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Proclamation 10765 of May 24, 2024

The President

Prayer for Peace, Memorial Day, 2024

By the President of the United States of America

## A Proclamation

This Memorial Day, we honor the brave women and men who made the ultimate sacrifice for our Nation's freedom. We recommit to keeping our sacred obligation to their survivors, families, and caregivers. Together, we vow to honor their memories by carrying on their work to forge a more perfect Union.

Since our Nation's founding, members of our Armed Forces have been willing to lay down their lives—not for a person or a place but for an idea unlike any other in human history: the idea of the United States of America. We are the only Nation in the world founded on the idea that we are all created equal and deserve to be treated equally throughout our entire lives. Generations of America's beloved daughters and sons have dared all, risked all, and given all for this idea. Today, as they lie in eternal peace, we continue to live by the light of liberty they kept burning bright.

To all those grieving the loss of a loved one who wore the uniform, including our Gold Star Families, and to all those who have a loved one still missing or unaccounted for: Our country sees you and mourns with you. I know how painful this day can be—how it can bring you back to the day you lost a piece of your soul. It is overwhelming. No words can ease that grief. But I hope you find a small measure of solace in knowing that we will never forget the price your loved one paid for our freedom—and we will never stop trying to repay the debt of gratitude we owe you and them.

That is our vow today—and that is our vow always. May God bless our fallen heroes. May God bring comfort to their families. May God protect our troops.

In honor and recognition of all of our fallen service members, the Congress, by a joint resolution approved May 11, 1950, as amended (36 U.S.C. 116), has requested that the President issue a proclamation calling on the people of the United States to observe each Memorial Day as a day of prayer for permanent peace and designating a period on that day when the people of the United States might unite in prayer and reflection. The Congress, by Public Law 106–579, has also designated 3:00 p.m. local time on that day as a time for all Americans to observe, in their own way, the National Moment of Remembrance.

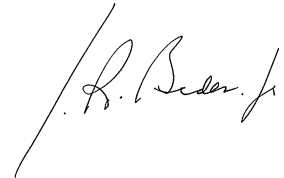
NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, do hereby proclaim Memorial Day, May 27, 2024, as a day of prayer for permanent peace, and I designate the hour beginning in each locality at 11:00 a.m. of that day as a time when people might unite in prayer and reflection. I urge the press, radio, television, and all other information media to cooperate in this observance. I further ask all Americans to observe the National Moment of Remembrance beginning at 3:00 p.m. local time on Memorial Day.

I request the Governors of the United States and its Commonwealths and Territories, and the appropriate officials of all units of government, to direct



that the flag be flown at half-staff until noon on this Memorial Day on all buildings, grounds, and naval vessels throughout the United States and in all areas under its jurisdiction and control. I encourage families, friends, and neighbors to post tributes to our fallen service members through the Veterans Legacy Memorial at [vlm.cem.va.gov](http://vlm.cem.va.gov) so that we may learn more about the lives and contributions of those buried in National, State, and Tribal veteran cemeteries. I also request the people of the United States to display the flag at half-staff from their homes for the customary forenoon period.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fourth day of May, in the year of our Lord two thousand twenty-four, and of the Independence of the United States of America the two hundred and forty-eighth.



# Rules and Regulations

Federal Register

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## OFFICE OF PERSONNEL MANAGEMENT

### 5 CFR Part 315

[Docket ID: OPM–2023–0026]

RIN 3206–AO57

### Noncompetitive Appointment of Certain Military Spouses

**AGENCY:** Office of Personnel Management.

**ACTION:** Final rule.

**SUMMARY:** This final rule adopts, without change, an interim final rule implementing the changes authorized by the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2023 regarding the noncompetitive appointment authority for certain military spouses. These changes extend certain temporary provisions and remove the reporting requirements that were imposed by the NDAA for FY 2019. These changes will continue to enhance the recruitment and hiring of military spouses for permanent Federal positions in the competitive service.

**DATES:** This final rule is effective on May 31, 2024.

**FOR FURTHER INFORMATION CONTACT:** Michelle Glynn, telephone: 202–606–1571, fax: 202–606–4430, TDD: 202–418–3134, or email: [michelle.glynn@opm.gov](mailto:michelle.glynn@opm.gov).

**SUPPLEMENTARY INFORMATION:** On September 28, 2023, the Office of Personnel Management (OPM) published an interim final rule in the *Federal Register* at 88 FR 66677 to implement changes authorized by the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2023 on the noncompetitive appointment authority for certain military spouses. OPM made these changes to implement provisions in the FY 2023 NDAA, Public Law 117–263. Section 573(d) of Public Law 115–232 (“FY 2019 NDAA”) provided for a temporary amendment to 5 U.S.C. 3330d to expand the eligibility for

noncompetitive appointment of spouses currently married to a member of the armed forces on active duty. Under the FY 2019 NDAA, this authority would have sunset on August 13, 2023, which was reflected in OPM’s regulations. Section 1111 of the FY 2023 NDAA extended the temporary amendment until December 31, 2028.

Section 573(d) of the FY 2019 NDAA required agencies to report annually to OPM on the number of relocating and non-relocating spouses of current military members appointed; the types of positions filled (by title, series, and grade level); and the effectiveness of this hiring authority. Section 573(d) also required a report to Congress 18 months after enactment that had become obsolete. The FY 2023 NDAA removed these temporary agency reporting requirements established under the FY 2019 NDAA. Although the reporting requirements have been removed from statute, section 3(f) of Executive Order 13832, of May 9, 2018, *Enhancing Noncompetitive Civil Service Appointments of Military Spouses*, imposed similar agency reporting requirements that are still in effect. The changes in the FY 2023 NDAA became effective upon the President’s signature. OPM amended its regulations through the interim final rule to reflect the provisions of the FY 2023 NDAA.

### Comments Received on the Interim Final Rule

Although the interim final rule was effective immediately upon publication, OPM provided a 60-day comment period, which ended November 27, 2023. OPM received nine comments on the interim rule: one comment from a federal agency and four individual comments. Four other individual comments were not responsive to the subject matter discussed in the rule and contained privacy protected information.

One Federal agency (comment OPM–2023–0026–006) recommended OPM remove the reference to “. . . January 1, 2029, or later . . .” in 5 CFR 315.612(e)(1)(ii). The interim final rule allows spouses married to members of the armed forces on active duty to remain eligible for non-competitive appointment until December 31, 2028. In accordance with the FY 2023 NDAA, on January 1, 2029, eligibility for spouses married to members of the

armed forces on active duty will require the spouse to be indicated on the service member’s permanent change of station (PCS) orders. The agency suggested that a military spouse should be eligible for appointment after January 1, 2029, regardless of the date of the PCS orders. OPM cannot adopt this suggestion. Section 573 of the FY 2019 NDAA amended 5 U.S.C. 3330d by, among other things, authorizing the head of an agency to appoint noncompetitively the spouse of a member of the armed forces on active duty. This amendment was originally to sunset in August 2023, but has since been extended until December 31, 2028, by the FY 2023 NDAA. After December 31, 2028, the statutory provisions will require a military spouse to have PCS orders dated January 1, 2029, or later to be eligible for noncompetitive appointment. The statute did not give OPM the authority to waive or modify this date.

Another individual (OPM–2023–0026–0004) did not support OPM’s interim final rule. This commenter stated that special considerations for military spouses negatively impacts recruitment of the best and brightest individuals for Federal jobs. OPM does not share this view and does not have discretion in implementing this provision, which was mandated by statute. Furthermore, OPM notes that several noncompetitive and excepted service hiring authorities have been codified to groups of applicants in obtaining Federal employment.

Another individual (OPM–2023–0026–0005) suggested OPM apply these rules to spouses of the Department of State’s Foreign Service. This commenter stated Foreign Service spouses face strains similar to those of military families, such as frequent moves overseas, without receiving the same level of support that military spouses receive. OPM cannot adopt this suggestion because the implementing statute does not provide for noncompetitive appointment of spouses of Foreign Service personnel unless otherwise eligible under these provisions.

Another commenter (OPM–2023–0026–0002) provided positive feedback and fully supported the swift implementation and expedited effective date, saying that the interim final rule ensured that the regulations accurately

reflect the current statute. OPM appreciates this comment.

A different commenter (OPM–2023–0026–0003) generally supported the interim final rule. This individual stated that, although spouses of active-duty members face the hardship challenges of finding employment, the change to the recruitment date would give them a positive advantage. This commenter suggested that if the intent of the rule is to enhance the recruitment and hiring of military spouses for permanent Federal positions in the competitive service then OPM should remove the January 1, 2029 date. OPM appreciates this comment but notes the January 1, 2029 recruitment date is specified in statute and that OPM cannot alter it via regulation.

OPM is adopting the interim final rule with no changes.

#### Expected Impact of This Final Rule

This final rule adopts, without change, the interim final rule implementing statutory changes codified at 5 U.S.C. 3330d, which extended the eligibility date for noncompetitive appointment of military spouses married to a member of the armed forces on active duty until December 31, 2028, and removed the temporary agency reporting requirements established under section 573(d) of Public Law 115–232. OPM did not receive any comments on the costs identified in the interim final rule. The final rule will benefit military spouses married to military members on active duty and hiring agencies by reflecting the statutorily revised sunset date for the noncompetitive appointment hiring authority in the FY 2023 NDAA. This rule also benefits agencies by removing duplicative reporting requirements originally established under the FY 2019 NDAA provisions.

#### Administrative Procedure Act

On September 28, 2023, OPM published an interim final rule (88 FR 66677) and determined that there was a basis under the Administrative Procedure Act for issuing the interim final rule with immediate effect. OPM has considered all relevant input and information contained in the comments submitted in response to the interim final rule and has concluded that no changes to the interim final rule are warranted. OPM is adopting the provisions of the interim final rule as a final rule with no changes.

#### Regulatory Review

Executive Orders 13563, 12866, and 14094 direct agencies to assess all costs and benefits of available regulatory

alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). The Office of Management and Budget has determined that this final rule is not a “significant regulatory action” under Section (3)(f) Executive Order 12866, as amended by Executive Order 14094.

#### Regulatory Flexibility Act

The Director of OPM certifies that this final rule will not have a significant economic impact on a substantial number of small entities because it applies only to Federal agencies and employees.

#### Federalism

This final rule will not have substantial direct effects on the States, on the relationship between the National Government and the States, or on distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 13132, OPM has determined that this final rule does not have federalism implications that require preparation of a federalism summary impact statement.

#### Civil Justice Reform

OPM has determined this final rule meets the relevant standards of Executive Order 12988.

#### Unfunded Mandates Reform Act of 1995

This final rule will not result in the expenditure by State, local or tribal governments, in the aggregate, or by the private sector of more than \$100 million annually. Thus, no written assessment of unfunded mandates is required.

#### Congressional Review Act

OMB’s Office of Information and Regulatory Affairs has determined this final rule does not satisfy the criteria listed in 5 U.S.C. 804(2).

#### Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35)

This final regulatory action will not impose any additional reporting or recordkeeping requirements under the Paperwork Reduction Act.

#### List of Subjects in 5 CFR Part 315

Government employees.

Office of Personnel Management.

**Kayyonne Marston,**

*Federal Register Liaison.*

### PART 315—CAREER AND CAREER-CONDITIONAL EMPLOYMENT

■ Accordingly, the interim rule published in the **Federal Register** on September 28, 2023, at 88 FR 66677, amending 5 CFR part 315, is adopted as final without change.

