACEs, including forming sustainable systems and partnerships, and realigning/focusing/mobilizing resources to prevent ACEs?

• *Q3:* In what ways has the recipient built or enhanced their state-level surveillance system to monitor ACEs?

• *Q4:* How has the recipient integrated the centering and engaging of communities and conditions for health and safety in preventing ACEs?

• *Q5:* In what ways has the recipient enhanced their statewide action plan to implement complementary ACEs prevention strategies (additional funding for implementation at the local level)?

• *Q6:* What factors are critical to implementing ACEs prevention program strategies?

• *Q7:* In what ways has the recipient enhanced their ability to use ACEs and PCEs surveillance and evaluation data to inform prevention strategy allocation? In what ways has the recipient enhanced their ability to disseminate and use data to inform partner, policy, or other action?

• *Q8:* To what extent has the recipient seen a sustainable increase in capacity and activities related to routine monitoring of ACEs and PCEs data among youth? To what extent has the recipient seen a sustainable increase in capacity and activities related to routine monitoring of near real-time surveillance to monitor indicators of ACEs?

Each recipient is required to complete an Annual Performance Reports (APRs) for each budget period over five years, detailing progress toward performance outcomes, updates to plans, and reporting successes, challenges, and technical assistance needs. Data collections will also be conducted through web-based qualitative interviews, assessments, and web-based surveys. CDC evaluators will employ qualitative methods to ensure accuracy and reflection of interview content and help solicit data on how recipients implemented surveillance and evaluations activities.

Revisions were made to streamline the reporting process and comply with CDC's priorities and Presidential Executive Orders ''Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government'' and ''Ending Radical and Wasteful Government DEI Programs and Preferencing.'' CDC requests OMB approval for an estimated 130 annual burden hours. There is no cost to respondents other than their time to participate.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)
Essentials for Childhood Grantees	Annual performance report (APR)—project leads	12	1	10
	Key Informant Interview—Principal Investigators	12	1	12/60
	Key Informant Interview—Principal Investigator/ Implementor.	12	1	12/60
	Surveillance Capacity Assessment—Surveillance Lead.	12	1	6/60
	Implementation Capacity Assessment	12	1	6/60
	Evaluation and Surveillance Survey—Surveillance Lead or Evaluator.	12	1	12/60

Jeffrey M. Zirger,

Lead, Information Collection Review Office, Office of Public Health Ethics and Regulations, Office of Science, Centers for Disease Control and Prevention.

[FR Doc. 2026–19764 Filed 9–25–26; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Privacy Act of 1974; System of Records

AGENCY: Office of Refugee Resettlement (ORR), Administration for Children and Families (ACF), Department of Health and Human Services (HHS).

ACTION: Notice of a modified system of records.

SUMMARY: In accordance with the requirements of the Privacy Act of 1974, as amended, the Department of Health and Human Services (HHS) is modifying an existing system of records maintained by the Office of Refugee Resettlement (ORR) within HHS' Administration for Children and Families (ACF), System No. 09–80–0321, ORR Unaccompanied Children Bureau (UCB) Administrative Program Records. The system of records covers records about unaccompanied children, their intended sponsors, and members of the intended sponsors' households, used in administering ORR programs that provide for the children's care and placement. This modification includes changing the system of records name to ''ORR Unaccompanied Alien Children Bureau (UACB) Administrative Program Records'' and streamlining certain routine uses to enhance information sharing capabilities for child protection purposes while maintaining core privacy protections.

DATES: In accordance with 5 U.S.C. 552a(e)(4) and (11), this notice is effective October 28, 2026, subject to a 30-day period in which to comment on the revisions described below and is intended to provide edits to the notice as a whole. Please submit any comments by October 28, 2026.

ADDRESSES: The public should address written comments on this notice to Toby Biswas, Assistant Deputy Director for Policy, Office of Refugee Resettlement, Administration for Children and Families, by mail at 330 C Street SW, Washington, DC 20201, or by email at *UACPolicy-RegulatoryAffairs@acf.hhs.gov.*

FOR FURTHER INFORMATION CONTACT: General questions about the modified system of records may be submitted to Toby Biswas, Assistant Deputy Director for Policy, Office of Refugee Resettlement, Administration for Children and Families, by mail or email at 330 C Street SW, Washington, DC 20201, or *UACPolicy-RegulatoryAffairs@acf.hhs.gov*, or by phone at (202) 205–4440.

SUPPLEMENTARY INFORMATION:

I. Modifications to SORN 09–80–0321

In addition to adding ''alien'' to the system of records name, the Office of Refugee Resettlement (ORR) is revising three routine uses in this system of records to streamline information sharing standards for clarity, while maintaining core privacy protections. The revised routine uses will ensure that information can be shared more efficiently with the Department of Homeland Security (DHS) and law enforcement entities for legally permissible purposes such as protecting children from dangerous crimes including trafficking, while continuing to prohibit information sharing for immigration enforcement purposes. The revisions made to routine uses are as follows:

- In Routine use 5, *Disclosure to Department of Homeland Security,* the introductory sentence that precedes the itemized list of disclosure purposes now states an overall disclosure purpose (*i.e.,* ''purposes related to child safety and welfare and not immigration enforcement, including but not limited to the following purposes''), and the itemized list includes these changes:
  - Purposes a. and f. now include the word ''alien'' before ''child'' and

''children,'' to better align with statutory terminology.

◦ Purpose b. no longer cites 45 CFR part 410 or 45 CFR part 411 as sources of applicable information sharing restrictions, because those restrictions do not apply to information disclosed for the purpose described in b., *i.e.,* continuity of care.

◦ Purpose g. has been changed from ''[f]acilitating human trafficking investigations by DHS Homeland Security Investigations (HSI) to ensure child safety'' to ''*[t]he limited purpose of* facilitating human trafficking investigations by DHS, *U.S. Immigration and Customs Enforcement/*Homeland Security Investigations (HSI) to ensure child safety *and protect children from dangerous crimes including trafficking.*''

In the paragraphs at the end of routine use 5, ORR has removed the general procedural requirement for an express written advisory while maintaining the substantive prohibition against sharing information for immigration enforcement purposes. Because the Privacy Act defines ''routine use'' as ''the use of such record for a purpose which is compatible with the purpose for which it was collected,'' 5 U.S.C. 552a(a)(7), ORR finds that this additional procedural requirement is unnecessary. ORR is not an immigration enforcement entity and does not collect information for immigration enforcement purposes. Rather, sharing under this routine use is for purposes of advancing ORR's statutory responsibilities (*e.g.,* protecting child welfare, enhancing the potential sponsor vetting process). By making this change, ORR seeks only to streamline procedural requirements to share information under Routine Use 5, so as to remove impediments to sharing information with the Department of Homeland Security in a manner that is compatible with the purpose for which ORR collected it. The routine use has also been expanded to explicitly include sharing information with DHS for criminal investigations to protect children from dangerous crimes including trafficking.

• Routine use 6, *Disclosure for Law Enforcement, Child Welfare Investigation, and State Licensing Purposes,* has been revised to remove the procedural requirements that ORR determine each disclosure is in the best interest of the child and expressly prohibit further uses and disclosures by the recipient, while maintaining (in revised form) the substantive prohibition against sharing information for immigration enforcement purposes and adding a citation to 8 U.S.C. 1373. Because the Privacy Act at 5 U.S.C. 552a(a)(7) defines ''routine use'' as ''the use of such record for a purpose which is compatible with the purpose for which it was collected,'' ORR finds that the additional procedural requirements are unnecessary. ORR is not a law enforcement, state child welfare investigatory, or state licensing entity, and does not collect information for those enforcement purposes. Rather, sharing under this routine use is for purposes of advancing ORR's statutory responsibilities (*e.g.,* protecting child welfare, enhancing the potential sponsor vetting process, overseeing the infrastructure and personnel or facilities in which unaccompanied alien children reside). By making this change, ORR seeks only to streamline procedural requirements for sharing information under this Routine Use 6, so as to remove impediments to the sharing of information with law enforcement, child welfare investigation, and State Licensing entities in a manner that is compatible with the purpose for which ORR collected it. In making these changes, ORR further notes that the procedural requirement to require express written advisory that no other uses of the information would be allowed has been administratively burdensome for ORR to adopt and difficult to implement. In some cases, this has hindered important criminal investigations which serve the interests of children both in and out of ORR care and are therefore not in line with ORR's statutory responsibilities to protect child welfare. Broadly speaking, ORR has also determined that it is in the best interest of children to facilitate investigations into serious criminal conduct and therefore has sought to remove the requirement for an individualized best interest determination at the time of release of important information that can be used to protect children from criminal actors. ORR has also determined that this is in line with its statutory authorities.

• Routine use 20, *Disclosure to Department of State,* has likewise been revised to remove the procedural requirements that ORR determine each disclosure is in the best interest of the child and expressly prohibit further uses and disclosures by the recipient (the Department of State), while maintaining the substantive prohibition against sharing information for immigration enforcement purposes. These modifications maintain all substantive protections against sharing information for immigration enforcement purposes, and against sharing healthcare information, while removing procedural requirements that could unnecessarily delay information sharing for legally permissible child protection purposes. Again, because the Privacy Act defines ''routine use'' as ''the use of such record for a purpose which is compatible with the purpose for which it was collected,'' 5 U.S.C. 552a(a)(7), ORR finds that the additional procedural requirements are unnecessary. ORR is not an immigration enforcement entity and does not collect information for immigration enforcement purposes. Rather, sharing under this routine use is for purposes of advancing ORR's statutory responsibilities (*e.g.,* protecting child welfare, enhancing the potential sponsor vetting process). By making this change, ORR seeks only to streamline procedural requirements to share information under this Routine Use 20, so as to remove impediments to sharing information with the Department of State in a manner that is compatible with the purpose for which ORR collected it.

• The next-to-last routine use *Disclosure for Approved Research Purposes,* which, due to a formatting mistake was included at the end of Routine use 22, is now separately set out and numbered at Routine Use 23; and the last routine use, *Disclosure to ACF Unaccompanied Alien Children Office of the Ombuds,* is now numbered as Routine Use 24. In new Routine Use 23, ORR is also clarifying that ORR may disclose information for research purposes and predictive modeling to entities conducting relevant research that ORR determines contribute to ORR's policymaking, operations, and mission of the UAC Bureau. For example, under new Routine Use 23, ORR may share records from its system of records with other Federal agencies, such as the Department of Homeland Security's Office of Homeland Security Statistics, as well as other such offices in the Department of Justice and the Department of State, in order for ORR to receive statistical analysis and reporting relevant to the mission of the UAC Bureau.

II. The Privacy Act

The Privacy Act of 1974, as amended (5 U.S.C. 552a), regulates the collection, maintenance, use and dissemination of records about individuals that are retrieved by personal identifier and collected, used or disseminated by the agencies and departments of the Executive Branch. The Privacy Act also mandates the publishing of system of records notices (SORNs) for newly created and revised systems of records. A ''system of records'' means a group of any records under the control of any [federal] agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual. The Privacy Act requires each agency to publish in the **Federal Register** a SORN identifying and describing each system of records the agency maintains, including the purposes for which the agency uses information about individuals in the system, the routine uses for which the agency discloses such information outside the agency, and how individual record subjects can exercise their rights under the Privacy Act.

As required by the Privacy Act at 5 U.S.C. 552a(r), HHS has sent a report of this modified system of records to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and the OMB Office of Information and Regulatory Affairs.

Angie Salazar,

Acting Director, Office of Refugee Resettlement.

SYSTEM NAME AND NUMBER:

ORR Unaccompanied Alien Children Bureau (UACB) Administrative Program Records, 09–80–0321.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

The address of the component responsible for the system of records is the Bureau of Operations, Office of Refugee Resettlement (ORR), Administration for Children and Families (ACF), Department of Health and Human Services (HHS), Mary E. Switzer Building, 330 C Street SW, Washington, DC 20201.

SYSTEM MANAGER(S):

Principal Deputy Director, Office of Refugee Resettlement, Administration for Children and Families, Mary E. Switzer Building, 330 C Street SW, Washington, DC 20201, *UCPolicy-RegulatoryAffairs@acf.hhs.gov*, (202) 401–9246.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

6 U.S.C. 279 and 8 U.S.C. 1232.

PURPOSE(S) OF THE SYSTEM:

The records are used within HHS/ACF/ORR to administer the Unaccompanied Alien Children Bureau (UCB) program, the purposes of which are:

- to provide care and custody of unaccompanied alien children transferred to ORR custody until (1) their release to a family member or sponsor in the United States or abroad, in appropriate cases, (2) their removal to their home country by Department of Homeland Security (DHS) immigration officials, (3) they receive lawful immigration status, or (4) they turn 18 years of age;
- to assess the suitability of sponsors of unaccompanied alien children; and
- to provide post-release services to alien children released from ORR custody.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

The records are about these categories of individuals:

- Unaccompanied alien children (UAC), which include:
  - unaccompanied alien children currently and formerly in ORR's care and custody by reason of their immigration status;
  - children of unaccompanied alien children who are housed together with their unaccompanied alien child parents who are in ORR custody;
  - unaccompanied alien children who later receive an adjustment of status or become U.S. citizens; and
  - children referred to ORR as likely to be an unaccompanied alien child;
- sponsors and potential sponsors of unaccompanied alien children;
- members of a sponsor's or potential sponsor's household (including both U.S. and non-U.S. citizens),
- adult caregivers identified in a sponsor care plan (including both U.S. and non-U.S. citizen); and
- financial supporters of sponsors and potential sponsors.
- Personnel of ORR funded care providers, which may include results of civil or criminal investigations to sufficiently satisfy requirements under 45 CFR 411.16.

Unaccompanied alien children are children who have no lawful immigration status in the United States; have not attained 18 years of age; and with respect to whom (i) there is no parent or legal guardian in the United States; or (ii) no parent or legal guardian in the United States is available to provide care and physical custody. *See* 6 U.S.C. 279(g)(2).

The Privacy Act applies only to individuals, defined as a citizen of the United States or an alien lawfully admitted for permanent residence in the United States. As a matter of discretion, ORR will treat information that it maintains in its mixed systems of records (*i.e.,* those that contain records about individuals and those that fall outside of the definition of individual as defined by the Privacy Act) as being subject to the provisions of the Privacy Act, regardless of whether the information relates to individuals covered by the Privacy Act. This implements a 1975 Office of Management and Budget (OMB) recommendation to apply, as a matter of policy, the administrative provisions of the Privacy Act to records about individuals who aren't covered by the Privacy Act when the records are maintained in mixed systems of records (referred to as the non-U.S. persons policy).

CATEGORIES OF RECORDS IN THE SYSTEM:

The records consist of the below categories of records, which are used in providing care for, custody of, placement of, services for, and release of unaccompanied alien children. They include biographical information about unaccompanied alien children, sponsor background check records, identity documents, and post-release services (PRS) records, further described below:

- *Biographical information about unaccompanied alien children* includes the child's name, Alien Registration Numbers (A#), Fingerprint Identification Numbers (FINs), and date and place of birth, as well as information about apprehension; criminal records; addresses; attorney of record; parents and other family members; sponsors and potential sponsors and their household members (including adult caregivers and foster parents) identified in a sponsor care plan; case disposition information; home-study results; sexual assault hotline and National Call Center information; admission documents; legal records; health information (medical, dental, DNA, mental health, and behavioral health records); child assessments; educational records; incident and grievance reports; release/discharge records; sponsor application and supporting documentation; and sponsor assessments.
- *Sponsor background check records* may include the sponsor's, potential sponsor's and, as applicable, household member's and adult caregiver's biographical information, such as name, address, and date of birth, financial information including a Social Security Number or Individual Taxpayer Identification Number, as well as FBI fingerprint check results and state criminal and child protective services check results.
- *Identity documents* include, for example, birth certificates, driver's licenses, Permanent Resident Cards or Alien Registration Receipt Cards, passports, document authentication

records, and other official domestic and foreign government-issued identity documents.

- *Post-release services (PRS) records* may include monthly reports, case notes, service plans, list of resources and referrals, safety plans, initial assessments, mental health assessments, trafficking assessments, additional ongoing assessments, closing reports, and correspondence with the sponsor.
- *Personnel records of ORR funded care providers,* which may include results of civil or criminal investigations to sufficiently satisfy requirements under 45 CFR 411.16 and reasons for terminations.

RECORD SOURCE CATEGORIES:

Record subjects; family members; private individuals; private and public hospitals; doctors, nurses, and other clinicians; law enforcement agencies and officials; attorneys; ORR-funded grantees and contractors; ORR staff; foreign governments; other federal agencies; and state and local governments or agencies.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

In addition to other disclosures which are authorized directly in the Privacy Act at 5 U.S.C. 552a(b), these routine uses, which are published pursuant to 5 U.S.C. 552a(b)(3) and (e)(4)(D) and (11), specify circumstances under which ACF may disclose information from this system of records without the prior written consent of the record subject. A routine use is defined in the Privacy Act at 5 U.S.C. 552a(a)(7) as a disclosure of a record for a use that is compatible with the purpose for which the record was collected; accordingly, each of these routine uses authorizes disclosures for purposes that are compatible with the purposes for which the information was collected.

Each proposed disclosure of information under these routine uses (and any proposed disclosure in response to a law enforcement request that complies with 5 U.S.C. 552a(b)(7)) will be evaluated to ensure that the disclosure is legally permissible and consistent with ORR's responsibilities under the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, 8 U.S.C. 1232 and the Homeland Security Act, 6 U.S.C. 279 to provide for the care and custody of unaccompanied alien children in Federal custody by reason of their immigration status, place them in the least restrictive setting while in HHS custody, and release them to a suitable sponsor, primarily their parent or a family member, pending resolution of their immigration status. ORR is not an immigration enforcement agency and does not maintain records for immigration enforcement purposes. Accordingly, in no case shall a disclosure under a routine use (or a disclosure in response to a law enforcement request that complies with 5 U.S.C. 552a(b)(7)) include sharing information from this system of records with other federal agencies or entities (*e.g.,* the Department of Homeland Security, the Department of Justice) for purposes that are incompatible with HHS/ORR Unaccompanied Alien Children Program statutes, regulations and policies, such as for immigration enforcement purposes (including initiating immigration enforcement activities, determining whether an individual should be removed from the United States, for immigration detention or bond determinations, or verifying an individual's statements in removal proceedings [1]). Any disclosure for immigration enforcement purposes would be made only with the prior written consent of the subject individual(s).

1. *Disclosure to an Attorney or Representative.* Information may be disclosed to: an attorney or representative (as defined in 8 CFR 1.2) who is acting on behalf of an individual covered by this system of records in connection with any proceeding before the Department of Homeland Security or the Executive Office for Immigration Review; an attorney representing an unaccompanied alien child in a state juvenile court matter that may determine or alter the unaccompanied alien child's custody status or placement or for purposes of obtaining a predicate order needed to obtain Special Immigrant Juvenile (SIJ) classification; an attorney representing an unaccompanied alien child in a juvenile or criminal court in relation to criminal charges; and an attorney representing an unaccompanied alien child in a hearing or other matter related to ORR's appellate procedures, including those relating to placement in a restrictive setting, risk determinations, or release from ORR custody. Information may be released to an attorney representing an unaccompanied alien child with respect to decisions involving the child's placement, care, custody and release, and/or the administration of psychotropic medications to the child. Information regarding a significant incident related to an unaccompanied alien child may be disclosed to an attorney representing the child. A disability evaluation report pertaining to an unaccompanied alien child may be disclosed to an attorney representing the child. Information may also be disclosed to an attorney representing a potential sponsor in relation to ORR's appellate procedures concerning a sponsorship denial of a parent, legal guardian, or close relative.

2. *Disclosure for Health and Safety.* Private health information of unaccompanied alien children may be disclosed to health care providers for the purposes of coordinating emergency, routine, and necessary medical, mental health, and disability evaluations, services, and care for unaccompanied alien children while in ORR care and custody. Information may be shared with a health provider to make age determinations for unaccompanied alien children. Information related to communicable diseases or other illnesses that have the potential to affect public health and safety may be disclosed to any state or local health authorities, to ensure that all health issues potentially affecting public health and safety in the United States are being, or have been, adequately addressed. Private health information not related to communicable diseases or other illnesses that affect public health and safety is not authorized to be disclosed under this routine use.

3. *Disclosure to Protection and Advocacy Organization.* Information may be disclosed to a Protection and Advocacy organization when access is authorized by, and the request is appropriately made under, one or more of the following: The Protection and Advocacy for Individuals with Mental Illness Act (PAMI), 42 U.S.C. 10801 *et seq.;* The Developmental Disabilities Assistance and Bill of Rights Act of 2000 (''DD Act''), 42 U.S.C. 15043 and 15044; Protection and Advocacy for Traumatic Brain Injury (PATBI) Act 42 U.S.C. 300d–53; or the Protection and Advocacy for Individual Rights (PAIR) Act, 29 U.S.C. 794(e).

4. *Disclosure to Child Advocate.* Information may be disclosed to an HHS-appointed child advocate for the purpose of effectively advocating for the best interest of the child. Child advocates are granted access to this information under section 235(c)(6) of the William Wilberforce Trafficking

[1] See 45 CFR 410.1201(b) stating ''ORR shall not disqualify potential sponsors based solely on their immigration status and shall not collect information on immigration status of potential sponsors for law enforcement or immigration enforcement related purposes. ORR shall not share any immigration status information relating to potential sponsors with any law enforcement or immigration enforcement related entity at any time.''

Victims Protection Reauthorization Act of 2008, 8 U.S.C. 1232(c)(6).

5. *Disclosure to Department of Homeland Security.* Information may be disclosed to the Department of Homeland Security (DHS) for purposes related to child safety and welfare and not immigration enforcement, including but not limited to the following purposes:

a. Reporting the death or arrest of an unaccompanied alien child in ORR custody or unauthorized absences of unaccompanied alien children from ORR custody;

b. Transferring individuals to DHS custody for the limited purpose of facilitating continuity of medical care (subject to the applicable information sharing restrictions set forth in 45 CFR parts 410 and 411 and the ORR UAC Policy Guide);

c. Facilitating transfer to DHS custody of individuals determined to be adults, or who turn 18 years old, including information relevant to determining whether the individual committed a crime that ORR determines would make the individual a danger to the community;

d. Communicating reports of abuse, neglect, sexual harassment, or inappropriate sexual behavior that occurred while a child was in DHS custody before being transferred to ORR custody;

e. Correcting the child's information in government systems; and for age determinations (*see* 8 U.S.C. 1232(b)(4));

f. Providing notice of transfers of unaccompanied alien children in ORR custody between care provider facilities, and for discharge notifications;

g. The limited purpose of facilitating human trafficking investigations by DHS, U.S. Immigration and Customs Enforcement/Homeland Security Investigations (HSI) to ensure child safety and protect children from dangerous crimes including trafficking;

h. Validating the relationship between a child and an accompanying adult (*e.g.,* where DHS potentially separated a child from their parent or legal guardian before transferring the child to ORR);

i. Communicating a child's medical information with the DHS Office of Health Security for the purpose of facilitating continuity of medical care for the child;

Except as provided in section i. above, this routine use does not authorize sharing health related information (including but not limited to mental, behavioral, dental, or other healthcare information), evaluation reports or other clinical documentation, Section 504 Service Plans, or Child Level Events (CLEs). This routine use does not authorize subsequent disclosures by the receiving entity. In no case shall information be used for immigration enforcement purposes, including initiating immigration enforcement activities, determining whether an individual should be removed from the United States, or for immigration detention or bond determinations, United States Citizenship and Immigration Services (USCIS) adjudication, or verifying an individual's statements in removal proceedings.

6. *Disclosure for Law Enforcement, Child Welfare Investigation, and State Licensing Purposes.* Information may be disclosed to the appropriate federal, state, local, tribal, or foreign agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, if the information is relevant to a violation or potential violation of civil or criminal law or regulation within the jurisdiction of the receiving entity (excluding immigration enforcement purposes); to assist with investigations into missing children; and for sponsor background checks and case management, to ensure safe releases. Information may be shared with certain state and local agencies that provide child welfare services such as state licensing agencies, Child Protective Services, and education agencies such as state, county, or municipal schools for the purpose of protecting an unaccompanied alien child's health and welfare and sponsor background check purposes to ensure safe releases. This routine use does not authorize disclosures in a manner exceeding ORR's authorities, including for immigration enforcement activities, including determining whether an individual should be removed from the United States, for immigration detention or bond determinations, or verifying an individual's statements in removal proceedings.

7. *Disclosure to the National Center for Missing and Exploited Children (NCMEC).* Information may be disclosed to the NCMEC to assist with investigations into missing children.

8. *Disclosure to Congressional Office.* Information may be disclosed to a congressional office from the record of an individual in response to a written inquiry from the congressional office made at the written request of, and on behalf of, the individual.

9. *Disclosure to Department of Justice, or in Proceedings.* Information may be disclosed to the Department of Justice, or in a proceeding before a court, adjudicative body, or other administrative body before which HHS is authorized to appear, when any of the following is a party to the proceedings or has an interest in such proceedings, and the use of such records by the Department of Justice or HHS is deemed by HHS to be relevant and necessary to the proceedings:

- HHS, or any component thereof;
- any employee of HHS in his or her official capacity;
- any employee of HHS in his or her individual capacity where the Department of Justice or HHS has agreed to represent the employee; or
- the United States, if HHS determines that litigation is likely to affect HHS or any of its components.

10. *Disclosure to Department of Justice for Legal Orientation Programs for Custodians (LOPC) Facilitation.* Information may be disclosed to the Department of Justice, Executive Office for Immigration Review (EOIR) for purposes of collaboration in facilitating sponsors' participation in LOPCs under section 235(c)(4) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, 8 U.S.C. 1232(c)(4). ORR may also share limited information with EOIR as part of a case status summary in advance of a child's immigration hearing that ORR determines is in the best interest of the child, such as name, Alien Number, and sponsor category.

11. *Disclosure to the National Archives and Records Administration (NARA).* Information may be disclosed to the National Archives and Records Administration in its records management inspections.

12. *Disclosure to the Government Publishing Office (GPO).* Information may be shared with GPO for purposes of creating portable versions of ORR release or discharge records.

13. *Disclosure to Contractors, Grantees, and Stakeholders.* Information may be disclosed to contractors, grantees, consultants, volunteers, or stakeholders (including, but not limited to, legal service providers, case coordinators, medical providers, non-HHS Federal agency partners, child advocates, attorneys of record, sponsors and potential sponsors, educational institutions, and organizations providing services to unaccompanied children and sponsors) performing or working on a contract, service, grant, cooperative agreement, job, or memorandum of understanding, or other activity for HHS relating to the administration of services provided by the Unaccompanied Alien Children Bureau (including ancillary purposes, such as information technology (IT) system support) and who have a need to have access to the information in the

performance of their duties or activities for HHS, and for reunification purposes.

14. *Disclosure in Connection with Litigation or Settlement Discussions.* Information may be disclosed in connection with litigation or settlement discussions regarding claims by or against HHS, including public filing with a court, to the extent that disclosure of the information is relevant and necessary to the litigation or settlement discussions.

15. *Disclosure Incident to Requesting Information.* Information may be disclosed (to the extent necessary to identify the individual, inform the source of the purpose of the request, and to identify the type of information requested), to any source from which additional information is requested when necessary to obtain information relevant to an agency decision concerning benefits.

16. *Disclosure to State Refugee Coordinators.* Information may be shared with State Refugee Coordinators for children in ORR care who are being transferred into ORR's Unaccompanied Refugee Minors program for purposes of coordinating appropriate placement and services for the child in accordance with 8 U.S.C. 1232(c)(2). The State Refugee Coordinator refers to the individual(s) designated by a Governor or a State to be responsible for, and authorized to, ensure coordination of public and private resources in refugee resettlement.

17. *Disclosure to other Federal Departments and Nongovernmental Organizations and Foreign Governments for Safe Repatriation of Unaccompanied Alien Children and for Reuniting Children with a Parent or Sponsor Abroad.* Information may be disclosed to other federal agencies (such as the Department of State, Department of Justice, Department of Homeland Security), nongovernmental organizations and foreign governments as it relates to the safe repatriation of unaccompanied alien children to their country of origin as directed under the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 section 235(a)(5), 8 U.S.C. 1232(a)(5) and for reuniting unaccompanied alien children with a parent or sponsor abroad in appropriate cases under the Homeland Security Act, 6 U.S.C. 279(b)(1)(H).

18. *Disclosure in the Event of a Security Breach Experienced by HHS.* Information may be disclosed to appropriate agencies, entities, and persons when (1) HHS suspects or has confirmed that there has been a breach of the system of records; (2) HHS has determined, as a result of the suspected or confirmed breach, there is a risk of harm to individuals, the agency (including its information systems, programs, and operations), the Federal Government, or national security; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with HHS' efforts to respond to the suspected or confirmed breach, or to prevent, minimize, or remedy such harm.

19. *Disclosure to Assist Another Agency Experiencing a Breach.* Information may be disclosed to another federal agency or federal entity, when HHS determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in (1) responding to a suspected or confirmed breach, or (2) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs, and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

20. *Disclosure to Department of State.* Information may be disclosed to the Department of State for humanitarian operations, sponsor background checks, best interest determinations, and family unification efforts, including obtaining and verifying identity documents (birth certificates, passports, and government-issued identifications) of unaccompanied alien children, their sponsors, and sponsors' household members who are also eligible for immigration relief, family unification, or humanitarian evacuation. This routine use does not authorize subsequent disclosures by the receiving entity. In no case shall such information be shared in a manner exceeding ORR's authorities, including for immigration enforcement purposes (including initiating immigration enforcement activities, such as determining whether an individual should be removed from the United States, for immigration detention or bond determinations or verifying an individual's statements in removal proceedings).

21. *Disclosure to State and Local Child Welfare Agencies and State and Local Governments.* ORR may disclose information of children and sponsors to local and state agencies offering post-release services to the child or sponsor for the purpose of facilitating delivery of child welfare services and safe releases if ORR determines that the disclosure is in the child's best interest. ORR may also disclose information of children and sponsors to state and local government entities, such as school districts, for the purpose of facilitating enrollment of unaccompanied alien children in a school or educational program and for individualized education planning, including but not limited to obtaining special education services when needed. In no case shall such information be shared with state or local entities for immigration enforcement purposes (including initiating immigration enforcement activities, such as determining whether an individual should be removed from the United States, for immigration detention or bond determinations or verifying an individual's statements in removal proceedings). Disclosures under this routine use will be made with an express written advisory that no other uses by the receiving entity and no subsequent disclosures by the receiving entity to other entities can be made.

22. *Disclosure to a Foreign Government's Embassy or Consulate.* ORR may disclose copies of birth certificates, passports, or other official, foreign government-issued identity documents to foreign embassies and consulates for the purpose of authenticating those documents, verifying identity, and for background check purposes. ORR may also disclose information of children when notifying foreign embassies and consulates that a child from their country is in ORR custody in accordance with Department of State guidance on applicable law. In no case shall information from this system of records, including mental health or behavioral information, be shared or used for purposes that are incompatible with HHS/ORR Unaccompanied Alien Children Program statutes, regulations and policies, such as disclosing information to foreign consulates that may indicate a child may have a fear of persecution or other mistreatment by their country, or may be seeking asylum or refugee status.

23. *Disclosure for Approved Research Purposes.* ORR may disclose information for research purposes and predictive modeling to entities, including other federal agencies, conducting relevant research that ORR determines contributes to ORR's policymaking, operations, and mission of the UAC Bureau, consistent with ORR's authorities.

24. *Disclosure to ACF Unaccompanied Alien Children Office of the Ombuds.* ORR may disclose information to the ACF Unaccompanied Alien Children Office of the Ombuds in accordance with the Ombuds' investigation and reporting purposes.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

Records are stored on cloud web servers and/or in file folders. Records according to ORR's NARA approved retentions schedule (*see* National Archives and Records Administration-approved record retention and disposition schedules DAA–0292–2019–0009–0001 and DAA–0292–2019–0009–0002).

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Personal identifiers used for retrieval include the name, Alien Registration Number, and/or date of birth of the unaccompanied alien child; name and/or date of birth of the potential sponsor; and the name and/or date of birth of the potential sponsor's household member or adult caregiver identified in a sponsor care plan.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

UAC case file records are retained for 50 years after a child is released from ORR custody (*see* National Archives and Records Administration-approved record retention and disposition schedules DAA–0292–2019–0009–0001 and DAA–0292–2019–0009–0002).

