Amend the QPAM Exemption To Remove Asset Management and Equity Thresholds

As an alternative to updating the asset management and equity thresholds, the Department revisited whether such thresholds could be removed entirely from the exemption. Doing so could have avoided any cost impact or revenue loss to small entities associated with losing eligibility to rely on the QPAM exemption due to the increased thresholds.

The Department determined that this approach would be inconsistent with one of the core concepts upon which the QPAM Exemption was based (*i.e.,* independence of the QPAM). As the Department noted in the preamble of the Proposed QPAM Amendment, the QPAM Exemption was originally granted, in part, on the premise that *large* financial institutions would be able to withstand undue influence from parties in interest.[35] Some of the thresholds that establish the requisite independence upon which the QPAM Exemption is based have not been updated since 1984, and the thresholds for registered investment advisers have not been updated since 2005.[36]

In the absence of an appropriate alternative ensuring that a QPAM would remain an independent decision-maker, free from influence of other insiders to the Plan and Plan sponsor, the Department is unable to justify the removal of the thresholds. The Department requests comments on alternatives that could minimize the potential impact of the Proposed QPAM Amendment on small entities, especially with respect to the increased asset management and equity thresholds.

Duplicate, Overlapping, or Relevant Federal Rules

The Department has attempted to avoid duplication of requirements. The required policies and procedures and exemption audit are unique to the circumstances of the particular transactions covered by the exemption and do not replicate any other requirements by state or Federal regulations.[37] The exemption permits respondents to satisfy the requirements for written guidelines between the QPAM and a property manager with documents that are already in existence due to ordinary and customary business practices, provided such documents contain the required disclosures.[38]

Signed at Washington, DC, this 13th day of September, 2022.

Ali Khawar,

Acting Assistant Secretary, Employee Benefits Security Administration, U.S. Department of Labor.

[FR Doc. 2022–20099 Filed 9–14–22; 4:15 pm]

BILLING CODE 4510–29–P

[35] *See* the Proposed QPAM Amendment, 87 FR 45213 (emphasis added).

[36] *Id.* at 45215.

[37] *See* Section V of the current QPAM Exemption. The requirements of Section V were not discussed in this IRFA because the Proposed QPAM Amendment would not change the existing requirements of Section V.

[38] *See* Section I(c) of the current QPAM Exemption and Proposed QPAM Amendment. The amendment would not modify this aspect of Section I(c).

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R03–OAR–2020–0325; FRL–10118–03–R3]

Air Plan Approval; Maryland; Clean Data Determination and Approval of Select Attainment Plan Elements for the Anne Arundel County and Baltimore County, Maryland Sulfur Dioxide Nonattainment Area; Extension of Comment Period

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; extension of public comment period.

SUMMARY: On August 19, 2022, the U.S. Environmental Protection Agency (EPA) published a proposed rule determining that the Anne Arundel County and Baltimore County, Maryland sulfur dioxide (SO_2) nonattainment area attained the 2010 primary SO_2 national ambient air quality standard (2010 SO_2 NAAQS) under EPA's Clean Data Policy using a clean data determination (CDD). EPA simultaneously proposed to approve certain elements of the attainment plan contained in Maryland's state implementation plan (SIP) revision for the Anne Arundel County and Baltimore County SO_2 nonattainment area, submitted to EPA on January 31, 2020. Additionally, EPA proposed to approve as SIP strengthening measures certain emission limit requirements on large SO_2 emission sources that were submitted as part of Maryland's attainment plan for the nonattainment area. EPA inadvertently failed to upload the supporting and related materials in the docket simultaneously with the publication of the notice of proposed rulemaking (NPRM) on August 19, 2022 (87 FR 51006). The supporting and related materials were added to the docket on August 29, 2022. To ensure that the public has adequate time and information to submit comments, EPA is extending the comment period for ten days to September 29, 2022. This action is being taken under the Clean Air Act (CAA).

DATES: The public comment period for the proposal published in the **Federal Register** on August 19, 2022 (87 FR 51006) is extended from September 19, 2022 to September 29, 2022. Written comments must be received on or before September 29, 2022.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R03–OAR–2020–0325 at *www.regulations.gov,* or via email to *gordon.mike@epa.gov.* For comments submitted at *Regulations.gov*, follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. For either manner of submission, EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be confidential business information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the For Further Information Contact section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *www.epa.gov/dockets/commenting-epa-dockets.*

FOR FURTHER INFORMATION CONTACT: Brian Rehn, Planning & Implementation Branch (3AD30), Air & Radiation Division, U.S. Environmental Protection Agency, Region III, Four Penn Center, 1600 John F. Kennedy Boulevard, Philadelphia, Pennsylvania 19103. The telephone number is (215) 814–2176. Mr. Rehn can also be reached via electronic mail at *rehn.brian@epa.gov.*