[FR Doc. 2024–11825 Filed 5–30–24; 8:45 am]

BILLING CODE 6325–39–P

### CONSUMER FINANCIAL PROTECTION BUREAU

#### 12 CFR Part 1026

[Docket No. CFPB–2024–0017]

#### Truth in Lending (Regulation Z); Use of Digital User Accounts To Access Buy Now, Pay Later Loans

**AGENCY:** Consumer Financial Protection Bureau.

**ACTION:** Interpretive rule; request for comment.

**SUMMARY:** The Consumer Financial Protection Bureau (CFPB) is issuing this interpretive rule to address the applicability of subpart B of Regulation Z to lenders that issue digital user accounts used to access credit, including to those lenders that market loans as “Buy Now, Pay Later” (BNPL). This interpretive rule describes how these lenders meet the criteria for being “card issuers” for purposes of Regulation Z. Such lenders that extend credit are also “creditors” subject to subpart B of Regulation Z, including those provisions governing periodic statements and billing disputes. While not required under the Administrative Procedure Act, the CFPB is opting to collect comments on this interpretive rule and may make revisions as appropriate after reviewing feedback received.

**DATES:** This interpretive rule is applicable as of July 30, 2024. Comments must be received by August 1, 2024.

**ADDRESSES:** You may submit comments, identified by Docket No. CFPB–2024–0017, by any of the following methods:

- *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments.

- *Email:* 2024-BNPL-InterpretiveRule@cfpb.gov. Include Docket No. CFPB–2024–0017 in the subject line of the message.

- *Mail/Hand Delivery/Courier:* Comment Intake—2024 BNPL

Interpretive Rule, c/o Legal Division Docket Manager, Consumer Financial Protection Bureau, 1700 G Street NW, Washington, DC 20552. Because paper mail in the Washington, DC area and at the CFPB is subject to delay, commenters are encouraged to submit comments electronically.

**Instructions:** The CFPB encourages the early submission of comments. All submissions must include the document title and docket number. In general, all comments received will be posted without change to <https://www.regulations.gov>. All submissions, including attachments and other supporting materials, will become part of the public record and subject to public disclosure. Proprietary information or sensitive personal information, such as account numbers or Social Security numbers, or names of other individuals, should not be included. Submissions will not be edited to remove any identifying or contact information.

**FOR FURTHER INFORMATION CONTACT:** George Karithanom, Regulatory Implementation & Guidance Program Analyst, Office of Regulations, at (202) 435-7700 or <https://reginquiries.consumerfinance.gov/>. If you require this document in an alternative electronic format, please contact [CFPB\\_Accessibility@cfpb.gov](mailto:CFPB_Accessibility@cfpb.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Interpretive Rule**

*A. Executive Summary*

Over the past three years, the CFPB has extensively analyzed lenders marketing their loans as “Buy Now, Pay Later.” This includes a major study published in 2022, insights from supervisory examinations, and other market monitoring and investigation. Although market participants’ loan offerings vary in this lending sector, the CFPB is publishing this interpretive rule to clarify existing obligations for market participants with specific business practices.

This interpretive rule’s legal analysis states that lenders that issue digital user accounts that consumers use from time to time to access credit products to purchase goods and services are “card issuers” under Regulation Z, including when those products are marketed as Buy Now, Pay Later (BNPL). Such lenders are “card issuers” because such digital user accounts are “credit cards” under Regulation Z. Traditional BNPL products are closed-end loans payable in four or fewer installments without a finance charge, used to make purchases on credit. Consequently, BNPL loans are

subject to some, but not all, of Regulation Z’s credit card regulations.

Digital user accounts that consumers use to access BNPL credit mimic conventional credit cards. They meet the regulatory definition of “credit cards” as defined at 12 CFR 1026.2(a)(15)(i). Lenders that issue such digital user accounts are “card issuers” as defined at 12 CFR 1026.2(a)(7) and “creditors” for purposes of subpart B of Regulation Z, as defined at 12 CFR 1026.2(a)(17)(iii). However, traditional BNPL products do not meet the definition of “open-end credit” as defined at 12 CFR 1026.2(a)(20) or of a “credit card account under an open-end (not home-secured) consumer credit plan” as defined at 12 CFR 1026.2(a)(15)(ii).

Accordingly, lenders that issue digital user account to access BNPL credit are subject to the regulations appearing in subpart B of Regulation Z, including, most importantly, provisions governing credit card dispute and refund rights. Although subpart B is labeled “Open-End Credit,” 12 CFR 1026.2(a)(17)(iii) specifically states that subpart B also applies to credit that is not open end if, as with BNPL, the credit is not subject to a finance charge and is not payable by written agreement in more than four installments. This is the case because Congress expressly instructed the Bureau to apply open-end credit regulations to this form of credit that is not open end. The Truth in Lending Act (TILA) says that “the Bureau shall, by regulation, apply [open-end credit] requirements to [card issuers that extend credit with no finance charge that is payable in four or fewer installments], to the extent appropriate, even though the requirements [of the open-end credit provisions] are by their terms applicable only to creditors offering open-end credit plans.”<sup>1</sup>

Lenders that issue digital user accounts to access BNPL credit are generally not subject to the credit card regulations appearing in subpart G of Regulation Z (e.g., penalty fee limits and ability-to-repay requirements).<sup>2</sup>

*B. Background*

Since the mid-2010s, a financing method marketed as “Buy Now, Pay Later” (BNPL) has rapidly gained popularity as an alternative to conventional credit cards in the United States and abroad.<sup>3</sup> While variations of

the product exist, for this interpretive rule, BNPL refers to a consumer loan for a retail transaction that is repaid in four (or fewer) interest-free installments and does not otherwise impose a finance charge.<sup>4</sup> The loan generally requires an initial down payment of 25 percent, followed by three additional installments due every two weeks.

BNPL lenders currently acquire customers primarily through two channels: the merchant partner acquisition model and the app-driven acquisition model. In the merchant partner acquisition model, BNPL lenders typically establish contracts with online merchants to offer their BNPL product as a payment option on the merchant’s website or mobile app checkout page.<sup>5</sup> The BNPL lenders provide merchants with the necessary digital code to integrate or embed access to the BNPL product into the merchant websites or mobile apps. Such digital code or other integrations are referred to in this interpretive rule as “integrations.”

In the app-driven acquisition model, which is less common but rapidly expanding, consumers use the BNPL lender’s own website or mobile app directly to create a digital user account to access the BNPL product.<sup>6</sup> Once activated by the provider, the consumer can use their digital user account through the BNPL website or mobile app to access credit and make purchases directly with partner merchants. For non-partner merchants, the BNPL lender enables the payment part of the credit process by issuing a single-use virtual card to the consumer, normally through an issuer processor and a bank partner. The consumer then typically has 24 hours to complete their purchase directly with the merchant, using the virtual card.<sup>7</sup>

In addition, BNPL lenders may issue credit through other methods, such as in-store or through browser extensions.<sup>8</sup> These methods generally operate the same as the acquisition methods described above, allowing the consumer

[files.consumerfinance.gov/f/documents/cfpb\\_buy-now-pay-later-market-trends-consumer-impacts\\_report\\_2022-09.pdf](https://files.consumerfinance.gov/f/documents/cfpb_buy-now-pay-later-market-trends-consumer-impacts_report_2022-09.pdf) (Market Trends Report).

<sup>4</sup> Other variations of BNPL include loans that, for example, incur interest or other finance charges (often referred to as point-of-sale loans). Depending on their features, such loans might be subject to other provisions of Regulation Z, including subparts C or G.

<sup>5</sup> See Market Trends Report at 12–13.

<sup>6</sup> *Id.* at 14–15.

<sup>7</sup> See, e.g., Klarna, *What is a One-time card and how does it work?*, <https://www.klarna.com/us/customer-service/what-is-a-one-time-card-and-how-does-it-work/> (last visited May 14, 2024).

<sup>8</sup> See, e.g., Affirm, *Bring the power of Affirm to your Browser*, <https://www.affirm.com/shopping/browser-extension> (last visited May 20, 2024).

<sup>1</sup> 15 U.S.C. 1602(g).

<sup>2</sup> Subpart G generally applies only to “credit card account[s] under an open-end (not home-secured) consumer credit plan.” However, 12 CFR 1026.60 in subpart G may apply.

<sup>3</sup> See CFPB, *Buy Now, Pay Later: Market trends and consumer impacts*, at 6 (Sept. 2022), <https://>

to access credit with their BNPL digital user account to make purchases either through the merchant's website or through the issuance of a single-use virtual card.

Regardless of how consumers access BNPL, a BNPL digital user account is activated when a consumer first accesses BNPL credit, similar to how a virtual credit card number for a traditional credit card account is issued at the same time a consumer opens the credit card account online and makes their first purchase on the card. These digital user accounts are secure, personal profiles that the BNPL provider activates for a consumer, enabling the consumer to access and utilize BNPL credit.<sup>9</sup> Once a digital user account is activated, the consumer can then immediately use their BNPL digital user account on an ongoing basis to access credit to make additional purchases. BNPL providers typically inform consumers of their "amount available to spend," similar to a credit limit for conventional credit cards, and offer a frictionless borrowing process allowing consumers to rapidly access the BNPL credit.<sup>10</sup>

A significant and increasing number of Americans who purchase goods and services on credit do so with BNPL credit instead of conventional credit cards. According to a recent CFPB Making Ends Meet survey, 17 percent of consumers with a credit record made at least one purchase using BNPL between February 2021 and February 2022.<sup>11</sup> And data from five leading BNPL lenders reflect that originations have increased from \$2 billion in 2019 to over \$24 billion in 2021.<sup>12</sup> BNPL borrowers also increased their repeat usage during this timeframe. The data reveal that the average number of BNPL loans taken out by BNPL consumers from a single lender each quarter rose from 1.9 to 2.8.<sup>13</sup> The percentage of BNPL borrowers with more than five loans per quarter also increased, from 6.3 percent to 15.5 percent.<sup>14</sup>

<sup>9</sup> A digital user account is distinct from the concept of an account in TILA and Regulation Z.

<sup>10</sup> BNPL providers typically do not guarantee the "amount available to spend" and each loan is separately underwritten.

<sup>11</sup> See CFPB, *Consumer Use of Buy Now, Pay Later: Insights from the CFPB Making Ends Meet Survey*, at 5 (Mar. 2023), [https://files.consumerfinance.gov/f/documents/cfpb\\_consumer-use-of-buy-now-pay-later\\_2023-03.pdf](https://files.consumerfinance.gov/f/documents/cfpb_consumer-use-of-buy-now-pay-later_2023-03.pdf) (MEM Survey Report); see also Bd. of Governors of the Fed. Rsv. Sys., *Economic Well-Being of Households in 2022*, at 46 (May 2023) (reporting 12 percent of adults in U.S. households using BNPL in the prior 12 months, up from 10 percent in 2021).

<sup>12</sup> Market Trends Report at 31.

<sup>13</sup> *Id.*

<sup>14</sup> *Id.* at 33–34.