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Information in this system is safeguarded in accordance with applicable laws, rules, and policies. Access to the records is restricted to authorized personnel who are advised of the confidentiality of the records and the civil and criminal penalties for misuse. All record keepers are required to maintain appropriate administrative, technical, and physical safeguards to protect the records from unauthorized access. Administrative safeguards include background checks, as well as training individuals who have access to the records on how to handle them appropriately, incident response plans, mandatory security and privacy awareness training, limiting access to individuals who need to know the information, and reviewing security controls on an ongoing basis. Technical safeguards include the use of antivirus software, vulnerability patching, multi-factor authentication when required, or username and password, and storing electronic records in encrypted form, to limit system access to authorized users. Physical safeguards include storing hard copy records and computer terminals used to access electronic records in physically locked locations when not in use. Safeguards conform to the HHS Information Security Program, *https://hhs.gov/ocio/securityprivacy/index.html*.

RECORD ACCESS PROCEDURES:

An individual may request access to a record about him or her in this system of records by submitting a written access request to the System Manager or electronically through the HHS Online FOIA/PA Public Access Link at FOIA.gov. The request must include, as applicable, the individual's name, Alien Registration Number, date and place of birth, telephone number and/or email address, current address, and signature. In addition, to further verify the individual's identity, the individual must provide either a notarization of the request or a written certification that the requester is the individual who the requester claims to be and understands that the knowing and willful request for, or acquisition of, a record pertaining to an individual under false pretenses is a criminal offense under the Privacy Act, subject to a fine of up to $5,000. An individual may also request an accounting of disclosures that have been made of any records about that individual. Verification of identity is also required for a parent or legal guardian who makes a request on behalf of a minor (in addition to verifying the minor's identity).

CONTESTING RECORD PROCEDURES:

An individual seeking to amend a record about him or her in this system of records must submit a written request for amendment to the System Manager. The request must provide the same information described under ''Record Access Procedures,'' including identity verification information, and must specify the information that is contested, the corrective action sought, and the reason(s) for requesting the correction, and include supporting information. The right to contest records is limited to information that is factually inaccurate, incomplete, irrelevant, or untimely (obsolete).

NOTIFICATION PROCEDURES:

An individual seeking to determine whether this system of records contains information about him or her must submit a written notification request to the System Manager. The request must include the same information described under ''Record Access Procedures,'' including identity verification information.

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

None.

HISTORY:

89 FR 77365 (Dec. 12, 2024).

[FR Doc. 2026–19755 Filed 9–25–26; 8:45 am]

BILLING CODE 4184–45–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: Healthcare Delivery and Methodologies Integrated Review Group Healthcare and Health Disparities Study Section.

Date: October 21, 2026.

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: Tara R Earl, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 1007C, Bethesda, MD 20817, (301) 402–6857, *earltr@mail.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel Cellular to Systems Neuroscience of Learning, Decision-Making, and Cognitive Dysfunction.

Date: October 21–22, 2026.

Time: 9:30 a.m. to 7:30 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Rekha Dhanwani, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 1014J, Bethesda, MD 20892, (240) 627–3076, *rekha.dhanwani@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 23, 2026.

Kuleni D. Onnen,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2026–19718 Filed 9–25–26; 8:45 am]

BILLING CODE 4167–05–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Submission for OMB Review; 30-Day Comment Request;

Generic Clearance for the Collection of Customer Participation and Performance Management With NIH Programs, Processes, Products, and Services (National Institutes of Health)

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the National Institutes of Health (NIH) has submitted to the Office of Management and Budget (OMB) a request for review and approval of the information collection listed below.

DATES: Comments regarding this information collection are best assured of having their full effect if received by October 28, 2026.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: To obtain a copy of the data collection plans and instruments, submit comments in writing, or request more information on the proposed project, contact: Mikia Currie, Chief, Project Clearance Branch (PCB), Office of Policy and Extramural Research Administration (OPERA), Office of the Director (OD), Office of Extramural Research (OER), NIH, 6705 Rockledge Drive, Bethesda, Maryland 20892, MSC 7980, or call non-toll-free number (301) 435–0941 or Email your request, including your address to: *ProjectClearanceBranch@mail.nih.gov.* Formal requests for additional plans and instruments must be requested in writing.

SUPPLEMENTARY INFORMATION: This proposed information collection was previously published in the **Federal Register** on July 8, 2026, page 42204 (Vol. 91, No. 129) and allowed 60 days for public comment. No public comments were received. The purpose of this notice is to allow an additional 30 days for public comment. The National Institutes of Health (NIH), may not conduct or sponsor, and the respondent is not required to respond to, an information collection that has been extended, revised, or implemented on or after October 1, 1995, unless it displays a currently valid OMB control number.

In compliance with Section 3507(a)(1)(D) of the Paperwork Reduction Act of 1995, the National Institutes of Health (NIH) has submitted to the Office of Management and Budget (OMB) a request for review and approval of the information collection listed below.

Proposed Collection Title: Generic Clearance for the Collection of Customer Participation and Performance Management with NIH Programs, Processes, Products, and Services (NIH), 0925–0778: Expiration Date 09/30/2026, Revision, National Institutes of Health (NIH).

Need and Use of Information Collection: This revision of a currently approved generic clearance is to comply with the Administrations goals and priorities to continue evaluating the effectiveness of leadership, programs, and services is essential for the vitality of any institution. Leadership review at NIH focuses on the productivity of the IC, management of resources and budget allocations, training activities, and influence on dimensions of promotion of investigators and staff and a positive workforce.

Program and service reviews may focus on operational performance; outputs, outcomes, and impacts; policy compliance, stewardship and accessibility. Reviews and evaluations may solicit input from IC staff and leadership (IC Director, Deputy Director, E.O.) and relevant program participants and stakeholders about the program's effectiveness, leader, or process. They may include comparisons with other ICs or programs, external benchmarks, and outcome metrics where appropriate and applicable. This input should provide meaningful information that can be used to identify strengths and areas that need improvement. Reports developed from the review or evaluation may be presented and shared as needed by the program when necessary. Such reports may include recommendations and proposed actions to address areas for improvement. In public or broadly shared reports, any sensitive information in the reviews or evaluations will be summarized and presented in aggregate.

This clearance will allow direct assessment and measurement of the customer/respondent base for participation in and satisfaction with NIH programs, processes, products, and services. The clearance will also enable offices to assess participants' experience and accomplishments during or since participation and their preferences for existing and future programming, products, and services. The information collected using these tools informs and supports budgeting, program management and design, program planning, results reporting, information dissemination, process improvement, and outreach initiatives.

OMB approval is requested for 3 years. There are no costs to respondents other than their time. The total estimated annualized burden hours are 3,833.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondent	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)	Total burden hour
Individuals, Households, Private Sector, State Government, Local Government, Tribal Government, or Federal Government.	Performance Measurement.	500	1	30/60	250
	Program Monitoring	500	1	15/60	125
	Program Evaluations	500	1	45/60	375
	Grantee Effectiveness ..	1,000	1	15/60	250
	Resource Management	500	1	10/60	83
	Feedback	5,000	1	15/60	1,250

ESTIMATED ANNUALIZED BURDEN HOURS—Continued

Type of respondent	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)	Total burden hour
	Forms	3,000	1	30/60	1,500
Totals			11,000		3,833

The Deputy Director for Extramural Research, Jon Lorsch, having reviewed and approved this document, authorizes Alycia Booth, who is the **Federal Register** Liaison, to electronically sign this document for purposes of publication in the **Federal Register**.

Dated: September 24, 2026.

Alycia Booth,

Federal Register Liaison, National Institutes of Health.

[FR Doc. 2026–19806 Filed 9–25–26; 8:45 am]

BILLING CODE 4167–05–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Amended Notice of Meeting

Notice is hereby given of a change in the meeting of the Surgical Sciences, Biomedical Imaging and Bioengineering Integrated Review Group; Bioengineering, Technology and Surgical Sciences Study Section, October 13, 2026, 09:00 a.m. to October 14, 2026, 06:00 p.m., National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 which was published in the **Federal Register** on August 20, 2026, FR Doc. No 2026–16957, 91 FR 53885.

This notice is being amended to change the meeting from a 2-day meeting to a 1-day meeting on October 13, 2026. The start and end time remains at 9:00 a.m. to 6:00 p.m. The meeting is closed to the public.

Dated: September 21, 2026.

Rosalind M. Niamke,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2026–19719 Filed 9–25–26; 8:45 am]

BILLING CODE 4167–05–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Submission for OMB Review; 30-Day Comment Request; Generic Clearance for NIH Citizen Science and Crowdsourcing Projects (Office of the Director)

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the National Institutes of Health (NIH) has submitted to the Office of Management and Budget (OMB) a request for review and approval of the information collection listed below.

DATES: Comments regarding this information collection are best assured of having their full effect if received by October 28, 2026.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the data collection plans and instruments, contact: Mikia Currie, Chief, Project Clearance Branch (PCB), Office of Policy and Extramural Research Administration (OPERA), Office of the Director (OD), Office of Extramural Research (OER), NIH, 6705 Rockledge Drive, Bethesda, Maryland 20892, MSC 7980, or call non-toll-free number (301) 435–0941 or Email your request, including your address to: *ProjectClearanceBranch@mail.nih.gov.*

SUPPLEMENTARY INFORMATION: This proposed information collection was previously published in the **Federal Register** on July 6th, 2026, page 41050 No.127 Vol. 91 and allowed 60 days for public comment. No public comments were received. The purpose of this notice is to allow an additional 30 days for public comment.

The Project Clearance Branch (PCB), Office of Policy and Extramural Research Administration (OPERA), Office of the Director (OD), Office of Extramural Research (OER), National Institutes of Health, may not conduct or sponsor, and the respondent is not required to respond to, an information collection that has been extended, revised, or implemented on or after October 1, 1995, unless it displays a currently valid OMB control number.

In compliance with Section 3507(a)(1)(D) of the Paperwork Reduction Act of 1995, the National Institutes of Health (NIH) has submitted to the Office of Management and Budget (OMB) a request for review and approval of the information collection listed below.

Proposed Collection: Generic Clearance for NIH Citizen Science and Crowdsourcing Projects—0925–0766—09/30/2026 Revision, Project Clearance Branch (PCB), Office of Policy and Extramural Research Administration (OPERA), Office of the Director (OD), Office of Extramural Research (OER), National Institutes of Health (NIH).

Need and Use of Information Collection: This revision of a currently approved generic clearance is to comply with the Administrations goals and priorities to continue allowing projects under this generic clearance to allow Agency researchers and program staff to test ideas more quickly, respond to the project's needs as they evolve, and incorporate feedback from participants for flexible, innovative research methods. The purpose of this information collection is to:

- Accelerate scientific research
- Increase cost-effectiveness to maximize the return on taxpayer dollars
- Address societal needs
- Provide hands-on learning in STEM education
- Connect members of the public directly to federal science missions and each other
- Identify and disseminate resources more broadly to the public, on the Institutes' and Centers' (ICs) websites, and/or

• Collect information for agency internal use to improve scientific practices and/or assist in scientific reviews

OMB approval is requested for 3 years. There are no costs to respondents other than their time. The total estimated annualized burden hours are 18,584.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of collection	Number of respondents	Number of responses per respondent	Time per response (in hours)	Total hours
Call for Nominations/Resources	1,000	1	10/60	167
Recommendations of scientific reviewers	1,000	1	5/60	83
Request for Population Characteristics	20,000	1	5/60	1,667
Repository of Tools and Best Practices	100,000	1	10/60	16,667
Total	....	122,000	....	18,584

The Deputy Director for Extramural Research, Jon Lorsch, having reviewed and approved this document, authorizes Alycia Booth, who is the **Federal Register** Liaison, to electronically sign this document for purposes of publication in the **Federal Register**.

Dated: September 24, 2026.

Alycia Booth,

Federal Register Liaison, National Institutes of Health.

[FR Doc. 2026–19804 Filed 9–25–26; 8:45 am]

BILLING CODE 4167–05–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: Aging and Neurodegeneration Integrated Review Group; Aging Systems and Geriatrics Study Section.

Date: October 22–23, 2026.

Time: 9:00 a.m. to 8:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Roger Alan Bannister, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 1010–D, Bethesda, MD 20892, (301) 435–1042, *bannisterra@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Proteostasis and Protein Aggregation in Neurodegeneration (PPAN).

Date: October 22–23, 2026.

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: Jennifer Kielczewski, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 435–1042, *jennifer.kielczewski@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Brain, Neuronal Injury and Neurovascular Disorders.

Date: October 22–23, 2026.

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: Alexander Yakovlev, Ph.D., Scientific Review Officer Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5206, MSC 7846, Bethesda, MD 20892, 301–435–1254, *yakovleva@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Immune Signaling and Neurologic Disorders.

Date: October 22–23, 2026.

Time: 10:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Marta Veronica Hamity, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 451–1664, *marta.hamity@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 24, 2026.

Margaret N. Vardanian,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2026–19788 Filed 9–25–26; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[OMB Control Number 1615–0166]

Extension, Without Change, of a Currently Approved Collection: Biographic Information (Registration)

AGENCY: U.S. Citizenship and Immigration Services, Department of Homeland Security.

ACTION: 60-day notice.

SUMMARY: The Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS) invites the general public and other Federal agencies to comment upon this proposed extension of a currently approved collection of information. In accordance with the Paperwork Reduction Act (PRA) of 1995, the information collection notice is published in the **Federal Register** to obtain comments regarding the nature of the information collection, the categories of respondents, the estimated burden (*i.e.* the time, effort, and resources used by the respondents to respond), the estimated cost to the respondent, and the actual information collection instruments.

DATES: Comments are encouraged and will be accepted for 60 days until November 27, 2026.

ADDRESSES: All submissions received must include the OMB Control Number 1615–0166 in the body of the letter, the agency name and Docket ID USCIS–2025–0005. Submit comments via the Federal eRulemaking Portal website at *https://www.regulations.gov* under e-Docket ID number USCIS–2025–0005.

FOR FURTHER INFORMATION CONTACT: USCIS, Office of Policy and Strategy, Regulatory Coordination Division, telephone number (240) 721–3000 (This is not a toll-free number. Comments are not accepted via telephone message). Please note contact information provided here is solely for questions regarding this notice. It is not for individual case status inquiries. Applicants seeking information about the status of their individual cases can check Case Status Online, available at the USCIS website at *https://www.uscis.gov,* or call the USCIS Contact Center at 800–375–5283 (TTY 800–767–1833).

SUPPLEMENTARY INFORMATION:

Comments

You may access the information collection instrument with instructions or additional information by visiting the Federal eRulemaking Portal site at: *https://www.regulations.gov* and entering USCIS–2025–0005 in the search box. Comments must be submitted in English, or an English translation must be provided. All submissions will be posted, without change, to the Federal eRulemaking Portal at *https://www.regulations.gov,* and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to consider limiting the amount of personal information that you provide in any voluntary submission you make to DHS. DHS may withhold information provided in comments from public viewing that it determines may impact the privacy of an individual or is offensive. For additional information, please read the Privacy Act notice that is available via the link in the footer of *https://www.regulations.gov.*

Written comments and suggestions from the public and affected agencies should address one or more of the following four points:

(1) 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;

(2) 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;

(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, 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:* Extension, Without Change, of a Currently Approved Collection.

(2) *Title of the Form/Collection:* Biographic Information (Registration).

(3) *Agency form number, if any, and the applicable component of the DHS sponsoring the collection:* G–325R; USCIS.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract: Primary:* Aliens, Individuals or households. Aliens who are subject to alien registration requirements of the Immigration and Nationality Act, as amended, who have not yet registered. This form is used to provide biographic information when applying for registration and fingerprinting under INA 262 (8 U.S.C. 1302).

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The estimated total number of annual respondents for the information collection G–325R is 1,400,620 and the estimated hour burden per response is 2.5 hours; the estimated total number of annual respondents for the information collection of Biometrics is 780,220 and the estimated hour burden per response is 1.17 hours.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The estimated total annual hour burden associated with this collection is 4,414,407 hours.

(7) *An estimate of the total public burden (in cost) associated with the collection:* The estimated total annual cost burden associated with this collection of information is $0.

Dated: September 22, 2026.

Samantha L. Deshommes,

Chief, Regulatory Coordination Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security.

[FR Doc. 2026–19756 Filed 9–25–26; 8:45 am]

BILLING CODE 9111–97–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–7107–N–24 OMB Control No.: 2535–0113]

30-Day Notice of Proposed Information Collection: Race and Ethnic Data Collection

AGENCY: Office of Policy Development and Research, Chief Data Officer, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comments from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 30 days of public comment.

DATES: *Comments Due Date:* October 28, 2026.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Anna P. Guido, PRA Compliance Officer, Paperwork Reduction Act Division, Department of Housing and Urban Development, 451 7th Street SW, Room 8210, Washington, DC 20410; email at *PaperworkReductionActOffice@hud.gov,* telephone (202) 402–5535. This is not a toll-free number. HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit *https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs.*

Available documents submitted to OMB can be found in the docket file on reginfo.gov.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A. The **Federal Register** notice that solicited public comment on the information collection for a period of 60 days was published on June 12, 2026, at 91 FR 35697.

A. Overview of Information Collection

Title of Information Collection: Race and Ethnic Data Collection.

OMB Approval Number: 2535–0113.

Type of Request: Reinstatement without change.

Form Number: HUD Form—27061.

Description of the need for the information and proposed use: All HUD program offices use this form when collecting information concerning the race and ethnicity data of the populations intended to benefit from HUD funding as required by Title VI of the Civil Rights Act of 1964; the Fair Housing Act; and HUD's regulations.

Information collection	Number of respondents	Frequency of response	Responses per annum	Burden hour per response	Annual burden hours	Hourly cost per response	Annual cost
HUD–27061	14,375	1.2	17,250	0.50	8,625.00	* $53.24	$459,195

* Median hourly rate for "Project Management Specialists" (occupation code 13–1082), May 2025 Occupational Employment and Wage Statistics Profiles.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) The accuracy of the agency's estimate of the burden of the proposed collection of information;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

C. Authority

44 U.S.C. 3507.

Anna P. Guido,

PRA Compliance Officer, Office of Policy Development and Research, Chief Data Officer.

[FR Doc. 2026–19784 Filed 9–25–26; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–6612–N–01]

Section 184 Indian Housing Loan Guarantee Program Increase in the Loan Guarantee Fee

AGENCY: Office of the Assistant Secretary for Public and Indian Housing, HUD.

ACTION: Notice.

SUMMARY: The Section 184 Indian Housing Loan Guarantee Program ("Section 184 Program") operates using a combination of funds annually appropriated by Congress and fees. Consistent with other HUD loan guarantee programs, to ensure that the program is self-sustaining, HUD is increasing fees charged under the program. HUD is increasing the upfront loan guarantee fee for all new Section 184 Firm Commitments, including refinances, from 1.00 to 1.50 percent, effective October 1, 2026. HUD is increasing the upfront loan guarantee fee for all new Section 184 Skilled Workers Demonstration Program Firm Commitments, from 0 to 1.00 percent, effective October 1, 2026. The Annual Loan Guarantee Fee will remain at zero for all Section 184 loans.

DATES: October 1, 2026.

FOR FURTHER INFORMATION CONTACT: Tonya R. Plummer, Director, Office of Loan Guarantee, Office of Native American Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 7th Street SW, Room 4108, Washington, DC 20410; telephone number 202–401–7914 (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:

I. Background

Section 184 of the Housing and Community Development Act of 1992 (Pub. L. 102–550, approved October 28, 1992), as amended, established the Section 184 Indian Housing Loan Guarantee Program to provide access to sources of private mortgage financing to Indian families, Indian housing authorities, and Indian tribes. The Section 184 program addresses obstacles to mortgage financing on trust land and in other Indian and Alaska Native areas by giving HUD the authority to guarantee loans to eligible persons and entities to construct, acquire, refinance, or rehabilitate one- to four-family dwellings in these areas.

The Section 184 program has been funded by a combination of annual appropriations and upfront and annual fees collected from the borrower. Program costs include amounts for claims, contracts, and other expenses related to foreclosure. 12 U.S.C. 1715z–13a(d) and 24 CFR 1005.603 authorize HUD to establish an upfront loan guarantee fee in an amount not exceeding 3.00 percent of the principal obligation of the loan and an annual loan guarantee fee in an amount not exceeding 1.00 percent of the remaining guaranteed balance.

On March 5, 2014, HUD issued a Notice increasing the upfront loan guarantee fee from 1.00 to 1.50 percent. (79 FR 12520). The upfront loan guarantee fee was effective on April 4, 2014.

On October 7, 2014, HUD issued a Notice to implement an annual loan guarantee fee to the borrower in the amount of 0.15 percent. (79 FR 60492). The revised annual loan guarantee fee was effective on November 15, 2014.

On November 1, 2016, HUD issued a second Notice increasing the annual loan guarantee fee from 0.15 to 0.25 percent. (81 FR 75836). The revised annual loan guarantee fee was effective on December 1, 2016.

On May 4, 2023, HUD issued a Notice decreasing the upfront loan guarantee fee from 1.50 to 1.00 percent and eliminating the annual fee effective July 1, 2023. (88 FR 28598).

The Section 184 program experiences a low default rate. Over the life of the program, the default rate has been approximately 3.50 percent. The program benefits from strong lender underwriting and servicing, as well as Tribes continuing to proactively provide housing counseling and support to keep Native American families in their homes.

Consistent with other HUD loan guarantee programs, the Section 184 program can operate without the need for annual appropriations from Congress. The Section 184 program's strong performance and low default rate enables HUD to remove the need for annual appropriations through a modest fee increase. By increasing the upfront loan guarantee fee, HUD will be in a strong position to ensure that the Section 184 program continues to provide homeownership opportunities to Native American households well into the future.

II. Increase of the Upfront Loan Guarantee Fee

This Notice increases the upfront loan guarantee fee from 1.00 to 1.50 percent. This increase will apply to all Section 184 program loans receiving a Section 184 Firm Commitment on and after October 1, 2026, including refinances. Additionally, this Notice increases the upfront loan guarantee fee from 0 to 1.00 percent for all new Section 184 Skilled Workers Demonstration Program Firm Commitments issued on and after October 1, 2026.

This increase will not apply to loans currently guaranteed by this program. It will only apply to new Firm Commitments issued by HUD on and after October 1, 2026.

Annual loan guarantee fees will remain at zero for all Section 184 loans.

III. Environmental Impact

This Notice involves the establishment of a rate or cost determination that does not constitute a development decision affecting the physical condition of specific project areas or building sites. Accordingly, under 24 CFR 50.19(c)(6), this Notice is categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321).

Benjamin Hobbs,

Assistant Secretary for Public and Indian Housing.

[FR Doc. 2026–19782 Filed 9–25–26; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[A2407–014–004–065516, #O2509–014–004–125222; LLNVW0000, NVNV106732488]

Notice of Intent To Amend the Winnemucca District Resource Management Plan for the Western Quarry Limestone Project, Humboldt County, Nevada and Prepare an Associated Environmental Assessment

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of intent.

SUMMARY: In compliance with the National Environmental Policy Act (NEPA) of 1969, as amended, and the Federal Land Policy and Management Act (FLPMA) of 1976, as amended, the Bureau of Land Management (BLM) Nevada State Director intends to prepare a Resource Management Plan (RMP) amendment with an associated Environmental Assessment (EA) for the Western Quarry Limestone Project and by this notice is announcing the beginning of the scoping period to solicit public comments and identify issues, is providing the planning criteria for public review.

DATES: The BLM requests that the public submit comments concerning the scope of the analysis, potential alternatives, and identification of relevant information and studies by October 28, 2026. To afford the BLM the opportunity to consider issues raised by commenters in the RMP amendment and EA, please ensure your comments are received prior to the close of the 30-day scoping period.

ADDRESSES: You may submit comments on issues and planning criteria related to Western Quarry Limestone Project by any of the following methods:

- *Website: https://eplanning.blm.gov/Project-Home/?id=6D41DC2C-694D-F111-BEC6-001DD803D7D3*.
- *Email: BLM_NV_WDO_WesternQuarry_EA@blm.gov*.
- *Mail:* BLM Humboldt River Field Office, Attn: Western Quarry Limestone EA, 5100 East Winnemucca Boulevard, Winnemucca, NV 89445.

Documents pertinent to this proposal may be examined online at *https://eplanning.blm.gov/Project-Home/?id=6D41DC2C-694D-F111-BEC6-001DD803D7D3* and at the Humboldt River Field Office at the above address.

FOR FURTHER INFORMATION CONTACT: Kathy Torrence, Planning and Environmental Coordinator, telephone: (775) 623–1576; address 5100 East Winnemucca Boulevard, Winnemucca, Nevada 89445; email: *ktorrence@blm.gov.* Contact Ms. Torrence to have your name added to our mailing list. 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 Ms. Torrence. 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: This document provides notice that the BLM Nevada State Director intends to prepare an RMP amendment with an associated EA for the Western Quarry Limestone Project, announces the beginning of the scoping process, and seeks public input on issues and planning criteria. The RMP amendment is being considered to allow the BLM to evaluate the Proposed Action and Visual Resource Management (VRM) classifications within the proposed project area, which would require amending the existing 2015 Winnemucca District Resource Management Plan.

The planning area is located in Humboldt County, Nevada and encompasses approximately 874 acres of public land.

The scope of this land use planning process does not include addressing the evaluation or designation of Areas of Critical Environmental Concern (ACEC) and the BLM is not considering ACEC nominations as part of this process.

Purpose and Need

The BLM's purpose for the action is to respond to Lithium Nevada LLC.'s proposal as described in their Mining and Reclamation Plan for the Western Quarry Limestone Project and to analyze the potential environmental effects associated with the Proposed Action, alternatives to the Proposed Action, and consider reasonable alternatives. The need for this action is established by BLM's responsibility under Section 302 of the FLPMA and in compliance with U.S. Department of the Interior NEPA regulations, 43 CFR 3600 regulations, and other applicable federal and state laws and policies.

The preliminary purpose and need also includes an amendment to the 2015 Winnemucca District RMP to adjust the Visual Resource Management Class II unit that contains the proposed project in order to respond to the proponent's Mining and Reclamation Plan. This document will be a combined RMP amendment/EA following the requirements of the BLM's land use planning regulations at 43 CFR 1600.

Preliminary Alternatives

Proposed Action: Lithium Nevada LLC., a subsidiary of Lithium Americas Corporation, submitted a Mining and Reclamation Plan for the Western Quarry Limestone Project to the Humboldt River Field Office of the Winnemucca District.

The Proposed Action is to construct, operate, reclaim, and close a new limestone quarry using conventional open pit mining methods. The Mining and Reclamation Plan boundary would cover approximately 874 acres of BLM-administered land, of which approximately 474 acres of surface disturbance would occur. The life of the proposed action is approximately 43 years and includes approximately six months for construction, 40 years for operation, and two years for reclamation. Mine operations would employ 78 people part-time and 16 full-time.

Existing surface disturbance associated with the previously authorized Western Quarry Limestone Notice would be overlapped by the proposed mine features within the mine area. As such, the existing disturbance would be incorporated into the proposed action.

Currently, the project boundary overlaps 872.3 acres of VRM Class II and 0.9 acres of VRM Class III adjacent to State Route 140. Under the proposed action alternative, the BLM would change the visual management classification of 872.5 acres from VRM Class II to VRM Class III, which would result in the project area to be managed entirely as VRM Class III. The change of 872.5 acres to VRM Class III would include the established objectives in the RMP.

This proposed change would require an RMP amendment to modify the direction established in the 2015 Winnemucca District RMP, adjust the VRM classifications, meet VRM objectives, and ensure that the Western Quarry Limestone Project is in conformance with the RMP.

No Action Alternative: Under the No Action alternative, the BLM would not approve the proposed Western Quarry Limestone Project and would not amend the visual management direction in the 2015 Winnemucca District RMP. Exploration activities could continue under an existing Notice that allows for up to 3.89 acres of disturbance.

The BLM welcomes comments on all preliminary alternatives as well as suggestions for additional alternatives.

Planning Criteria

The planning criteria guide the planning effort and lay the groundwork for effects analysis by identifying the preliminary issues and their analytical frameworks. Preliminary issues for the planning area have been identified by BLM personnel and from early engagement conducted for this planning effort with Federal, State, and local agencies; Tribes; and other stakeholders. The BLM has identified three preliminary issues for this planning effort's analysis. The planning criteria are available for public review and comment at the ePlanning website (see **ADDRESSES**).

Public Scoping Process

This notice of intent initiates the public scoping period and public review of the planning criteria, which guide the development and analysis of the RMP amendment and EA.

The BLM will be holding one public scoping meeting. The specific date and time of the scoping meeting will be announced at least 15 days in advance through the National NEPA register project web page *https://eplanning.blm.gov/Project-Home/?id=6D41DC2C-694D-F111-BEC6-001DD803D7D3.*

Interdisciplinary Team

The BLM will use an interdisciplinary approach to develop the RMP amendment/EA in order to consider the variety of resource issues and concerns identified. Specialists with expertise in the following disciplines will be involved in this planning effort: air quality, botany, cultural resources, hydrology, human health and safety, lands and realty, minerals and geology, noise impacts, outdoor recreation, rangeland management, soils, sociology and economics, wildlife, and visual resources.

Additional Information

The BLM will utilize and coordinate the NEPA and land use planning processes for this planning effort to help support compliance with applicable procedural requirements under the Endangered Species Act (16 U.S.C. 1536) and Section 106 of the National Historic Preservation Act (54 U.S.C. 306108) as provided in 36 CFR 800.2(d)(3), including public involvement requirements of Section 106. The information about historic and cultural resources and threatened and endangered species within the area potentially affected by the proposed RMP amendment will assist the BLM in identifying and evaluating impacts to such resources.

The BLM will consult with Indian Tribal Nations on a government-to-government basis in accordance with Executive Order 13175, BLM Manual Section 1780, and other Departmental policies. Tribal concerns, including impacts on Indian trust assets and potential impacts to cultural resources, will be given due consideration. Federal, State, and local agencies, along with Indian Tribal Nations and other stakeholders that may be interested in or affected by the proposed project that the BLM is evaluating, are invited to participate in the scoping process and, if eligible, may request or be requested by the BLM to participate in the development of the environmental analysis as a cooperating agency.

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.

(Authority: 43 CFR 1610.2(c).)

Justin Abernathy,

Nevada State Director (Acting).

[FR Doc. 2026–19769 Filed 9–25–26; 8:45 am]

BILLING CODE 4331–21–P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–792 and 731–TA–1786–1788 (Final)]

Tin Mill Products From China, Taiwan, and Turkey; 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–792 and 731–TA–1786–1788 (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 tin mill products from China, Taiwan, and Turkey, provided for in subheadings 7210.11.00, 7210.12.00, 7210.50.00, 7212.10.00, 7212.50.00, if of

non-alloy steel and under HTSUS subheadings 7225.99.00, and 7226.99.01 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. Commerce's preliminary determinations with respect to tin mill products from Taiwan and Turkey, alleged to be sold in the United States at less-than-fair-value, are pending.

DATES: September 21, 2026.

FOR FURTHER INFORMATION CONTACT: Lawrence Jones ((202) 205–3358), 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 tin mill flat-rolled products that are coated or plated with tin, chromium, or chromium oxides. Flat-rolled steel products coated with tin are known as tinplate. Flat-rolled steel products coated with chromium or chromium oxides are known as tin-free steel or electrolytic chromium-coated steel. The scope includes all the noted tin mill products regardless of thickness, width, form (in coils or cut sheets), coating type (electrolytic or otherwise), edge (trimmed, untrimmed or further processed, such as scroll cut), coating thickness, surface finish, temper, coating metal (tin, chromium, chromium oxide), reduction (single- or double-reduced), and whether or not coated with a plastic material. Excluded from the scope of these investigations is certain single-reduced electrolytically chromium-coated steel tape for use as an armoring and shielding layer for fiber optic and telecommunications cables (commonly known in the industry as ''copolymer coated steel tape''). Such excluded certain single-reduced electrolytically chromium-coated steel tape is excluded only if it meets all seven (7) of the below requirements:

(1) Single-reduced electrolytically chromium-coated steel,
(2) Actual thickness of 0.160 mm or less (55-pound base box weight),
(3) Type MR steel,
(4) T2–T3 temper,
(5) With a tensile range of 45–57 KSI or 310.20–393.00 Mpa,
(6) 15% minimum elongation, and
(7) 0.06–012 g/m2 chromium coating.

The merchandise subject to these investigations is currently classified in the Harmonized Tariff Schedule of the United States (HTSUS), under HTSUS subheadings 7210.11.0000, 7210.12.0000, 7210.50.0020, 7210.50.0090, 7212.10.0000, 7212.50.0000, if of non-alloy steel and under HTSUS subheadings 7225.99.0090, and 7226.99.0180 if of alloy steel. Although the subheadings are provided for convenience and customs purposes, the written description of the scope of the investigation is dispositive.

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 tin mill products. The investigations were requested in petitions filed on April 9, 2026, by United States Steel Corporation (Pittsburgh, Pennsylvania) and the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union (Pittsburgh, Pennsylvania).