SUPPLEMENTARY INFORMATION:

On August 19, 2022, the EPA published a proposed rule taking several actions (87 FR 51006). First, the EPA proposed under its Clean Data Policy to determine that the Anne Arundel County and Baltimore County, Maryland SO_2 nonattainment area has

attained the 2010 SO_2 NAAQS through a CDD. If finalized, this proposed CDD would suspend the obligation to submit certain attainment planning requirements for the nonattainment area for as long as the area continues to attain the 2010 SO_2 NAAQS. Second, the EPA proposed to approve certain elements of the attainment plan contained in Maryland's SIP revision for the Anne Arundel County and Baltimore County SO_2 nonattainment area, submitted to EPA on January 31, 2020. The requirement to submit the elements that EPA is proposing to approve would not be suspended under this proposed CDD, as set forth in EPA's Clean Data Policy, because EPA considers them to be independent of attaining the NAAQS under the CAA. Finally, EPA is approving as SIP strengthening measures certain emission limit requirements on large SO_2 emission sources that were submitted as part of Maryland's attainment plan for the nonattainment area. This determination of attainment and approval of certain elements and emissions limitations into the SIP does not redesignate the Area to attainment or constitute a full approval of the submitted attainment plan or of a maintenance plan.

The NPRM was published on August 19, 2022, and specified that the comment period would end on September 19, 2022. However, the supporting materials were not made available in the docket until August 29, 2022 (ten days after publication).

To ensure the public and interested parties have sufficient time to review the associated docket materials and submit comment on the NPRM, the EPA is extending the comment period an additional 10 days to September 29, 2022 to account for the delay in posting the supporting and related materials.

Adam Ortiz,

Regional Administrator, Region III.

[FR Doc. 2022–20080 Filed 9–15–22; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

49 CFR Parts 385, 386, 390, and 395

[Docket No. FMCSA–2022–0078]

RIN 2126–AC50

Electronic Logging Device Revisions

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

ACTION: Advance notice of proposed rulemaking; request for comments.

SUMMARY: FMCSA solicits public comment on ways to improve the clarity of current regulations on the use of electronic logging devices (ELD) and address certain concerns about the technical specifications raised by industry stakeholders. The Agency seeks comment in five specific areas in which the Agency is considering changes: applicability to pre-2000 engines; addressing ELD malfunctions; the process for removing ELD products from FMCSA's list of certified devices; technical specifications; and ELD certification.

DATES: Comments on this notice must be received on or before November 15, 2022.

ADDRESSES: You may submit comments identified by Docket Number FMCSA–2022–0078 using any of the following methods:

- *Federal eRulemaking Portal:* Go to *https://www.regulations.gov/docket/FMCSA-2022-0078/document*. Follow the online instructions for submitting comments.
- *Mail:* Dockets Operations, 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:* Dockets Operations, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Ground Floor, Room W12–140, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366–9317 or (202) 366–9826 before visiting Dockets Operations.
- *Fax:* (202) 493–2251.

To avoid duplication, please use only one of these four methods. See the ''Public Participation and Request for Comments'' portion of the **SUPPLEMENTARY INFORMATION** section for instructions on submitting comments.

FOR FURTHER INFORMATION CONTACT: Mr. Andrew Christopher, Office of Enforcement and Compliance, (785) 230–1376; *Andrew.Christopher@dot.gov.* Office hours are from 7:30 a.m. to 3:30 p.m., CT, Monday through Friday, except Federal holidays. If you have questions on viewing or submitting material to the docket, call Dockets Operations, (202) 366–9826.

SUPPLEMENTARY INFORMATION:

This advance notice of proposed rulemaking (ANPRM) is organized as follows:

I. Public Participation and Request for Comments
A. Submitting Comments
B. Viewing Comments and Documents
C. Privacy
II. Abbreviations
III. Legal Basis for the Rulemaking
IV. E.O. 12866 (Regulatory Planning and Review), E.O. 13563 (Improving Regulation and Regulatory Review), and DOT Regulatory Policies and Procedures
V. Background
VI. Request for Comments

I. Public Participation and Request for Comments

A. Submitting Comments

If you submit a comment, please include the docket number for this ANPRM, indicate the specific section of this document to which your 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 FMCSA can contact you if there are questions regarding your submission.

To submit your comment online, go to *https://www.regulations.gov/docket/FMCSA-2022-0078/document*, click on this ANPRM, click ''Comment,'' and type your comment into the text box on the following screen.

If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would like to know that they reached the facility, please enclose a stamped, self-addressed postcard or envelope.

FMCSA will consider all comments and material received during the comment period.

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 ANPRM 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 ANPRM, 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