BNPL is popular among a broad range of consumers, but certain groups have shown a significantly higher likelihood of using BNPL. These groups include Black, Hispanic, and female consumers, as well as consumers with an annual household income between \$20,001–\$50,000 and consumers under the age of 35.<sup>15</sup> In comparison to non-BNPL borrowers, BNPL borrowers tend to have higher levels of debt, carry balances on their conventional credit cards, have delinquencies on traditional credit products, and make use of higher-cost financial services like payday loans, pawn, and overdraft.<sup>16</sup> BNPL borrowers are also more likely to use other credit products like conventional credit cards, personal loans, and student loans, but have less liquidity and savings compared to non-BNPL borrowers.<sup>17</sup>

Consumers often use BNPL offerings as an alternative to conventional credit cards, and the two share many similarities. Both combine payment processing and credit services. Both charge transaction fees to merchants and are extensively used for retail transactions.<sup>18</sup> And consumers often use these two payment methods in a similar manner. In fact, often when a consumer is making purchases online from a merchant's website, the only options for paying on credit consist of conventional credit cards and BNPL, which are presented next to each other as alternatives.

The CFPB has been closely monitoring the BNPL market by issuing reports based on collected BNPL data and supervising certain BNPL lenders. In December 2021, the CFPB issued mandatory data collection orders to five large BNPL lenders to understand market trends and practices. These responses formed the basis of the September 2022 report "Buy Now Pay Later: Market Trends and Consumer Impacts," which highlighted industry growth, as well as consumer benefits and risks associated with BNPL loans.<sup>19</sup> The report noted, among other findings, a lack of standardized disclosures and challenges in resolving disputes.<sup>20</sup> In March 2023, the CFPB published "Consumer Use of Buy Now, Pay Later," which used data from the annual Making Ends Meet survey and credit bureaus to identify demographic and other characteristics of BNPL borrowers.<sup>21</sup> In March 2024, the CFPB

<sup>15</sup> MEM Survey Report at 22.

<sup>16</sup> *Id.*

<sup>17</sup> *Id.*

<sup>18</sup> *Id.* at 6.

<sup>19</sup> See Market Trends Report.

<sup>20</sup> See *id.* at 72–73.

<sup>21</sup> See MEM Survey Report.

released its "Consumer Response Annual Report" for 2023, which noted issues consumers faced with merchants regarding BNPL, such as non-receipt of items and challenges in canceling loans.<sup>22</sup> Through monitoring consumer complaints, the CFPB has further refined its understanding of the BNPL market. The CFPB continues to observe the industry and monitor new market and product trends.

Recognizing the importance of adequate consumer protections for BNPL loans, the CFPB is issuing this interpretive rule so that BNPL providers understand their obligations. As this interpretive rule explains, lenders that issue BNPL digital user accounts are "card issuers" under Regulation Z because the digital user accounts they issue constitute "credit cards" under Regulation Z. The term "credit card"—which, as defined by TILA and Regulation Z, includes the term "other credit device" or "other single credit device" used for the purpose of obtaining credit—encompasses digital user accounts that consumers can use through websites, mobile apps, browser extensions, or integrations with merchant websites or mobile apps to access BNPL credit for the purchase of goods and services. The CFPB also affirms through this interpretive rule that BNPL lenders that extend credit—even though that credit is not subject to a finance charge and is not payable by written agreement in more than four installments—are creditors subject to subpart B of Regulation Z, including those provisions governing cost of credit disclosures and billing disputes.

### C. Legal Analysis

This interpretive rule discusses the application of subpart B of Regulation Z to lenders that issue digital user accounts that consumers use from time to time to access credit, which includes those lenders that market their loans as "Buy Now, Pay Later." Regulation Z<sup>23</sup> implements the Truth in Lending Act (TILA).<sup>24</sup> The purpose of TILA is to "assure a meaningful disclosure of credit terms so that the consumer will be able to compare more readily the various credit terms available to him and avoid the uninformed use of credit, and to protect the consumer against inaccurate and unfair credit billing and credit card practices."<sup>25</sup> Accordingly, TILA and its implementing regulation

<sup>22</sup> See CFPB, *Consumer Response Annual Report*, at 64 (Mar. 2024), [https://files.consumerfinance.gov/f/documents/cfpb\\_cr-annual-report\\_2023-03.pdf](https://files.consumerfinance.gov/f/documents/cfpb_cr-annual-report_2023-03.pdf).

<sup>23</sup> 12 CFR 1026.

<sup>24</sup> 15 U.S.C. 1601 *et seq.*

<sup>25</sup> *Id.* at 1601(a).

generally establish uniform methods for calculating the cost of credit, require meaningful disclosure of those costs to consumers, and provide standardized mechanisms for resolving credit billing disputes.<sup>26</sup>

Although subpart B primarily covers open-end credit, many of its provisions apply more broadly, including to closed-end credit, under certain circumstances.<sup>27</sup> Certain subpart B provisions, such as those governing cardholder liability, apply to any “card issuer,” regardless of the type of credit offered.<sup>28</sup> Regulation Z defines “card issuer” as “a person that issues a credit card or that person’s agent with respect to the card.”<sup>29</sup> Additionally, “card issuers” are considered “creditors” for purposes of subpart B if they also extend “either open-end credit or credit that is not subject to a finance charge and is not payable by written agreement in more than four installments.”<sup>30</sup> Such “creditors” are broadly subject to the provisions of subpart B, including those governing disclosures and billing dispute resolution.<sup>31</sup> Thus, BNPL lenders that issue a credit card as defined by Regulation Z are card issuers for purposes of the regulation. And as they also extend credit, even though that credit is not subject to a finance charge and not payable by written agreement in more than four installments, those BNPL lenders are creditors subject to the provisions of subpart B.

The definition of “credit card” in TILA and Regulation Z is not limited to

a plastic or metal embossed physical card. While the term certainly includes those, it also includes archaic forms of credit devices like plates and coupon books, and non-physical credit devices like account numbers, including virtual credit cards where the account number itself is the “credit card.” In creating these definitions, Congress understood the need for flexibility to cover evolving types of credit devices, reflecting the rapid advancement of credit mechanisms at the time of enactment. TILA defines “credit card” as “any card, plate, coupon book or other credit device existing for the purpose of obtaining money, property, labor, or services on credit.”<sup>32</sup> Regulation Z similarly defines “credit card” as “any card, plate, or other single credit device that may be used from time to time to obtain credit.”<sup>33</sup>

The CFPB interprets the terms “other credit device” and “other single credit device” found within the TILA and Regulation Z definitions of credit card to include a BNPL digital user account that a consumer can use through websites, mobile apps, browser extensions, or integrations with merchant websites or mobile apps to access BNPL credit, to the extent the user account is used to draw, transfer, or authorize the draw or transfer of credit in the course of authorizing, settling, or otherwise completing transactions to obtain goods or services.<sup>34</sup> The broad catch-all terms “other credit device” and “other single credit device” are not defined by TILA and Regulation Z.<sup>35</sup> However, this interpretation is consistent with the ordinary meaning and historical context of the words.

The CFPB’s interpretation flows from the ordinary meaning of the word “device.” Merriam-Webster Dictionary contains several definitions for the word “device,” including “something devised or contrived: such as . . . [a] plan, procedure, [or] technique . . . [or] a piece of equipment or a mechanism designed to serve a special purpose or perform a special function.”<sup>36</sup>

Similarly, Oxford English Dictionary defines “device” in part to mean “[t]he result of contriving; something devised or framed by art or inventive power; an invention, contrivance; *esp.* a mechanical contrivance (usually of a simple character) for some particular purpose.”<sup>37</sup> These definitions indicate that the ordinary meaning of “device” is broad and incorporates a wide range of mechanisms, tools, or procedures specifically designed or contrived to achieve a particular purpose.

The CFPB’s interpretation is also consistent with use of the word “device” broadly in other contexts. For example, both the CFPB, and the Federal Reserve Board (Board) before it, have interpreted “access device” in Regulation E to include such non-physical devices as personal identification numbers (PINs), telephone transfer and bill payment codes, and other means that may be used by a consumer to initiate an electronic fund transfer.<sup>38</sup>

The CFPB’s interpretation is also consistent with Congress’ intent to define the terms “other credit device” and “credit card” broadly. As a preliminary matter, courts have routinely held that, as a remedial statute, TILA should be interpreted expansively in favor of the consumer.<sup>39</sup> More specifically, as courts have recognized, the inclusion of the phrase “other credit device” in the statutory definition of “credit card” indicates that Congress intended the term “credit card” to encompass a wider scope than its customary usage.<sup>40</sup> Congress initially enacted the definitions in 1970 at the height of a rapid evolution of credit devices, which first included now-archaic credit devices such as coins and plates before the use of conventional

Webster defines a ‘device’ as follows: ‘That which is devised, or formed by conception, a contrivance, and invention, a project, a scheme, often a scheme to deceive, a stratagem, an artifice.’”

<sup>37</sup> *Device*, Oxford English Dictionary, <https://doi.org/10.1093/OED/1300217116> (last visited May 20, 2024).

<sup>38</sup> See sec. 1005.2(a)(1); see also Regulation E, comment 2(a)(1)–1.

<sup>39</sup> *Begala v. PNC Bank, Ohio, Nat. Ass’n*, 163 F.3d 948, 950 (6th Cir. 1998), as amended (Mar. 26, 1999); *Rossmann v. Fleet Bank (R.I.) Nat. Ass’n*, 280 F.3d 384, 390 (3d Cir. 2002).

<sup>40</sup> See, e.g., *United States v. Bice-Bey*, 701 F.2d 1086, 1092 (4th Cir. 1983) (holding that credit card numbers, not just the credit cards themselves, can be a “credit device” for purposes of TILA); *Telco Commc’ns Grp., Inc. v. Race Rock of Orlando, L.L.C.*, 57 F. Supp. 2d 340, 343 (E.D. Va. 1999) (holding that telephone calling cards can be credit cards); *Munoz v. Seventh Ave., Inc.*, No. 04 C 2219, 2004 WL 1593906, at \*4 (N.D. Ill. July 15, 2004) (“Section 1602(k) contains a broad definition of ‘credit card’ which encompasses items that are not within the common understanding of the term credit card, such as a ‘coupon book’ or ‘other credit device.’”).

<sup>26</sup> Regulation Z defines credit broadly as the right to defer payment of debt or to incur debt and defer its payment. BNPL credit meets this definition.

<sup>27</sup> This can include BNPL credit, which for purposes of this interpretive rule is defined as a closed-end consumer loan for a retail transaction that is repaid in four (or fewer) interest-free installments and does not otherwise impose a finance charge. See also 12 CFR 1026.2(a)(17)(iii)–(iv). To the extent that subpart B applies to business-purpose credit cards, this would also include business-purpose BNPL credit. See 12 CFR 1026.12(a)–(b).

<sup>28</sup> See 12 CFR 1026.12, which covers unauthorized issuance and liability for unauthorized use. Other provisions of Regulation Z may also apply to “card issuers” regardless of the type of credit. See 12 CFR 1026.60, in subpart G, which outlines the rules for credit and charge card applications and solicitations.

<sup>29</sup> 12 CFR 1026.2(a)(7). Where a BNPL provider partners with another party to extend credit, including a bank, depending on the facts and circumstances both entities may be “card issuers.”

<sup>30</sup> See 12 CFR 1026.2(a)(17)(iii) (one of several independent tests by which an entity can qualify as a “creditor” under 12 CFR 1026.2(a)(17)). Of course, were a BNPL provider to charge a finance charge, or allow repayment in more than four installments, they would meet one or more of the other independent tests for qualifying as a “creditor.”