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 November 18, 2026, 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 Friday, December 4, 2026. Requests to appear at the hearing should be filed in writing with the Secretary to the Commission on or before Wednesday, November 25, 2026. 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 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 Monday, November 30, 2026. 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 2, 2026. 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 November 27, 2026. 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 December 11, 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 December 11, 2026. On December 28, 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 December 30, 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 24, 2026.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2026–19811 Filed 9–25–26; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1524]

Certain Powered Rocker-Recliner and Glider-Recliner Mechanisms and Seating Units Containing Same; Notice of Institution of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on August 21, 2026, under section 337 of the Tariff Act of 1930, as amended, on behalf of Ultra-Mek, Incorporated of Denton, North Carolina; Leggett & Platt, Incorporated of Carthage, Missouri; and L&P Property Management Company of Carthage, Missouri. Letters supplementing the complaint were filed on September 9, and September 10, 2026. The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain powered rocker-recliner and glider-recliner mechanisms and seating units containing same by reason of the infringement of certain claims of U.S. Patent No. 8,398,165 (''the '165 patent''); U.S. Patent No. 8,398,168 (''the '168 patent''); U.S. Patent No. 8,016,348 (''the '348 patent''); and U.S. Patent No. 8,297,693 (''the '693 patent''). The complaint further alleges that an industry in the United States exists as required by the applicable Federal Statute. The complainants request that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.* For help accessing EDIS, please email *EDIS3Help@usitc.gov.* Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205–2000. General information concerning the Commission may also be obtained by accessing its internet server at *https://www.usitc.gov.*

FOR FURTHER INFORMATION CONTACT: The Office of the Secretary, Docket Services Division, U.S. International Trade Commission, telephone (202) 205–1802.

SUPPLEMENTARY INFORMATION:

Authority: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2025).

Scope of Investigation: Having considered the complaint, the U.S. International Trade Commission, on September 22, 2026, *ordered that*—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain products identified in paragraph (2) by reason of infringement of one or more of claims 1–7 and 15–18 of the '165 patent; claims 1–7 and 15–18 of the '168 patent; claims 1–4 and 6–9 of the '348 patent; and claims 1–7 and 11–14 of the '693 patent, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) Pursuant to section 210.10(b)(1) of the Commission's Rules of Practice and

Procedure, 19 CFR 210.10(b)(1), the plain language description of the accused products or category of accused products, which defines the scope of the investigation, is ''powered glider-recliner mechanisms; powered rocker-recliner mechanisms; and finished seating units incorporating those mechanisms'';

(3) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainants are:

Ultra-Mek, Incorporated, 487 Bombay Road, Denton, North Carolina 27239

Leggett & Platt, Incorporated, 1 Leggett Rd, Carthage, MO 64836

L&P Property Management Company, 1 Leggett Rd, Carthage, MO 64836

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Jiangsu Carya Smart Home Hardware Co., Ltd., No. 2 Jinchuan Rd., Industry Zone, Daqiao Town, Jiangdu District, Yangzhou Province, China

Living Style Group Ltd., 11/F, Lifung Tower, 888 Cheung Sha Wan Road, Kowloon, Hong Kong

True Innovations & Design (USA) LLC, 2052 Alton Pkwy, Irvine, CA 92606–4905, United States

Living Style (Singapore) Pte. Ltd., 3 Kallang Junction #05–02, Singapore, 339265, Singapore

Living Style (Vietnam) Ltd., 1st & 2nd Floor River Garden 170 Nguyen, Van Huong Ho Chi Minh, Vietnam 71300–0

Henglin Home Furnishings Co., Ltd., No. 378 and 380 Jiaxi Rd., Dipu Street, Huzhou, Zhejiang, 313300, China

Nanjing Hengning Home Furnishings Co., Ltd., Room 206, Building B, Shimao Chengpin, Yuhutai District, Nanjing, China

Zhejiang Hengjian Home Furnishing Co., Ltd., North Building 31 8 Baishi Lane, Gongshu District, Hangzhou, Zhejiang Hangzhou, China

Colamy, Inc., 10985 Oleander Avenue, Fontana, CA 92337

Aurora Maison, Inc., 6275 Joyce Drive, Arvada, CO 80403

Aerisnexus Innovations, Inc., 2220 NW 36th Street, Oklahoma City, OK 73112

(4) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

The Office of Unfair Import Investigations will not participate as a party in this investigation.

The Commission is interested in the development of a thorough record on domestic industry in this investigation to facilitate a holistic review of all relevant considerations. Accordingly, the presiding administrative law judge may wish to consider what information will be necessary to make a determination with respect to complainant's domestic industry allegations under subparagraphs (A), (B), and (C) of section 337(a)(3) based on an industry that exists or is in the process of being established; including the extent to which these allegations rely on expenditures made by third parties; and the extent to which expenditures are made outside the United States related to the domestic industry article(s) by any entity.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(e) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Issued: September 23, 2026.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2026–19713 Filed 9–25–26; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–1777]

Bulk Manufacturer of Controlled Substances Application: Cargill, Incorporated

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Cargill, Incorporated has applied to be registered as a bulk manufacturer of basic class(es) of controlled substance(s). Refer to **SUPPLEMENTARY INFORMATION** listed below for further drug information.

DATES: Registered bulk manufacturers of the affected basic class(es), and applicants, therefore, may submit electronic comments on or objections to the issuance of the proposed registration on or before November 27, 2026. Such persons may also file a written request for a hearing on the application on or before November 27, 2026.

ADDRESSES: The Drug Enforcement Administration requires that all comments be submitted electronically through the Federal eRulemaking Portal, which provides the ability to type short comments directly into the comment field on the web page or attach a file for lengthier comments. Please go to *https://www.regulations.gov* and follow the online instructions at that site for submitting comments. Upon submission of your comment, you will receive a Comment Tracking Number. Please be aware that submitted comments are not instantaneously available for public view on *https://www.regulations.gov.* If you have received a Comment Tracking Number, your comment has been successfully submitted and there is no need to resubmit the same comment.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.33(a), this is notice that on August 18, 2026, Cargill, Incorporated, 17540 Monroe Wapello Road, Eddyville, Iowa 52553, applied to be registered as a bulk manufacturer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Gamma Hydroxybutyric Acid.	2010	I

The company plans to bulk manufacture butanediol as a raw material for industrial and consumer products. Gamma Hydroxybutyric Acid will be manufactured as a byproduct and an impurity waste of butanediol.

The company does not plan to bulk manufacture this drug. No other activity for this drug code is authorized for this registration.

Justin Wood,

Deputy Assistant Administrator.

[FR Doc. 2026–19795 Filed 9–25–26; 8:45 am]

BILLING CODE P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–1778]

Bulk Manufacturer of Controlled Substances Application: Irvine Labs, Inc.

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Irvine Labs, Inc. has applied to be registered as a bulk manufacturer of basic class(es) of controlled substance(s). Refer to SUPPLEMENTARY INFORMATION listed below for further drug information.

DATES: Registered bulk manufacturers of the affected basic class(es), and applicants, therefore, may submit electronic comments on or objections to the issuance of the proposed registration on or before November 27, 2026. Such persons may also file a written request for a hearing on the application on or before November 27, 2026.

ADDRESSES: The Drug Enforcement Administration requires that all comments be submitted electronically through the Federal eRulemaking Portal, which provides the ability to type short comments directly into the comment field on the web page or attach a file for lengthier comments. Please go to *https://www.regulations.gov* and follow the online instructions at that site for submitting comments. Upon submission of your comment, you will receive a Comment Tracking Number. Please be aware that submitted comments are not instantaneously available for public view on *https://www.regulations.gov.* If you have received a Comment Tracking Number, your comment has been successfully submitted and there is no need to resubmit the same comment.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.33(a), this is notice that on August 13, 2026, Irvine Labs, Inc., 7305 Murdy Circle, Huntington Beach, California 92647–3533, applied to be registered as a bulk manufacturer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Ibogaine	7260	I
Lysergic acid diethylamide.	7315	I
Mescaline	7381	I
Peyote	7415	I
Diethyltryptamine	7434	I
Dimethyltryptamine	7435	I
Psilocybin	7437	I
Psilocyn	7438	I

The company plans to bulk manufacture the above listed controlled substances for research and development purposes internally and for distribution to its research customers. No other activities for these drug codes are authorized for this registration.

Justin Wood,

Deputy Assistant Administrator.

[FR Doc. 2026–19803 Filed 9–25–26; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–1767]

Importer of Controlled Substances Application: Benuvia Operations, LLC

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Benuvia Operations, LLC. has applied to be registered as an importer of basic class(es) of controlled substance(s). Refer to SUPPLEMENTARY INFORMATION listed below for further drug information.

DATES: Registered bulk manufacturers of the affected basic class(es), and applicants, therefore, may submit electronic comments on or objections to the issuance of the proposed registration on or before October 28, 2026. Such persons may also file a written request for a hearing on the application on or before October 28, 2026.

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 August 11, 2026, Benuvia Operations, LLC., 3950 North Mays Street, Round Rock, Texas 78665–2729, applied to be registered as an importer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Ibogaine	7260	I

The company plans to import the listed controlled substance to support internal research and development toward the bulk manufacture of API for future clinical trials. No other activity for this drug code is authorized for this registration.

Approval of permit applications will occur only when the registrant's business activity is consistent with what is authorized under 21 U.S.C. 952(a)(2). Authorization will not extend to the import of Food and Drug Administration-approved or non-approved finished dosage forms for commercial sale.

Justin Wood,

Deputy Assistant Administrator.

[FR Doc. 2026–19792 Filed 9–25–26; 8:45 am]

BILLING CODE P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[NASA Document Number: 26–056; NASA Docket Number: NASA–2026–0463]

Name of Information Collection: NASA Generic Clearance for Conferences, Meetings, Workshops, Registrations and Challenges

AGENCY: National Aeronautics and Space Administration (NASA).

ACTION: Notice of new information collection.

SUMMARY: NASA, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act (PRA) of 1995.

DATES: Comments are due by November 27, 2026.

ADDRESSES: Written comments and recommendations for this information collection should be sent within 60 days of publication of this notice at *http://www.regulations.gov* and search for NASA Docket: NASA–2026–0463.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the submissions may be obtained from NASA PRA Clearance Officer, Stayce Hoult by emailing *hq-ocio-pra-program@mail.nasa.gov* or calling (256) 714–8575.

SUPPLEMENTARY INFORMATION:

I. Abstract

NASA seeks to collect information from individuals and organizations who wish to participate in NASA sponsored conferences, meetings, workshops, sessions, panels, applications, posters, presentations, training events, and other mission-related activities. NASA frequently conducts scientific, technical, educational, and stakeholder-engagement events to advance aeronautics and space research, foster collaboration, disseminate findings, and support the development of the next generation of explorers and innovators.

NASA anticipates receiving interest from a broad range of respondents and individuals, including academic researchers, industry professionals, nonprofit organizations, educational institutions, and Federal, State, local, and Tribal government representatives. The information collected may include basic details such as name, organization, address, country, phone number, email address, and any special accommodation requests necessary for accessibility compliance. NASA may also ask respondents how they learned about the activity to support outreach effectiveness and event improvement.

NASA will collect registration information to facilitate event management, communication, and coordination with interested parties. This includes data needed to register participants, verify eligibility where appropriate, support access requirements, and maintain accurate participation records. The information collection also enables NASA to identify and select appropriate participants for specific activities, such as presenters, speakers, or panelists with relevant expertise, and attendees whose professional background or technical skills align with the event's purpose.

For certain activities, NASA may develop short applications or submission processes—such as abstract submissions or expressions of interest—to evaluate proposed content and determine which individuals can contribute meaningfully to the event's objectives. NASA may occasionally request additional information, papers, abstracts, or other supporting materials as part of an event related submission or application and may seek extra documentation from interested participants when necessary to evaluate proposed presentations or participation, support program planning, ensure content quality, or prepare for event execution.

The collected information supports logistical planning, including confirming attendance, securing appropriate facilities or virtual environments, managing security and access requirements, and ensuring compliance with NASA policies and federal requirements. These collections enable NASA to operate events safely, efficiently, and in alignment with mission needs across centers and mission directorates.

NASA is committed to effectively performing the Agency's communication function in accordance with the National Aeronautics and Space Act of 1958, Section 203(a)(3), as amended states ''provide for the widest practicable and appropriate dissemination of information concerning its activities and the results thereof'', and to enhance public understanding of, and participation in, the Nation's aeronautics and space programs.

II. Methods of Collection

Electronic web forms, email submissions, and, as needed, paper forms.

III. Data

Title: NASA Generic Clearance for Conferences, Meetings, Workshops, Registrations and Challenges.

OMB Number: 2700–xxxx (New).

Type of review: New Information Collection.

Affected Public: Individuals and households; businesses; academic institutions; non-profit organizations; and Federal, State, local, Tribal governments, as applicable to event participation.

ESTIMATED ANNUALIZED BURDEN TABLE

Type of activity/form	Number of respondents	Number of responses per respondent	Average burden per response (hours)	Total burden hours
Conferences	2,000	1	1.0	2,000
Meetings	2,000	1	45/60	1,500
Workshops	2,000	1	30/60	1,000
Session	1,000	1	1.0	1,000
Panels	1,000	1	30/60	500
Presentations	1,000	1	1.0	1,000
Common/Interest Registration Form	1,500	1	3/60	75
Common Abstract Form	1,000	1	1.0	1,000
Total	11,500			8,075

IV. Request for Comments

Comments are invited on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of NASA, including whether the information collected has practical utility; (2) the accuracy of NASA's estimate of the burden (including hours and cost) of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including automated collection techniques or the use of other forms of information technology.

Comments submitted in response to this notice will be summarized and included in the request for OMB approval of this information collection. They will also become a matter of public record.

Stayce Harris Hoult,

PRA Clearance Officer, National Aeronautics and Space Administration.

[FR Doc. 2026–19790 Filed 9–25–26; 8:45 am]

BILLING CODE 7510–13–P

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

[NARA–2026–042]

Senior Executive Service (SES) Performance Review Board; Members

AGENCY: National Archives and Records Administration.

ACTION: Notice; SES Performance Review Board.

SUMMARY: Notice is hereby given of the appointment of members of the National Archives and Records Administration (NARA) Performance Review Board (PRB). The members of the PRB for the National Archives and Records Administration are: Ovnelle Millwood, Chief Human Capital Officer, Jay Trainer, Chief Operating Officer; Valorie F. Findlater, Chief of Management and Administration; and Matt Dummermuth, General Counsel. These appointments supersede all previous appointments.

DATES: *Effective Date:* This appointment is effective on September 28, 2026.

FOR FURTHER INFORMATION CONTACT: Ovnelle Millwood, Office of Human Capital, National Archives and Records Administration, 8601 Adelphi Road, College Park, Maryland 20740, (301) 837–3467.

SUPPLEMENTARY INFORMATION: The authority for this notice is 5 U.S.C. 4314(c), which also requires each agency to establish, in accordance with regulations prescribed by the Office of Personnel Management, one or more SES Performance Review Boards. The Board shall review the initial appraisal of a senior executive's performance by the supervisor and recommend final action to the appointing authority regarding matters related to senior executive performance.

Dated: September 21, 2026.

Bradford P. Wilson,

Archivist of the United States.

[FR Doc. 2026–19814 Filed 9–25–26; 8:45 am]

BILLING CODE 7515–01–P

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

[NARA–26–0463; NARA–2026–042]

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 November 12, 2026.

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-26-0463/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. National Aeronautics and Space Administration, Occupational Health and Medicine (DAA–0255–2025–0006).

2. National Highway Traffic Safety Administration, National Occupant Protection Use Survey and National Survey of the Use of Booster Seats (DAA–0416–2025–0004).

3. National Oceanic and Atmospheric Administration, Fishery Loan Case Files (DAA–0370–2026–0005).

4. U.S. Customs and Border Protection, Conveyance Identification Capability Records (DAA–0568–2025–0002).

William P. Fischer,

Acting Chief Records Officer for the U.S. Government.

[FR Doc. 2026–19742 Filed 9–25–26; 8:45 am]

BILLING CODE 7515–01–P

THE NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Institute of Museum and Library Services

Notice of Proposed Information Collection Requests: IMLS Native Hawaiian Library Services Grant Program Notice of Funding Opportunity

AGENCY: Institute of Museum and Library Services, National Foundation for the Arts and the Humanities.

ACTION: Notice, request for comments on this collection of information.

SUMMARY: The Institute of Museum and Library Services (IMLS), as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. The purpose of this notice is to solicit comments related to a grant program targeting the needs of Native Hawaiian libraries.

A copy of the proposed information collection request can be obtained by contacting the individual listed below in the **ADDRESSES** section of this notice.

DATES: Written comments must be submitted to the office listed in the addressee section below on or before November 28, 2026.

ADDRESSES: Send comments to Sandra Narva, Lead Senior Grants Management Specialist, Office of General Counsel, ATTN: Grants Management, Institute of Museum and Library Services, 200 Constitution Ave. NW, Suite N–3627, Washington, DC 20210. Ms. Narva can be reached by telephone, 202–653–4634, or by email at *snarva@imls.gov.* Office hours are from 8:30 a.m. to 5 p.m., E.T., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Lisa Solomson, Deputy Director, Office of Library Services, Institute of Museum and Library Services, 200 Constitution Ave. NW, Suite N–3627, Washington, DC 20210. Ms. Solomson can be reached by telephone, 202–653–4617, or by email at *lsolomson@imls.gov.* Office hours are from 8:30 a.m. to 5 p.m., E.T., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION: IMLS is particularly interested in public comments that help the agency to:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques, or other forms of information technology, *e.g.,* permitting electronic submissions of responses.

I. Background

IMLS is the primary source of Federal support for the Nation's libraries and museums. The agency advances, supports, and empowers America's museums, libraries, and related organizations through grant making, research, and policy development. For more information about IMLS, visit *www.imls.gov.*

II. Current Actions

This action will renew the Native Hawaiian Library Services Grant Program (NH) Notice of Funding Opportunities clearance, which expires January 31, 2027, for an additional three years.

The purpose of the NH program is to assist Native Hawaiian libraries in improving core library services within their communities. IMLS recognizes that information needs change, Native Hawaiian organizations must be able to serve as knowledge and resource centers to benefit their users and the well-being of their communities. The program supports organizations across the islands and country to address their individual information needs and priorities.

The goal of the program is to develop, enhance, or disseminate practices, programs, models, tools, or library staff training to strengthen library and archival services for Native Hawaiian organizations through the following objectives: serving the learning needs and interests of the community; improving community well-being; providing access to and preservation of information and collections; or providing services to affected communities in the event of an emergency or disaster.

Agency: Institute of Museum and Library Services.

Title: IMLS Native Hawaiian Library Services Grant Program Notice of Funding Opportunity.

OMB Control Number: 3137–0102.

Respondents/Affected Public: Nonprofit organizations that primarily serve and represent Native Hawaiians.

Estimated Number of Annual Respondents: 10.

Frequency of Response: Once per request.

Estimated Average Burden Hours per Response: 35.

Estimated Total Annual Burden Hours: 350.

Total Annual Cost Burden: $10,419,50.

Total Annual Federal Costs: $1,650.60.

Public Comments Invited: Comments submitted in response to this notice will be summarized and/or included in the agency's request to OMB for clearance of this information collection.

Dated: September 24, 2026.

Suzanne Mbollo,

Grants Management Specialist, Institute of Museum and Library Services.

[FR Doc. 2026–19768 Filed 9–25–26; 8:45 am]

BILLING CODE 7036–01–P

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Institute of Museum and Library Services

Notice of Proposed Information Collection Requests: Native American Library Services Enhancement Grants Notice of Funding Opportunity.

AGENCY: Institute of Museum and Library Services, National Foundation on the Arts and the Humanities.

ACTION: Notice, request for comments on this collection of information.

SUMMARY: The Institute of Museum and Library Services (IMLS), as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. The purpose of this notice is to communicate the agency's intent to request renewal of the clearance for IMLS's Native American Library Services Enhancement Grant Program (NAE), a discretionary grant program designed to assist Native American libraries in improving core library services for their communities. A copy of the proposed information collection request can be obtained by contacting the individual listed below in the **ADDRESSES** section of this notice.

DATES: Written comments must be submitted to the office listed in the addressee section below on or before November 28, 2026.

ADDRESSES: Send comments to Sandra Narva, Lead Senior Grants Management Specialist, Office of General Counsel, ATTN: Grants Management, Institute of Museum and Library Services, 200 Constitution Ave. NW, Suite N–3627, Washington, DC 20210. Ms. Narva can be reached by telephone, 202–653–4634, or by email at *snarva@imls.gov.* Office hours are from 8:30 a.m. to 5 p.m., E.T., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Lisa Solomson, Deputy Director, Office of Library Services, Institute of Museum and Library Services, 200 Constitution Ave. NW, Suite N–3627, Washington, DC 20210. Ms. Solomson can be reached by telephone, 202–653–4617, or by email at *lsolomson@imls.gov.* Office hours are from 8:30 a.m. to 5 p.m., E.T., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION: IMLS is particularly interested in public comments that help the agency to:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques, or other forms of information technology, *e.g.,* permitting electronic submissions of responses.

I. Background

IMLS is the primary source of Federal support for the Nation's libraries and museums. The agency advances, supports, and empowers America's museums, libraries, and related organizations through grant making, research, and policy development. For more information about IMLS, visit *www.imls.gov.*

II. Current Actions

This action will renew the NAE Notice of Funding Opportunities clearance, which expires January 31, 2027, for an additional three years.

The NAE program assists eligible Native Communities in sustaining and improving library services within their communities. As information needs change, Tribal libraries must be able to serve as knowledge and resource centers to benefit their users and the well-being of their communities. The program supports Native Communities across the country in addressing their individual information needs and priorities.

The goal of the program is to develop, enhance, or disseminate practices, programs, models, tools, or library staff training to strengthen library and archival services for Native American Tribes through the following objectives: serving the learning needs and interests of the community; improving community well-being; providing access to and preservation of information and collections; or providing services to affected communities in the event of an emergency or disaster.

Agency: Institute of Museum and Library Services.

Title: Native American Library Services Enhancement Grants Notice of Funding Opportunity.

OMB Control Number: 3137–0110.

Respondents/Affected Public: Federally Recognized Indian Tribes.

Estimated Number of Annual Respondents: 80.

Frequency of Response: Once per request.

Estimated Average Burden Hours per Response: 35.

Estimated Total Annual Burden Hours: 2,800.

Total Annual Cost Burden: $81,984.00.

Total Annual Federal Costs: $11,278.10.

Public Comments Invited: Comments submitted in response to this notice will be summarized and/or included in the agency's request to OMB for clearance of this information collection.

Dated: September 24, 2026.

Suzanne Mbollo,

Grants Management Specialist, Institute of Museum and Library Services.

[FR Doc. 2026–19771 Filed 9–25–26; 8:45 am]

BILLING CODE 7036–01–P

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Institute of Museum and Library Services

Notice of Proposed Information Collection Requests: Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery

AGENCY: Institute of Museum and Library Services, National Foundation on the Arts and the Humanities.

ACTION: Notice, request for comments on this collection of information.

SUMMARY: The Institute of Museum and Library Services (IMLS), as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. The purpose of this notice is to solicit comments related to renewing the Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery. A copy of the proposed information collection request can be obtained by contacting the individual listed below in the **ADDRESSES** section of this notice.

DATES: Written comments must be submitted to the office listed in the addressee section below on or before November 28, 2026.

ADDRESSES: Send comments to Sandra Narva, Lead Senior Grants Management Specialist, Office of General Counsel, ATTN: Grants Management, Institute of Museum and Library Services, 200 Constitution Ave. NW, Suite N–3627, Washington, DC 20210. Ms. Narva can be reached by telephone: 202–653–4634, or by email at *snarva@imls.gov.* Office hours are from 8:30 a.m. to 5 p.m., E.T., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Lisa Hechtman, Social Science Research Analyst, Office of Library Services, Institute of Museum and Library Services, 200 Constitution Ave. NW, Suite N–3627, Washington, DC 20210. Dr. Hechtman can be reached by telephone at 202–653–4724, or by email at *lhechtman@imls.gov.*

SUPPLEMENTARY INFORMATION: IMLS is particularly interested in public comments that help the agency to:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques, or other forms of information technology, *e.g.,* permitting electronic submissions of responses.

I. Background

IMLS is the primary source of Federal support for the Nation's libraries and museums. The agency advances, supports, and empowers America's museums, libraries, and related organizations through grant making, research, and policy development. For more information about IMLS, visit *www.imls.gov.*

II. Current Actions

This notice proposes the clearance of IMLS's Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery. This data collection activity provides a means of obtaining qualitative feedback from customers and stakeholders, consistent with the agency's commitment to improving service delivery. For the purposes of this data collection, IMLS defines qualitative feedback as information that provides useful insights into stakeholders' perceptions, experiences, and opinions, but that is not designed to produce results that can be generalized to the population of study. The agency previously conducted the Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery under clearance number 3137–0081, which expires January 31, 2027.

Agency: Institute of Museum and Library Services.

Title: Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery.

OMB Control Number: 3137–0081.

Agency Number: 3137.

Respondents/Affected Public: Museum staff; library staff; IMLS awardees; State, Local and Tribal Governments; State Library Administrative Agencies.

Total Estimated Number of Annual Respondents: 52,850.

Frequency of Response: Once per request.

Estimated Average Burden Minutes per Response: 16.

Total Estimated Number of Annual Burden Hours: 14,000.

Total Estimated Cost Burden: $479,565.

Public Comments Invited: Comments submitted in response to this notice will be summarized and/or included in the agency's request to OMB for clearance of this information collection. This collection is authorized by 20 U.S.C. 9108, ''Policy research, data collection, analysis and modeling, evaluation, and dissemination.''

Dated: September 24, 2026.

Suzanne Mbollo,

Grants Management Specialist, Institute of Museum and Library Services.

[FR Doc. 2026–19763 Filed 9–25–26; 8:45 am]

BILLING CODE 7036–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–106469; File No. SR–OCC–2026–008]

Self-Regulatory Organizations; The Options Clearing Corporation; Order Approving Proposed Rule Change by the Options Clearing Corporation Concerning Amendments to Its Rules To Establish a Procedures-Based Approach for Determining Product Eligibility During Overnight or Extended Trading Sessions Utilizing Its Current ETH Risk Management Framework

September 23, 2026.

I. Introduction

On July 30, 2026, The Options Clearing Corporation (''OCC'') filed with the Securities and Exchange Commission (''Commission'') pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Exchange Act'') [1] and Rule 19b–4 thereunder,[2] a proposed rule change to establish a procedures-based approach for determining product eligibility during overnight or extended trading sessions (hereinafter, the ''Proposed Rule Change'').[3] The Proposed Rule Change was published for public comment in the **Federal Register** on August 17, 2026.[4] The Commission has not received public comment regarding. For the reasons discussed below, the Commission is approving the Proposed Rule Change.

II. Background

OCC is a central counterparty (''CCP''), which means that, as part of its function as a clearing agency, it interposes itself as the buyer to every seller and the seller to every buyer for financial transactions. As the CCP for the listed options markets in the United States,[5] as well as for certain futures and stock loans, OCC is exposed to various risks arising from providing clearance and settlement services to its Clearing Members.[6] OCC's risk management framework is designed to accommodate the specific products and trading hours its participant exchanges support. Expanded trading into new extended or overnight sessions would rely on OCC's core clearing and risk management functions. This proposed rule change would establish a procedures-based framework enabling OCC to determine whether products proposed for trading outside of regular trading hours can be appropriately risk-managed under its existing Extended Trading Hours framework for managing risk outside of regular trading hours (''Extended Trading Hours'' or ''ETH'').

Currently, the only products that OCC clears during Extended Trading Hours are index options listed by Cboe Global Markets, Inc. (''Cboe'') and index futures listed by Cboe Futures Exchange, LLC (''CFE'').[7] OCC first established its ETH risk management framework in 2015 in connection with the clearance of these products.[8] OCC has received requests from Exchanges to expand the scope of products and trading sessions supported under its ETH framework.[9]

Rather than filing a separate proposed rule change with the Commission each time an Exchange seeks to expand ETH products or trading sessions, OCC proposes to amend its Rules and its Extended Trading Hours Set-Up and Monitoring Procedure (the ''ETH Procedure'') to establish a procedures-based framework governing OCC's determination of product eligibility for trading outside of regular trading hours. As discussed below, OCC believes its existing ETH risk management framework is sufficient to accommodate the currently proposed expansion,[10] and OCC believes the procedures-based framework will similarly permit it to evaluate future Exchange requests without the need for a rule filing addressed to each individual product or session.[11]

A. Proposed Rule 402

OCC proposes to amend its Rule 402, which is currently reserved, to establish OCC's authority over the treatment of products traded outside of regular trading hours. As proposed, Rule 402 would provide that products executed on an Exchange outside of regular trading hours, as determined by OCC, will be subject to OCC's established ETH risk management procedures.[12] Under Proposed Rule 402 OCC determines whether a given trading session constitutes ''regular trading hours'' or ''extended trading hours'' for purposes of OCC's operations and risk management.[13] OCC states that this determination is necessary because Exchange classifications of trading sessions are not always determinative of the operational and risk management considerations relevant to OCC.[14]

Proposed Rule 402 further provides that OCC will determine whether the risk presented by a product that an Exchange proposes to trade during extended trading hours may be managed under OCC's existing ETH procedures.[15] Finally, proposed Rule 402 provides that, to the extent OCC determines that an Exchange's proposal would require changes to OCC's existing ETH procedures, any such changes will be made in a manner consistent with (i) OCC's regulatory obligations, including its obligation to file proposed rule changes with the Commission pursuant to Section 19(b) of the Exchange Act and Rule 19b–4 thereunder, and (ii) OCC's agreements with the Exchanges, including the Participant Exchange Agreement or any comparable agreement entered into with a futures market pursuant to Article XII, Section 1 of OCC's By-Laws.

B. Proposed Amendment to Rule 307B

OCC also proposes to amend Rule 307B, which sets forth the restrictions that may be imposed on a Clearing Member's transactions, positions, and activities in circumstances warranting protective measures. As amended, Rule 307B(a) would add a new paragraph 5 expressly authorizing the Chief Executive Officer, Chief Operating Officer, or a Designated Officer of OCC to revoke a Clearing Member's authorization to participate in extended trading hours where such officer deems it necessary or appropriate under the circumstances. OCC believes that adding an express reference to the revocation of ETH authorization will eliminate interpretive ambiguity regarding the scope of OCC's authority in this context. Any revocation of ETH authorization under new Rule 307B(a)(5) would remain subject to the existing procedural protections set forth

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Notice *infra* note 4, 91 FR 53294.

[4] *See* Exchange Act Release No. 106080 (Aug. 12, 2026), 91 FR 53294 (Aug. 17, 2026) (File No. SR–OCC–2026–008) (''Notice'').

[5] OCC describes itself as ''the sole clearing agency for standardized equity options listed on a national securities exchange registered with the Commission ('listed options').'' *See* Securities Exchange Act Release No. 96533 (Dec. 19, 2022), 87 FR 79015 (Dec. 23, 2022) (File No. SR–OCC–2022–012).

[6] Capitalized terms used but not defined herein have the meanings specified in OCC's Rules and By-Laws, *available at https://www.theocc.com/company-information/documents-and-archives/by-laws-and-rules.*

[7] See Exchange Act Release No. 74241 (Feb. 10, 2015), 80 FR 8383 (Feb. 17, 2015) (File No. SR–OCC–2014–812) (Notice of No Objection to Advance Notice concerning Extended and Overnight Trading Sessions).

[8] *See* Exchange Act Release No. 74268 (Feb. 12, 2015), 80 FR 8917 (Feb. 19, 2015) (File No. SR–OCC–2014–24) (Order approving Proposed Rule Change concerning Extended and Overnight Trading Sessions, establishing the framework now being expanded).

[9] *See* Notice, 91 FR 53295.

[10] *See* Notice, 91 FR 53294.

[11] *See* Notice, 91 FR 53302.

[12] *See* Notice, 91 FR 53299.

[13] *Id.*

[14] *See* Notice, 91 FR 53300.

[15] *Id.*

in Rule 307B(b) and (c), including the affected Clearing Member's right to request review by OCC's Risk Committee, to receive advance notice of any hearing, to be heard and present evidence, and to be represented by counsel.

C. Proposed Changes to the ETH Procedure

OCC also proposes to revise its internal ETH Procedure and to adopt the procedure as a rule governing OCC's management of trading outside of regular trading hours.[16] With regard to monitoring outside of regular trading hours, OCC proposes revising the ETH Procedure to clarify that ETH credit risk monitoring and Clearing Member eligibility validation will occur throughout the same monitoring window. Such monitoring would occur over the full duration of any ETH session, continuing without interruption until the start of regular trading hours at 8:30 a.m. Central Time. OCC states that this revision is intended to make OCC's monitoring extend to cover the proposed early morning ETH session, from 6:30 a.m. to 8:25 a.m. Central Time.[17]

OCC proposes to publish the ETH Procedure, together with a list of ETH-eligible products and their associated clearing sessions, on OCC's public website, and to issue an Information Memorandum whenever the ETH Procedure is amended or the list of eligible products is revised.[18] OCC also proposes to remove certain header information from the ETH Procedure identifying the procedure owner, version number, and revision history, on the basis that such information does not constitute a rule and will continue to be maintained in OCC's internal policy governance system.

OCC proposes revising the process by which Clearing Members are approved to participate in ETH sessions. Under the proposed procedure a Clearing Member's participation must be approved by an Executive Director or above within Financial Risk Management (''FRM''). Market Risk will assess a Clearing Member's suitability for ETH participation based on the Clearing Member's financial condition, operational readiness, and risk profile, and will present its recommendation to the FRM officer, whose approval or denial will be documented via email.[19]

OCC proposes to clarify that, when an Exchange proposes a new product or trading session for ETH clearing, the proposal will be evaluated pursuant to OCC's existing New Product Procedure, taking into account operational, financial risk, regulatory, and trading-session-designation factors applicable to new products generally.

OCC proposes adding provisions to the ETH Procedure clarifying that not all credit risk monitoring alerts generated during ETH sessions reflect losses attributable to ETH trading activity. Under the revised procedure, Core Clearing or Market Operations will review trade logs to confirm whether a given exceedance resulted from actual ETH trade activity, as distinguished from non-trade-related causes such as position transfers, erroneous file submissions, or price smoothing calculations. Exceedances confirmed to result from non-trade activity will be documented in the ETH Turnover Log as false positives and will not require further escalation.

OCC also proposes certain non-substantive, conforming, and administrative changes to the ETH Procedure, including updated departmental references and organizational titles, and grammatical corrections.

III. Discussion and Commission Findings

Section 19(b)(2)(C) of the Exchange Act requires the Commission to approve a proposed rule change of a self-regulatory organization if it finds that the proposed rule change is consistent with the requirements of the Exchange Act and the rules and regulations thereunder applicable to the organization.[20] Under the Commission's Rules of Practice, the ''burden to demonstrate that a proposed rule change is consistent with the Exchange Act and the rules and regulations issued thereunder . . . is on the self-regulatory organization ['SRO'] that proposed the rule change.'' [21] The description of a proposed rule change, its purpose and operation, its effect, and a legal analysis of its consistency with applicable requirements must all be sufficiently detailed and specific to support an affirmative Commission finding,[22] and any failure of an SRO to provide this information may result in the Commission not having a sufficient basis to make an affirmative finding that a proposed rule change is consistent with the Exchange Act and the applicable rules and regulations.[23] Moreover, ''unquestioning reliance'' on an SRO's representations in a proposed rule change is not sufficient to justify Commission approval of a proposed rule change.[24]

After carefully considering the Proposed Rule Change, the Commission finds that the Proposed Rule Change is consistent with the requirements of the Exchange Act and the rules and regulations thereunder applicable to OCC. More specifically, the Commission finds that the Proposed Rule Change is consistent with Section 17A(b)(3)(F) of the Exchange Act [25] and Rules 17ad–22(e)(1) and (21) thereunder, as described in detail below.[26]

A. Consistency With 17A(b)(3)(F) of the Exchange Act

Under Section 17A(b)(3)(F) of the Exchange Act, OCC's rules, among other things, must be designed to promote the prompt and accurate clearance and settlement of securities transactions and, to the extent applicable, derivatives agreements, contracts, and transactions.[27] Based on a review of the record, and for the reasons discussed below, the Proposed Rule Change is consistent with Section 17A(b)(3)(F).

As discussed above, the Proposed Rule Change would establish a procedures-based framework governing OCC's evaluation of products and trading sessions proposed by Exchanges for clearance outside of regular trading hours. This framework is designed to promote the prompt and accurate clearance and settlement of securities transactions and derivatives contracts by ensuring that OCC's risk management framework remains appropriately calibrated as ETH clearing activity expands.

Proposed Rule 402 would establish OCC's authority to determine ''regular trading hours'' and ''extended trading hours,''. This authority promotes the prompt and accurate clearance and settlement of transactions because it enables OCC to apply consistent operational and risk management standards based on the actual characteristics of a trading session rather than relying on an Exchange's own classification, which could vary by Exchange for cross-listed products.

The proposed amendment to Rule 307B authorizes OCC to revoke a

[16] OCC established the ETH Procedure in its current form in 2015. As described herein, OCC proposes several substantive and organizational changes to the ETH Procedure.

[17] *See* Notice, 91 FR 53301.

[18] *See* Notice, 91 FR 53301.

[19] *See* Notice, 91 FR 53301.

[20] 15 U.S.C. 78s(b)(2)(C).

[21] Rule 700(b)(3), Commission Rules of Practice, 17 CFR 201.700(b)(3).

[22] *Id.*

[23] *Id.*

[24] *Susquehanna Int'l Group, LLP* v. *Securities and Exchange Commission,* 866 F.3d 442, 447 (D.C. Cir. 2017).

[25] 15 U.S.C. 78q–1(b)(3)(F).

[26] 17 CFR 240.17ad–22(e)(1) and (21)(ii) and (iii).

[27] 15 U.S.C. 78q–1(b)(3)(F).

Clearing Member's ETH participation authorization where OCC's Chief Executive Officer, Chief Operating Officer, or a Designated Officer deems it necessary or appropriate. This change promotes the prompt and accurate clearance and settlement of transactions by ensuring that OCC retains a clear and unambiguous mechanism to limit or terminate a Clearing Member's participation in ETH sessions where circumstances warrant protective action. This authority is subject to the procedural protections including the affected Clearing Member's right to request review by OCC's Risk Committee, advance notice of any hearing, the opportunity to be heard and present evidence, and the right to be represented by counsel. These protections appropriately balance OCC's need to act promptly to address risks arising from ETH participation against the interests of affected Clearing Members.

With respect to the proposed changes to the ETH Procedure, the proposed extension of continuous credit risk monitoring and Clearing Member eligibility validation through the start of regular trading is designed to promote the prompt and accurate clearance and settlement of transactions by ensuring that OCC's risk monitoring capabilities extend to cover the full duration of ETH trading activity without interruption. Further, the proposed approval process for Clearing Member ETH participation, under which Market Risk assesses a Clearing Member's financial condition, operational readiness, and risk profile and presents a recommendation to an Executive Director or above within Financial Risk Management, is reasonably designed to ensure that only Clearing Members with adequate risk management and operational capabilities participate in ETH sessions, thereby supporting the prompt and accurate clearance and settlement of transactions executed during such sessions.

The proposed provisions clarifying the treatment of new products or trading sessions proposed by Exchanges for ETH clearing are designed to promote the prompt and accurate clearance and settlement of transactions by ensuring that OCC applies a consistent and comprehensive risk evaluation process to new ETH products, comparable to the process OCC applies to new products generally.

Finally, the proposed provisions addressing the review and documentation of credit risk monitoring alerts generated during ETH sessions are designed to promote the prompt and accurate clearance and settlement of transactions. By enabling OCC to distinguish alerts attributable to actual ETH trading activity from those resulting from other causes, this provision should allow OCC to focus its risk management resources on responding to genuine indicia of risk arising from ETH trading, thereby supporting the prompt and accurate clearance and settlement of transactions cleared during ETH sessions. Accordingly, and for the reasons stated above, the Proposed Rule Change promotes the prompt and accurate clearance and settlement of securities transactions.

B. Consistency With Rule 17ad–22(e)(1)

Rule 17ad–22(e)(1) under the Exchange Act requires, in part, that OCC establish, implement, maintain, and enforce written policies and procedures reasonably designed to, as applicable, provide for a well-founded, clear, transparent, and enforceable legal basis for each aspect of its activities in all relevant jurisdictions.[28]

Proposed Rule 402 would provide OCC with express rule-based authority to determine which trading sessions constitute ''regular trading hours'' or ''extended trading hours'' for purposes of OCC's clearance and risk management functions, and to determine whether the risk presented by a product proposed for trading during extended trading hours may be accommodated under OCC's existing ETH risk management framework. By establishing this authority directly in OCC's Rules, rather than relying on informal practice, the proposed rule change would provide market participants with clear and transparent notice of the legal basis for OCC's determinations regarding ETH-eligible products and sessions.

Adopting the revised ETH Procedure as a rule enhances the transparency and enforceability of the legal framework governing OCC's ETH risk management activities. The revised ETH Procedure governs material aspects of OCC's risk management of ETH clearing activity, and any future amendments to the procedure will be subject to the requirements of Section 19(b) of the Exchange Act[29] and Rule 19b–4 thereunder.[30] This change would provide Clearing Members and other market participants with clear notice of such changes and further support the legal basis for the scope of, and requirements applicable to, OCC's ETH risk management framework.

[28] 17 CFR 240.17ad–22(e)(1).

[29] 15 U.S.C. 78s(b)(1).

[30] 17 CFR 240.19(b).

Accordingly, the proposed changes are consistent with Rule 17ad–22(e)(2)(i).[31]

C. Consistency With Rule 17ad–22(e)(21)

Rule 17ad–22(e)(21) requires that OCC establish, implement, maintain, and enforce written policies and procedures reasonably designed to be efficient and effective in meeting the requirements of its participants and the markets it serves, and have the covered clearing agency's management regularly review the efficiency and effectiveness of its operating structure, including risk management policies, procedures, and systems and scope of products cleared or settled.[32]

The proposed procedures-based framework would allow OCC to evaluate future Exchange requests to expand ETH-eligible products and sessions under its existing risk management infrastructure, without requiring a separate rule filing for each request, thereby providing OCC with a scalable process for managing its operating structure, including its management of risks associated with anticipated growth in ETH trading activity. This would also allow OCC to operate more efficiently and review its product scope without having to file rule filing for each request.

The proposed revisions to the ETH Procedure are also designed to efficiently and effectively review the effectiveness of its risk-management policies. The proposed extension of continuous credit risk monitoring and Clearing Member eligibility validation through the start of regular trading hours would ensure that OCC's monitoring controls appropriately cover the proposed early morning ETH session. The proposed process for reviewing credit risk monitoring exceedances would help ensure that OCC's operational resources are directed toward exceedances presenting genuine risk. Finally, the proposed formalization of the Clearing Member ETH approval process, requiring review by Market Risk and approval by an Executive Director or above within Financial Risk Management, would support risk management policies through consistent controls over Clearing Member eligibility for ETH participation. Accordingly, the proposed changes are consistent with Rule 17ad–22(e)(21) under the Exchange Act.[33]

IV. Conclusion

On the basis of the foregoing, the Commission finds that the Proposed

[31] 17 CFR 240.17ad22(e)(1).

[32] 17 CFR 240.17ad–22(e)(21)(ii) and (iii).

[33] 17 CFR 240.17ad–22(e)(21)(ii) and (iii).

Rule Change is consistent with the requirements of the Exchange Act, and in particular, Section 17A(b)(3)(F) of the Exchange Act,[34] and Rules 17ad–22(e)(1) and (21), thereunder.[35]

It is therefore ordered, pursuant to Section 19(b)(2) of the Exchange Act, that the proposed rule change (SR–OCC–2026–008) be, and hereby is, approved.[36]

For the Commission by the Division of Trading and Markets, pursuant to delegated authority.[37]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–19726 Filed 9–25–26; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–106479; File No. SR–MX2–2026–08]

Self-Regulatory Organizations; MX2 LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the Exchange's Fee Schedule To Adopt Transaction Fees and Rebates, Routing Fees, and Definitions

September 23, 2026.

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 September 22, 2026, MX2 LLC (''MX2'' or the ''Exchange'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I, II and III below, which Items have been prepared by the 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 is filing with the Commission a proposed rule change to amend the Exchange's fee schedule applicable to Members[3] of the Exchange pursuant to Exchange Rule 15.1(a) and (c). Specifically, the Exchange proposes to adopt transaction fees and rebates (''Transaction Fees''), routing fees (''Routing Fees''), and notes and definitions (''Notes and Definitions'') within the MX2 Options Fee Schedule (the ''Options Fee Schedule''). The Exchange proposes to implement the Options Fee Schedule pursuant to this proposal immediately. The text of the proposed rule change is provided in Exhibit 5.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of the proposed rule change is to (i) establish transaction fees applicable to all Members trading on MX2 Options; (ii) establish routing fees applicable to all Members trading on MX2 Options who route orders to away exchanges; (iii) define and clarify terms used in the Options Fee Schedule.[4]

Transaction Fees

Below is a description of the fees and rebates for executions on MX2 Options. Under the Exchange's proposal, transactions will be assessed a per contract fee (or be provided a rebate) dependent upon the origin of the initiating party, whether the underlying security of the applicable option is in the Penny Interval Program (''Penny options'') or not in the Penny Interval Program (''Non-Penny options''), and, finally, whether the transaction adds (''Maker'') or removes (''Taker'') liquidity from the MX2 Options Book.

The Exchange will provide fee qualifiers to distinguish between Customer transactions and Non-Customer transactions.[5] MX2 Options will provide Fee Codes to distinguish between transactions in Penny options and transactions in Non-Penny options.[6] MX2 Options will also provide Fee Codes to distinguish between transactions that add liquidity to the MX2 Options Book and transactions that remove liquidity from the MX2 Options Book.[7]

The Fee Codes and fee qualifiers will be used to make clear to Members what rebates were provided to them and which fees were assessed.[8] The Exchange believes that designating the Fee Codes will make clear the different types of fees and rebates passed back to Members on execution reports and will be useful for the Exchange in considering potential pricing modifications as it continues to evaluate its pricing structure on an ongoing basis after the launch of MX2 Options. The Exchange's Fee Codes and fee qualifiers will assist the Exchange and Members with financial planning, tracking, and reconciliation of invoices generated by the Exchange.

Specifically, for Customer transactions, the Exchange proposes to provide a Maker rebate of $0.28 per contract and a Taker rebate of $0.48 per contract for transactions in Penny options and a Maker rebate of $0.65 per contract and a Taker rebate of $0.92 per contract for transactions in Non-Penny options.

For Non-Customer transactions,[9] the Exchange proposes to assess a Maker fee of $0.50 per contract and a Taker fee of $0.50 per contract for transactions in Penny Options and a Maker fee of $0.95 per contract and a Taker fee of $0.94 per

[34] 15 U.S.C. 78q–1(b)(3)(F).

[35] 17 CFR 240.17ad–22(e)(1) and (21)(ii) and (iii).

[36] In approving the proposed rule change, the Commission considered the proposal's impacts on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

[37] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Exchange Rule 1.5(p).

[4] The Exchange initially filed the proposed Options Fee Schedule changes on September 11, 2026 (SR–MX2–2026–06). On September 22, 2026, the Exchange withdrew that filing and submitted this proposal.

[5] MX2 Options will provide fee qualifier ''c'' for Customer transactions. MX2 Options will provide fee qualifier ''m'' for market maker transactions, fee qualifier ''p'' for professional transactions, fee qualifier ''f'' for firm transactions, fee qualifier ''a'' for away market maker transactions, and fee qualifier ''b'' for broker-dealer transactions. Each of market maker transactions, professional transactions, firm transactions, away market maker transactions, and broker-dealer transactions shall be referred to as ''Non-Customer'' transactions. Fee qualifiers will be provided by the Exchange on the monthly invoices provided to Members.

[6] MX2 Options will provide Fee Code ''P'' for transactions in Penny options and Fee Code ''N'' for transactions in Non-Penny options. Fee Codes will be provided by the Exchange on the monthly invoices provided to Members.

[7] MX2 Options will provide Fee Code ''D'' for transactions which add liquidity to the MX2 Options Book, and Fee Code ''R'' for transactions that remove liquidity from the MX2 Options Book. Fee Codes will be provided by the Exchange on the monthly invoices provided to Members.

[8] For example, for a Customer order in a Penny option that removes liquidity from the MX2 Book, the Exchange would pass back the Fee Code RcP. As another example, for a Non-Customer Away Market Maker order in a Non-Penny option that adds liquidity to the MX2 Book, the Exchange would pass back the Fee Code DaN.

[9] As noted previously, Non-Customer transactions include executions in the Market Maker, Professional, Firm, Away Market Maker, and Broker-Dealer capacities.

contract for transactions in Non-Penny options.

The Exchange does not initially propose to charge tiered fees or provide tiered rebates according to the volume of orders submitted to MX2 Options. Accordingly, all fees and rebates described above are applicable to all Members regardless of the overall volume of a Member's activities on MX2 Options.

Routing Fees

The Exchange proposes to assess Routing Fees on orders routed to other options exchanges. The amount of the applicable fee will be based on whether the order is for a Penny or Non-Penny option. At this time, the Exchange will not charge different routing fees according to the capacity of the order. The Exchange will charge a fee of $1.20 for Penny options routed to another options exchange and $1.63 for Non-Penny options routed to another options exchange.

The purpose of the proposed Routing Fees is to recoup costs incurred by the Exchange when routing orders to other options exchanges on behalf of Options Members. In determining its proposed Routing Fees, the Exchange took into account transaction fees assessed by other options exchanges, the Exchange's projected clearing costs, and the projected administrative, regulatory, and technical costs associated with routing orders to other options exchanges. The Exchange will use its affiliated broker-dealer, MEMX Execution Services, to route orders to other options exchanges or to other broker-dealers that will route such orders to other options exchanges. Routing services offered by the Exchange and its affiliated broker-dealer are completely optional and market participants can readily select between various providers of routing services, including other exchanges and broker-dealers. The proposed structure for routing fees is similar to the fee structure in place for routing at various other exchanges, including the Exchange's affiliate, MEMX Options.[10] The Exchange believes that the proposed Routing Fees would enable the Exchange to recover the costs it incurs to route orders to away markets after taking into account the other costs associated with routing orders to other options exchanges.

Notes and Definitions

The Exchange has included a Notes and Definitions section within the Options Fee Schedule. The purpose of this section is to streamline the Options Fee Schedule by placing many of the defined terms used in the Options Fee Schedule in one location, as well as clarifying certain terminology. The Definitions section defines the terms ''Penny Program Securities'', ''Away Market Maker'', ''Broker Dealer'', ''Customer'', ''Firm'', ''Market Maker'', and ''Professional''. Many of the defined terms are also defined in the Exchange Rules, particularly in Exchange Rule 16.1. The Exchange notes that other exchanges have Notes and Definitions sections in their respective fee schedules,[11] and the Exchange believes that including such section makes the Options Fee Schedule more readable and user-friendly.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the provisions of Section 6(b)[12] of the Act in general, and furthers the objectives of Sections 6(b)(4)[13] of the Act, in particular, in that it is designed to provide for the equitable allocation of reasonable dues, fees and other charges among its Members and other persons using its facilities. Additionally, the Exchange believes that the proposed fees and rebates are consistent with the objectives of Section 6(b)(5)[14] of the Act in that they are designed 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 a free and open market and national market system, and, in general, to protect investors and the public interest, and, particularly, are not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

Upon its launch, MX2 Options will operate in a highly competitive market in which market participants can readily direct order flow to competing venues if they deem fee levels at a particular venue to be excessive or incentives to be insufficient. The Exchange believes that the proposed Fee Schedule reflects a simple and competitive pricing structure designed to incentivize market participants to add liquidity and direct their order flow to the Exchange, which the Exchange believes would promote price discovery and price formation and deepen liquidity that is subject to the Exchange's transparency, regulation, and oversight as an exchange, thereby enhancing market quality to the benefit of all Members and investors.

The Commission and the courts have repeatedly expressed their preference for competition over regulatory intervention in determining prices, products, and services in the securities markets. In Regulation NMS, while adopting a series of steps to improve the current market model, the Commission highlighted the importance of market forces in determining prices and SRO revenues and, also, recognized that current regulation of the market system ''has been remarkably successful in promoting market competition in its broader forms that are most important to investors and listed companies.''[15]

The Exchange believes the proposed fee structure is equitable and not unfairly discriminatory because all similarly situated market participants are subject to the same fee and rebate structure for order transactions on the Exchange. The Exchange's proposal to offer Maker and Taker rebates to Customer transactions is reasonable because the Exchange wishes to attract Customers to the Exchange. Customers are being paid Maker rebates and Taker rebates in all classes, as compared to other origins which are not rebated at all, as Customer activity enhances liquidity on the Exchange for the benefit of all market participants by providing more trading opportunities, which attracts market makers. An increase in the activity of these market participants in turn facilitates tighter spreads, which may cause an additional corresponding increase in order flow from other market participants.

As it relates to Customer transactions, the Exchange believes its Maker rebate of $0.28 per contract in Penny options and its Maker rebate of $0.65 per contract in Non-Penny options is reasonable as it is in line with current rebates provided by at least one other

[10] *See* Exchange Act Release Nos. 97234 (March 31, 2023), 88 FR 20589 (April 6, 2023) (SR–NYSEARCA–2023–28) and 104571 (January 9, 2026) 91 FR 1573 (January 14, 2026) (SR–MEMX–2025–35).

[11] *See, e.g.,* the MEMX Options Fee Schedule, available at: *https://info.memxtrading.com/us-options-trading-resources/us-options-fee-schedule/;* the MIAX Pearl Options Fee Schedule, available at *https://www.miaxglobal.com/sites/default/files/page-files/MIAX_Pearl_Options_Fee_Schedule_08082023.pdf;* the Cboe BZX Options Fee Schedule, available at *https://www.cboe.com/us/options/membership/fee_schedule/bzx/;* and the Nasdaq Options Market Fee Schedule, available at *https://listingcenter.nasdaq.com/rulebook/nasdaq/rules/nasdaq-options-7.*

[12] 15 U.S.C. 78f.

[13] 15 U.S.C. 78f(b)(4).

[14] 15 U.S.C. 78f(b)(5).

[15] Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37496, 37499 (June 29, 2005) (''Regulation NMS Adopting Release'').

competing options exchange.[16] Further, the Exchange believes its Taker rebate of $0.48 per contract in Penny options and its Taker rebate of $0.92 per contract in Non-Penny options is reasonable as it is designed to attract Customer order flow to the Exchange for the aforementioned mentioned reasons. Additionally, other competing exchanges similarly provide Taker rebates to Customer transactions in Penny and Non-Penny options that exceed the Maker rebate.[17]

As it relates to Non-Customer transactions, the Exchange believes its assessment of a Maker fee of $0.50 per contract in Penny options and a Maker fee of $0.95 per contract in Non-Penny options is reasonable as it is in line with and/or competitive with fees currently charged by other competing options exchanges.[18] Further, the Exchange believes its Taker fee of $0.50 per contract in Penny options and its Taker fee of $0.94 per contract in Non-Penny options is reasonable as other exchanges charge similar fees for executions that remove liquidity by Non-Customers.[19] Additionally, the Exchange notes that at least one other exchange charges equal Maker and Taker fees for Non-Customer transactions for certain classes of options[20] and the Exchange's proposed Non-Customer fees are competitive with the Maker and Taker Fees of other options exchanges for transactions in Penny and Non-Penny options.[21]

The Exchange further believes that the fees and rebates proposed above are equitably allocated and not unfairly discriminatory because they will apply equally to all Options Members.

The Exchange believes that it is appropriate, reasonable, and consistent with the Act to charge fees of $1.20 for routing in Penny options and $1.63 for routing in Non-Penny options, because these routing fees are comparable to those charged by other exchanges for routing Penny and Non-Penny options to away exchanges.[22] Additionally, the Exchange believes these fees are equitable and not unfairly discriminatory because these fees will apply equally to all Members. The Exchange reiterates that the routing services offered by the Exchange and its affiliated broker-dealer are completely optional and that the Exchange operates in a highly competitive market in which market participants can readily select between various providers of routing services with different product offerings and different pricing. The Exchange believes that its fee structure for orders routed to all away venues is a fair and equitable approach to pricing, as it will provide certainty with respect to execution fees.

Lastly, the Exchange believes that it is reasonable to add a Notes and Definitions section to clarify the terms used in the Options Fee Schedule, because it will clearly set forth the terms used in the Transaction Fees portion of the Options Fee Schedule. The Exchange further believes the section is reasonable as other national securities exchanges include a definition section in their fee schedules.[23] The Exchange believes this section is equitable and not unfairly discriminatory because the Notes and Definitions section (as part of the Options Fee Schedule) will be distributed to all Members so that all Members will have equal clarity on fees charged and rebates provided.

For the reasons discussed above, the Exchange submits that its proposed fee structure and changes to the Options Fee Schedule satisfies the requirements of Sections 6(b)(4) and 6(b)(5) of the Act[24] in that it provides for the equitable allocation of reasonable dues, fees and other charges among its Members and other persons using its facilities and is not designed to unfairly discriminate between customers, issuers, brokers, or dealers. As described more fully below in the Exchange's statement regarding the burden on competition, the Exchange believes that its transaction pricing is subject to significant competitive forces, and that the proposed fees and rebates described herein are appropriate to address such forces.

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.

As a new entrant in the already highly competitive environment for options trading, the Exchange believes that the proposed change would encourage the submission of additional order flow to the exchange, thereby promoting market depth, execution incentives and enhanced execution opportunities, as well as price discovery and transparency for all Members. MX2 Options proposes transaction fees, rebates and routing fees that are comparable to transaction fees, rebates and routing fees assessed by other options exchanges. As a result, the Exchange believes that the proposed change furthers the Commission's goal in adopting Regulation NMS of fostering competition among orders, which promotes ''more efficient pricing of individual stocks for all types of orders, large and small.''[25]

Intramarket Competition

The Exchange does not believe that the proposed rule change will impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act because the proposed transaction and routing fees and rebates apply equally to all Members. The Exchange believes its proposal will encourage Members to submit Customer orders to the Exchange

[16] *See* the MIAX Sapphire Fee Schedule, available at: *https://www.miaxglobal.com/markets/us-options/sapphire-options/fees,* which provides a $0.30 Maker rebate for Priority customer transactions in SPY, QQQ, IWM options, a $0.28 Maker rebate for Priority customer transactions in Penny options excluding SPY, QQQ and IWM options, and a $0.65 Maker rebate for Priority customer transactions in Non-Penny options.

[17] *See* the MIAX Sapphire Fee Schedule, available at: *https://www.miaxglobal.com/markets/us-options/sapphire-options/fees,* which provides a $0.19 Taker rebate for Priority customer transactions in SPY, QQQ, IWM options, a $0.48 Taker rebate for Priority customer transactions in Penny options excluding SPY, QQQ and IWM options, and a $0.92 Taker rebate for Priority customer transactions in Non-Penny options.

[18] *See* the Nasdaq MRX Options Fee Schedule, available at: *https://listingcenter.nasdaq.com/rulebook/mrx/rules/MRX* Options 7, which assesses a Maker fee of $0.50 for Non-Customer transactions in Penny options, and a Maker fee of $1.25 for Non Customer transactions in Non-Penny options. *See also* the MIAX Sapphire Fee Schedule, available at: *https://www.miaxglobal.com/markets/us-options/sapphire-options/fees,* which assesses a $0.50 Maker fee for Non-Customer transactions in Penny options excluding SPY, QQQ, IWM, and a $0.95 Maker Fee for Non-Customer transactions in Non-Penny options.

[19] *See* the Nasdaq MRX Options Fee Schedule, available at: *https://listingcenter.nasdaq.com/rulebook/mrx/rules/MRX* Options 7, which assesses a Taker fee of $0.35 for Market Maker transactions in Penny options, and a $1.10 Taker Fee for Market Maker transactions in Non-Penny options. *See also* the MIAX Sapphire Fee Schedule, available at: *https://www.miaxglobal.com/markets/us-options/sapphire-options/fees,* which assesses a $0.50 Taker fee for Non-Customer transactions in Penny options excluding SPY, QQQ, IWM, and a $0.94 Taker Fee for Non-Customer transactions in Non-Penny options.

[20] *See* the MIAX Sapphire Fee Schedule, available at: *https://www.miaxglobal.com/markets/us-options/sapphire-options/fees,* which, as noted previously, assesses a $0.50 Maker fee and a $0.50 Taker fee for Non Customer transactions in Penny options excluding SPY, QQQ, IWM options.

[21] *See supra* notes 18 and 19.

[22] For example, per the NYSE Arca Options trading fee schedule on its public website, the fee for routing in Penny options is $0.61 and the fee for routing in Non-Penny options is $1.21; *see https://www.nyse.com/publicdocs/nyse/markets/arca-options/NYSE_Arca_Options_Fee_Schedule.pdf. See also* the MEMX Options Fee Schedule, available at: *https://info.memxtrading.com/us-options-trading-resources/us-options-fee-schedule/,* which currently charges $1.20 per contract to route Penny options and $1.63 to route Non-Penny options.

[23] *See supra* note 11.

[24] 15 U.S.C. 78f(b)(4) and (5).

[25] *See supra* note 15, at 70 FR 37496, 37499.

which will increase liquidity and benefit all market participants by providing more trading opportunities and tighter spreads. Additionally, the Exchange does not believe its Maker/Taker Fees for Non-Customers will impose a burden on competition as the fees will be applied in a uniform manner to similarly situated participants.

Intermarket Competition

The Exchange does not believe that the proposed rule change will impose any burden on intermarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. To the contrary, the Exchange believes that the proposed pricing structure will increase competition and is intended to draw volume to the Exchange as it commences operations. The Exchange believes that the ever-shifting market share among the exchanges from month to month demonstrates that market participants can shift order flow or reduce use of certain categories of products, in response to new or different pricing structures being introduced into the market. Accordingly, competitive forces constrain the Exchange's transaction and routing fees and rebates, and market participants can readily trade on competing venues if they deem pricing levels at those other venues to be more favorable. Currently, no single registered options exchange has more than approximately 18.5% of the total market share of executed volume of listed options trading.[26] As a new exchange, the Exchange expects to face intense competition from existing exchanges. The proposed pricing structure is intended to encourage market participants to trade on the exchange by providing rebates and assessing fees that are comparable to those offered by other exchanges, which the Exchange believes will help to encourage Members to send orders to the Exchange to the benefit of all Exchange participants.

The Exchange's proposal to add a Notes and Definitions section to the Options Fee Schedule will not result in any burden on competition due to the fact that such changes are being made solely to add clarity and not for competitive purposes.

Additionally, the Commission has repeatedly expressed its preference for competition over regulatory intervention in determining prices, products, and services in the securities markets. Specifically, in Regulation NMS, the Commission highlighted the importance of market forces in determining prices and SRO revenues and, also, recognized that current regulation of the market system ''has been remarkably successful in promoting market competition in its broader forms that are most important to investors and listed companies.'' [27] The fact that this market is competitive has also long been recognized by the courts. In *NetCoalition* v. *SEC,* the D.C. Circuit stated as follows: ''[n]o one disputes that competition for order flow is 'fierce.' . . . As the SEC explained, '[i]n the U.S. national market system, buyers and sellers of securities, and the broker-dealers that act as their order-routing agents, have a wide range of choices of where to route orders for execution'; [and] 'no exchange can afford to take its market share percentages for granted' because 'no exchange possesses a monopoly, regulatory or otherwise, in the execution of order flow from broker dealers'. . . .''.[28] Accordingly, the Exchange does not believe its proposed pricing changes impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act [29] and Rule 19b–4(f)(2) [30] 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 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–MX2–2026–08 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–MX2–2026–08. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the 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–MX2–2026–08 and should be submitted on or before October 19, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[31]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–19725 Filed 9–25–26; 8:45 am]

BILLING CODE 8011–01–P

[26] Market share percentage calculated as of September 10, 2026. The Exchange receives and processes data made available through the consolidated data feeds (*i.e.,* OPRA).

[27] *See supra* note 15.

[28] *NetCoalition* v. *SEC,* 615 F.3d 525, 539 (D.C. Cir. 2010) (quoting Securities Exchange Act Release No. 59039 (December 2, 2008), 73 FR 74770, 74782–83 (December 9, 2008) (SR–NYSE–2006–21)).

[29] 15 U.S.C. 78s(b)(3)(A)(ii).

[30] 17 CFR 240.19b–4(f)(2).

[31] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235–0359]

Agency Information Collection Activities; Proposed Collection; Comment Request; Extension: Investment Company Act Form N–17f–1, Certificate of Accounting of Securities and Similar Investments of a Management Investment Company in the Custody of Members of National Securities Exchanges

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (SEC or ''Commission'') is soliciting comments on the proposed collection of information described below.

Section 17(f) of the Investment Company Act of 1940 (''Act'') (15 U.S.C. 80a–17(f)) provides in part that a registered management investment company (''fund'') may maintain its securities and similar investments in the custody of a ''company which is a member of a national securities exchange as defined in the Securities Exchange Act of 1934, subject to such rules and regulations as the Commission may from time to time prescribe for the protection of investors.'' Form N–17f–1 (17 CFR 274.219) is entitled ''Certificate of Accounting of Securities and Similar Investments of a Management Investment Company in the Custody of Members of National Securities Exchanges.'' The form serves as a cover sheet to the accountant's certificate that is required to be filed periodically with the Commission pursuant to rule 17f–1 (17 CFR 270.17f–1) under the Act, entitled ''Custody of Securities with Members of National Securities Exchanges,'' which sets forth the conditions under which a fund may place its assets in the custody of a member of a national securities exchange.