<sup>31</sup> Subpart B includes 12 CFR 1026.6 through .9, which cover disclosures, and 12 CFR 1026.13, which covers billing error resolution.

<sup>32</sup> 15 U.S.C. 1602(l).

<sup>33</sup> 12 CFR 1026.2(a)(15)(i). The term is also defined to include “a hybrid prepaid-credit card as defined in § 1026.61.”

<sup>34</sup> A BNPL integration includes, for example, a BNPL lender’s code or process embedded in the checkout flow of a merchant website or mobile app that allows a consumer to access a digital user account to obtain BNPL credit.

<sup>35</sup> In addition, there is no well-understood definition of “other credit device” or “other single credit device” under State law.

<sup>36</sup> *Device*, Merriam-Webster Dictionary, <https://www.merriam-webster.com/dictionary/device> (last visited May 20, 2024). See also, e.g., *James v. State*, 113 P. 226, 228 (Okla. Crim. App. 1910) (“Mr.

credit cards became widespread.<sup>41</sup> In this context, Congress appears to have intended a flexible and comprehensive definition of “credit card” that could encompass both the entire range of existing credit devices and also those “other credit devices” that might not yet exist.

Indeed, the Board, which previously had jurisdiction over Regulation Z, adopted a similarly broad interpretation of “other single credit device” in 2010. The Board clarified in Official Staff Interpretations of Regulation Z that non-physical devices—in that case, account numbers—could be considered “credit cards” under the definition.<sup>42</sup> The Board explained in the rulemaking preamble that while Congress did not generally intend to treat all account numbers as credit cards—for example, where credit is transferred into a consumer’s asset account—it would be inconsistent with Congressional intent not to do so when the account number could be used to access credit for the purchase of goods and services.<sup>43</sup> As an example, the Board provided a hypothetical scenario in which an open-end credit account was designed for online purchases, functioning like a conventional credit card account, but only accessible with an account number.<sup>44</sup> In such circumstances, the Board stated, it believed that TILA’s credit card protections should apply.<sup>45</sup>

This analysis applies equally in the BNPL context. BNPL is a product primarily designed for the online purchase of goods and services and a digital BNPL user account functions like a conventional credit card. Consumers can use their BNPL digital user accounts through BNPL websites, mobile apps, browser extensions, or integrations with merchant websites or mobile apps to access credit for purchases. Given its similarities to conventional credit cards, a consumer’s BNPL digital user account is among the types of “credit devices” that Congress would have had in mind in enacting TILA.

In order for a device to constitute a credit card under Regulation Z, it must

be usable from time to time to obtain credit.<sup>46</sup> The commentary to Regulation Z interprets the term “time to time” to “involve[] the possibility of repeated use of a single device.”<sup>47</sup> The CFPB interprets the phrase “usable from time to time” to cover a consumer’s BNPL digital user account that is issued as part of a business model designed for repeat use that can be used through websites, mobile apps, browser extensions, or integrations with merchant websites or mobile apps, to access credit for the purchase of goods and services.<sup>48</sup> Like conventional credit cards, the BNPL business model is designed around the repeat use of a digital user account to make real-time purchases on credit.<sup>49</sup> The CFPB therefore interprets the term “credit cards” to include such digital credit devices for purposes of TILA and Regulation Z.

Of course, not all digital user accounts are credit cards. However, digital user accounts with the purpose of giving consumers access to credit from time to time in the course of completing transactions to purchase goods or services, including those marketed as BNPL, meet the regulatory definition of “credit card.” When consumers use them through websites, mobile apps, browser extensions, and integrations, they get credit in the course of completing transactions to pay for a product at check-out or even in physical stores.<sup>50</sup> And these digital user accounts “exist for [that] purpose.”<sup>51</sup> They are, effectively, digital replacements for conventional credit cards, and consumers use them in the same way as conventional credit cards. The statutory and regulatory definitions of “credit card” are broad enough to capture new, technologically advanced “devices” designed to mimic the core features of conventional credit cards.

Consequently, BNPL providers issuing the credit cards (and their agents with respect to the credit card) are “card issuers” for purposes of Regulation Z. Additionally, as noted above, a “card

issuer” is a “creditor” for purposes of subpart B if it extends credit, even though that credit is not subject to a finance charge and not payable by written agreement in more than four installments. Thus, BNPL lenders that issue credit cards are “creditors” for purposes of subpart B and must comply with its requirements, including the provisions related to disclosures and billing dispute resolution.

## II. Regulatory Matters

This is an interpretive rule issued under the Bureau’s authority to interpret TILA and Regulation Z, including under section 1022(b)(1) of the Consumer Financial Protection Act of 2010, which authorizes guidance as may be necessary or appropriate to enable the CFPB to administer and carry out the purposes and objectives of Federal consumer financial laws.<sup>52</sup> While not required under the APA, the CFPB is collecting comments and may make revisions to the interpretive rule at a later time as appropriate in light of feedback received. The CFPB may take no further action if no revisions are warranted.

By operation of TILA section 130(f), no provision of TILA sections 130, 108(b), 108(c), 108(e), or section 112 imposing any liability applies to any act done or omitted in good faith in conformity with this interpretive rule, notwithstanding that after such act or omission has occurred, the interpretive rule is amended, rescinded, or determined by judicial or other authority to be invalid for any reason.<sup>53</sup>

The CFPB has determined that this interpretive rule does not impose any new or revise any existing recordkeeping, reporting, or disclosure requirements on covered entities or members of the public that would be collections of information requiring approval by the Office of Management and Budget under the Paperwork Reduction Act.<sup>54</sup>

Pursuant to the Congressional Review Act,<sup>55</sup> the Bureau will submit a report containing this interpretive rule and other required information to the United States Senate, the United States House of Representatives, and the Comptroller General of the United States prior to the rule’s published effective date. The Office of Information and Regulatory Affairs has designated this interpretive

<sup>41</sup> See John R. Webster & William F. Davis III., *Bank Credit Plans: Innovations in Consumer Financing*, 1 Loy. L. A. L. Rev. 49 (1968); see also 113 Cong. Rec. 28765 (1967) (member of Congressional Committee on Banking and Currency referring to credit cards as “the new credit device”).

<sup>42</sup> See Regulation Z, comment 2(a)(15)–2.ii.C. An “account number” contemplated by the Board’s interpretation is distinct from a BNPL digital user account.

<sup>43</sup> See 76 FR 22948 (Apr. 25, 2011). In that rulemaking, the Board was only considering open-end credit, but the CFPB believes that the logic applies similarly to closed-end credit.

<sup>44</sup> *Id.*

<sup>45</sup> *Id.*

<sup>46</sup> See sec. 1026.2(a)(15)(i).

<sup>47</sup> See Regulation Z, comment 2(a)(15)–1.

<sup>48</sup> The existence of a limit on the number of BNPL loans a consumer can have at one time or the issuance of a single-use virtual card as part of the credit extension and payment process would not preclude the credit device from satisfying the “time to time” requirement.

<sup>49</sup> This is the case regardless of whether the customer is acquired through the merchant partner acquisition model or the app-driven acquisition model, and regardless of whether the consumer uses the credit device more than one time.

<sup>50</sup> The fact that sometimes BNPL loans are declined does not change this fact. The same can be said about conventional credit cards.

<sup>51</sup> 15 U.S.C. 1602(l).

<sup>52</sup> 12 U.S.C. 5512(b)(1).

<sup>53</sup> 15 U.S.C. 1640(f).

<sup>54</sup> 44 U.S.C. 3501–3521.

<sup>55</sup> 5 U.S.C. 801 *et seq.*

rule as a “major rule” as defined by 5 U.S.C. 804(2).

**Rohit Chopra,**

*Director, Consumer Financial Protection Bureau.*

[FR Doc. 2024–11800 Filed 5–30–24; 8:45 am]

BILLING CODE 4810-AM-P

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 21**

[Docket No. FAA–2022–1548]

**Airworthiness Criteria: Special Class Airworthiness Criteria for the Archer Aviation, Inc. Model M001 Powered-Lift**

**Correction**

In rule document 2024–11192, beginning on page 45944, make the following correction: On page 45976, in the second column, on the fifteenth line from the bottom of the page, the heading “AM1.281 Propeller Critical Parts” should read “AM1.2816 Propeller Critical Parts”.

[FR Doc. C1–2024–11192 Filed 5–30–24; 8:45 am]

BILLING CODE 0099–10–D

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

[Docket No. FAA–2023–1758; Airspace Docket No. 23–AWP–44]

RIN 2120–AA66

**Modification of Class E Airspace; Mammoth Lakes Airport, Mammoth Lakes, CA**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This action modifies the Class E airspace designated as surface area, modifies the Class E airspace extending upward from 700 feet above the surface, and removes the Class E airspace extending upward from 1,200 feet above the surface at Mammoth Yosemite Airport, Mammoth Lakes, CA. Additionally, this action updates the administrative portion of the airport’s Class E airspace legal descriptions. These actions support the safety and management of instrument flight rules (IFR) operations at the airport.

**DATES:** Effective date 0901 UTC, September 5, 2024. The Director of the Federal Register approves this

incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

**ADDRESSES:** A copy of the Notice of Proposed Rulemaking (NPRM), all comments received, this final rule, and all background material may be viewed online at [www.regulations.gov](http://www.regulations.gov) using the FAA Docket number. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year.

FAA Order JO 7400.11H, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at [www.faa.gov/air\\_traffic/publications/](http://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 20591; telephone: (202) 267–8783.

**FOR FURTHER INFORMATION CONTACT:** Jeffrey Drasin, Federal Aviation Administration, Western Service Center, Operations Support Group, 2200 S 216th Street, Des Moines, WA 98198; telephone (206) 231–2248.

**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 modifies and removes Class E airspace to support IFR operations at Mammoth Yosemite Airport, Mammoth Lakes, CA.

**History**

The FAA published a notice of proposed rulemaking for Docket No. FAA–2023–1758 in the **Federal Register** (88 FR 88546; December 22, 2023) for the removal and modification of Class E airspace at Mammoth Yosemite Airport, Mammoth Lakes, CA. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

**Differences From the NPRM**

The legal description of the Class E airspace designated as a surface area

within the NPRM included the following language: “This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Air Missions. The effective date and time will thereafter be continuously published in the Chart Supplement.” The FAA subsequently determined that the Class E airspace at Mammoth Yosemite Airport is effective 24 hours a day. Accordingly, the final rule does not include this language.

**Incorporation by Reference**

Class E2 and E5 airspace area designations are published in paragraphs 6002 and 6005, 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 amends the current version of that order, FAA Order JO 7400.11H, dated August 11, 2023, and effective September 15, 2023. FAA Order JO 7400.11H is publicly available as listed in the **ADDRESSES** section of this document. These amendments will be published in the next update to FAA Order JO 7400.11.

FAA Order JO 7400.11H lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

**The Rule**

This action amends 14 CFR part 71 by modifying the Class E airspace designated as surface area, modifying the Class E airspace extending upward from 700 feet above the surface, and removing the Class E airspace extending upward from 1,200 feet above the surface at Mammoth Yosemite Airport, Mammoth Lakes, CA.

The Class E surface area extension east of the airport centered on the 099° bearing is recentered to the airport’s 096° bearing. Additionally, the width is reduced from 1.8 miles to 1 mile either side of the bearing, and the extension length is reduced from 5.6 miles to 4.6 miles east of the airport. This will better contain arriving IFR operations between the surface and 1,000 feet above the surface while executing the Area Navigation (RNAV) (Global Positioning System [GPS]) Runway (RWY) 27 approach.