Rule 17f–1 requires, among other things, that an independent public accountant verify the fund's assets at the end of every annual and semi-annual fiscal period, and at least one other time during the fiscal year as chosen by the independent accountant. Requiring an independent accountant to examine the fund's assets in the custody of a member of a national securities exchange assists Commission staff in its inspection program and helps to ensure that the fund assets are subject to proper auditing procedures. The accountant's certificate stating that it has made an examination, and describing the nature and the extent of the examination, must be attached to Form N–17f–1 and filed with the Commission promptly after each examination. The form facilitates the filing of the accountant's certificates, and increases the accessibility of the certificates to both Commission staff and interested investors. If a fund chooses to maintain its assets in the custody of a national securities exchange member, then regardless of its size, it must file Form N–17f–1 three times each year, as required by rule 17f–1.

Commission staff estimates that it takes: (i) 1 hour of clerical time, at a cost of $142 per hour, to prepare and file Form N–17f–1; and (ii) 0.5 hour for the fund's chief compliance officer, at a cost of $730 per hour (or $365 for half an hour), to review Form N–17f–1 prior to filing with the Commission, for a total of 1.5 hours at a total cost of $507.[1] Each fund is required to make 3 filings annually, for a total annual internal hour burden per fund of approximately 4.5 hours at a cost of $2,028.[2] Commission staff estimates that an average of 21 funds currently file Form N–17f–1 with the Commission 3 times each year, for a total of 62 responses annually.[3] The staff therefore estimates that the total annual internal hour burden for Form N–17f–1 is 95 hours at a total cost of $42,588.[4] Form N–17f–1 does not impose any paperwork-related external cost burdens.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

Written comments are invited on: (a) whether this proposed collection of information is necessary for the proper performance of the functions of the SEC, including whether the information will have practical utility; (b) the accuracy of the SEC's estimate of the burden imposed by the proposed collection of information, including the validity of the methodology and the assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated, electronic collection techniques or other forms of information technology.

Please direct your written comments on this 60-Day Collection Notice to Austin Gerig, Director/Chief Data Officer, Securities and Exchange Commission, c/o Tanya Ruttenberg via email to *PaperworkReductionAct@sec.gov* by November 27, 2026.

Dated: September 24, 2026.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–19787 Filed 9–25–26; 8:45 am]

BILLING CODE 8011–01–P

[1] This estimate is based on the following calculation: ($142 + $365 = $507). We estimate the equivalent cost per response ($507) is based on the hours per response (1.5) times a blended wage rate. The estimated $507 hourly cost reflects current estimates of the blended hourly rate for the securities industry occupations of a general office clerk, which is $142 an hour, and half of the hourly rate of a chief compliance officer (that is, a financial manager with a $730 an hour wage rate, half of which is $365). To calculate the occupational hourly rates used in this release, the Commission uses occupational mean hourly wage data from the Occupational Employment and Wage Statistics (OEWS) program of the Bureau of Labor Statistics (BLS) for ''Securities, Commodity Contracts, and Other Financial Investments and Related Activities'' (NAICS 523). See Occupational Employment and Wage Statistics, U.S. Bureau of Labor Statistics, *https://www.bls.gov/oes/;* see also Standard Occupational Classification, U.S. Bureau of Labor Statistics, *https://www.bls.gov/soc/* (describing occupational classification system used by BLS); Exec. Off. of the President, Off. of Mgmt. & Budget, North American Industry Classification System (2022), available at *https://www.census.gov/naics/reference_files_tools/2022_NAICS_Manual.pdf* (describing the industry classification system used by BLS and other agencies). The mean hourly wage for each occupation is adjusted for changes in the seasonally adjusted employment cost index for private wages and salaries between the data reference period and when the data are released by BLS. See Employment Cost Index, U.S. Bureau of Labor Statistics, *https://www.bls.gov/eci/*. The adjusted mean hourly wage is then multiplied by a factor that accounts for nonwage costs borne by employers, such as bonuses, benefits, and overhead. This factor is calculated as an average over the 10 most recently available years of data of the ratio of the Bureau of Economic Analysis's annual gross output data for NAICS 523 to total annual wages across all occupations for NAICS 523 in the OEWS data. See Gross Output by Industry, U.S. Bureau of Economic Analysis, *https://www.bea.gov/data/industries/gross-output-by-industry;* Occupational Employment and Wage Statistics, U.S. Bureau of Labor Statistics, *https://www.bls.gov/oes/*. The final product is the occupational hourly rate. See generally Updated Methodology for Calculating Occupational Hourly Rates (Dec. 19, 2025), available at *https://www.sec.gov/files/method-occupational-hourlyrates.pdf.*

[2] This estimate is based on the following calculations: (1.5 hours × 3 responses annually = 4.5 hours); ($507 per response × 3 responses annually = $1,521).

[3] This estimate is based on a review of Form N–17f–1 filings made with the Commission over the last three years.

[4] This estimate is based on the following calculations: (4.5 hours × 21 funds = 94.5 total hours); ($1,521 × 21 funds = $31,941).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–106478; File No. SR–NYSEAMER–2026–87]

Self-Regulatory Organizations; NYSE American LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Modify the NYSE American Options Fee Schedule To Amend the Exchange's Port Fees

September 23, 2026.

Pursuant to Section 19(b)(1) [1] of the Securities Exchange Act of 1934 (''Act'') [2] and Rule 19b–4 thereunder,[3] notice is hereby given that, on September 17, 2026, NYSE American LLC (''NYSE American'' or the ''Exchange'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to modify the NYSE American Options Fee Schedule (''Fee Schedule'') to amend the Exchange's port fees. The Exchange proposes implementing the fee change effective September 17, 2026. The proposed rule change is available on the Exchange's website at *www.nyse.com* and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to modify the Fee Schedule to amend the Exchange's port fees.[4] The Exchange proposes to implement the fee change effective September 17.[5]

The Exchange makes available ports that provide connectivity for ATP Holders [6] to connect to the Exchange's trading systems (''Order/Quote Entry Ports'') and charges a monthly fee of $510 per port for the first 40 ports and $170 for each additional port.[7] For purposes of calculating the number of Order/Quote Entry Ports, the Exchange aggregates the ports of affiliates.[8] The Exchange proposes to modify this fee structure to maintain the monthly $510 per port fee for the first 40 Order/Quote Entry Ports and the monthly $170 per port fee for Order/Quote Entry Ports 412–300, but add varying fee levels for additional ports 301 and above. Specifically, the Exchange proposes the following fee structure: [9]

- Ports 1–40: $510 per port per month
- Ports 41–300: $170 per port per month
- Ports 301–1000: $250 per port per month
- Ports 1001 and greater: $510 per port per month

The Exchange's proposal addresses the fact that ports consume a finite shared capacity across ATP Holders and the aggregate footprint drives the infrastructure that the Exchange must engineer, provision, staff and periodically expand to maintain performance. As the number of ports in use grows, the Exchange must dedicate additional capacity and expense to meet this demand. The proposed fee for the use of more than 300 ports reflects this reality and is intended to encourage ATP Holders to size their port usage efficiently.

While the Exchange's proposal increases the fees for the use of more than 300 ports, the Exchange's overall port fees remain lower than the similar port fees charged by Cboe Exchange, Inc. (''Cboe''), Nasdaq PHLX, LLC (''PHLX'') and The Nasdaq Stock Market LLC (''Nasdaq''), as detailed in the following chart:

Exchange	Type of product/service	Monthly fee (per port)
Cboe *	1st to 5th FIX Logical Port	$750
	6th or more FIX Logical Port	800
PHLX **	SQF Port Fee ***	1,185
	FIX Port Fee	650
Nasdaq ****	FIX Port Fee	650

* *See* CBOE Fee Schedule Available at Cboe_FeeSchedule.pdf.

** *See* PHLX Options 7 Pricing Schedule, Section 9B(1) FIX Port Fee and PHLX Options 7 Pricing Schedule, Section 9(B)(3) SQF Port Fee available at Rules | Nasdaq PHLX.

*** PHLX's SQF ports are specifically designed for Market Makers to send and receive quote/related messages, whereas FIX ports are their general-purpose order entry/related ports. Pursuant to the PHLX Options Pricing Schedule, a Market Maker may not subscribe to more than 250 ports. *See* PHLX Options 7 Pricing Schedule, Section 9(B)(3), *supra.*

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

[4] *See* Fee Schedule Section V.A. *Technology & System Access Fees/Port Fees.* The Exchange last modified its port fees as of March 3, 2025, to increase the port fees for Order/Quote Entry Ports by up to 13.3% to account for inflation that had occurred since 2017. *See* Securities Exchange Act Release No. 102550 (March 10, 2025), 90 FR 12188 (March 14, 2025) (SR–NYSEAMER–2025–13) (''Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Increase Port Fees''). Prior to that, the Exchange had not increased port fees for Order/Quote Entry Ports since 2014.

[5] The Exchange originally filed to amend the Fee Schedule on July 31, 2026 (SR–NYSEAMER–2026–70). SR–NYSEAMER–2026–70 was withdrawn on August 11, 2026, and replaced by SR–NYSEAMER–2026–74. SR–NYSEAMER–2026–74 was withdrawn on August 25, 2026 and replaced by SR–NYSEAMER–2026–76. SR–NYSEAMER–2026–76 was withdrawn on September 8, 2026 and replaced by SR–NYSEAMER–2026–84. SR–NYSEAMER–2026–84 was withdrawn on September 17, 2026 and replaced by this filing.

[6] Pursuant to Rule 900.2NYP, the term ''ATP Holder'' refers to a natural person, sole proprietorship, partnership, corporation, limited liability company or other organization, in good standing, that has been issued an ATP. An ATP Holder must be a registered broker or dealer pursuant to Section 15 of the Securities Exchange Act of 1934. An ATP Holder has status as a ''member'' of the Exchange as that term is defined in Section 3 of the Securities Exchange Act of 1934, as amended. The term ''ATP'' refers to an American Trading Permit issued by the Exchange for effecting approved securities transactions on the Exchange.

[7] *See* Fee Schedule Section V.A. *Technology & System Access Fees/Port Fees.*

[8] *Id.*

[9] *See* proposed Fee Schedule Section V.A. *Technology & System Access Fees/Port Fees.*

**** *See* Nasdaq Options 7 Pricing Schedule, Section 3(i)(1) Nasdaq Options Market—Ports and Other Services available at Rules | The Nasdaq Stock Market.

As set forth on the chart, the Exchange's proposed port fee is less than that imposed by similarly situated options exchanges. Specifically, the monthly fees that the Exchange will continue to charge for the use of ports 1 through 40 ($510 per port) and 41 through 300 ($170 per port) will remain lower than the fees charged by Cboe, PHLX and Nasdaq for the same number of ports. Similarly, the proposed new monthly tiers for ports 301–1,000 ($250 per port) and more than 1,001 ($510 per port) are lower than the fees charged by Cboe and Nasdaq for the same number of ports, $800 and $650, respectively.

PHLX

In general, the Exchange's FIX port allows ATP Holders to send simple and complex orders, quotes and other messages using FIX protocols.[10] While it does not include the sending of quotes,[11] PHLX's FIX Ports are analogous to the Exchange's FIX Ports in that they that allow PHLX participants to connect, send, and receive messages related to orders to and from PHLX, which include the following: (1) execution messages; (2) order messages; and (3) risk protection triggers and cancel notifications.[12]

Notwithstanding this difference, PHLX charges a higher monthly FIX port fee than the one proposed by the Exchange, regardless of the number of ports being used. For ports 1 through 40, PHLX charges $140 more per month per port than the Exchange. The difference increases for ports 41 through 300 and ports 301 through 1000, where PHLX charges $480 and $400 more than the Exchange per month per port, respectively. For more than 1,000 ports, PHLX continues to charge higher per month per port fee than that proposed by the Exchange ($650 compared to $510).

Nasdaq

While it does not include the sending of quotes,[13] Nasdaq FIX Ports are analogous to the Exchange's FIX Ports in that they that allow Nasdaq participants to connect, send, and receive messages related to orders to and from Nasdaq, which include the following: (1) execution messages; (2) order messages; and (3) risk protection triggers and cancel notifications.[14]

Notwithstanding this difference, Nasdaq charges a higher monthly FIX port fee than the one proposed by the Exchange, regardless of the number of ports being used. For ports 1 through 40, Nasdaq charges $140 more per month per port than the Exchange. The difference increases for ports 41 through 300 and ports 301 through 1000, where Nasdaq charges $480 and $400 more than the Exchange per month per port, respectively. For more than 1,000 ports, Nasdaq continues to charge higher per month per port fee than that proposed by the Exchange ($650 compared to $510).

Cboe

Cboe charges higher Logical Port fees than the FIX Port fees proposed by the Exchange. Cboe's Logical Ports are analogous to the Exchange's FIX Ports. In general, a FIX Port allows an ATP Holder to send simple and complex orders, as well as other messages, to the Exchange using the FIX protocol.[15]

Cboe Logical Ports allow for order entry and other messages to be sent to Cboe by participants.[16] Cboe charges $750 per month per port for the first through fifth port and $800 per port per month for each port above that, while the Exchange's highest proposed tier is only $510 per port per month.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,[17] in general, and furthers the objectives of Sections 6(b)(4) and (5) of the Act.[18] In particular, because it provides for the equitable allocation of reasonable dues, fees, and other charges among its members, issuers and other persons using its facilities and does not unfairly discriminate between customers, issuers, brokers or dealers. The charges are aligned with, albeit lower than, industry peer fee practices and are directly related to the resources expended and costs related to an ATP Holder's use of a greater number of ports.

The Proposed Rule Change Is Reasonable

The Exchange is subject to significant competitive forces in the market for options securities transaction services that constrain its pricing determinations in that market. The Commission has repeatedly expressed its preference for competition over regulatory intervention in determining prices, products, and services in the securities markets. In Regulation NMS, the Commission highlighted the importance of market forces in determining prices and SRO revenues and, also, recognized that current regulation of the market system ''has been remarkably successful in promoting market competition in its broader forms that are most important to investors and listed companies.'' [19]

There are currently 18 [sic] registered options exchanges competing for order flow. Based on publicly available information and, excluding index-based options, no single exchange has more than 16% of the market share of executed volume of multiply-listed equity and ETF options trades.[20] Therefore, currently no exchange possesses significant pricing power in the execution of multiply-listed equity and ETF options order flow. More specifically, in June 2026, the Exchange had 10.83% market share of executed volume of multiply-listed equity and ETF options order flow. In such a low concentrated and highly competitive market, no single options exchange possesses significant pricing power in the execution of option order flow.

In addition, even with the proposed increase, the Exchange's Order/Quote Entry Ports fees are comparatively low, vis-a-vis industry peer standards. Moreover, the proposed structural fee changes are narrowly targeted to the increased level of resources expended and costs associated with ATP Holder increase in the number of Exchange ports employed. Specifically, as noted above, ports consume a finite shared capacity across ATP Holders and the aggregate footprint drives the infrastructure that the Exchange must

[10] *See* generally, NYSE Pillar Options FIX Gateway Protocol Specification.

[11] Market Maker quotes are sent to PHLX via SQF port fees. *See* PHLX Options 3, Section 7, Supplementary Materials .03(C).

[12] *See* PHLX Options 3, Section 7, Supplementary Materials .03(A).

[13] Market Maker quotes are sent to Nasdaq via SQF port fees. *See* Nasdaq Options 3, Section 7, Supplementary Materials .03(C).

[14] *See* Nasdaq Options 3, Section 7, Supplementary Materials .03(A).

[15] *See generally,* NYSE Pillar Options FIX Gateway Protocol Specification.

[16] *See, generally,* Cboe Titanium U.S. Options FIX Specification, available at *https://cdn.cboe.com/resources/membership/US_Options_FIX_Specification.pdf.*

[17] 15 U.S.C. 78f(b).

[18] 15 U.S.C. 78f(b)(4) & (5).

[19] *See* Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37496, 37499 (June 29, 2005) (S7–10–04) (''Reg NMS Adopting Release'').

[20] The OCC publishes options and futures volume in a variety of formats, including daily and monthly volume by exchange, available at: *https://www.theocc.com/Market-Data/Market-Data-Reports/Volume-and-Open-Interest/Monthly-Weekly-Volume-Statistics.*

engineer, provision, staff and periodically expand to maintain performance. As the number of ports in use grows, the Exchange must dedicate additional capacity and expense to meet this demand. The proposed fee for the use of more than 300 ports reflects this reality and is intended to encourage ATP Holders to size their port usage efficiently.

The Proposed Fees Are Equitably Allocated and Not Unfairly Discriminatory

The Exchange believes that the proposed fee change is equitably allocated and not unfairly discriminatory because it would apply to all ATP Holders that utilize Order/Quote Entry Ports to connect to the Exchange in the same manner and are not targeted at a specific type or category or market participant engaged in any particular trading strategy. The Exchange also believes that the proposal represents an equitable allocation of reasonable dues, fees and other charges because it will be assessed uniformly across all market participants and is narrowly targeted to the increased level of resources expended and costs associated with an ATP Holder's increase in the number of Exchange ports employed. The proposed fee will be assessed solely based on the number of FIX Ports an entity selects and not on any other distinction applied by the Exchange, allowing all ATP Holders the ability to access all matching engines.

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act, the Exchange does not believe that the proposed rule change would impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

Intramarket Competition. The Exchange believes that the proposed fees do not put any market participants at a relative disadvantage compared to other market participants. Port fees are based on the number of ports utilized by ATP Holders. The proposed port fees would not impose a barrier to entry to smaller ATP Holders as such participants would only be charged for their relative use of Exchange resources (*i.e.,* the number of ports). To the extent that there is an increase, it will be assessed uniformly across all market participants and are narrowly targeted to the increased level of resources expended and costs associated with an ATP Holder's increase in the number of Exchange ports employed.

Intermarket Competition. The Exchange believes that the proposed fees do not impose a burden on competition that is not necessary or appropriate. The Exchange believes that the proposed Port fees do not place certain market participants at a relative disadvantage to other market participants because they will apply to all ATP Holders in the same manner and are not targeted at a specific type or category of market participant engaged in any particular trading strategy. The proposed fees do not depend on any distinctions between market participants. The proposed fee will be assessed solely based on the number of FIX Ports an entity selects and not on any other distinction applied by the Exchange.

The Exchange operates in a highly competitive market in which ATP Holders can determine whether to connect directly to the Exchange based on the value received compared to the cost of doing so. Should any ATP Holder find the proposed port fees unattractive, ATP Holders have numerous alternative trading venues to which they may connect and on which they may participate.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change is effective upon filing pursuant to Section 19(b)(3)(A) [21] of the Act and subparagraph (f)(2) of Rule 19b–4 [22] thereunder, because it establishes a due, fee, or other charge imposed by the Exchange.

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B) [23] of the Act to determine whether the proposed rule change should be approved or disapproved.

[21] 15 U.S.C. 78s(b)(3)(A).

[22] 17 CFR 240.19b–4(f)(2).

[23] 15 U.S.C. 78s(b)(2)(B).

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–NYSEAMER–2026–87 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–NYSEAMER–2026–87. 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–NYSEAMER–2026–87 and should be submitted on or before October 19, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[24]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–19724 Filed 9–25–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235–0220]

Agency Information Collection Activities; Proposed Collection; Comment Request; Extension: Rule 30b2–1

Upon Written Request, Copies Available From: Securities and Exchange

[24] 17 CFR 200.30–3(a)(12).

Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (the ''Commission'') is soliciting comments on the collection of information summarized below. The Commission plans to submit the existing collection of information to the Office of Management and Budget (''OMB'') for extension and approval.

Rule 30b2–1 (17 CFR 270.30b2–1) under the Investment Company Act of 1940 (15 U.S.C. 80a–1 *et seq.*) (the ''Investment Company Act'') requires a registered management investment company (''fund'') to (1) file a report with the Commission on Form N–CSR (17 CFR 249.331 and 274.128) not later than 10 days after the transmission of any report required to be transmitted to shareholders under rule 30e–1 under the Investment Company Act, and (2) file with the Commission a copy of every periodic or interim report or similar communication containing financial statements that is transmitted by or on behalf of such fund to any class of such fund's security holders and that is not required to be filed with the Commission under (1) above, not later than 10 days after the transmission to security holders. The purpose of the collection of information required by rule 30b2–1 is to meet the disclosure requirements of the Investment Company Act and certification requirements of the Sarbanes-Oxley Act of 2002 (Pub. L. 107–204, 116 Stat. 745 (2002)), and to provide investors with information necessary to evaluate an interest in the fund.

The Commission estimates that there are 2,766 funds, with a total of 14,298 portfolios, that are governed by the rule. For purposes of this analysis, the burden associated with the requirements of rule 30b2–1 has been included in the collection of information requirements of rule 30e–1 (17 CFR 270.30e–1) and Form N–CSR, rather than the rule. The rule 30b2–1 information collection, however, imposes a one hour burden for administrative purposes and we are maintaining that one hour burden.

The estimate of average burden hours is made solely for the purposes of the Paperwork Reduction Act, and is not derived from a comprehensive or even a representative survey or study of the costs of Commission rules. The collection of information under rule 30b2–1 is mandatory. The information provided under rule 30b2–1 is not kept confidential.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information under the PRA unless it displays a currently valid OMB control number.

Written comments are invited on: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Please direct your written comments on this 60-Day Collection Notice to Austin Gerig, Director/Chief Data Officer, Securities and Exchange Commission, c/o Tanya Ruttenberg via email to *PaperworkReductionAct@sec.gov* by November 27, 2026.

Dated: September 24, 2026.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–19785 Filed 9–25–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meeting

TIME AND DATE: Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Public Law 94–409, that the Securities and Exchange Commission (the ''Commission'') will hold an Open Meeting on Wednesday, September 30, 2026, at 10:00 a.m. (ET).

PLACE: The meeting will be held in Auditorium LL–002 at the Commission's headquarters, 100 F Street NE, Washington, DC 20549. Seating will be on a first-come, first-served basis. Visitors will be subject to security checks. The meeting will be simultaneously webcast on the Commission's website at *www.sec.gov.*

STATUS: The meeting will be open to the public.

MATTERS TO BE CONSIDERED:

1. The Commission will consider whether to propose amendments to the rule under the Investment Advisers Act of 1940 that provides an exemption from the statutory prohibition on registered investment advisers receiving compensation on the basis of a share of capital gains in or capital appreciation of an advisory client's account. The proposed amendments the Commission will consider would also include enhanced disclosure requirements related to performance-based compensation arrangements.

2. The Commission will consider whether to propose amendments to the rule under the Investment Company Act of 1940 that allows regulated closed-end funds to make repurchase offers to shareholders at net asset value at periodic intervals. The proposed amendments would also expand the ability of regulated closed-end funds to issue multiple share classes.

3. The Commission will consider issuing notices that the Commission is considering whether to designate by order certain certifications, designations, or credentials as qualifying natural persons for accredited investor status.

CONTACT PERSON FOR MORE INFORMATION: For further information, please contact Vanessa A. Countryman from the Office of the Secretary at (202) 551–5400.

Authority: 5 U.S.C. 552b.

Dated: September 23, 2026.

J. Matthew DeLesDernier,

Deputy Secretary.

[FR Doc. 2026–19728 Filed 9–24–26; 11:15 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–106477; File No. SR–NYSEARCA–2026–100]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Modify the NYSE Arca Options Fee Schedule To Amend the Exchange's Port Fees

September 23, 2026.

Pursuant to Section 19(b)(1) [1] of the Securities Exchange Act of 1934 (''Act''),[2] and Rule 19b–4 thereunder,[3] notice is hereby given that on September 17, 2026, NYSE Arca, Inc. (''NYSE Arca'' or the ''Exchange'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

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 modify the NYSE Arca Options Fee Schedule (''Fee Schedule'') to amend the Exchange's port fees. The Exchange proposes implementing the fee change effective September 17, 2026. The proposed rule change is available on the Exchange's website at *www.nyse.com* and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to modify the Fee Schedule to amend the Exchange's port fees.[4] The Exchange proposes to implement the fee change effective September 17, 2026.[5]

The Exchange makes available ports that provide connectivity for OTP Holders[6] and OTP Firms[7] to connect to the Exchange's trading systems (''Order/Quote Entry Ports'') and charges a monthly fee of $510 per port for the first 40 ports and $170 for each additional port.[8] For purposes of calculating the number of Order/Quote Entry Ports, the Exchange aggregates the ports of affiliates.[9] The Exchange proposes to modify this fee structure to maintain the monthly $510 per port fee for the first 40 Order/Quote Entry Ports and the monthly $170 per port fee for Order/Quote Entry Ports 41–300, but add varying fee levels for additional ports 301 and above. Specifically, the Exchange proposes the following fee structure:[10]

- *Ports 1–40:* $510 per port per month
- *Ports 41–300:* $170 per port per month
- *Ports 301–1000:* $250 per port per month
- *Ports 1001 and greater:* $510 per port per month

The Exchange's proposal addresses the fact that ports consume a finite shared capacity across OTP Holders and OTP Firms and the aggregate footprint drives the infrastructure that the Exchange must engineer, provision, staff and periodically expand to maintain performance. As the number of ports in use grows, the Exchange must dedicate additional capacity and expense to meet this demand. The proposed fee for the use of more than 300 ports reflects this reality and is intended to encourage OTP Holders and OTP Firms to size their port usage efficiently.

While the Exchange's proposal increases the fees for the use of more than 300 ports, the Exchange's overall port fees remain lower than the similar port fees charged by Cboe Exchange, Inc. (''Cboe''), Nasdaq PHLX, LLC (''PHLX'') and The Nasdaq Stock Market LLC (''Nasdaq''), as detailed in the following chart:

Exchange	Type of product/service	Monthly fee (per port)
Cboe *	1st to 5th FIX Logical Port	$750
	6th or more FIX Logical Port	800
PHLX **	SQF Port Fee ***	1,185
	FIX Port Fee	650
Nasdaq ****	FIX Port Fee	650

* *See* CBOE Fee Schedule Available at *Cboe_FeeSchedule.pdf.*

** *See* PHLX Options 7 Pricing Schedule, Section 9B(1) FIX Port Fee and PHLX Options 7 Pricing Schedule, Section 9(B)(3) SQF Port Fee available at Rules | Nasdaq PHLX.

*** PHLX's SQF ports are specifically designed for Market Makers to send and receive quote/related messages, whereas FIX ports are their general-purpose order entry/related ports. Pursuant to the PHLX Options Pricing Schedule, a Market Maker may not subscribe to more than 250 ports. *See* PHLX Options 7 Pricing Schedule, Section 9(B)(3), *supra.*

**** *See* Nasdaq Options 7 Pricing Schedule, Section 3(i)(1) Nasdaq Options Market—Ports and Other Services available at Rules | The Nasdaq Stock Market.

As set forth on the chart, the Exchange's proposed port fee is less than that imposed by similarly situated options exchanges. Specifically, the monthly fees that the Exchange will continue to charge for the use of ports 1 through 40 ($510 per port) and 41 through 300 ($170 per port) will remain lower than the fees charged by Cboe,

[4] *See* Fee Schedule, *Floor Broker Fixed Cost Repayment Incentive Program (the ''FB Prepay Program), Port Fees.* The Exchange last modified its port fees as of March 3, 2025, to increase the port fees for Order/Quote Entry Ports by up to 13.3% to account for inflation that had occurred since 2017. *See* Securities Exchange Act Release No. 102551 (March 10, 2025), 90 FR 12194 (March 14, 2025) (SR–NYSEARCA–2025–21) (''NYSE Arca, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Increase Port Fees''). Prior to that, the Exchange had not increased port fees for Order/Quote Entry Ports since 2014.

[5] The Exchange originally filed to amend the Fee Schedule on July 31, 2026 (SR–NYSEARCA–2026–83). SR–NYSEARCA–2026–83 was withdrawn on August 11, 2026, and replaced by SR–NYSEARCA–2026–86. SR–NYSEARCA–2026–86 was withdrawn on August 25, 2026 and replaced by SR–NYSEARCA–88. SR–NYSEARCA–2026–88 was withdrawn on September 8, 2026 and replaced by SR–NYSEARCA–2026–95. SR–NYSEARCA–2026–95 was withdrawn on September 17, 2026 and replaced by this filing.

[6] Pursuant to Rule 1 Definitions, the term ''OTP Holder'' shall refer to a natural person, in good standing, who has been issued an OTP, or has been named as a Nominee. An OTP Holder must be a registered broker or dealer pursuant to Section 15 of the Securities Exchange Act of 1934, or a nominee or an associated person of a registered broker or dealer that has been approved by the Exchange to conduct business on the Exchange's Trading Facilities. An OTP Holder will have status as a ''member'' of the NYSE Arca, Inc. as that term is defined in Section 3 of the Securities Exchange Act of 1934, as amended.

[7] Pursuant to Rule 1 Definitions, the term ''OTP Firm'' shall refer to a sole proprietorship, partnership, corporation, limited liability company or other organization in good standing who holds an OTP or upon whom an individual OTP Holder has conferred trading privileges on the Exchange's Trading Facilities pursuant to and in compliance with these Rules. An OTP Firm must be a registered broker or dealer pursuant to Section 15 of the Securities Exchange Act of 1934. An OTP Firm will have status as a ''member'' of the NYSE Arca, Inc. as that term is defined in Section 3 of the Securities Exchange Act of 1934, as amended.

[8] *See* Fee Schedule, *Floor Broker Fixed Cost Repayment Incentive Program (the ''FB Prepay Program), Port Fees.*

[9] *Id.*

[10] *See* proposed Fee Schedule *Floor Broker Fixed Cost Repayment Incentive Program (the ''FB Prepay Program), Port Fees.*

PHLX and Nasdaq for the same number of ports. Similarly, the proposed new monthly tiers for ports 301–1,000 ($250 per port) and more than 1,001 ($510 per port) are lower than the fees charged by Cboe and Nasdaq for the same number of ports, $800 and $650, respectively.

PHLX

In general, the Exchange's FIX port allows ATP Holders to send simple and complex orders, quotes and other messages using FIX protocols.[11] While it does not include the sending of quotes,[12] PHLX's FIX Ports are analogous to the Exchange's FIX Ports in that they that allow PHLX participants to connect, send, and receive messages related to orders to and from PHLX, which include the following: (1) execution messages; (2) order messages; and (3) risk protection triggers and cancel notifications.[13]

Notwithstanding this difference, PHLX charges a higher monthly FIX port fee than the one proposed by the Exchange, regardless of the number of ports being used. For ports 1 through 40, PHLX charges $140 more per month per port than the Exchange. The difference increases for ports 41 through 300 and ports 301 through 1000, where PHLX charges $480 and $400 more than the Exchange per month per port, respectively. For more than 1,000 ports, PHLX continues to charge higher per month per port fee than that proposed by the Exchange ($650 compared to $510).

Nasdaq

While it does not include the sending of quotes,[14] Nasdaq FIX Ports are analogous to the Exchange's FIX Ports in that they that allow Nasdaq participants to connect, send, and receive messages related to orders to and from Nasdaq, which include the following: (1) execution messages; (2) order messages; and (3) risk protection triggers and cancel notifications.[15]

Notwithstanding this difference, Nasdaq charges a higher monthly FIX port fee than the one proposed by the Exchange, regardless of the number of ports being used. For ports 1 through 40, Nasdaq charges $140 more per month per port than the Exchange. The difference increases for ports 41 through 300 and ports 301 through 1000, where Nasdaq charges $480 and $400 more than the Exchange per month per port, respectively. For more than 1,000 ports, Nasdaq continues to charge higher per month per port fee than that proposed by the Exchange ($650 compared to $510).

Cboe

Cboe charges higher Logical Port fees than the FIX Port fees proposed by the Exchange. Cboe's Logical Ports are analogous to the Exchange's FIX Ports. In general, a FIX Port allows an ATP Holder to send simple and complex orders, as well as other messages, to the Exchange using the FIX protocol.[16]

Cboe Logical Ports allow for order entry and other messages to be sent to Cboe by participants.[17] Cboe charges $750 per month per port for the first through fifth port and $800 per port per month for each port above that, while the Exchange's highest proposed tier is only $510 per port per month.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,[18] in general, and furthers the objectives of Sections 6(b)(4) and (5) of the Act.[19] In particular, because it provides for the equitable allocation of reasonable dues, fees, and other charges among its members, issuers and other persons using its facilities and does not unfairly discriminate between customers, issuers, brokers or dealers. The charges are aligned with, albeit lower than, industry fee practices and are directly related to the resources expended and costs related to an OTP Holder or OTP Firm's use of a greater number of ports.

The Proposed Rule Change Is Reasonable

The Exchange is subject to significant competitive forces in the market for options securities transaction services that constrain its pricing determinations in that market. The Commission has repeatedly expressed its preference for competition over regulatory intervention in determining prices, products, and services in the securities markets. In Regulation NMS, the Commission highlighted the importance of market forces in determining prices and SRO revenues and, also, recognized that current regulation of the market system ''has been remarkably successful in promoting market competition in its broader forms that are most important to investors and listed companies.'' [20]

There are currently 18 [sic] registered options exchanges competing for order flow. Based on publicly available information and, excluding index-based options, no single exchange has more than 16% of the market share of executed volume of multiply-listed equity and ETF options trades.[21] Therefore, currently no exchange possesses significant pricing power in the execution of multiply-listed equity and ETF options order flow. More specifically, in June 2026, the Exchange had 10.41% market share of executed volume of multiply-listed equity and ETF options order flow. In such a low concentrated and highly competitive market, no single options exchange possesses significant pricing power in the execution of option order flow.

In addition, even with the proposed increase, the Exchange's Order/Quote Entry Ports fees are comparatively low, vis-a-vis industry peer standards. Moreover, the proposed structural fee changes are narrowly targeted to the increased level of resources expended and costs associated with an OTP Holder's or OTP Firm's increase in the number of Exchange ports employed. Specifically, as noted above, ports consume a finite shared capacity across OTP Holders and OTP Firms and the aggregate footprint drives the infrastructure that the Exchange must engineer, provision, staff and periodically expand to maintain performance. As the number of ports in use grows, the Exchange must dedicate additional capacity and expense to meet this demand. The proposed fee for the use of more than 300 ports reflects this reality and is intended to encourage OTP Holders and OTP Firms to size their port usage efficiently.

The Proposed Fees Are Equitably Allocated and Not Unfairly Discriminatory

The Exchange believes that the proposed fee change is equitably allocated and not unfairly discriminatory because it would apply to all OTP Holders and OTP Firms that

[11] *See* generally, NYSE Pillar Options FIX Gateway Protocol Specification.

[12] Market Maker quotes are sent to PHLX via SQF port fees. *See* PHLX Options 3, Section 7, Supplementary Materials .03(C).

[13] *See* PHLX Options 3, Section 7, Supplementary Materials .03(A).

[14] Market Maker quotes are sent to Nasdaq via SQF port fees. *See* Nasdaq Options 3, Section 7, Supplementary Materials .03(C).

[15] *See* Nasdaq Options 3, Section 7, Supplementary Materials .03(A).

[16] *See generally,* NYSE Pillar Options FIX Gateway Protocol Specification.

[17] *See, generally,* Cboe Titanium U.S. Options FIX Specification, available at *https://cdn.cboe.com/resources/membership/US_Options_FIX_Specification.pdf.*

[18] 15 U.S.C. 78f(b).

[19] 15 U.S.C. 78f(b)(4) & (5).

[20] *See* Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37496, 37499 (June 29, 2005) (S7–10–04) (''Reg NMS Adopting Release'').

[21] The OCC publishes options and futures volume in a variety of formats, including daily and monthly volume by exchange, available at: *https://www.theocc.com/Market-Data/Market-Data-Reports/Volume-and-Open-Interest/Monthly-Weekly-Volume-Statistics.*

utilize Order/Quote Entry Ports to connect to the Exchange in the same manner and are not targeted at a specific type or category or market participant engaged in any particular trading strategy. The Exchange also believes that the proposal represents an equitable allocation of reasonable dues, fees and other charges because it will be assessed uniformly across all market participants and is narrowly targeted to the increased level of resources expended and costs associated with an OTP Holder's or OTP Firm's increase in the number of Exchange ports employed. The proposed fee will be assessed solely based on the number of FIX Ports an entity selects and not on any other distinction applied by the Exchange, allowing all OTP Holders and OTP Firms the ability to access all matching engines.

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act, the Exchange does not believe that the proposed rule change would impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

Intramarket Competition. The Exchange believes that the proposed fees do not put any market participants at a relative disadvantage compared to other market participants. Port fees are based on the number of ports utilized by OTP Holder and OTP Firms. The proposed port fees would not impose a barrier to entry to smaller OTP Holders and OTP Firms as such participants would only be charged for their relative use of Exchange resources (*i.e.,* the number of ports). To the extent that there is an increase, it will be assessed uniformly across all market participants and are narrowly targeted to the increased level of resources expended and costs associated with an OTP Holder's or OTP Firm's increase in the number of Exchange ports employed.

Intermarket Competition. The Exchange believes that the proposed fees do not impose a burden on competition that is not necessary or appropriate. The Exchange believes that the proposed Port fees do not place certain market participants at a relative disadvantage to other market participants because they will apply to all OTP Holders and OTP Firms in the same manner and are not targeted at a specific type or category of market participant engaged in any particular trading strategy. The proposed fees do not depend on any distinctions between market participants. The proposed fee will be assessed solely based on the number of FIX Ports an entity selects and not on any other distinction applied by the Exchange.

The Exchange operates in a highly competitive market in which OTP Holders and OTP Firms can determine whether to connect directly to the Exchange based on the value received compared to the cost of doing so. Should any OTP Holder or OTP Firm find the proposed port fees unattractive, OTP Holder or OTP Firm has numerous alternative trading venues to which they may connect and on which they may participate.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change is effective upon filing pursuant to Section 19(b)(3)(A) [22] of the Act and subparagraph (f)(2) of Rule 19b–4 [23] thereunder, because it establishes a due, fee, or other charge imposed by the Exchange.

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B) [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–NYSEARCA–2026–100 on the subject line.

[22] 15 U.S.C. 78s(b)(3)(A).

[23] 17 CFR 240.19b–4(f)(2).

[24] 15 U.S.C. 78s(b)(2)(B).

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–2026–100. 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–2026–100 and should be submitted on or before October 19, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[25]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–19727 Filed 9–25–26; 8:45 am]

BILLING CODE 8011–01–P

[25] 17 CFR 200.30–3(a)(12).

SMALL BUSINESS ADMINISTRATION

Information on SBA Secondary Market Program

AGENCY: U.S. Small Business Administration.

ACTION: Notice to Secondary Market Program.

SUMMARY: The U.S. Small Business Administration (SBA) is maintaining the 89.0 percent minimum maturity ratio for SBA Standard Pools and Weighted-Average Coupon (WAC) Pools. The minimum maturity ratio is a pool-formation characteristic intended to support the estimated cost of SBA's timely payment guaranty for newly formed pools of SBA-guaranteed portions of 7(a) loans. SBA will incorporate this notice, as appropriate, into the SBA Secondary Market Program Guide and other applicable SBA Secondary Market program materials.

DATES: The notice will apply to SBA 7(a) loan pools with an issue date on or after October 1, 2026.

ADDRESSES: Submit comments concerning this Notice to Phillip Frechette, Office of Credit Risk Management, U.S. Small Business Administration by email to *phillip.frechette@sba.gov.*

FOR FURTHER INFORMATION CONTACT: Phillip Frechette, Office of Credit Risk Management at (603) 225–1600; or by email to *phillip.frechette@sba.gov.* Individuals who are deaf, hard of hearing, or have a speech disability, may dial 7–1–1 to access telecommunications relay services.

SUPPLEMENTARY INFORMATION: The Small Business Secondary Market Improvements Act of 1984, 15 U.S.C. 634(f) through (h), authorizes SBA to guarantee the timely payment of principal and interest on Pool Certificates. A Pool Certificate represents a fractional undivided interest in a Pool, which is an aggregation of the SBA-guaranteed portions of loans made under section 7(a) of the Small Business Act, 15 U.S.C. 636(a). Consistent with 13 CFR part 120, subpart F, SBA guarantees to each Registered Holder the timely payment of principal and interest installments, as well as any prepayment or other recovery of principal, to which the Registered Holder is entitled under the Pool Certificate.

To support SBA's timely payment guaranty, SBA established the Master Reserve Fund (MRF). Borrower payments on the guaranteed portions of pooled loans and SBA guaranty payments on defaulted pooled loans are deposited into the MRF. Those funds are held in the MRF pending distributions to Registered Holders of Pool Certificates. Interest earned on funds held in the MRF supports the timely payment of amounts due to Registered Holders.

SBA periodically establishes and updates pool-formation characteristics for Pool Assemblers through the SBA Secondary Market Program Guide, Fiscal Transfer Agent (FTA) program guidance, and other applicable SBA Secondary Market materials. These characteristics include the minimum number of guaranteed portions required to form a Pool, permissible differences among the gross and net interest rates of the guaranteed portions in a Pool, and the minimum maturity ratio.

For purposes of this notice, the minimum maturity ratio is the ratio of the shortest remaining term to maturity to the longest remaining term to maturity among the guaranteed portions included in a Pool. The remaining terms are measured as of the Pool issue date. The ratio establishes the minimum permitted relationship between the shortest and longest remaining maturities of the guaranteed portions included in a Standard Pool or WAC Pool.

Based on SBA's expectations regarding the performance of future Pools, Pool Assemblers must continue to maintain a minimum maturity ratio of 89.0 percent. Accordingly, for Standard Pools and WAC Pools with an issue date on or after October 1, 2026, all guaranteed portions presented to SBA's Fiscal Transfer Agent for settlement must satisfy a minimum maturity ratio of at least 89.0 percent. Pool Assemblers must continue to comply with all other applicable statutory, regulatory, program-guide, and FTA requirements governing pool formation and settlement.

SBA will continue to monitor loan and pool characteristics and may issue additional guidance or notices as appropriate. This notice does not alter SBA's obligation to honor its guaranty of amounts owed to Registered Holders of Pool Certificates. That guaranty continues to be backed by the full faith and credit of the United States.

SBA will incorporate this program requirement, as appropriate, into the SBA Secondary Market Program Guide and other applicable SBA Secondary Market program materials.

Phillip Frechette,

Supervisory Financial Analyst, Office of Credit Risk Management.

[FR Doc. 2026–19802 Filed 9–25–26; 8:45 am]

BILLING CODE P

DEPARTMENT OF STATE

[Public Notice: 13130]

Notice of Determinations; Culturally Significant Object Being Imported for Exhibition—Determinations: Exhibition of "Panel From the Frieze of Archers" Object

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that a certain object being imported from abroad pursuant to an agreement with its foreign owner or custodian for temporary exhibition or display in the Arts of Ancient West Asia galleries of The Metropolitan Museum of Art, New York, New York, and at possible additional exhibitions or venues yet to be determined, is of cultural significance, and, further, that its temporary exhibition or display within the United States as aforementioned is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Reed Liriano, Program Coordinator, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/PD, 2200 C Street NW (SA–5), Suite 5H03, Washington, DC 20522–0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236–3 of August 28, 2000, and Delegation of Authority No. 523 of December 22, 2021.

Sherry C. Keneson-Hall,

Principal Deputy Assistant Secretary for Educational and Cultural Affairs, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2026–19778 Filed 9–25–26; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice: 13092]

Notice of Determinations; Culturally Significant Objects Being Imported for Exhibition—Determinations: "With Full Consent," Exhibition

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that certain objects being imported from abroad pursuant to an agreement with their foreign owner or custodian for temporary display in the exhibition ''With Full Consent,'' by The Barnes Foundation at Calder Gardens, Philadelphia, Pennsylvania, and at possible additional exhibitions or venues yet to be determined, are of cultural significance, and, further, that their temporary exhibition or display within the United States as aforementioned is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Reed Liriano, Program Coordinator, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/PD, 2200 C Street

NW (SA–5), Suite 5H03, Washington, DC 20522–0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236–3 of August 28, 2000, and Delegation of Authority No. 523 of December 22, 2021.

Sherry C. Keneson-Hall,

Principal Deputy Assistant Secretary for Educational and Cultural Affairs, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2026–19776 Filed 9–25–26; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice: 13134]

Notice of Determinations; Culturally Significant Object Being Imported for Exhibition—Determinations: "Dawn of Christianity: A Preview" and "Jordan: Dawn of Christianity" Exhibitions

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that a certain object being imported from abroad pursuant to an agreement with its foreign owner or custodian for temporary display in the exhibitions ''Dawn of Christianity: A Preview'' and ''Jordan: Dawn of Christianity'' at the Museum of the Bible, Washington, District of Columbia, and at possible additional exhibitions or venues yet to be determined, is of cultural significance, and, further, that its temporary exhibition or display within the United States as aforementioned is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Reed Liriano, Program Coordinator, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/PD, 2200 C Street NW (SA–5), Suite 5H03, Washington, DC 20522–0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236–3 of August 28, 2000, and Delegation of Authority No. 523 of December 22, 2021.

Sherry C. Keneson-Hall,

Principal Deputy Assistant Secretary for Educational and Cultural Affairs, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2026–19721 Filed 9–25–26; 8:45 am]

BILLING CODE 4710–05–P

SURFACE TRANSPORTATION BOARD

[Docket No. AB 55 (Sub-No. 823X)]

CSX Transportation, Inc.—Abandonment Exemption—in Hamilton County, Ohio

CSX Transportation, Inc. (CSXT), filed a verified notice of exemption under 49 CFR 1152 subpart F—*Exempt Abandonments* to abandon approximately 2.07 miles of rail line located between milepost BEK 2.24 and milepost BEK 4.31 on its Midwest Region, Cincinnati Terminal–Industrial Track Subdivision in Hamilton County, Ohio (the Line). The Line traverses U.S. Postal Service Zip Codes 45204, 45214, 45223, and 45225.

CSXT has certified that: (1) no local freight traffic has moved over the Line for at least two years; (2) any overhead traffic on the Line can be rerouted over other lines; (3) no formal complaint filed by a user of rail service on the Line (or by a state or local government on behalf of such user) regarding cessation of service over the Line is pending with either the Surface Transportation Board (Board) or any U.S. District Court or has been decided in favor of a complainant within the two-year period prior to the filing of the notice; and (4) the requirements at 49 CFR 1105.7(b) and 1105.8(c) (notice of environmental and historic reports), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to government agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho,* 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received,[1] this exemption will be effective on October 28, 2026, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,[2] formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2), and interim trail use/railbanking requests under 49 CFR 1152.29 must be filed by October 8, 2026.[3] Petitions to reopen and requests for public use conditions under 49 CFR 1152.28 must be filed by October 19, 2026.

All pleadings, referring to Docket No. AB 55 (Sub-No. 823X), must be filed with the Surface Transportation Board either via e-filing on the Board's website or in writing addressed to 395 E Street SW, Washington, DC 20423–0001. In addition, a copy of each pleading must be served on CSXT's representative, Louis E. Gitomer, Law Offices of Louis E. Gitomer, LLC, 600 Baltimore Avenue, Suite 301, Towson, MD 21204.

If the verified notice contains false or misleading information, the exemption is void ab initio.

CSXT has filed a combined environmental and historic report that addresses the potential effects, if any, of the abandonment on the environment and historic resources. OEA will issue a Draft Environmental Assessment (Draft EA) by October 2, 2026. The Draft EA will be available to interested persons on the Board's website, by writing to OEA, or by calling OEA at (202) 245–0294. If you require an accommodation under the Americans with Disabilities Act, please call (202) 245–0245. Comments on environmental or historic preservation matters must be filed within 15 days after the Draft EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/railbanking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), CSXT shall file a notice of

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[1] Persons interested in submitting an OFA must first file a formal expression of intent to file an offer, indicating the type of financial assistance they wish to provide (*i.e.,* subsidy or purchase) and demonstrating that they are preliminarily financially responsible. *See* 49 CFR 1152.27(c)(2)(i).

[2] The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Office of Environmental Analysis (OEA) in its independent investigation) cannot be made before the exemption's effective date. *See Exemption of Out-of-Serv. Rail Lines,* 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

[3] Filing fees for OFAs and trail use requests can be found at 49 CFR 1002.2(f)(25) and (27), respectively.

consummation with the Board to signify that it has exercised the authority granted and fully abandoned the Line. If consummation has not been effected by CSXT's filing of a notice of consummation by September 28, 2027, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

Board decisions and notices are available at *www.stb.gov.*

Decided: September 23, 2026.

By the Board, Anika S. Cooper, Chief Counsel, Office of Chief Counsel.

Brendetta Jones,

Clearance Clerk.

[FR Doc. 2026–19711 Filed 9–25–26; 8:45 am]

BILLING CODE 4915–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No. FAA–2026–12046]

Notice of Availability on the Finding of No Significant Impact and Record of Decision for Relativity Terran R Launch Program, Cape Canaveral Space Force Station, Florida

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Notice of availability of FONSI/ROD.

SUMMARY: In accordance with the National Environmental Policy Act of 1969, as amended (NEPA), DOT Order 5610.1D, *DOT's Procedures for Considering Environmental Impacts,* and FAA Order 1050.1G, *FAA National Environmental Policy Act Implementing Procedures,* FAA is announcing the availability of its Finding of No Significant Impact and Record of Decision (FONSI/ROD) for the U.S. Space Force (USSF) 2024 Final Supplemental Environmental Assessment for the Terran R Space Launch Program, Cape Canaveral Space Force Station (2024 Final SEA).

ADDRESSES: For more information, visit *https://www.faa.gov/space/environmental/nepa_docs.*

FOR FURTHER INFORMATION CONTACT: For more information, contact *9-AST-Environmental@faa.gov.*

SUPPLEMENTARY INFORMATION: The USSF was the lead agency and FAA was a cooperating agency in the preparation of the 2024 Final SEA. Relativity's Proposed Action is to launch its Terran R vehicle from Cape Canaveral Space Force Station Space Launch Complex 16 following the retirement of its Terran 1 Program. The USSF issued a FONSI and Finding of No Practicable Alternative on January 30, 2024. Relativity is required to obtain a license from FAA to conduct Terran R commercial launch operations at Cape Canaveral Space Force Station Space Launch Complex 16. The 2024 Final SEA analyzed FAA's issuance of a vehicle operator license to Relativity for Terran R operations as well as FAA's approval of related airspace closures. Following an independent review and consideration of the 2024 Final SEA, FAA has issued a FONSI/ROD concurring with, and formally adopting, the analysis of impacts and findings in the 2024 Final SEA. The FAA has posted the FONSI/ROD to its NEPA website at: *https://www.faa.gov/space/environmental/nepa_docs.*

Signed in Washington, DC on September 18, 2026.

Stacey Molinich Zee,

Manager, Operations Support Branch.

[FR Doc. 2026–19716 Filed 9–25–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2013–0122; FMCSA–2014–0385; FMCSA–2015–0329; FMCSA–2017–0059; FMCSA–2018–0139; FMCSA–2019–0109; FMCSA–2019–0110; FMCSA–2020–0025; FMCSA–2022–0034; FMCSA–2024–0009; FMCSA–2024–0010; FMCSA–2024–0011]

Qualification of Drivers; Exemption Applications; Hearing

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

ACTION: Notice of renewal of exemptions; request for comments.

SUMMARY: FMCSA announces its decision to renew exemptions for 18 individuals from the hearing requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) for interstate commercial motor vehicle (CMV) drivers. The exemptions enable these hard of hearing and deaf individuals to continue to operate CMVs in interstate commerce.

DATES: Each group of renewed exemptions were applicable on the dates stated in the discussions below and will expire on the dates provided below. Comments must be received on or before October 28, 2026.

ADDRESSES: You may submit comments identified by Docket No. FMCSA–2013–0122, FMCSA–2014–0385, FMCSA–2015–0329, FMCSA–2017–0059, FMCSA–2018–0139, FMCSA–2019–0109, FMCSA–2019–0110, FMCSA–2020–0025, FMCSA–2022–0034, FMCSA–2024–0009, FMCSA–2024–0010, or FMCSA–2024–0011, as appropriate, using any of the following methods:

- *Federal eRulemaking Portal:* Go to *www.regulations.gov,* insert the docket number (FMCSA–2013–0122, FMCSA–2014–0385, FMCSA–2015–0329, FMCSA–2017–0059, FMCSA–2018–0139, FMCSA–2019–0109, FMCSA–2019–0110, FMCSA–2020–0025, FMCSA–2022–0034, FMCSA–2024–0009, FMCSA–2024–0010, or FMCSA–2024–0011, as appropriate) in the keyword box and click ''Search.'' Next, sort the results by ''Posted (Newer-Older),'' choose the first notice listed, and click on the ''Comment'' button. Follow the online instructions for submitting comments.
- *Mail:* Dockets Operations, U.S. Department of Transportation, 1200 New Jersey Avenue SE, W58–213, Washington, DC 20590–0001.
- *Hand Delivery or Courier:* Dockets Operations, U.S. Department of Transportation, 1200 New Jersey Avenue SE, W58–213, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- *Fax:* (202) 493–2251.

To avoid duplication, please use only one of these four methods. See the ''Public Participation'' portion of the **SUPPLEMENTARY INFORMATION** section for instructions on submitting comments.

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, FMCSA, DOT, 1200 New Jersey Avenue SE, Washington, DC 20590–0001; (202) 366–4001; *fmcsamedical@dot.gov.* Office hours are 8:30 a.m. to 5 p.m. ET Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

I. Public Participation

A. Submitting Comments

If you submit a comment, please include the docket number for this notice (FMCSA–2013–0122, FMCSA–2014–0385, FMCSA–2015–0329, FMCSA–2017–0059, FMCSA–2018–0139, FMCSA–2019–0109, FMCSA–2019–0110, FMCSA–2020–0025, FMCSA–2022–0034, FMCSA–2024–0009, FMCSA–2024–0010, or FMCSA–2024–0011), indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so that FMCSA can contact you if there are questions regarding your submission.

To submit your comment online, go to *www.regulations.gov,* insert the docket number (FMCSA–2013–0122, FMCSA–2014–0385, FMCSA–2015–0329, FMCSA–2017–0059, FMCSA–2018–0139, FMCSA–2019–0109, FMCSA–2019–0110, FMCSA–2020–0025, FMCSA–2022–0034, FMCSA–2024–0009, FMCSA–2024–0010, or FMCSA–2024–0011) in the keyword box and click ''Search.'' Next, sort the results by ''Posted (Newer-Older),'' choose the first notice listed, click the ''Comment'' button, and type your comment into the text box on the following screen. Choose whether you are submitting your comment as an individual or on behalf of a third party and then submit.

If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. FMCSA will consider all comments and material received during the comment period.

B. Confidential Business Information (CBI)

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to the notice contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to the notice, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission that constitutes CBI as ''PROPIN'' to indicate it contains proprietary information. FMCSA will treat such marked submissions as confidential under the Freedom of Information Act, and they will not be placed in the public docket of the notice. Submissions containing CBI should be sent to Brian Dahlin, Chief, Regulatory Evaluation Division, Office of Policy, FMCSA, 1200 New Jersey Avenue SE, Washington, DC 20590–0001 or via email at *brian.g.dahlin@dot.gov.* At this time, you need not send a duplicate hardcopy of your electronic CBI submissions to FMCSA headquarters. Any comments FMCSA receives not specifically designated as CBI will be placed in the public docket for this notice.

C. Viewing Comments

To view comments, go to *www.regulations.gov.* Insert the docket number (FMCSA–2013–0122, FMCSA–2014–0385, FMCSA–2015–0329, FMCSA–2017–0059, FMCSA–2018–0139, FMCSA–2019–0109, FMCSA–2019–0110, FMCSA–2020–0025, FMCSA–2022–0034, FMCSA–2024–0009, FMCSA–2024–0010, or FMCSA–2024–0011) in the keyword box and click ''Search.'' Next, sort the results by ''Posted (Newer-Older),'' choose the first notice listed, and click ''Browse Comments.'' If you do not have access to the internet, you may view the docket online by visiting Dockets Operations in room W58–213 of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC 20590–0001, between 9 a.m. and 5 p.m. ET Monday through Friday, except Federal holidays.

D. Privacy Act

In accordance with 49 U.S.C. 31315(b)(6), DOT solicits comments from the public on the exemption requests. DOT posts these comments, including any personal information the commenter provides, to *www.regulations.gov*, as described in the system of records notice DOT/ALL–14 FDMS (Federal Docket Management System), which can be reviewed under the ''Department Wide System of Records Notices'' link at *https://www.transportation.gov/individuals/privacy/privacy-act-system-records-notices.* The comments are posted without edit and are searchable by the name of the submitter.

II. Legal Basis

FMCSA has authority under 49 U.S.C. 31136(e) and 31315(b) to grant exemptions from the FMCSRs. FMCSA must publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). The Agency must provide the public an opportunity to inspect the information relevant to the application, including the applicant's safety analysis. The Agency must provide an opportunity for public comment on the request.

The Agency reviews the application, safety analyses, and public comments submitted and determines whether granting the exemption would likely achieve a level of safety equivalent to, or greater than, the level of safety that would be achieved absent such exemption, pursuant to the standard set forth in 49 U.S.C. 31315(b)(1). The Agency must publish its decision in the **Federal Register** (49 CFR 381.315(b)). If granted, the notice will identify the regulatory provision from which the applicant will be exempt, the effective period, and all terms and conditions of the exemption (49 CFR 381.315(c)(1)). If the exemption is denied, the notice will explain the reason for the denial (49 CFR 381.315(c)(2)). The exemption may be renewed (49 CFR 381.300(b)). FMCSA grants medical exemptions from the FMCSRs for a 2-year period to align with the maximum duration of a driver's medical certification.

III. Background

The physical qualification standard for drivers regarding hearing, found in 49 CFR 391.41(b)(11), states that a person is physically qualified to drive a CMV if that person first perceives a forced whispered voice in the better ear at not less than 5 feet with or without the use of a hearing aid or, if tested by use of an audiometric device, does not have an average hearing loss in the better ear greater than 40 decibels at 500 Hz, 1,000 Hz, and 2,000 Hz with or without a hearing aid when the audiometric device is calibrated to American National Standard (formerly ASA Standard) Z24.5—1951.

This standard was adopted in 1970 and was revised in 1971 to allow drivers to be qualified under this standard while wearing a hearing aid (35 FR 6458, 6463 (Apr. 22, 1970) and 36 FR 12857 (July 8, 1971)).

The 18 individuals listed in this notice have requested renewal of their exemptions from the hearing standard in 49 CFR 391.41(b)(11), in accordance with FMCSA procedures. Accordingly, FMCSA has evaluated these applications for renewal on their merits and decided to extend each exemption for a renewable 2-year period.

IV. Request for Comments

Interested parties or organizations possessing information that would show that any, or all, of these drivers are not currently achieving the statutory level of safety should immediately notify FMCSA. The Agency will evaluate any adverse evidence submitted and, if the person has failed to comply with the terms and conditions of the exemption, or if safety is being compromised or if continuation of the exemption would not be consistent with the goals and objectives of Title 49, chapter 313 or section 31136, FMCSA will take immediate steps to revoke the exemption of a driver.

V. Basis for Renewing Exemptions

In accordance with 49 U.S.C. 31136(e) and 31315(b), each of the 18 applicants have satisfied the renewal conditions for obtaining an exemption from the hearing requirement. The 18 drivers in this notice remain in good standing with the Agency. In addition, the Agency has reviewed each applicant's certified driving record from their State Driver Licensing Agency (SDLA). The information obtained from each applicant's driving record provides the Agency with details regarding any moving violations or reported crash data, which demonstrates whether the driver has a safe driving history and is an indicator of future driving performance. If the driving record revealed a crash, FMCSA requested and reviewed the related police reports and other relevant documents, such as the citation and conviction information. These factors provide an adequate basis for predicting each driver's ability to continue to safely operate a CMV in interstate commerce. Accordingly, FMCSA concludes that extending the exemption for each of these drivers for a period of 2 years is likely to achieve a level of safety equivalent to, or greater than, the level of safety that would be achieved without the exemption.

In accordance with 49 U.S.C. 31136(e) and 31315(b), the following groups of drivers received renewed exemptions in the month of July and are discussed below.

In accordance with 49 U.S.C. 31136(e) and 31315(b), the following 15 individuals have satisfied the renewal conditions for obtaining an exemption from the hearing requirement in the FMCSRs for interstate CMV drivers:

Carlos Arellano (CA)
Nathan Bohannon (TX)
Forrest Carroll (OH)
Jeremy Earl (IL)
Ariel Gonzalez (RI)
Rodney Henley (AL)
Larry Mancill (IL)
Glen McCormack (IL)
James Newton (FL)
Charles O'Bryan (NY)
Ernest Pratt, Jr. (PA)
Russell Smith (OH)
William Solomon (OH)
Roderick Thomas (GA)
Steven Tipton (MO)

The drivers were included in docket numbers FMCSA–2013–0122, FMCSA–2014–0385, FMCSA–2015–0329, FMCSA–2017–0059, FMCSA–2018–0139, FMCSA–2019–0109, FMCSA–2019–0110, FMCSA–2020–0025, FMCSA–2022–0034, FMCSA–2024–0009, or FMCSA–2024–0010. Their exemptions were applicable as of July 11, 2026, and will expire on July 11, 2028.

In accordance with 49 U.S.C. 31136(e) and 31315(b), the following three individuals have satisfied the renewal conditions for obtaining an exemption from the hearing requirement in the FMCSRs for interstate CMV drivers:

Manuel Llano Hevia (NV); Dejan Ortiz (TX); and Johnathan Wilke (IA).

The drivers were included in docket number FMCSA–2024–0011.

Their exemptions were applicable as of July 16, 2026, and will expire on July 16, 2028.

VI. Terms and Conditions

The exemptions are extended subject to the following conditions: each driver (1) must report to FMCSA any crashes, as defined in 49 CFR 390.5T, within 7 days of the crash; (2) must report to FMCSA any citations and convictions for disqualifying offenses under 49 CFR parts 383 and 391, within 7 days of the citation and conviction; (3) must submit to FMCSA annual certified driving records from their SDLA; and (4) is prohibited from operating a motorcoach or bus with passengers in interstate commerce. The driver must also have a copy of the exemption when driving, for presentation to a duly authorized Federal, State, or local law enforcement official. In addition, the driver must meet all the applicable commercial driver's license testing requirements.

VII. Preemption

During the period the exemption is in effect, no State shall enforce any law or regulation that conflicts with this exemption with respect to a person operating under the exemption.

VIII. Conclusion

Based upon its evaluation of the 18 exemption renewal applications, FMCSA renews the exemptions of the above-named drivers from the hearing requirement in 49 CFR 391.41(b)(11). In accordance with 49 U.S.C. 31315(b), and FMCSA's policy of issuing medical exemptions for a 2-year period to correspond with the medical certificate, each exemption will be valid for 2 years from the effective date unless revoked earlier by FMCSA. The exemption will be revoked if the following occurs: (1) the person fails to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was maintained prior to being granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of Title 49, chapter 313 or section 31136.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2026–19809 Filed 9–25–26; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2026–0053]

Qualification of Drivers; Exemption Applications; Hearing

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

ACTION: Notice of applications for exemption; request for comments.

SUMMARY: FMCSA announces receipt of applications from 11 individuals for an exemption from the hearing requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) to operate a commercial motor vehicle (CMV) in interstate commerce. If granted, the exemptions would enable these hard of hearing and deaf individuals to operate CMVs in interstate commerce.

DATES: Comments must be received on or before October 28, 2026.

ADDRESSES: You may submit comments identified by Docket No. FMCSA–2026–0053 using any of the following methods:

- *Federal eRulemaking Portal:* Go to *www.regulations.gov,* insert the docket number (FMCSA–2026–0053, as appropriate) in the keyword box and click "Search." Next, sort the results by "Posted (Newer-Older)," choose the first notice listed, and click on the "Comment" button. Follow the online instructions for submitting comments.
- *Mail:* Dockets Operations, U.S. Department of Transportation, 1200 New Jersey Avenue SE, W58–213, Washington, DC 20590–0001.
- *Hand Delivery or Courier:* Dockets Operations, U.S. Department of Transportation, 1200 New Jersey Avenue SE, W58–213, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- *Fax:* (202) 493–2251.

To avoid duplication, please use only one of these four methods. See the "Public Participation" portion of the **SUPPLEMENTARY INFORMATION** section for instructions on submitting comments.

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, FMCSA, DOT, 1200 New Jersey Avenue SE, Washington, DC 20590–0001; (202) 366–4001; *fmcsamedical@dot.gov*. Office hours are 8:30 a.m. to 5 p.m. ET Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

I. Public Participation

A. Submitting Comments

If you submit a comment, please include the docket number for this notice (FMCSA–2026–0053), indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so that FMCSA can contact you if there are questions regarding your submission.

To submit your comment online, go to *www.regulations.gov,* insert the docket number (FMCSA–2026–0053) in the keyword box and click ''Search.'' Next, sort the results by ''Posted (Newer-Older),'' choose the first notice listed, click the ''Comment'' button, and type your comment into the text box on the following screen. Choose whether you are submitting your comment as an individual or on behalf of a third party and then submit.

If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. FMCSA will consider all comments and material received during the comment period.