The Class E airspace extending upward from 700 feet above the surface at the airport is extended eastward to include that airspace within 2.6 miles either side of the airport’s 091° bearing extending from the 6.6-mile radius to 13.1 miles east of the airport. This will contain arriving IFR operations below 1,500 feet above the surface while



executing the RNAV (GPS) RWY 27 approach.

In addition, the existing Class E airspace extending upward from 1,200 feet above the surface is removed, as the area is already within the Coaldale Class E en route domestic airspace area.

Finally, the FAA is modifying the airport's legal descriptions. The airport name within the text headers of both airspace legal descriptions, and any reference within the bodies, are changed to match the new airport name, Mammoth Yosemite Airport (formerly Mammoth Lakes Airport). The geographic coordinates located in the text header of both airspace legal descriptions are updated to match the FAA's database.

### Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

### Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, "Environmental Impacts: Policies and Procedures," paragraph 5–6.5.a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

### The Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 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 7400.11H, Airspace Designations and Reporting Points, dated August 11, 2023, and effective September 15, 2023, is amended as follows:

*Paragraph 6002 Class E Airspace Areas Designated as Surface Areas.*

\* \* \* \* \*

#### AWP CA E2 Mammoth Lakes, CA [Amended]

Mammoth Yosemite Airport, CA  
(Lat. 37°37'27" N, long. 118°50'20" W)

That airspace within a 4.1-mile radius of Mammoth Yosemite Airport and within 1 mile either side of the airport's 096° bearing extending from the 4.1-mile radius to 4.6 miles east of the airport.

\* \* \* \* \*

*Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.*

\* \* \* \* \*

#### AWP CA E5 Mammoth Lakes, CA [Amended]

Mammoth Yosemite Airport, CA  
(Lat. 37°37'27" N, long. 118°50'20" W)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of the Mammoth Yosemite Airport and within 2.6 miles either side of the airport's 091° bearing, extending from the 6.6-mile radius to 13.1 miles east.

\* \* \* \* \*

Issued in Des Moines, Washington, on May 24, 2024.

**Paul J Higgins,**

*Group Manager (A), Operations Support Group, Western Service Center.*

[FR Doc. 2024–11894 Filed 5–30–24; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 1

[Docket No. FDA–2021–N–1348]

RIN 0910–AI59

### Administrative Destruction

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule.

**SUMMARY:** The Food and Drug Administration (FDA, Agency, or we) is issuing a regulation to implement our authority to destroy a device valued at \$2,500 or less (or such higher amount as the Secretary of the Treasury may set by regulation) that has been refused admission into the United States by providing to the owner or consignee notice and an opportunity to appear and introduce testimony prior to the destruction. We are finalizing the change to our internal procedures for administrative destruction of drugs and devices. The notice of proposed rule making (NPRM) published in the **Federal Register** (October 7, 2022).

**DATES:** This rule is effective July 1, 2024.

**ADDRESSES:** For access to the docket to read background documents or comments received, go to <https://www.regulations.gov> and insert the docket number found in brackets in the heading of this final rule into the "Search" box and follow the prompts, and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240–402–7500.

**FOR FURTHER INFORMATION CONTACT:** Ann M. Metayer, Office of Regulatory Affairs, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 32, Rm. 4375, Silver Spring, MD 20993–0002, 301–796–3324.

### SUPPLEMENTARY INFORMATION:

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**I. Executive Summary**

*A. Purpose of the Final Rule*

The final rule provides to an owner or consignee notice and an opportunity to present testimony when the Agency intends to administratively destroy a device valued at \$2,500 or less (or such higher amount as the Secretary of the Treasury may set by regulation) that has been refused admission into the United States. The Safeguarding Therapeutics Act (STA) (Pub. L. 116–304), signed into law on January 5, 2021, amended section 801(a) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 381(a)) to provide FDA with the authority to administratively destroy certain refused devices without providing the owner or consignee with the opportunity for export. FDA is amending § 1.94 (21 CFR 1.94) to provide to the owner or consignee of a

refused device valued at \$2,500 or less (or such higher amount as the Secretary of the Treasury may set by regulation) notice and an opportunity to present testimony to the Agency prior to destruction of the device.

*B. Summary of the Major Provisions of the Final Rule*

The final rule provides to an owner or consignee notice and an opportunity to present testimony when the Agency intends to administratively destroy a device valued at \$2,500 or less (or such higher amount as the Secretary of the Treasury may set by regulation) that has been refused admission into the United States under section 801(a) of the FD&C Act.

FDA is amending part 1 (21 CFR part 1) by expanding the scope of § 1.94, which provides to the owner or consignee notice and opportunity to present testimony prior to the refusal and destruction of certain refused drugs, to also include notice and opportunity to present testimony prior to the refusal and destruction of certain refused devices.

*C. Legal Authority*

We are issuing this final rule under sections 701 and 801 of the FD&C Act (21 U.S.C. 371 and 381, respectively).

*D. Costs and Benefits*

The primary public health benefit of the final rule will be the value of preventing additional illnesses or deaths by destroying, rather than returning,

refused devices valued at \$2,500 or less, which may pose a public health risk. This benefit will accrue whenever FDA’s existing enforcement tools would not have prevented the violative device from entering the U.S. market. The estimated primary costs of the final rule include the additional costs to destroy, rather than return, refused devices valued at \$2,500 or less, and the additional costs to store these devices at International Mail Facilities (IMFs) prior to destruction. There will also be one-time costs to FDA to update its electronic Operational and Administrative System for Import Support (OASIS) and System for Entry Review and Import Operations (SERIO); revise its Regulatory Procedures Manual (RPM), Investigations Operations Manual (IOM), and additional FDA and inter-Agency procedures; and train employees on the new procedures. Express couriers will incur one-time costs to read and understand the rule. We estimate that the annualized benefits over 10 years will range from \$148,000 to \$750,000 at a 7 percent discount rate and a 3 percent discount rate, with a primary estimate of \$317,000. The annualized costs will range from \$68,000 to \$1.59 million at a 7 percent discount rate, with a primary estimate of \$475,000, and from \$63,000 to \$1.58 million at a 3 percent discount rate, with a primary estimate of \$470,000.

**II. Table of Abbreviations/Commonly Used Acronyms in This Document**

Abbreviation/acronym	What it means
Agency .....	U.S. Food and Drug Administration.
CBP .....	U.S. Customs and Border Protection.
COVID–19 .....	Disease caused by the severe acute respiratory syndrome coronavirus 2 (SARS–CoV–2).
FDA .....	U.S. Food and Drug Administration.
FDASIA .....	Food and Drug Administration Safety and Innovation Act.
FD&C Act .....	Federal Food, Drug, and Cosmetic Act.
IMFs .....	International Mail Facilities.
IOM .....	Investigations Operations Manual.
NPRM .....	Notice of Proposed Rule Making.
OASIS .....	FDA’s Operational and Administrative System for Import Support.
RPM .....	Regulatory Procedures Manual.
SERIO .....	FDA’s System for Entry Review and Import Operations.
STA .....	Safeguarding Therapeutics Act.
TBT Agreement .....	Technical Barriers to Trade Agreement.
USPS .....	U.S. Postal Service.
We, Our, Us .....	U.S. Food and Drug Administration.

**III. Background**

*A. Need for the Regulation/History of This Rulemaking*

Section 708 in the Food and Drug Administration Safety and Innovation Act (FDASIA) (Pub. L. 112–144), enacted in 2012, gave FDA the authority in section 801(a) of the FD&C Act to destroy, without providing an

opportunity for export, any refused drug valued at \$2,500 or less (or such higher amount as the Secretary of the Treasury may set by regulation). Section 801(a) of the FD&C Act, as amended by FDASIA, allows the Agency to combine the notice and opportunity to introduce testimony on the admissibility of the drug under section 801(a) of the FD&C Act with the

notice and opportunity to introduce testimony on the destruction of the drug, as long as appropriate notice is provided to the owner or consignee.

To implement that authority, FDA published a final rule in the **Federal Register** on September 15, 2015 (80 FR 55237) that revised § 1.94 to provide notice and an opportunity for the owner

or consignee to appear before the Agency and introduce testimony prior to the destruction of a drug.

The STA expanded FDA's administrative destruction authority to include any refused device valued at \$2,500 or less (or such higher amount as the Secretary of the Treasury may set by regulation). To implement this authority, we issued a proposed rule to amend § 1.94 to provide to the owner or consignee of any refused device valued at \$2,500 or less (or such higher amount as the Secretary of the Treasury may set by regulation) notice and an opportunity to appear and introduce testimony prior to the destruction. An NPRM was published in the **Federal Register** on October 7, 2022 (87 FR 60947).

As discussed in the preamble to the proposed rule, FDA has refused devices, including those valued at \$2,500 or less, sent to the United States via international mail or express couriers, including illegal devices that are being imported to diagnose, prevent, or treat COVID-19 such as test kits, respirators, and face masks. Examples of other devices that pose significant public health concerns if counterfeit, unapproved, or unauthorized, or otherwise misbranded or adulterated, include contact lenses and blood glucose test strips.

There is currently little deterrence against sellers shipping illegal devices or re-sending previously refused devices to the United States via international mail or an express courier. Devices that have been refused admission into the United States might be subsequently offered for re-importation by unscrupulous sellers who attempt to circumvent U.S. import regulatory systems. Under the final rule, FDA will be better able to deter such shipments by having an administrative mechanism for destroying a device valued at \$2,500 or less (or such higher amount as the Secretary of the Treasury may set by regulation) that has been refused admission into the United States.

For further information on the need for this regulation, see section III.B. (Need for the Regulation) of the NPRM (87 FR 60947 at 60949–60951). The need for this regulation as discussed in the preamble to the proposed rule applies to the final rule.

#### *B. Summary of Comments to the Proposed Rule*

We received approximately 10 comment letters on the proposed rule by the close of the 60-day public comment period, each containing 1 or more comments on 1 or more issues. We received comments from individuals, an association, a business, medical

personnel, and a foreign government. Some comments were submitted anonymously. The majority of the comments supported the proposed rule.

#### **IV. Legal Authority**

FDA has the legal authority under section 801(a) of the FD&C Act, as amended by the STA, to administratively destroy, without providing opportunity for export, any device valued at \$2,500 or less (or such higher amount as the Secretary of the Treasury may set by regulation) that has been refused admission into the United States. A device that is imported or offered for import is subject to refusal of admission under section 801(a) of the FD&C Act if, among other reasons, it appears to be adulterated or misbranded in violation of section 501 or 502 of the FD&C Act (21 U.S.C. 351 or 352).

Section 801(a) of the FD&C Act directs FDA to issue regulations that provide the owner or consignee of a device designated by the Agency for administrative destruction with notice and an opportunity to introduce testimony to us prior to the destruction of the device. Section 801(a) of the FD&C Act further states that this process may be combined with the notice and opportunity to appear before FDA and introduce testimony on the admissibility of the device under section 801(a) of the FD&C Act, as long as appropriate notice is provided to the owner or consignee.

Additionally, section 701(a) of the FD&C Act authorizes the Agency to issue regulations for the efficient enforcement of the FD&C Act.