B. Confidential Business Information (CBI)

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to the notice contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to the notice, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission that constitutes CBI as ''PROPIN'' to indicate it contains proprietary information. FMCSA will treat such marked submissions as confidential under the Freedom of Information Act, and they will not be placed in the public docket of the notice. Submissions containing CBI should be sent to Brian Dahlin, Chief, Regulatory Evaluation Division, Office of Policy, FMCSA, 1200 New Jersey Avenue SE, Washington, DC 20590–0001 or via email at *brian.g.dahlin@dot.gov.* At this time, you need not send a duplicate hardcopy of your electronic CBI submissions to FMCSA headquarters. Any comments FMCSA receives not specifically designated as CBI will be placed in the public docket for this notice.

C. Viewing Comments

To view comments, go to *www.regulations.gov.* Insert the docket number (FMCSA–2026–0053) in the keyword box and click ''Search.'' Next, sort the results by ''Posted (Newer-Older),'' choose the first notice listed, and click ''Browse Comments.'' If you do not have access to the internet, you may view the docket online by visiting Dockets Operations in room W58–213 of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC 20590–0001, between 9 a.m. and 5 p.m. ET Monday through Friday, except Federal holidays.

D. Privacy Act

In accordance with 49 U.S.C. 31315(b)(6), DOT solicits comments from the public on the exemption request. DOT posts these comments, including any personal information the commenter provides, to *www.regulations.gov,* as described in the system of records notice DOT/ALL–14 FDMS (Federal Docket Management System), which can be reviewed under the ''Department Wide System of Records Notices'' link at *https://www.transportation.gov/individuals/privacy/privacy-act-system-records-notices.* The comments are posted without edit and are searchable by the name of the submitter.

II. Legal Basis

FMCSA has authority under 49 U.S.C. 31136(e) and 31315(b) to grant exemptions from the FMCSRs. FMCSA must publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). The Agency must provide the public an opportunity to inspect the information relevant to the application, including the applicant's safety analysis. The Agency must provide an opportunity for public comment on the request.

The Agency reviews the application, safety analyses, and public comments submitted and determines whether granting the exemption would likely achieve a level of safety equivalent to, or greater than, the level of safety that would be achieved absent such exemption, pursuant to the standard set forth in 49 U.S.C. 31315(b)(1). The Agency must publish its decision in the **Federal Register** (49 CFR 381.315(b)). If granted, the notice will identify the regulatory provision from which the applicant will be exempt, the effective period, and all terms and conditions of the exemption (49 CFR 381.315(c)(1)). If the exemption is denied, the notice will explain the reason for the denial (49 CFR 381.315(c)(2)). The exemption may be renewed (49 CFR 381.300(b)). FMCSA grants medical exemptions from the FMCSRs for a 2-year period to align with the maximum duration of a driver's medical certification.

III. Background

The physical qualification standard for drivers regarding hearing, found in 49 CFR 391.41(b)(11), states that a person is physically qualified to drive a CMV if that person first perceives a forced whispered voice in the better ear at not less than 5 feet with or without the use of a hearing aid or, if tested by use of an audiometric device, does not have an average hearing loss in the better ear greater than 40 decibels at 500 Hz, 1,000 Hz, and 2,000 Hz with or without a hearing aid when the audiometric device is calibrated to American National Standard (formerly ASA Standard) Z24.5—1951.

This standard was adopted in 1970 and was revised in 1971 to allow drivers to be qualified under this standard while wearing a hearing aid (35 FR 6458, 6463 (Apr. 22, 1970) and 36 FR 12857 (July 8, 1971)). In 2008, FMCSA published Evidence Report, ''Executive Summary on Hearing, Vestibular Function and Commercial Motor Driving Safety.'' [1] The evidence report reached two conclusions regarding the matter of hearing loss and CMV driver safety: (1) no studies were identified that examined the relationship between hearing loss and crash risk exclusively among CMV; and (2) evidence from studies of the private driver's license holder population does not support the contention that individuals with hearing impairment are at an increased risk for a crash.

On February 1, 2013, FMCSA began granting exemptions, on a case-by-case basis, to individual drivers from the physical qualification standard regarding hearing in 49 CFR 391.41(b)(11) (78 FR 7479 (Feb. 1, 2013)). The Agency considers relevant scientific information and literature, the 2008 Evidence Report, ''Executive Summary on Hearing, Vestibular Function and Commercial Motor Driving Safety,'' any public comments received, and each individual's driving record in deciding whether to grant the exemption.

[1] *https://www.fmcsa.dot.gov/regulations/medical/hearing-vestibular-function-and-commercial-motor-vehicle-driver-safety-executive.*

The 11 individuals listed in this notice have requested an exemption from the hearing standard in 49 CFR 391.41(b)(11). Accordingly, the Agency will evaluate the qualifications of each applicant to determine whether granting the exemption will achieve the required level of safety mandated by statute.

IV. Qualifications of Applicants

Raynell Bailey

Mr. Bailey, 62, holds a class D chauffeur's license in Louisiana.

Sonny Dorantes

Mr. Dorantes, 31, holds a class C license in Texas.

Andrew Gibson

Mr. Gibson, 40, holds a class C license in Texas.

Michael Godbey

Mr. Godbey, 50, holds a class C license in Georgia.

Trung Ha

Mr. Ha, 36, holds a class D license in Minnesota.

Torre Howard

Ms. Howard, 53, holds a class CM license in Maryland.

Peter Knights

Mr. Knights, 69, holds a class A commercial driver's license (CDL) in Vermont.

Bikien McKoy [2]

Mr. McKoy, 53, holds a class A CDL in North Carolina.

Jason Monteleone

Mr. Monteleone, 46, holds a class A enhanced CDL in Washington.

Bruce Ponzo

Mr. Ponzo, 71, holds a class A CDL in Arizona.

Danielle Thaete

Ms. Thaete, 39, holds a class D license in Idaho.

V. Request for Comments

In accordance with 49 U.S.C. 31136(e) and 31315(b), FMCSA requests public comment from all interested persons on the exemption applications described in this notice. FMCSA will consider all comments received before the close of business on the closing date indicated under the **DATES** section of the notice.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2026–19807 Filed 9–25–26; 8:45 am]

BILLING CODE 4910–EX–P

[2] Bikien McKoy held a hearing exemption issued under docket FMCSA–2021–0017 that expired on March 4, 2024. Since he did not request a renewal of the exemption, he qualifies as a new applicant. We are providing the docket number from his previous approval in this notice for reference and FMCSA will consider any information included in that docket in the safety analysis of Mr. McKoy's current application.

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2012–0332; FMCSA–2013–0123; FMCSA–2014–0107; FMCSA–2014–0384; FMCSA–2015–0328; FMCSA–2015–0329; FMCSA–2017–0059; FMCSA–2017–0061; FMCSA–2021–0017; FMCSA–2022–0032; FMCSA–2024–0009; FMCSA–2024–0010; FMCSA–2024–0011; FMCSA–2024–0012; FMCSA–2024–0013]

Qualification of Drivers; Exemption Applications; Hearing

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

ACTION: Notice of renewal of exemptions; request for comments.

SUMMARY: FMCSA announces its decision to renew exemptions for 20 individuals from the hearing requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) for interstate commercial motor vehicle (CMV) drivers. The exemptions enable these hard of hearing and deaf individuals to continue to operate CMVs in interstate commerce.

DATES: Each group of renewed exemptions were applicable on the dates stated in the discussions below and will expire on the dates provided below. Comments must be received on or before October 28, 2026.

ADDRESSES: You may submit comments identified by Docket No. FMCSA–2012–0332, FMCSA–2013–0123, FMCSA–2014–0107, FMCSA–2014–0384, FMCSA–2015–0328, FMCSA–2015–0329, FMCSA–2017–0059, FMCSA–2017–0061, FMCSA–2021–0017, FMCSA–2022–0032, FMCSA–2024–0009, FMCSA–2024–0010, FMCSA–2024–0011, FMCSA–2024–0012, or FMCSA–2024–0013. as appropriate, using any of the following methods:

- *Federal eRulemaking Portal:* Go to *www.regulations.gov,* insert the docket number (FMCSA–2012–0332, FMCSA–2013–0123, FMCSA–2014–0107, FMCSA–2014–0384, FMCSA–2015–0328, FMCSA–2015–0329, FMCSA–2017–0059, FMCSA–2017–0061, FMCSA–2021–0017, FMCSA–2022–0032, FMCSA–2024–0009, FMCSA–2024–0010, FMCSA–2024–0011, FMCSA–2024–0012, or FMCSA–2024–0013, as appropriate) in the keyword box and click ''Search.'' Next, sort the results by ''Posted (Newer-Older),'' choose the first notice listed, and click on the ''Comment'' button. Follow the online instructions for submitting comments.
- *Mail:* Dockets Operations, U.S. Department of Transportation, 1200 New Jersey Avenue SE, W58–213, Washington, DC 20590–0001.
- *Hand Delivery or Courier:* Dockets Operations, U.S. Department of Transportation, 1200 New Jersey Avenue SE, W58–213, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- *Fax:* (202) 493–2251.

To avoid duplication, please use only one of these four methods. See the ''Public Participation'' portion of the **SUPPLEMENTARY INFORMATION** section for instructions on submitting comments.

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, FMCSA, DOT, 1200 New Jersey Avenue SE, Washington, DC 20590–0001; (202) 366–4001; *fmcsamedical@dot.gov.* Office hours are 8:30 a.m. to 5 p.m. ET Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

I. Public Participation

A. Submitting Comments

If you submit a comment, please include the docket number for this notice (FMCSA–2012–0332, FMCSA–2013–0123, FMCSA–2014–0107, FMCSA–2014–0384, FMCSA–2015–0328, FMCSA–2015–0329, FMCSA–2017–0059, FMCSA–2017–0061, FMCSA–2021–0017, FMCSA–2022–0032, FMCSA–2024–0009, FMCSA–2024–0010, FMCSA–2024–0011, FMCSA–2024–0012, or FMCSA–2024–0013), indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so that FMCSA can contact you if there are questions regarding your submission.

To submit your comment online, go to *www.regulations.gov,* insert the docket number (FMCSA–2012–0332, FMCSA–2013–0123, FMCSA–2014–0107, FMCSA–2014–0384, FMCSA–2015–0328, FMCSA–2015–0329, FMCSA–

2017–0059, FMCSA–2017–0061, FMCSA–2021–0017, FMCSA–2022–0032, FMCSA–2024–0009, FMCSA–2024–0010, FMCSA–2024–0011, FMCSA–2024–0012, or FMCSA–2024–0013) in the keyword box and click ''Search.'' Next, sort the results by ''Posted (Newer-Older),'' choose the first notice listed, click the ''Comment'' button, and type your comment into the text box on the following screen. Choose whether you are submitting your comment as an individual or on behalf of a third party and then submit.

If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. FMCSA will consider all comments and material received during the comment period.

B. Confidential Business Information (CBI)

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to the notice contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to the notice, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission that constitutes CBI as ''PROPIN'' to indicate it contains proprietary information. FMCSA will treat such marked submissions as confidential under the Freedom of Information Act, and they will not be placed in the public docket of the notice. Submissions containing CBI should be sent to Brian Dahlin, Chief, Regulatory Evaluation Division, Office of Policy, FMCSA, 1200 New Jersey Avenue SE, Washington, DC 20590–0001 or via email at *brian.g.dahlin@dot.gov.* At this time, you need not send a duplicate hardcopy of your electronic CBI submissions to FMCSA headquarters. Any comments FMCSA receives not specifically designated as CBI will be placed in the public docket for this notice.

C. Viewing Comments

To view comments, go to *www.regulations.gov.* Insert the docket number (FMCSA–2012–0332, FMCSA–2013–0123, FMCSA–2014–0107, FMCSA–2014–0384, FMCSA–2015–0328, FMCSA–2015–0329, FMCSA–2017–0059, FMCSA–2017–0061, FMCSA–2021–0017, FMCSA–2022–0032, FMCSA–2024–0009, FMCSA–2024–0010, FMCSA–2024–0011, FMCSA–2024–0012, or FMCSA–2024–0013) in the keyword box and click ''Search.'' Next, sort the results by ''Posted (Newer-Older),'' choose the first notice listed, and click ''Browse Comments.'' If you do not have access to the internet, you may view the docket online by visiting Dockets Operations in room W58–213 of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC 20590–0001, between 9 a.m. and 5 p.m. ET Monday through Friday, except Federal holidays.

D. Privacy Act

In accordance with 49 U.S.C. 31315(b)(6), DOT solicits comments from the public on the exemption requests. DOT posts these comments, including any personal information the commenter provides, to *www.regulations.gov,* as described in the system of records notice DOT/ALL–14 FDMS (Federal Docket Management System), which can be reviewed under the ''Department Wide System of Records Notices'' link at *https://www.transportation.gov/individuals/privacy/privacy-act-system-records-notices.* The comments are posted without edit and are searchable by the name of the submitter.

II. Legal Basis

FMCSA has authority under 49 U.S.C. 31136(e) and 31315(b) to grant exemptions from the FMCSRs. FMCSA must publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). The Agency must provide the public an opportunity to inspect the information relevant to the application, including the applicant's safety analysis. The Agency must provide an opportunity for public comment on the request.

The Agency reviews the application, safety analyses, and public comments submitted and determines whether granting the exemption would likely achieve a level of safety equivalent to, or greater than, the level of safety that would be achieved absent such exemption, pursuant to the standard set forth in 49 U.S.C. 31315(b)(1). The Agency must publish its decision in the **Federal Register** (49 CFR 381.315(b)). If granted, the notice will identify the regulatory provision from which the applicant will be exempt, the effective period, and all terms and conditions of the exemption (49 CFR 381.315(c)(1)). If the exemption is denied, the notice will explain the reason for the denial (49 CFR 381.315(c)(2)). The exemption may be renewed (49 CFR 381.300(b)). FMCSA grants medical exemptions from the FMCSRs for a 2-year period to align with the maximum duration of a driver's medical certification.

III. Background

The physical qualification standard for drivers regarding hearing, found in 49 CFR 391.41(b)(11), states that a person is physically qualified to drive a CMV if that person first perceives a forced whispered voice in the better ear at not less than 5 feet with or without the use of a hearing aid or, if tested by use of an audiometric device, does not have an average hearing loss in the better ear greater than 40 decibels at 500 Hz, 1,000 Hz, and 2,000 Hz with or without a hearing aid when the audiometric device is calibrated to American National Standard (formerly ASA Standard) Z24.5—1951.

This standard was adopted in 1970 and was revised in 1971 to allow drivers to be qualified under this standard while wearing a hearing aid (35 FR 6458, 6463 (Apr. 22, 1970) and 36 FR 12857 (July 8, 1971)).

The 20 individuals listed in this notice have requested renewal of their exemptions from the hearing standard in 49 CFR 391.41(b)(11), in accordance with FMCSA procedures. Accordingly, FMCSA has evaluated these applications for renewal on their merits and decided to extend each exemption for a renewable 2-year period.

IV. Request for Comments

Interested parties or organizations possessing information that would show that any, or all, of these drivers are not currently achieving the statutory level of safety should immediately notify FMCSA. The Agency will evaluate any adverse evidence submitted and, if the person has failed to comply with the terms and conditions of the exemption, or if safety is being compromised or if continuation of the exemption would not be consistent with the goals and objectives of Title 49, chapter 313 or section 31136, FMCSA will take immediate steps to revoke the exemption of a driver.

V. Basis for Renewing Exemptions

In accordance with 49 U.S.C. 31136(e) and 31315(b), each of the 20 applicants have satisfied the renewal conditions for obtaining an exemption from the hearing requirement. The 20 drivers in this notice remain in good standing with the Agency. In addition, the Agency has reviewed each applicant's certified driving record from their State Driver Licensing Agency (SDLA). The information obtained from each applicant's driving record provides the Agency with details regarding any moving violations or reported crash data, which demonstrates whether the driver has a safe driving history and is an indicator of future driving performance. If the driving record revealed a crash, FMCSA requested and reviewed the related police reports and other relevant documents, such as the citation and conviction information. These factors provide an adequate basis for predicting each driver's ability to continue to safely operate a CMV in interstate commerce. Accordingly, FMCSA concludes that extending the exemption for each of these drivers for a period of 2 years is likely to achieve a level of safety equivalent to, or greater than, the level of safety that would be achieved without the exemption.

In accordance with 49 U.S.C. 31136(e) and 31315(b), the following groups of drivers received renewed exemptions in the month of August and are discussed below.

In accordance with 49 U.S.C. 31136(e) and 31315(b), the following nine individuals have satisfied the renewal conditions for obtaining an exemption from the hearing requirement in the FMCSRs for interstate CMV drivers:

Yunier Alegre Ruiz (FL)
Michael Beam (MI)
Anthony Cline (OH)
Dwain Coppernoll, Sr. (OR)
Arnold Hatton III (DE)
Jesus Javier (NJ)
Stan Lockett (TX)
LaJuan Roper (TX)
Bradly Sexton (OK)

The drivers were included in docket numbers FMCSA–2014–0107,

FMCSA–2014–0384, FMCSA–2021–0017, FMCSA–2022–0032, FMCSA–2024–0009, FMCSA–2024–0010, FMCSA–2024–0011, or FMCSA–2024–0012. Their exemptions were applicable as of August 13, 2026, and will expire on August 13, 2028.

In accordance with 49 U.S.C. 31136(e) and 31315(b), the following six individuals have satisfied the renewal conditions for obtaining an exemption from the hearing requirement in the FMCSRs for interstate CMV drivers:

Thomas Buretz (FL)
Jada Hart (IA)
Paul Micolichek (WA) [1]
Christopher Poole (OH)
James Queen (FL)
James Weir (AZ)

The drivers were included in docket numbers FMCSA–2012–0332,

FMCSA–2013–0123, FMCSA–2015–0328, FMCSA–2015–0329, FMCSA–2017–0059, or FMCSA–2017–0061. Their exemptions were applicable as of August 22, 2026, and will expire on August 22, 2028.

In accordance with 49 U.S.C. 31136(e) and 31315(b), the following five individuals have satisfied the renewal conditions for obtaining an exemption from the hearing requirement in the FMCSRs for interstate CMV drivers:

Gustavo Aro (NV)
Jerry Burleson (AL)
Kiser Holiday (MD)
Robert Webber (NC)
Jason Wooten (GA)

The drivers were included in docket number FMCSA–2024–0013. Their exemptions were applicable as of August 28, 2026, and will expire on August 28, 2028.

VI. Terms and Conditions

The exemptions are extended subject to the following conditions: each driver (1) must report to FMCSA any crashes, as defined in 49 CFR 390.5T, within 7 days of the crash; (2) must report to FMCSA any citations and convictions for disqualifying offenses under 49 CFR parts 383 and 391, within 7 days of the citation and conviction; (3) must submit to FMCSA annual certified driving records from their SDLA; and (4) is prohibited from operating a motorcoach or bus with passengers in interstate commerce. The driver must also have a copy of the exemption when driving, for presentation to a duly authorized Federal, State, or local law enforcement official. In addition, the driver must meet all the applicable commercial driver's license testing requirements.

VII. Preemption

During the period the exemption is in effect, no State shall enforce any law or regulation that conflicts with this exemption with respect to a person operating under the exemption.

VIII. Conclusion

Based upon its evaluation of the 20 exemption renewal applications, FMCSA renews the exemptions of the above-named drivers from the hearing requirement in 49 CFR 391.41(b)(11). In accordance with 49 U.S.C. 31315(b), and FMCSA's policy of issuing medical exemptions for a 2-year period to correspond with the medical certificate, each exemption will be valid for 2 years from the effective date unless revoked earlier by FMCSA. The exemption will be revoked if the following occurs: (1) the person fails to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was maintained prior to being granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of Title 49, chapter 313 or section 31136.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2026–19810 Filed 9–25–26; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2026–0054]

Qualification of Drivers; Exemption Applications; Hearing

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

ACTION: Notice of applications for exemption; request for comments.

SUMMARY: FMCSA announces receipt of applications from nine individuals for an exemption from the hearing requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) to operate a commercial motor vehicle (CMV) in interstate commerce. If granted, the exemptions would enable these hard of hearing and deaf individuals to operate CMVs in interstate commerce.

DATES: Comments must be received on or before October 28, 2026.

ADDRESSES: You may submit comments identified by Docket No. FMCSA–2026–0054 using any of the following methods:

- *Federal eRulemaking Portal:* Go to *www.regulations.gov,* insert the docket number (FMCSA–2026–0054) in the keyword box and click ''Search.'' Next, choose the only notice listed, and click on the ''Comment'' button. Follow the online instructions for submitting comments.
- *Mail:* Dockets Operations, U.S. Department of Transportation, 1200 New Jersey Avenue SE, W58–213, Washington, DC 20590–0001.
- *Hand Delivery or Courier:* Dockets Operations, U.S. Department of Transportation, 1200 New Jersey Avenue SE, W58–213, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- *Fax:* (202) 493–2251.

To avoid duplication, please use only one of these four methods. See the ''Public Participation'' portion of the **SUPPLEMENTARY INFORMATION** section for instructions on submitting comments.

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, FMCSA, DOT, 1200

New Jersey Avenue SE, Washington, DC 20590–0001; (202) 366–4001; *fmcsamedical@dot.gov.* Office hours are 8:30 a.m. to 5 p.m. ET Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

I. Public Participation

A. Submitting Comments

If you submit a comment, please include the docket number for this notice (FMCSA–2026–0054), indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so that FMCSA can contact you if there are questions regarding your submission.

To submit your comment online, go to *https://www.regulations.gov/docket/FMCSA-2026-0054.* Next, choose the only notice listed, click the ''Comment'' button, and type your comment into the text box on the following screen. Choose whether you are submitting your comment as an individual or on behalf of a third party and then submit.

If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. FMCSA will consider all comments and material received during the comment period.

B. Confidential Business Information (CBI)

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to the notice contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to the notice, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission that constitutes CBI as ''PROPIN'' to indicate it contains proprietary information. FMCSA will treat such marked submissions as confidential under the Freedom of Information Act, and they will not be placed in the public docket of the notice. Submissions containing CBI should be sent to Brian Dahlin, Chief, Regulatory Evaluation Division, Office of Policy, FMCSA, 1200 New Jersey Avenue SE, Washington, DC 20590–0001 or via email at *brian.g.dahlin@dot.gov.* At this time, you need not send a duplicate hardcopy of your electronic CBI submissions to FMCSA headquarters. Any comments FMCSA receives not specifically designated as CBI will be placed in the public docket for this notice.

C. Viewing Comments

To view comments, go to *www.regulations.gov,* insert the docket number (FMCSA–2026–0054) in the keyword box and click ''Search.'' Next, choose the only notice listed, and click ''Browse Comments.'' If you do not have access to the internet, you may view the docket online by visiting Dockets Operations in room W58–213 of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC 20590–0001, between 9 a.m. and 5 p.m. ET Monday through Friday, except Federal holidays.

D. Privacy Act

In accordance with 49 U.S.C. 31315(b)(6), DOT solicits comments from the public on the exemption request. DOT posts these comments, including any personal information the commenter provides, to *www.regulations.gov,* as described in the system of records notice DOT/ALL–14 FDMS (Federal Docket Management System), which can be reviewed under the ''Department Wide System of Records Notices'' link at *https://www.transportation.gov/individuals/privacy/privacy-act-system-records-notices.* The comments are posted without edit and are searchable by the name of the submitter.

II. Legal Basis

FMCSA has authority under 49 U.S.C. 31136(e) and 31315(b) to grant exemptions from the FMCSRs. FMCSA must publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). The Agency must provide the public an opportunity to inspect the information relevant to the application, including the applicant's safety analysis. The Agency must provide an opportunity for public comment on the request.

The Agency reviews the application, safety analyses, and public comments submitted and determines whether granting the exemption would likely achieve a level of safety equivalent to, or greater than, the level of safety that would be achieved absent such exemption, pursuant to the standard set forth in 49 U.S.C. 31315(b)(1). The Agency must publish its decision in the **Federal Register** (49 CFR 381.315(b)). If granted, the notice will identify the regulatory provision from which the applicant will be exempt, the effective period, and all terms and conditions of the exemption (49 CFR 381.315(c)(1)). If the exemption is denied, the notice will explain the reason for the denial (49 CFR 381.315(c)(2)). The exemption may be renewed (49 CFR 381.300(b)). FMCSA grants medical exemptions from the FMCSRs for a 2-year period to align with the maximum duration of a driver's medical certification.

III. Background

The physical qualification standard for drivers regarding hearing, found in 49 CFR 391.41(b)(11), states that a person is physically qualified to drive a CMV if that person first perceives a forced whispered voice in the better ear at not less than 5 feet with or without the use of a hearing aid or, if tested by use of an audiometric device, does not have an average hearing loss in the better ear greater than 40 decibels at 500 Hz, 1,000 Hz, and 2,000 Hz with or without a hearing aid when the audiometric device is calibrated to American National Standard (formerly ASA Standard) Z24.5—1951.

This standard was adopted in 1970 and was revised in 1971 to allow drivers to be qualified under this standard while wearing a hearing aid (35 FR 6458, 6463 (Apr. 22, 1970) and 36 FR 12857 (July 8, 1971)). In 2008, FMCSA published Evidence Report, ''Executive Summary on Hearing, Vestibular Function and Commercial Motor Driving Safety.'' [1] The evidence report reached two conclusions regarding the matter of hearing loss and CMV driver safety: (1) no studies were identified that examined the relationship between hearing loss and crash risk exclusively among CMV; and (2) evidence from studies of the private driver's license holder population does not support the contention that individuals with hearing impairment are at an increased risk for a crash.

On February 1, 2013, FMCSA began granting exemptions, on a case-by-case basis, to individual drivers from the physical qualification standard regarding hearing in 49 CFR 391.41(b)(11) (78 FR 7479 (Feb. 1, 2013)). The Agency considers relevant scientific information and literature, the 2008 Evidence Report, ''Executive Summary on Hearing, Vestibular Function and Commercial Motor Driving Safety,'' any public comments

[1] *https://www.fmcsa.dot.gov/regulations/medical/hearing-vestibular-function-and-commercial-motor-vehicle-driver-safety-executive.*

received, and each individual's driving record in deciding whether to grant the exemption.

The nine individuals listed in this notice have requested an exemption from the hearing standard in 49 CFR 391.41(b)(11). Accordingly, the Agency will evaluate the qualifications of each applicant to determine whether granting the exemption will achieve the required level of safety mandated by statute.

IV. Qualifications of Applicants

Shawn Carico

Mr. Carico, 31, holds a class D license in Virginia.

Jacob Coons

Mr. Coons, 27, holds a class O license in Michigan.

Samantha Gatpo

Ms. Gatpo, 29, holds a class C license in California.

Aaron Heineman

Mr. Heineman, 47, holds a class D license in Utah.

Andrea Hollingsworth

Ms. Hollingsworth, 41, holds a class C license in Georgia.

Joel Reed

Mr. Reed, 47, holds a class DM license in New York.

Samuel Sherman

Mr. Sherman, 47, holds a class D enhanced license in Minnesota.

Jairo Tinoco Torres

Mr. Tinoco Torres, 41, holds a class C license in Georgia.

Tarik Wallace

Mr. Wallace, 30, holds a class C license in Maryland.

V. Request for Comments

In accordance with 49 U.S.C. 31136(e) and 31315(b), FMCSA requests public comment from all interested persons on the exemption applications described in this notice. FMCSA will consider all comments received before the close of business on the closing date indicated under the **DATES** section of the notice.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2026–19808 Filed 9–25–26; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2026–1486]

Request Notice: Use of Foreign-Built Small Passenger Vessel in United States Coastwise Trade, M/V KUDU

AGENCY: Maritime Administration (MARAD), U.S. Department of Transportation (DOT).

ACTION: Notice and request for comments.

SUMMARY: The Secretary of Transportation, as represented by MARAD, is authorized to make determinations regarding the coastwise use of foreign built; certain U.S. built; and U.S. and foreign rebuilt vessels that solely carry no more than twelve passengers for hire. MARAD has received such a determination request and is publishing this notice to solicit comments to assist with determining whether the proposed use of the vessel set forth in the request would have an adverse effect on U.S. vessel builders or U.S. coastwise trade businesses that use U.S.-built vessels in those businesses. Information about the requestor's vessel, including a description of the proposed service, is in the **SUPPLEMENTARY INFORMATION** section below.

DATES: Submit comments on or before October 28, 2026.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD–2026–1486 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to *https://www.regulations.gov.* Search the above DOT Docket Number and follow the instructions for submitting comments.
- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include the DOT Docket Number, your name and a mailing address, an email address or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific DOT Docket Number. All comments received will be posted without change to the docket at *www.regulations.gov,* including any personal information provided. For detailed instructions on submitting comments, or to submit comments that are confidential in nature, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT: Ye Tian, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Mail Stop 2, MAR–620, Washington, DC 20590. Telephone: (202) 366–5400. Email: *smallvessels@dot.gov.*

SUPPLEMENTARY INFORMATION: Pursuant to 46 U.S.C. 12121(b), the U.S. Coast Guard may issue a certificate of documentation with a coastwise trade endorsement for eligible, small passenger vessels authorized to carry no more than 12 passengers for hire if MARAD, after notice and an opportunity for public comment, determines the use of the small passenger vessel in the coastwise trade will not adversely affect United States vessel builders or the coastwise trade business of any person that employs vessels built in the United States in that business.[1]

MARAD has received an eligibility determination request. Further details about the requester's vessel and its proposed operations may be found in the determination request posted in the DOT Docket Number listed in the **ADDRESSES** section above at *https://www.regulations.gov.* Interested parties may comment on the undue adverse effect this action may have on U.S. vessel builders or coastwise trade businesses in the U.S. that employ U.S.-built vessels in those businesses. Comments should refer to the vessel name, state the commenter's interest in the request, and demonstrate, with supporting documentation, the undue adverse effect on U.S. vessel builders and coastwise trade businesses.

Public Participation

How do I submit comments?

Please submit comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. It may take a few hours or even days for comments to be reflected on the docket. Comments must be written in English. Provide concise comments and attach additional documents as necessary. There is no limit on the length of the attachments.

[1] The U.S. Coast Guard and MARAD have authority under 46 U.S.C. 12121(b) through the Secretary of the Department of Homeland Security and the Secretary of the Department of Transportation, respectively.

Where do I go to read public comments, and find supporting information?

The docket online is located at *https://www.regulations.gov,* keyword search the DOT Docket Number list in the **ADDRESSES** section above or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). Please periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

You may request that MARAD treat your comments as commercially confidential by submitting them to *SmallVessels@dot.gov.* Include in the email subject heading ''Contains Confidential Commercial Information'' or ''Contains CCI'' and state in your submission, with specificity, the basis for any such confidential treatment highlighting the CCI portions. If possible, please provide a summary of your submission that can be made available to the public.

If MARAD receives a Freedom of Information Act (FOIA) request for the information, procedures described in the Department's FOIA regulation at 49 CFR 7.29 will be followed. Only information that is ultimately determined to be confidential under those procedures will be exempt from disclosure under FOIA.

Privacy Act

Anyone can search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). For information on DOT's compliance with the Privacy Act, please visit *https://www.transportation.gov/privacy.*

(Authority: 46 U.S.C. 12121, 49 CFR 1.93(a))

By Order of the Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2026–19800 Filed 9–25–26; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2026–1457]

Request Notice: Use of Foreign-Built Small Passenger Vessel in United States Coastwise Trade, M/V LADY J

AGENCY: Maritime Administration (MARAD), U.S. Department of Transportation (DOT).

ACTION: Notice and request for comments.

SUMMARY: The Secretary of Transportation, as represented by MARAD, is authorized to make determinations regarding the coastwise use of foreign built; certain U.S. built; and U.S. and foreign rebuilt vessels that solely carry no more than twelve passengers for hire. MARAD has received such a determination request and is publishing this notice to solicit comments to assist with determining whether the proposed use of the vessel set forth in the request would have an adverse effect on U.S. vessel builders or U.S. coastwise trade businesses that use U.S.-built vessels in those businesses. Information about the requestor's vessel, including a description of the proposed service, is in the **SUPPLEMENTARY INFORMATION** section below.