As used throughout, the term “device” means those articles meeting the definition of device in section 201(h) of the FD&C Act (21 U.S.C. 321(h)), which includes devices intended for human or animal use. Section 201(h) of the FD&C Act defines the term “device,” in part, as an instrument, apparatus, implement, machine, contrivance, implant, in vitro reagent, or other similar or related article, including any component, part, or accessory, intended for use in the diagnosis of a disease or other condition or in the cure, mitigation, treatment, or prevention of a disease or intended to affect the structure or any function of the body, and that does not achieve its primary intended purposes through chemical action within or on the body of man or other animals or by being metabolized.

#### **V. Comments on the Proposed Rule and FDA Response**

##### *A. Introduction*

We describe and respond to the comments received in the public docket in sections V.B., V.C., and VI of this document. We have numbered each comment to help distinguish between different comments. We have grouped similar comments together under the same number, and, in some cases, we have separated different issues discussed in the same comment and designated them as distinct comments for purposes of our responses. The number assigned to each comment or comment topic is purely for organizational purposes and does not signify the comment's importance or the order in which comments were received.

The Agency also received a number of comments that were not responsive to the content of the proposed rule and therefore were not considered in its final development.

After considering the comments responsive to the proposed rule, the Agency is not making any changes to the text of the regulation included in the proposed rule.

##### *B. Summary of General Comments to the Proposed Rule*

Several commenters made general remarks supporting or opposing the proposed rule without focusing on a particular proposed provision. In the following paragraphs, we discuss and respond to such general comments.

(Comment 1) Some commenters recommended that FDA consider granting greater reciprocity for foreign manufactured diagnostic devices rather than expand administrative destruction because the Agency had not documented those products' adverse effects and suggested that the Agency should assume that the product is suitable for the U.S. market if cleared by a foreign regulatory agency. One commenter recommended that FDA should return products cleared by a foreign regulatory agency so that they can be used in that foreign country.

(Response 1) We decline to follow the suggestion that FDA rely on the findings of a foreign regulatory agency rather than effectuate the authority granted to FDA by Congress in the STA. Section 801(a) of the FD&C Act, as amended by the STA, authorizes FDA to administratively destroy certain devices that are refused admission into the United States, and directs FDA to issue regulations that provide the owner or consignee of a device designated by the Agency for administrative destruction

with notice and an opportunity to introduce testimony to us prior to the destruction of the device. The devices subject to administrative destruction are governed by the FD&C Act and its implementing regulations to protect public health. FDA generally plans to take risk and other factors into account in determining whether to seek destruction of a particular device. In addition, we disagree with the suggestion to return devices that meet the criteria for administrative destruction to the country where they have been “cleared” as this may be difficult due to an exporter not being located in that country and any such return could result in those products being reimported to the United States.

(Comment 2) Some commenters asserted that device manufacturers are more compliant than drug manufacturers so there is no need to expand administrative destruction to devices. Other commenters noted the influx of “faulty” and “fake” devices such as COVID-19 tests, respirators, face masks, and other personal protective equipment during the COVID-19 pandemic.

(Response 2) By passing the STA, Congress determined that expanding administrative destruction to devices was appropriate. Additionally, in the preamble to the proposed rule, we discussed numerous examples of illegal devices that were imported or offered for import, the public health risk associated with such illegal devices, and the lack of deterrence without administrative destruction (87 FR 60947 at 60949–60951). As discussed above and in the preamble to the proposed rule, we believe administrative destruction of illegal devices that are imported or offered for import is appropriate.

### *C. Specific Comments and FDA Response*

(Comment 3) One commenter expressed concern that the proposed rule states that section 801(a) of the FD&C Act would apply to “certain devices” without clarification as to the identity of those devices and another commenter asked what the selection process is for administrative destruction of devices under the rule.

(Response 3) As stated in the preamble to the proposed rule, the term “device” means those articles meeting the definition of device in section 201(h) of the FD&C Act, which includes devices intended for human or animal use (87 FR 60947 at 60951). When we use the term “certain devices”, we mean those devices that meet the criteria for administrative destruction as provided

in section 801(a) of the FD&C Act: a device that is valued at \$2,500 or less (or such higher amount as the Secretary of the Treasury may set by regulation) that is refused admission into the United States (e.g., because it appears to be adulterated or misbranded) and is not brought into compliance as described under section 801(b) of the FD&C Act.

Any device that is reviewed by FDA for admissibility and meets the criteria for administrative destruction may initially be selected for destruction. FDA staff will then determine, taking into account any applicable policies and the circumstances regarding the device and importation, whether to seek destruction. If the decision is made to select the device for destruction, FDA will give notice to the owner or consignee of FDA’s intent to refuse and destroy the device.

(Comment 4) One comment asked whether the owner or consignee would have the option of having the shipment returned to its origin rather than destroyed as part of the notice and opportunity to offer testimony process.

(Response 4) An owner or consignee has an opportunity to contest the destruction of a device by providing testimony at an informal hearing before the Agency. FDA, not the owner or consignee, makes the determination whether a refused device will be returned or destroyed.

(Comment 5) One comment suggested that the Agency should include “the testimony opportunity for the company providing product subject to this policy” in the final rule.

(Response 5) We decline to require that the notice and opportunity for a hearing under § 1.94 be given to the company that provided the device. Section 801(a) requires that FDA provide to the owner or consignee of a device notice and an opportunity to provide testimony prior to the administrative destruction. Owner or consignee is defined in 21 CFR 1.83. As discussed in the preamble to the proposed rule, if the article was sent by international mail, FDA generally considers the addressee of that package to be the owner or consignee (87 FR 60947 at 60951). Consistent with section 801(a) of the FD&C Act and the process for administrative destruction of certain drugs under § 1.94, FDA believes that providing the owner or consignee of a device notice and an opportunity to provide testimony prior to administrative destruction is sufficient. The owner or consignee can choose to present testimony from the company providing the product (assuming the owner or consignee is not the company providing the product) if the owner or

consignee decides to contest the destruction at an informal hearing before the Agency.

(Comment 6) One comment asked if there is a way for the public to be informed of the devices that are destroyed by FDA so that consumers can get rid of the item if it’s in their possession.

(Response 6) We decline to provide such notice in this rule. As discussed in our response to comment 5, the notice required in section 801(a) of the FD&C Act and § 1.94 is for the purpose of allowing the owner or consignee of the device to contest the administrative destruction.

FDA currently provides on its website public notice of safety issues associated with devices through various means, e.g., information about device recalls, consumer alerts or updates, news releases, and safety communications. We referenced some of these public notices for coronavirus tests, vaccines, and treatments, and contact lenses and glucose test strips in the preamble to the proposed rule (87 FR 60947 at 60954–60955). FDA also provides information about import alerts on its website to inform the Agency’s field staff and the public that the Agency has enough evidence to allow for detention without physical examination of FDA-regulated products that appear to be in violation of FDA’s laws and regulations.

To provide the necessary information for consumers to take action on destroyed devices, FDA would have to expend a significant amount of our limited resources to identify and publish the name of each destroyed device, its manufacturer, batch and lot number, and expiration date. We do not believe that such a large expenditure of FDA resources to provide that additional information to the public is warranted.

(Comment 7) A foreign government submitted a comment requesting that FDA clarify whether “a device” is regarded as a single item or a whole batch of devices of the same device category for the purpose of applying the \$2,500 or less valuation for administrative destruction. The commenter also requested that the Agency provide a transition period for their device industry in accordance with Article 2.12 of the World Trade Organization Technical Barriers to Trade Agreement (TBT Agreement), stating that the rule will have a profound impact on the manufacturers or owners in their country.

(Response 7) Section 801(a) of the FD&C Act states that FDA may destroy “any drug or device refused admission under [section 801 of the FD&C Act], if

such drug or device is valued at an amount that is \$2,500 or less (or such higher amount as the Secretary of the Treasury may set by regulation . . .)” and requires the Agency to issue regulations providing notice and an opportunity to present testimony “on destruction of a drug or device.” FDA interprets this administrative destruction provision to apply the \$2,500 or less valuation to a singular device rather than to an entire entry or shipment containing multiple devices of the same type or product code.

We decline to provide an additional transition period beyond that required by the Administrative Procedure Act. Because this rule does not meet the definition of a “technical regulation” of the TBT Agreement, as defined in Annex 1 of the Agreement, Article 2.12 of the TBT Agreement does not apply.

Additionally, we do not think an additional transition period is necessary, particularly since there is nothing for manufacturers to implement under this rule. This rule addresses certain illegal devices that are imported or being offered for import to the United States and implements the authority under the FD&C Act, as amended by the STA, for FDA to administratively destroy these devices rather than returning them.

As noted earlier, the STA was signed into law on January 5, 2021, over 3 years ago. The proposed rule was published well over a year ago, on October 7, 2022, and a 60-day period for submission of public comment followed. The final rule will be effective 30 days from publication in the **Federal Register**.

## VI. Comments on FDA Procedures for Administrative Destruction and FDA Response

In the NPRM preamble, FDA explained that the Agency intends to make a change to the procedures for destroying a refused drug and intends to use the same procedures for devices that are subject to administrative destruction. Under our revised procedures for destruction, FDA might not make a determination that a drug or device subject to administrative destruction is, in fact, in violation of the FD&C Act if the owner or consignee has not requested a hearing to contest the administrative destruction (including the basis for refusal of admission). We will continue to make a determination that a drug or device is, in fact, in violation of the FD&C Act when an owner or consignee timely requests a hearing to contest the administrative destruction (including the basis for refusal of admission) (87 FR 60947 at 60951–60952).

The majority of the comments on the notice regarding the change to our internal administrative destruction procedures were supportive. FDA is finalizing the procedures described in the preamble in the NPRM published on October 7, 2022 (87 FR 60947 at 60951–60952) and will implement the procedures at the same time the final rule takes effect.

(Comment 8) One comment stated that there should be data made available for the counterfeit devices that are the subject of this rule rather than using the 99 percent rate for drugs that are designated for destruction and found to be adulterated or misbranded. Another commenter suggested that we sunset the program to evaluate, sometime after implementation, to see whether the 99 percent rate is substantially the same for devices that are subject to destruction. A different commenter requested that we make a report on the effectiveness of the program publicly available.

(Response 8) We used the data we have from the administrative destruction of drugs program that was implemented in April 2016 because we do not have data on the devices subject to administrative destruction given that the program for devices has not yet been implemented. FDA intends to periodically evaluate the effectiveness of its program and does not see a need to sunset the program while we perform an evaluation. Finally, at this time, we do not agree that public reports on the effectiveness of the program are warranted or would be an optimal use of FDA’s limited resources.

## VII. Effective Date

The rule is effective 30 days after publication of a final rule in the **Federal Register**.

## VIII. Economic Analysis of Impacts

### A. Introduction

We have examined the impacts of the final rule under Executive Order 12866, Executive Order 13563, Executive Order 14094, the Regulatory Flexibility Act (5 U.S.C. 601–612), the Congressional Review Act/Small Business Regulatory Enforcement Fairness Act (5 U.S.C. 801, Pub. L. 104–121), and the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4).

Executive Orders 12866, 13563, and 14094 direct us to assess all benefits, costs, and transfers of available regulatory alternatives and, when regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety, and other advantages;

and equity). Rules are “significant” under Executive Order 12866 Section 3(f)(1) (as amended by Executive Order 14094) if they “have an annual effect on the economy of \$200 million or more (adjusted every 3 years by the Administrator of [the Office of Information and Regulatory Affairs (OIRA)] for changes in gross domestic product); or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, territorial, or tribal governments or communities.” OIRA has determined that this final rule is not a significant regulatory action under Executive Order 12866 section 3(f)(1).

Because this rule is not likely to result in an annual effect on the economy of \$100 million or more or meets other criteria specified in the Congressional Review Act/Small Business Regulatory Enforcement Fairness Act, OIRA has determined that this rule does not fall within the scope of 5 U.S.C. 804(2).

The Regulatory Flexibility Act requires us to analyze regulatory options that would minimize any significant impact of a rule on small entities. Because of the number of expected device destructions per year and the very small value per event, we certify that the final rule will not have a significant economic impact on a substantial number of small entities.

The Unfunded Mandates Reform Act of 1995 (section 202(a)) requires us to prepare a written statement, which includes an assessment of anticipated costs and benefits, before issuing “any rule that includes any Federal mandate that may result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of \$100,000,000 or more (adjusted annually for inflation) in any one year.” The 2022 threshold after adjustment for inflation is \$177 million, using the 2022 Implicit Price Deflator for the Gross Domestic Product. This final rule will not result in an expenditure in any year that meets or exceeds this amount.

### B. Overview of Benefits and Costs

The final rule will implement the authority of FDA to destroy a device valued at \$2,500 or less (or such higher amount as the Secretary of the Treasury may set by regulation) that has been offered for import and refused admission into the United States under the FD&C Act by providing notice and opportunity to the owner or consignee to appear and introduce testimony to FDA prior to the destruction. Because the majority of devices offered for import that are valued at \$2,500 or less are shipped via international mail and

express couriers, FDA currently intends to implement the final rule at the IMFs and express couriers. We do not, therefore, consider impacts related to shipments via commercial air, land, and seaports.<sup>1</sup>

The costs and benefits of the final rule will depend on the number of administrative destructions that FDA orders each year for refused devices valued at \$2,500 or less. For our primary estimates, we assume that FDA will order the destruction of 65 percent of refused devices valued at \$2,500 or less. We additionally assume that FDA will contract out the act of destruction to a private firm and combine the notice and

hearing process for destruction with the notice and hearing process for refusal. We summarize the costs and benefits of the final rule in table 1.

We estimate that the annualized benefits over 10 years will range from \$148,000 to \$750,000 at a 7 percent discount rate and a 3 percent discount rate, with a primary estimate of \$317,000. The annualized costs will range from \$68,000 to \$1.59 million at a 7 percent discount rate, with a primary estimate of \$475,000, and from \$63,000 to \$1.58 million at a 3 percent discount rate, with a primary estimate of \$470,000.

Over 10 years, the present value of total benefits will range from \$1.04 million to \$5.27 million at a 7 percent discount rate, with a primary estimate of \$2.22 million, and from \$1.27 million to \$6.39 million at a 3 percent discount rate, with a primary estimate of \$2.70 million. The present value of total costs will range from \$474,000 to \$11.14 million at a 7 percent discount rate, with a primary estimate of \$3.33 million, and from \$539,000 to \$13.49 million at a 3 percent discount rate, with a primary estimate of \$4.01 million.

TABLE 1—SUMMARY OF BENEFITS, COSTS, AND DISTRIBUTIONAL EFFECTS OF FINAL RULE  
[Millions of 2022 dollars]

Category	Primary estimate	Low estimate	High estimate	Units			Notes
				Year dollars	Discount rate (%)	Period covered (years)	
<b>Benefits:</b>							
Annualized Monetized (\$m/y) <sup>1</sup> .....	\$0.317 0.317	\$0.148 0.148	\$0.750 0.750	2022 2022	7 3	10 10	Benefits include cost savings to express couriers and USPS.
Annualized Quantified .....					7 3		
Qualitative .....							
<b>Costs:</b>							
Annualized Monetized (\$m/y) <sup>1</sup> .....	0.475 0.470	0.068 0.063	1.586 1.582	2022 2022	7 3	10 10	Benefits of the final rule include the additional illnesses or deaths averted from destroying, rather than returning, refused devices valued at \$2,500 or less (or such higher amount as the Secretary of the Treasury may set by regulation).
Annualized Quantified .....					7 3		
Qualitative .....							
<b>Transfers:</b>							
Federal Annualized Monetized (\$m/y) .....					7 3		
From/To .....	From:			To:			
Other Annualized Monetized (\$m/y) .....					7 3		
From/To .....	From:			To:			

Effects:  
State, Local or Tribal Government: No estimated effect.  
Small Business: No estimated effect.  
Wages: No estimated effect.  
Growth: No estimated effect.

<sup>1</sup> When calculating annualized benefits and costs, we assume that payments occur at the end of each period. Throughout our analysis, we use “year 1” to represent impacts that occur during the year that the final rule is finalized.

Notwithstanding the quantified estimated benefits described above, the primary benefit of the final rule will be the unquantified value of additional illnesses or deaths averted from destroying, rather than returning, refused devices valued at \$2,500 or less (or such higher amount as the Secretary of the Treasury may set by regulation).

Additionally, if a destroyed device is a counterfeit or an otherwise falsified version of an approved or cleared device, the owner of the approved or cleared device may benefit through increased sales, brand value, or research and development funding. The threat of destruction additionally may have a deterrent effect, reducing the amount of

adulterated or misbranded (violative) devices that are offered for import into the United States. These benefits will accrue whenever FDA’s existing enforcement tools would not have prevented the violative device from entering the U.S. market; the current policy for returning refused devices does not preclude the re-importation of

<sup>1</sup> Based on internal data, the majority of devices that were offered for import, valued at \$2,500 or

less, and refused in fiscal year 2022 were shipped via IMF or express courier.

the device into the United States in the future. We do not have enough information to quantify these benefits.

The destruction of refused devices will lessen the costs incurred to export and return refused devices to the country of origin (the current procedure for refused devices valued at \$2,500 or less). Express couriers and the U.S. Postal Service (USPS) will incur quantified cost savings from exporting and returning fewer refused devices, respectively.

Quantified costs of the final rule will include the costs to FDA to destroy, rather than return, refused devices valued at \$2,500 or less, and the additional costs to store these devices at IMF's prior to destruction. FDA will additionally incur one-time costs to update its electronic OASIS and SERIO; revise its RPM, IOM, and additional FDA and inter-Agency procedures; and train employees on the new procedures. Express couriers will incur one-time costs to read and understand the rule.

If our assumptions do not hold, FDA may incur additional costs, including costs to purchase equipment to destroy refused devices, costs to train employees administering the destruction of refused devices, costs to notify separately the owners or consignees of refused devices, and costs to prepare for hearings on destruction that the owners or consignees of refused devices request. We have developed a comprehensive Economic Analysis of Impacts that assesses the impacts of the final rule. The full analysis of economic impacts is available in the docket for this rule (Ref. 1) and at <https://www.fda.gov/about-fda/economics-staff/regulatory-impact-analyses-ria>.

#### IX. Analysis of Environmental Impact

We have determined under 21 CFR 25.30(h) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

#### X. Paperwork Reduction Act of 1995

This final rule contains no collection of information. Therefore, clearance by the Office of Management and Budget under the Paperwork Reduction Act of 1995 is not required.

#### XI. Federalism

We have analyzed this final rule in accordance with the principles set forth in Executive Order 13132. FDA has determined that the rule does not contain policies that 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. Accordingly, we conclude that the rule does not contain policies that have federalism implications as defined in the Executive order and, consequently, a federalism summary impact statement is not required.

#### XII. Consultation and Coordination With Indian Tribal Governments

We have analyzed this rule in accordance with the principles set forth in Executive Order 13175. We have determined that the rule does not contain policies that have substantial direct effects on one or more Indian Tribes, on the relationship between the Federal Government and Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes. Accordingly, we conclude that the rule does not contain policies that have Tribal implications as defined in the Executive order and, consequently, a Tribal summary impact statement is not required.

#### XIII. Reference

The following reference is on display with the Dockets Management Staff (see **ADDRESSES**) and is available for viewing by interested persons between 9 a.m. and 4 p.m., Monday through Friday; it also available electronically at <https://www.regulations.gov>. Although FDA verified the website addresses in this document, please note that websites are subject to change over time.

1. FDA. Administrative Destruction: Regulatory Impacts Analysis, Regulatory Flexibility Analysis, Unfunded Mandates Reform Act Analysis, 2023. <https://www.fda.gov/about-fda/reports/economic-impact-analyses-fda-regulations>.

#### List of Subjects in 21 CFR Part 1

Cosmetics, Drugs, Exports, Food labeling, Imports, Labeling, Reporting, and recordkeeping requirements.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, the Food and Drug Administration amends 21 CFR part 1 as follows:

#### PART 1—GENERAL ENFORCEMENT REGULATIONS

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

**Authority:** 15 U.S.C. 1333, 1453, 1454, 1455, 4402; 19 U.S.C. 1490, 1491; 21 U.S.C.

321, 331, 332, 333, 334, 335a, 342, 343, 350c, 350d, 350j, 352, 355, 360b, 360ccc, 360ccc-1, 360ccc-2, 362, 371, 374, 381, 382, 384a, 387, 387a, 387c, 393, and 2223; 42 U.S.C. 216, 241, 243, 262, 264, 271.

- 2. In § 1.94, revise paragraphs (a) and (c) to read as follows:

#### § 1.94 Hearing on refusal of admission or destruction.

(a) If it appears that the article may be subject to refusal of admission or that the article is a drug or device that may be subject to destruction under section 801(a) of the Federal Food, Drug, and Cosmetic Act, the division director shall give the owner or consignee a written or electronic notice to that effect, stating the reasons therefor. The notice shall specify a place and a period of time during which the owner or consignee shall have an opportunity to introduce testimony. Upon timely request giving reasonable grounds therefor, such time and place may be changed. Such testimony shall be confined to matters relevant to the admissibility or destruction of the article, and may be introduced orally or in writing.

\* \* \* \* \*

(c) If the article is a drug or device that may be subject to destruction under section 801(a) of the Federal Food, Drug, and Cosmetic Act, the division director may give the owner or consignee a single written or electronic notice that provides the notice of refusal of admission and the notice of destruction of an article described in paragraph (a) of this section. The division director may also combine the hearing on refusal of admission with the hearing on destruction of the article described in paragraph (a) of this section into a single proceeding.

Dated: May 17, 2024.

**Robert M. Califf,**

*Commissioner of Food and Drugs.*

[FR Doc. 2024-11564 Filed 5-30-24; 8:45 am]

**BILLING CODE 4164-01-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Ocean Energy Management

#### 30 CFR Parts 550, 556, and 590

[Docket No. BOEM-2023-0027]

RIN 1010-AE14

#### Risk Management and Financial Assurance for OCS Lease and Grant Obligations; Correction

**AGENCY:** Bureau of Ocean Energy Management, Interior.

**ACTION:** Final rule; correction.

**SUMMARY:** This document makes a technical correction in the preamble to the final rule titled, Risk Management and Financial Assurance for OCS Lease and Grant Obligations, which the Department of the Interior published in the **Federal Register** on April 24, 2024. This correction clarifies that the effective date of the rule is June 29, 2024.

**DATES:** As of May 31, 2024, the rule published on April 24, 2024 (89 FR 31544), effective June 24, 2024, is corrected to be effective June 29, 2024. This correction is effective June 29, 2024.