DATES: Submit comments on or before October 28, 2026.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD–2026–1457 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to *https://www.regulations.gov.* Search the above DOT Docket Number and follow the instructions for submitting comments.
- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include the DOT Docket Number, your name and a mailing address, an email address or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific DOT Docket Number. All comments received will be posted without change to the docket at *www.regulations.gov,* including any personal information provided. For detailed instructions on submitting comments, or to submit comments that are confidential in nature, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT: Ye Tian, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Mail Stop 2, MAR–620, Washington, DC 20590. Telephone: (202) 366–5400. Email: *smallvessels@dot.gov*

SUPPLEMENTARY INFORMATION: Pursuant to 46 U.S.C. 12121(b), the U.S. Coast Guard may issue a certificate of documentation with a coastwise trade endorsement for eligible, small passenger vessels authorized to carry no more than 12 passengers for hire if MARAD, after notice and an opportunity for public comment, determines the use of the small passenger vessel in the coastwise trade will not adversely affect United States vessel builders or the coastwise trade business of any person that employs vessels built in the United States in that business.[1]

MARAD has received an eligibility determination request. Further details about the requester's vessel and its proposed operations may be found in the determination request posted in the DOT Docket Number listed in the **ADDRESSES** section above at *https://www.regulations.gov.* Interested parties may comment on the undue adverse effect this action may have on U.S. vessel builders or coastwise trade businesses in the U.S. that employ U.S.-built vessels in those businesses. Comments should refer to the vessel name, state the commenter's interest in the request, and demonstrate, with supporting documentation, the undue adverse effect on U.S. vessel builders and coastwise trade businesses.

Public Participation

How do I submit comments?

Please submit comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. It may take a few hours or even days for comments to be reflected on the docket. Comments must be written in English. Provide concise comments and attach additional documents as necessary. There is no limit on the length of the attachments.

[1] The U.S. Coast Guard and MARAD have authority under 46 U.S.C. 12121(b) through the Secretary of the Department of Homeland Security and the Secretary of the Department of Transportation, respectively.

Where do I go to read public comments, and find supporting information?

The docket online is located at *https://www.regulations.gov,* keyword search the DOT Docket Number list in the **ADDRESSES** section above or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). Please periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

You may request that MARAD treat your comments as commercially confidential by submitting them to *SmallVessels@dot.gov.* Include in the email subject heading ''Contains Confidential Commercial Information'' or ''Contains CCI'' and state in your submission, with specificity, the basis for any such confidential treatment highlighting the CCI portions. If possible, please provide a summary of your submission that can be made available to the public.

If MARAD receives a Freedom of Information Act (FOIA) request for the information, procedures described in the Department's FOIA regulation at 49 CFR 7.29 will be followed. Only information that is ultimately determined to be confidential under those procedures will be exempt from disclosure under FOIA.

Privacy Act

Anyone can search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). For information on DOT's compliance with the Privacy Act, please visit *https://www.transportation.gov/privacy.*

(Authority: 46 U.S.C. 12121, 49 CFR 1.93(a))

By Order of the Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2026–19797 Filed 9–25–26; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2026–1455]

Request Notice: Use of Foreign-Built Small Passenger Vessel in United States Coastwise Trade, S/V MY OFFICE

AGENCY: Maritime Administration (MARAD), U.S. Department of Transportation (DOT).

ACTION: Notice and request for comments.

SUMMARY: The Secretary of Transportation, as represented by MARAD, is authorized to make determinations regarding the coastwise use of foreign built; certain U.S. built; and U.S. and foreign rebuilt vessels that solely carry no more than twelve passengers for hire. MARAD has received such a determination request and is publishing this notice to solicit comments to assist with determining whether the proposed use of the vessel set forth in the request would have an adverse effect on U.S. vessel builders or U.S. coastwise trade businesses that use U.S.-built vessels in those businesses. Information about the requestor's vessel, including a description of the proposed service, is in the **SUPPLEMENTARY INFORMATION** section below.

DATES: Submit comments on or before October 28, 2026.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD–2026–1455 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to *https://www.regulations.gov.* Search the above DOT Docket Number and follow the instructions for submitting comments.
- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include the DOT Docket Number, your name and a mailing address, an email address or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission

Instructions: All submissions received must include the agency name and specific DOT Docket Number. All comments received will be posted without change to the docket at *www.regulations.gov,* including any personal information provided. For detailed instructions on submitting comments, or to submit comments that are confidential in nature, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT: Ye Tian, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Mail Stop 2, MAR–620, Washington, DC 20590. Telephone: (202) 366–5400. Email: *smallvessels@dot.gov*

SUPPLEMENTARY INFORMATION: Pursuant to 46 U.S.C. 12121(b), the U.S. Coast Guard may issue a certificate of documentation with a coastwise trade endorsement for eligible, small passenger vessels authorized to carry no more than 12 passengers for hire if MARAD, after notice and an opportunity for public comment, determines the use of the small passenger vessel in the coastwise trade will not adversely affect United States vessel builders or the coastwise trade business of any person that employs vessels built in the United States in that business.[1]

MARAD has received an eligibility determination request. Further details about the requester's vessel and its proposed operations may be found in the determination request posted in the DOT Docket Number listed in the **ADDRESSES** section above at *https://www.regulations.gov.* Interested parties may comment on the undue adverse effect this action may have on U.S. vessel builders or coastwise trade businesses in the U.S. that employ U.S.-built vessels in those businesses. Comments should refer to the vessel name, state the commenter's interest in the request, and demonstrate, with supporting documentation, the undue adverse effect on U.S. vessel builders and coastwise trade businesses.

Public Participation

How do I submit comments?

Please submit comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. It may take a few hours or even days for comments to be reflected on the docket. Comments must be written in English. Provide concise comments and attach additional

[1] The U.S. Coast Guard and MARAD have authority under 46 U.S.C. 12121(b) through the Secretary of the Department of Homeland Security and the Secretary of the Department of Transportation, respectively.

documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

The docket online is located at *https://www.regulations.gov,* keyword search the DOT Docket Number list in the **ADDRESSES** section above or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). Please periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

You may request that MARAD treat your comments as commercially confidential by submitting them to *SmallVessels@dot.gov.* Include in the email subject heading ''Contains Confidential Commercial Information'' or ''Contains CCI'' and state in your submission, with specificity, the basis for any such confidential treatment highlighting the CCI portions. If possible, please provide a summary of your submission that can be made available to the public.

If MARAD receives a Freedom of Information Act (FOIA) request for the information, procedures described in the Department's FOIA regulation at 49 CFR 7.29 will be followed. Only information that is ultimately determined to be confidential under those procedures will be exempt from disclosure under FOIA.

Privacy Act

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(Authority: 46 U.S.C. 12121, 49 CFR 1.93(a))

By Order of the Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2026–19799 Filed 9–25–26; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2026–1585]

Request Notice: Use of Foreign-Built Small Passenger Vessel in United States Coastwise Trade, M/V NAIAD

AGENCY: Maritime Administration (MARAD), U.S. Department of Transportation (DOT).

ACTION: Notice and request for comments.

SUMMARY: The Secretary of Transportation, as represented by MARAD, is authorized to make determinations regarding the coastwise use of foreign built; certain U.S. built; and U.S. and foreign rebuilt vessels that solely carry no more than twelve passengers for hire. MARAD has received such a determination request and is publishing this notice to solicit comments to assist with determining whether the proposed use of the vessel set forth in the request would have an adverse effect on U.S. vessel builders or U.S. coastwise trade businesses that use U.S.-built vessels in those businesses. Information about the requestor's vessel, including a description of the proposed service, is in the **SUPPLEMENTARY INFORMATION** section below.

DATES: Submit comments on or before October 28, 2026.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD–2026–1585 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to *https://www.regulations.gov.* Search the above DOT Docket Number and follow the instructions for submitting comments.
- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include the DOT Docket Number, your name and a mailing address, an email address or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific DOT Docket Number. All comments received will be posted without change to the docket at *www.regulations.gov,* including any personal information provided. For detailed instructions on submitting comments, or to submit comments that are confidential in nature, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT: Ye Tian, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Mail Stop 2, MAR–620, Washington, DC 20590. Telephone: (202) 366–5400. Email: *smallvessels@dot.gov*.

SUPPLEMENTARY INFORMATION: Pursuant to 46 U.S.C. 12121(b), the U.S. Coast Guard may issue a certificate of documentation with a coastwise trade endorsement for eligible, small passenger vessels authorized to carry no more than 12 passengers for hire if MARAD, after notice and an opportunity for public comment, determines the use of the small passenger vessel in the coastwise trade will not adversely affect United States vessel builders or the coastwise trade business of any person that employs vessels built in the United States in that business.[1]

MARAD has received an eligibility determination request. Further details about the requester's vessel and its proposed operations may be found in the determination request posted in the DOT Docket Number listed in the **ADDRESSES** section above at *https://www.regulations.gov.* Interested parties may comment on the undue adverse effect this action may have on U.S. vessel builders or coastwise trade businesses in the U.S. that employ U.S.-built vessels in those businesses. Comments should refer to the vessel name, state the commenter's interest in the request, and demonstrate, with supporting documentation, the undue adverse effect on U.S. vessel builders and coastwise trade businesses.

Public Participation

How do I submit comments?

Please submit comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. It may take a few hours or even days for comments to be reflected on the docket. Comments must be written in English. Provide concise comments and attach additional documents as necessary. There is no limit on the length of the attachments.

[1] The U.S. Coast Guard and MARAD have authority under 46 U.S.C. 12121(b) through the Secretary of the Department of Homeland Security and the Secretary of the Department of Transportation, respectively.

Where do I go to read public comments, and find supporting information?

The docket online is located at *https://www.regulations.gov,* keyword search the DOT Docket Number list in the **ADDRESSES** section above or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). Please periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

You may request that MARAD treat your comments as commercially confidential by submitting them to *SmallVessels@dot.gov.* Include in the email subject heading ''Contains Confidential Commercial Information'' or ''Contains CCI'' and state in your submission, with specificity, the basis for any such confidential treatment highlighting the CCI portions. If possible, please provide a summary of your submission that can be made available to the public.

If MARAD receives a Freedom of Information Act (FOIA) request for the information, procedures described in the Department's FOIA regulation at 49 CFR 7.29 will be followed. Only information that is ultimately determined to be confidential under those procedures will be exempt from disclosure under FOIA.

Privacy Act

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(Authority: 46 U.S.C. 12121, 49 CFR 1.93(a).)

By Order of the Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2026–19794 Filed 9–25–26; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2026–1586]

Request Notice: Use of Foreign-Built Small Passenger Vessel in United States Coastwise Trade, S/V SUZIE MANUELA

AGENCY: Maritime Administration (MARAD), U.S. Department of Transportation (DOT).

ACTION: Notice and request for comments.

SUMMARY: The Secretary of Transportation, as represented by MARAD, is authorized to make determinations regarding the coastwise use of foreign built; certain U.S. built; and U.S. and foreign rebuilt vessels that solely carry no more than twelve passengers for hire. MARAD has received such a determination request and is publishing this notice to solicit comments to assist with determining whether the proposed use of the vessel set forth in the request would have an adverse effect on U.S. vessel builders or U.S. coastwise trade businesses that use U.S.-built vessels in those businesses. Information about the requestor's vessel, including a description of the proposed service, is in the **SUPPLEMENTARY INFORMATION** section below.

DATES: Submit comments on or before October 28, 2026.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD–2026–1586 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to *https://www.regulations.gov.* Search the above DOT Docket Number and follow the instructions for submitting comments.
- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include the DOT Docket Number, your name and a mailing address, an email address or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific DOT Docket Number. All comments received will be posted without change to the docket at *www.regulations.gov,* including any personal information provided. For detailed instructions on submitting comments, or to submit comments that are confidential in nature, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT: Ye Tian, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Mail Stop 2, MAR–620, Washington, DC 20590. Telephone: (202) 366–5400. Email: *smallvessels@dot.gov.*

SUPPLEMENTARY INFORMATION: Pursuant to 46 U.S.C. 12121(b), the U.S. Coast Guard may issue a certificate of documentation with a coastwise trade endorsement for eligible, small passenger vessels authorized to carry no more than 12 passengers for hire if MARAD, after notice and an opportunity for public comment, determines the use of the small passenger vessel in the coastwise trade will not adversely affect United States vessel builders or the coastwise trade business of any person that employs vessels built in the United States in that business.[1]

MARAD has received an eligibility determination request. Further details about the requester's vessel and its proposed operations may be found in the determination request posted in the DOT Docket Number listed in the **ADDRESSES** section above at *https://www.regulations.gov.* Interested parties may comment on the undue adverse effect this action may have on U.S. vessel builders or coastwise trade businesses in the U.S. that employ U.S.-built vessels in those businesses. Comments should refer to the vessel name, state the commenter's interest in the request, and demonstrate, with supporting documentation, the undue adverse effect on U.S. vessel builders and coastwise trade businesses.

Public Participation

How do I submit comments?

Please submit comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. It may take a few hours or even days for comments to be reflected on the docket. Comments must be written in English. Provide concise comments and attach additional

[1] The U.S. Coast Guard and MARAD have authority under 46 U.S.C. 12121(b) through the Secretary of the Department of Homeland Security and the Secretary of the Department of Transportation, respectively.

documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

The docket online is located at *https://www.regulations.gov,* keyword search the DOT Docket Number list in the **ADDRESSES** section above or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). Please periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

You may request that MARAD treat your comments as commercially confidential by submitting them to *SmallVessels@dot.gov.* Include in the email subject heading ''Contains Confidential Commercial Information'' or ''Contains CCI'' and state in your submission, with specificity, the basis for any such confidential treatment highlighting the CCI portions. If possible, please provide a summary of your submission that can be made available to the public.

If MARAD receives a Freedom of Information Act (FOIA) request for the information, procedures described in the Department's FOIA regulation at 49 CFR 7.29 will be followed. Only information that is ultimately determined to be confidential under those procedures will be exempt from disclosure under FOIA.

Privacy Act

Anyone can search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). For information on DOT's compliance with the Privacy Act, please visit *https://www.transportation.gov/privacy.*

(Authority: 46 U.S.C. 12121, 49 CFR 1.93(a))

By Order of the Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2026–19793 Filed 9–25–26; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2026–1456]

Request Notice: Use of Foreign-Built Small Passenger Vessel in United States Coastwise Trade, M/V BOWDITCH

AGENCY: Maritime Administration (MARAD), U.S. Department of Transportation (DOT).

ACTION: Notice and request for comments.

SUMMARY: The Secretary of Transportation, as represented by MARAD, is authorized to make determinations regarding the coastwise use of foreign built; certain U.S. built; and U.S. and foreign rebuilt vessels that solely carry no more than twelve passengers for hire. MARAD has received such a determination request and is publishing this notice to solicit comments to assist with determining whether the proposed use of the vessel set forth in the request would have an adverse effect on U.S. vessel builders or U.S. coastwise trade businesses that use U.S.-built vessels in those businesses. Information about the requestor's vessel, including a description of the proposed service, is in the **SUPPLEMENTARY INFORMATION** section below.

DATES: Submit comments on or before October 28, 2026.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD–2026–1456 by any one of the following methods:

• *Federal eRulemaking Portal:* Go to *https://www.regulations.gov.* Search the above DOT Docket Number and follow the instructions for submitting comments.

• *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include the DOT Docket Number, your name and a mailing address, an email address or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific DOT Docket Number. All comments received will be posted without change to the docket at *www.regulations.gov,* including any personal information provided. For detailed instructions on submitting comments, or to submit comments that are confidential in nature, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT: Patricia Hagerty, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Mail Stop 2, MAR–620, Washington, DC 20590. Telephone: (202) 366–5400. Email: *smallvessels@dot.gov.*

SUPPLEMENTARY INFORMATION: Pursuant to 46 U.S.C. 12121(b), the U.S. Coast Guard may issue a certificate of documentation with a coastwise trade endorsement for eligible, small passenger vessels authorized to carry no more than 12 passengers for hire if MARAD, after notice and an opportunity for public comment, determines the use of the small passenger vessel in the coastwise trade will not adversely affect United States vessel builders or the coastwise trade business of any person that employs vessels built in the United States in that business.[1]

MARAD has received an eligibility determination request. Further details about the requester's vessel and its proposed operations may be found in the determination request posted in the DOT Docket Number listed in the **ADDRESSES** section above at *https://www.regulations.gov.* Interested parties may comment on the undue adverse effect this action may have on U.S. vessel builders or coastwise trade businesses in the U.S. that employ U.S.-built vessels in those businesses. Comments should refer to the vessel name, state the commenter's interest in the request, and demonstrate, with supporting documentation, the undue adverse effect on U.S. vessel builders and coastwise trade businesses.

Public Participation

How do I submit comments?

Please submit comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. It may take a few hours or even days for comments to be reflected on the docket. Comments must be written in English. Provide concise comments and attach additional

[1] The U.S. Coast Guard and MARAD have authority under 46 U.S.C. 12121(b) through the Secretary of the Department of Homeland Security and the Secretary of the Department of Transportation, respectively.

documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

The docket online is located at *https://www.regulations.gov,* keyword search the DOT Docket Number list in the **ADDRESSES** section above or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). Please periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

You may request that MARAD treat your comments as commercially confidential by submitting them to *SmallVessels@dot.gov.* Include in the email subject heading ''Contains Confidential Commercial Information'' or ''Contains CCI'' and state in your submission, with specificity, the basis for any such confidential treatment highlighting the CCI portions. If possible, please provide a summary of your submission that can be made available to the public.

If MARAD receives a Freedom of Information Act (FOIA) request for the information, procedures described in the Department's FOIA regulation at 49 CFR 7.29 will be followed. Only information that is ultimately determined to be confidential under those procedures will be exempt from disclosure under FOIA.

Privacy Act

Anyone can search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). For information on DOT's compliance with the Privacy Act, please visit *https://www.transportation.gov/privacy.*

(Authority: 46 U.S.C. 12121, 49 CFR 1.93(a))

By Order of the Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2026–19798 Filed 9–25–26; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2026–2014]

Recalls Next: Technological Innovations and Safety Recalls

AGENCY: National Highway Traffic Safety Administration, U.S. Department of Transportation (DOT).

ACTION: Notice of public meeting.

SUMMARY: This notice announces a National Highway Traffic Safety Administration's (NHTSA) public meeting, Recalls Next: Technological Innovations and Safety Recalls. The event will provide the public and industry with an opportunity to review vehicle safety recall completion trends and past recall performance, while engaging attendees in identifying opportunities to improve recall campaign performance. This in-person meeting will feature NHTSA leadership keynote addresses and industry executive panel discussions. Speakers will examine how vehicle manufacturers can reach affected owners, effectively communicate safety risks, and motivate owners to complete recall repairs. NHTSA intends to utilize stakeholder input to better inform the agency's upcoming activities. The event will not be live streamed or recorded.

DATES: This meeting will be held on November 5, 2026. Attendees must register no later than October 29, 2026. The public docket will remain open for comments for 30 days following the public meeting, until December 5, 2026.

ADDRESSES: The 2026 Recalls Next: Technological Innovations and Safety Recalls public meeting will be held in-person at the DOT Headquarters: 1200 New Jersey Avenue SE, West Building Atrium, Washington, DC 20590.

Registration: Attendees must register at *https://www.nhtsa.gov/events/recalls-next-technological-innovations-safety-recalls.* Please follow the registration instructions presented on the registration site.

Comments: You may submit comments about the public meeting by any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://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 or Courier:* 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12–140, Washington, DC 20590–0001, between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal Holidays. To be sure someone is there to help you, please call 202–366–9826 before coming.
- *Fax:* 202–366–1767.

Instructions: All submissions must include the agency name and docket number. Note that all comments received will be posted without change to *http://www.regulations.gov,* including any personal information provided. Please see the Privacy Act discussion below.

Docket: For access to the docket go to *http://www.regulations.gov* at any time or to 1200 New Jersey Avenue SE, West Building, Ground Floor, Room W12–140, Washington, DC 20590 between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays. Telephone: 202–366–9826.

Privacy Act: Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477–78), or you may visit *http://www.regulations.gov/privacy.html.*

Confidential Business Information: If you wish to submit any information under a claim of confidentiality, you should submit a redacted ''public version'' of your comment (including redacted versions of any additional documents or attachments) to the docket using any of the methods identified under Comments. This ''public version'' of your comment should contain only the portions for which no claim of confidential treatment is made and from which those portions for which confidential treatment is claimed has been redacted. See below for further instructions on how to do this.

You are also required to submit a request for confidential treatment directly to the Office of Chief Counsel. Requests for confidential treatment are governed by 49 CFR part 512. Your request must set forth the information specified in Part 512. This includes the materials for which confidentiality is being requested (as explained in more detail below); supporting information, pursuant to § 512.8; and a certificate, pursuant to § 512.4(b) and part 512, Appendix A.

You are required to submit to the Office of the Chief Counsel one unredacted ''confidential version'' of the information for which you are seeking confidential treatment. Pursuant to § 512.6, the words ''ENTIRE PAGE CONFIDENTIAL BUSINESS INFORMATION'' or ''CONFIDENTIAL BUSINESS INFORMATION CONTAINED WITHIN BRACKETS'' (as applicable) must appear at the top of each page containing information claimed to be confidential. In the latter situation, where not all information on the page is claimed to be confidential, identify each item of information for which confidentiality is requested within brackets: ''[ ].''

You are also required to submit to the Office of the Chief Counsel one redacted ''public version'' of the information for which you are seeking confidential treatment. Pursuant to § 512.5(a)(2), the redacted ''public version'' should include redactions of any information for which you are seeking confidential treatment (*i.e.,* the only information that should be unredacted is information for which you are not seeking confidential treatment).

NHTSA is currently treating electronic submission as an acceptable method for submitting confidential business information to the Agency under Part 512. Please do not send a hardcopy of a request for confidential treatment to NHTSA's headquarters. The request should be sent to Dan Rabinovitz in the Office of the Chief Counsel at *Daniel.Rabinovitz@dot.gov* or you may contact him for a secure file transfer link.

Manufacturers or any companies that already have a Confidential Business Information (CBI) Portal account or an Enterprise Account with NHTSA should use the CBI Portal for their submission.

FOR FURTHER INFORMATION CONTACT: If you have questions about the public meeting, please contact Jeremy Gunderson at *jeremy.gunderson@dot.gov* or 202–820–2565.

SUPPLEMENTARY INFORMATION: In 2025, NHTSA administered nearly 900 vehicle safety recalls impacting more than 29.2M vehicles in the U.S. These figures have remained generally stable over the past 5 years. As new vehicle technologies have rapidly come to market, however, the complexity of safety recalls has increased. NHTSA and industry are addressing challenges associated with reaching owners of used vehicles no longer owned by the original purchaser, incomplete or outdated owner contact information, and disparities in recall completion among different vehicle populations. At the same time, manufacturers are increasingly using digital communications, connected-vehicle technologies, mobile repair, over-the-air (OTA) software updates, and other approaches that can reduce the time and burden associated with obtaining recall remedies. Further, automated vehicles are increasingly coming online, spurring new conversations in the safety recall process. These developments also present opportunities to improve how safety risks are communicated to consumers, to identify and prioritize vehicles with unrepaired recalls, and to understand better which outreach and remedy strategies are most effective.

NHTSA intends to explore approaches to increase recall completion rates, improve communication and understanding of safety risks associated with unrepaired recalls, reduce burdens on affected vehicle owners, and use available data to identify effective recall practices. NHTSA leadership and industry stakeholders will discuss recent developments, lessons learned, emerging practices, and planned activities in the vehicle safety recall space.

The public meeting will also feature facilitated workshop tables designed to obtain stakeholder input on a range of vehicle safety recall topics. NHTSA encourages attendees to come prepared to share their experiences, identify challenges, and discuss potential improvements to recall operations, consumer outreach, remedy delivery, and Federal oversight.

Updates and additional details on the working group topics will be posted at *https://www.nhtsa.gov/events/recalls-next-technological-innovations-safety-recalls* in advance of the event, and NHTSA will notify registrants by email when new information becomes available.

NHTSA seeks public comments on the information presented, as well as input on the agency's recall safety priorities, and additional gaps or needs the public may believe NHTSA should address. Additionally, NHTSA seeks input on topics for future stakeholder meetings.

Registration is required for anyone planning to attend the public meeting. Instructions for registration as well as accessing the docket are found under the **ADDRESSES** heading.

Updates on this event will be available at *https://www.nhtsa.gov/events/recalls-next-technological-innovations-safety-recalls* and NHTSA recommends checking back periodically for updates or potential schedule changes.

NHTSA is committed to providing equal access to this event for all participants and accommodation requests may be sent to *NHTSA.Communication@dot.gov* by October 29, 2026.

Should it be necessary to cancel or reschedule the meeting due to an unforeseen circumstance, NHTSA will take all available measures to notify registered participants as soon as possible. The event will not be live streamed or recorded.

Issued in Washington, DC, under authority delegated in 49 CFR 1.95.

Jonathan Morrison,

Administrator.

[FR Doc. 2026–19712 Filed 9–25–26; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2026–2146]

Denial of Motor Vehicle Defect Petition, DP26–005

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

ACTION: Denial of a petition to open a defect investigation.

SUMMARY: This notice sets forth the reasons for the denial of a petition, DP26–005, submitted by Mr. Nathaniel W. Bowe III (Petitioner) to the Administrator of NHTSA (Agency) by a letter dated May 30, 2026, under 49 U.S.C. 30162 and 49 CFR part 552. The Petition requests that the Agency initiate a safety defect investigation into allegations of inadvertent airbag deployments in certain Model Year (MY) 2011 to 2017 Honda Odyssey vehicles (the Subject Vehicles). The Petition alleges that these inadvertent deployments may injure vehicle occupants or distract the driver and cause a collision. The Petition further alleges that the Diagnostic Trouble Codes (DTCs) and Supplemental Restraint System (SRS) status are in conflict and inaccurate data is being recorded for the airbag system. NHTSA's Office of Defects Investigation (ODI) has determined that the issues raised in the Petition are not likely to result in a finding that a defect related to motor vehicle safety exists. This determination is based on ODI's technical review of available information, which included: (1) consumer complaints submitted by the Petition; (2) consumer complaint information in the Agency's databases; and (3) other relevant information in possession of the Agency. As a result, further investigation of the issue raised by the Petition is not warranted, and the

Agency, accordingly, has denied the Petition.

FOR FURTHER INFORMATION CONTACT: Mr. Sean A. Hays, Vehicle Defect Division A, Office of Defects Investigation, NHTSA, 1200 New Jersey Avenue SE, Washington, DC 20590. Telephone: 202–366–9318. Email: *sean.a.hays@dot.gov.*

SUPPLEMENTARY INFORMATION:

1. Introduction

Any interested person may petition NHTSA to request that the Agency initiate an investigation to determine whether a motor vehicle or item of replacement equipment complies with an applicable motor vehicle safety standard or contains a defect that relates to motor vehicle safety. 49 U.S.C. 30162(a)(2); 49 CFR 552.3. Upon receipt of a properly filed petition, the Agency conducts a technical review of the petition, material submitted with the petition, and any additional information. 49 CFR 552.6. The technical review may consist solely of a review of information already in the possession of the Agency or it may include the collection of information from the motor vehicle manufacturer or other sources. *Id.* The Agency will grant or deny the petition after conducting a technical review and considering appropriate factors. These factors may include the nature of the complaint, allocation of agency resources, agency priorities, the likelihood of uncovering sufficient evidence to establish the existence of a defect, and the likelihood of success in any necessary enforcement litigation. *See* 49 U.S.C. 30162(a)(2); 49 CFR 552.8.

2. Defect Petition Summary

In a letter dated May 30, 2026, the Petition requested that NHTSA ''initiate a formal Defect Petition (DP) proceeding to investigate the un-commanded and anomalous deployment behavior of the Supplemental Restraint System in the target vehicle population.'' The Petition supported this request by citing multiple online complaints in various user forums as well as 10 consumer complaints found on NHTSA's website.

The Petition states that a systemic electronic, software, or mechanical defect causes critical safety systems to trigger without an appropriate environmental stimulus, such as physical impact, a rollover event, or G-force threshold breach. The Petition states that this behavior constitutes an extreme safety hazard, as unexpected deployment can cause severe blunt force trauma to occupants, permanently damage hearing, obstruct driver visibility, and cause immediate loss of vehicle control. NHTSA has based its decision on a review of the material cited by the Petition, pertinent information in NHTSA's databases, and other relevant information in possession of the Agency.

3. Office of Defects Investigation Analysis

An air bag is a supplemental vehicle occupant restraint system that deploys a cushion designed to inflate in milliseconds during a collision. The cushion prevents vehicle occupants from striking hard interior surfaces and, in some cases, exterior surfaces. Air bags are designed to work in conjunction with seat belts, the primary occupant restraint system. Seat belts restrain occupants keeping them in place for the air bag to provide proper protection and to mitigate injury from air bag deployment.

An airbag system consists of an airbag cushion, an inflator module, an airbag Electronic Control Unit (ECU), and impact sensors. When a crash begins, impact sensors located on the vehicle exterior begin to measure impact severity. If a crash is severe enough, the sensors send a signal to the system's ECU, which then signals the inflator to fill the air bag.

Frontal air bags for both the driver and front passenger have been required under Federal Motor Vehicle Safety Standard (FMVSS) No. 208 (Occupant Crash Protection) since MY 1999 in all light passenger vehicles. Side air bags (both curtain and thorax) are not specifically required by an FMVSS but are offered as standard equipment in most new light passenger vehicles in order to comply with FMVSS No. 214 (Side Impact Protection) and No. 226 (Ejection Mitigation).

ODI reviewed 9 Vehicle Owner Questionnaires (VOQs), one Early Warning Reporting (EWR) Death & Injury (D&I) report, and several TREAD (Transportation Recall Enhancement, Accountability, and Documentation) Field Reports alleging inadvertent airbag deployment in the Subject Vehicles. Multiple VOQs and the D&I report mention inadvertent deployment: 3 VOQs alleged inadvertent deployment of frontal air bags, 6 VOQs and the D&I report alleged inadvertent deployment of side curtain air bags, and 4 VOQs and the D&I report alleged inadvertent deployment of side thoracic air bags. Several complaints allege that the inadvertent deployment of airbags occurred while traveling over potholes, road debris, or during minor curb strikes. All complaints allege that there was no warning prior to the inadvertent deployment.

In general, different types of air bags are designed for different types of impacts. For instance, frontal air bags are generally designed to deploy during frontal impacts; side curtain air bags are generally designed to deploy both during rollovers and impacts to the sides of the vehicle; and side thorax air bags are generally designed to deploy during impacts to the sides of the vehicle. While these are broad categories of crash scenarios, the specific conditions under which deployment is intended are multifaceted and dependent on complex algorithms. Differences in particular variables can make a deployment an intended part of the design in one scenario and not in another similar scenario.

Although the reports described above all contain allegations of inadvertent deployment, the conditions under which those reported deployments occurred differ widely. The reports ranged across different types of airbags, different combinations of airbags, and different driving scenarios preceding the deployment. Based on the data available to ODI, there is no clear pattern or factor to prompt the alleged inadvertent deployments. Thus, ODI's review did not identify a trend of a vehicle defect regarding any type of airbag in the Subject Vehicles. Moreover, ODI did not identify any reports of inadvertent air bag deployment that resulted in a loss of vehicle control. ODI is likewise not aware of any crashes or severe injuries involving the Subject Vehicles that resulted from inadvertent deployment of the air bags.

ODI recognizes that inadvertent air bag deployments can create dangerous safety hazards. For instance, an inadvertent deployment can surprise a driver, leading to a loss of vehicle control; or if an inadvertent deployment occurs when an occupant is out of position, the force of the deployment may injure the occupant. Inadvertent deployments have been the basis for past NHTSA recalls and investigations. Here, the Petition cites one such recall: Recall 26V–227, which concerns inadvertent deployment of the side curtain and thoracic air bags in MY 2018 to 2022 Honda Odyssey vehicles (the ''Recalled Vehicles'') due to the air bag ECU containing incorrect deployment parameters. Although this recall involved Honda Odyssey vehicles in adjacent model years to the Odyssey vehicles that are the subject of this Petition, ODI understands certain key differences to exist between the two groups of Odyssey models. Honda introduced a new generation of the

Odyssey line in 2018. This new generation involved a large-scale redesign and a new vehicle platform compared to the previous model years. As a result, the vehicles covered by the Petition differ from the recalled vehicles in many characteristics, including physical dimensions, engines, transmissions, and airbag ECU algorithms. Given these differences, ODI's review has not identified evidence that the reports of inadvertent deployment in the Odyssey models covered by the Petition correlate to Recall 26V–227.

The Agency has thoroughly assessed the material submitted by the Petition, consumer complaint information in NHTSA's databases, and other relevant information already in possession of the Agency. Based on this review, NHTSA does not believe that the issues presented by the Petition indicate the likelihood of a safety-related defect that would warrant a formal investigation. After full consideration of the available information, the Petition is denied.

(Authority: 49 U.S.C. 30162(d) and 49 CFR part 552; delegation of authority at 49 CFR 1.95(a).[1])

Eileen Sullivan,

Associate Administrator for Enforcement.

[FR Doc. 2026–19791 Filed 9–25–26; 8:45 am]

BILLING CODE 4910–59–P

[1] The authority to determine whether to approve or deny defect petitions under 49 U.S.C. 30162(d) and 49 CFR part 552 has been further delegated to the Associate Administrator for Enforcement.

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Federal Register

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LIST OF PUBLIC LAWS

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's **List of Public Laws**.

Last List September 22, 2026

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