**FOR FURTHER INFORMATION CONTACT:**

Kelley Spence, Office of Regulations, BOEM, 45600 Woodland Road, Sterling, Virginia 20166, at email address [Kelley.Spence@boem.gov](mailto:Kelley.Spence@boem.gov) or at telephone number (984) 298-7345; and Karen Thundiyil, Chief, Office of Regulations, BOEM, 1849 C Street NW, Washington, DC 20240, at email address [Karen.Thundiyil@boem.gov](mailto:Karen.Thundiyil@boem.gov) or at telephone number (202) 742-0970.

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 the contacts listed in this section. These services are available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

**SUPPLEMENTARY INFORMATION:** The final rule published April 24, 2024, at 89 FR 31544, contained an incorrect effective date. It stated the effective date is June 24, 2024. This document corrects the effective date to June 29, 2024. This document also makes a correction to § 556.901(h).

**Corrections**

In FR Doc. 2024-08309 appearing on page 31544 in the **Federal Register** of Wednesday, April 24, 2024, the following corrections are made:

**Preamble**

1. On page 31544, in the first column, in the **DATES** section, the first sentence is corrected to read “This final rule is effective on June 29, 2024.”

**Regulations**

**§ 556.901 [Corrected]**

■ 2. On page 31595, in the first column, in § 556.901, paragraph (h) introductory text is corrected to read as follows:  
“(h) During the first 3 years from June 29, 2024, you may, upon receipt of a demand letter for supplemental financial assurance under this section, request that the Regional Director allow you to provide, in three equal installments payable according to the schedule provided under this paragraph (h), the full amount of supplemental financial assurance required.”

**Elizabeth Klein,**

*Director, Bureau of Ocean Energy Management.*

[FR Doc. 2024-11914 Filed 5-30-24; 8:45 am]

**BILLING CODE 4310-MR-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 117**

[Docket No. USCG-2023-0532]

RIN 1625-AA09

**Drawbridge Operation Regulation; Sloop Channel, Nassau County, NY**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary interim rule.

**SUMMARY:** The Coast Guard is temporarily modifying the operating schedule that governs the Meadowbrook State Parkway Bridge across Sloop Channel, mile 12.8, at Nassau County, NY. The bridge is currently operating under single leaf openings to complete a bridge rehabilitation; however, during repairs, the Meadowbrook State Parkway Bridge experienced electrical failure in the submarine cables. Until the bridge repairs are complete the bridge openings must be minimized.

**DATES:** This temporary interim rule is effective May 31, 2024 through 12:01 a.m. on January 2, 2025.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>. Type the docket number (USCG-2023-0532) in the “SEARCH” box and click “SEARCH”. In the Document Type column, select “Supporting & Related Material.”

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this temporary interim rule, call or email, Coast Guard Bridge Management Specialist, Stephanie Lopez at telephone 212-514-

4335 or email [Stephanie.E.Lopez@uscg.mil](mailto:Stephanie.E.Lopez@uscg.mil).

**SUPPLEMENTARY INFORMATION:**

**I. Table of Abbreviations**

CFR Code of Federal Regulations  
DHS Department of Homeland Security  
FR Federal Register  
NPRM Notice of proposed rulemaking  
Pub. L. Public Law  
§ Section  
U.S.C. United States Code  
NYS DOT New York State Department of Transportation  
TFR Temporary Final Rule

**II. Background Information and Regulatory History**

On September 19, 2023, the Coast Guard issued a general deviation to NYS DOT allowing the bridge owner, NYS DOT, to deviate from the current operating schedule in 33 CFR 117.799(h) for the Meadowbrook State Parkway Bridge. This deviation allowed the bridge to operate under single leaf operations from September 20, 2023, to March 17, 2024, in order to perform bridge deck replacement.

Since the actual scope of the work would take longer than the allowable time limit of the General Deviation, the Coast Guard published a notice of proposed rulemaking (NPRM) on October 3, 2023, entitled “Drawbridge Operation Regulation; Sloop Channel, Nassau County, NY,” in the **Federal Register** (88 FR 68033). There we stated why we issued the NPRM and invited comments on our proposed regulatory action related to the rehabilitation of the Meadowbrook State Parkway Bridge. During the comment period that ended November 2, 2023, we received no comments.

On February 23, 2024, the Coast Guard published a Temporary Final Rule (TFR) entitled “Drawbridge Operation Regulation; Sloop Channel, Nassau County, NY,” in the **Federal Register** (89 FR 13911). There we stated why we issued the TFR and implemented the change to the operating schedule for maintenance of the bridge.

The Coast Guard is issuing this Temporary Interim Rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are “impracticable, unnecessary, or contrary to the public interest.” Under 5 U.S.C. 553(b), the Coast Guard finds that good cause exists for not publishing a notice



of proposed rulemaking (NPRM) with respect to this rule because it is impracticable. The bridge is currently operating under single leaf openings to conduct a bridge rehabilitation until May 15, 2024, and the bridge cannot be brought back to normal operation. Also, on February 29, 2024, the Meadowbrook State Parkway Bridge experienced electrical failure in the submarine cables which has now added substantial time needed for repair and will further restrict the operation of the bridge. Due to the extensive damage to the submarine cables and delay in material procurement, NYSDOT predicts the repairs will take an estimate of 8 months to complete.

However, we will be soliciting comments on this rulemaking during the first 30 days while this rule is in effect. If the Coast Guard determines that changes to the temporary interim rule are necessary, we will publish a secondary temporary interim rule or other appropriate document. Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making it effective in less than 30 days after publication in the **Federal Register** because it is impracticable. Due to the damage the bridge suffered on February 29, 2024; the bridge cannot comply with the current operating regulation in 33 CFR 117.799(h) which states the bridge shall open on signal if at least a one-half hour notice is given to the New York State Department of Transportation.

### III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 33 U.S.C. 499. Meadowbrook State Parkway Bridge across Sloop Channel is a bascule bridge with a vertical clearance of 21 feet mean high water in the closed position and unlimited clearance in the open position. The Meadowbrook State Parkway Bridge normally operates under 33 CFR 117.799(h); however, paragraph (h) has been stayed and a temporary paragraph (k) was issued to conduct the rehabilitation of the bridge under the TFR.

The bridge is currently operating under single leaf openings to conduct bridge rehabilitation operations until May 15, 2024. On February 29, 2024, NYSDOT notified USCG of a bridge failure that occurred at the Meadowbrook State Parkway. The Meadowbrook State Parkway Bridge suffered damage to the submarine cables disabling the bridge from operating under the current regulation which states the bridge must open on signal if at least a one-half hour notice is given. NYSDOT is requesting a 3-hour notice

be required for bridge openings during set times.

### IV. Discussion of the Rule

NYSDOT is proposing single leaf openings with a 3-hour advance notice for the following times: 5 a.m., 8 a.m., 11 a.m., 2 p.m., 5 p.m., 8 p.m., and 11 p.m., from May 31, 2024 through May 15, 2024. From May 16, 2024, until January 2, 2025, the bridge will perform double leaf openings with a 3-hour advance notice for the following times: 5 a.m., 8 a.m., 11 a.m., 2 p.m., 5 p.m., 8 p.m., and 11 p.m. No bridge openings will be performed outside of these time frames except for emergency vessels. This temporary interim rule is required while NYSDOT performs bridge repairs. 33 CFR 117.799(h) will remain stayed until January 2, 2025, and the current temporary paragraph (k) will be revised to reflect the new temporary operating schedule.

### V. Regulatory Analyses

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

#### A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. This rule has not been designated a “significant regulatory action,” under section 3(f) of Executive Order 12866, as amended by Executive Order 14094 (Modernizing Regulatory Review). Accordingly, it has not been reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based on the ability that vessels can still transit the bridge given 3 hours advanced notice.

#### B. Impact on Small Entities

The Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601–612, as amended, requires federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term “small entities” comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

While some owners or operators of vessels intending to transit the bridge may be small entities, for the reasons stated in section V.A above, this rule will not have a significant economic impact on any vessel owner or operator.

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

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency’s responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

#### C. Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

#### D. Federalism and Indian Tribal Government

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

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

### E. Unfunded Mandates Reform Act

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

### F. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01, Rev.1, associated implementing instructions, and Environmental Planning Policy COMDTINST 5090.1 (series) which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f). The Coast Guard has determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule promulgates the operating regulations or procedures for drawbridges and is categorically excluded from further review, under paragraph L49, of Chapter 3, Table 3–1 of the U.S. Coast Guard Environmental Planning Implementation Procedures.

Neither a Record of Environmental Consideration nor a Memorandum for the Record are required for this rule.

### List of Subjects in 33 CFR Part 117

Bridges.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 117 as follows:

### PART 117—DRAWBRIDGE OPERATION REGULATIONS

■ 1. The authority citation for part 117 continues to read as follows:

**Authority:** 33 U.S.C. 499; 33 CFR 1.05–1; Department of Homeland Security Delegation No. 0170.1. Revision No. 01.3.

■ 2. Section 117.799 is amended by staying paragraph (h), adding a reserved paragraph (j), and adding paragraph (k). The additions read as follows:

#### § 117.799 Long Island, New York Inland Waterway from East Rockaway Inlet to Shinnecock Canal.

\* \* \* \* \*

(j) [Reserved]

(k) The draw of the Meadowbrook State Parkway Bridge across Sloop Channel, mile 12.8, shall open under single leaf openings with a 3-hour

advance notice for the following times: 5 a.m., 8 a.m., 11 a.m., 2 p.m., 5 p.m., 8 p.m., and 11 p.m., May 31, 2024 through May 15, 2024. From May 16, 2024, until January 2, 2025, the bridge will perform double leaf openings with a 3-hour advance notice for the following times: 5 a.m., 8 a.m., 11 a.m., 2 p.m., 5 p.m., 8 p.m., and 11 p.m. No bridge openings will be performed outside of these time frames.

**M.E. Platt,**

*Rear Admiral, U.S. Coast Guard, Commander, First Coast Guard District.*

[FR Doc. 2024–11837 Filed 5–30–24; 8:45 am]

**BILLING CODE 9110–04–P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket Number USCG–2024–0441]

RIN 1625–AA00

#### Safety Zone; Hampton River, Hampton, VA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone for navigable waters within the Hampton River, Hampton, VA. The safety zone is needed to protect personnel and vessels from potential hazards created by overhead drones during a lighted drone show. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port, Sector Virginia.

**DATES:** This rule is effective from 9 p.m. until 9:30 p.m. on July 4, 2024.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG–2024–0441 in the search box and click “Search.” Next, in the Document Type column, select “Supporting & Related Material.”

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this rule, call, or email LCDR Ashley Holm, Chief, Waterways Management Division, Sector Virginia, U.S. Coast Guard; telephone 757–668–5580, email [Ashley.E.Holm@uscg.mil](mailto:Ashley.E.Holm@uscg.mil).

#### SUPPLEMENTARY INFORMATION:

##### I. Table of Abbreviations

CFR Code of Federal Regulations  
COTP Captain of the Port, Sector Virginia  
DHS Department of Homeland Security

FR Federal Register

NPRM Notice of proposed rulemaking

§ Section

U.S.C. United States Code

## II. Background Information and Regulatory History

The Coast Guard is issuing this temporary rule under authority in 5 U.S.C. 553(b)(B). This statutory provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are “impracticable, unnecessary, or contrary to the public interest.” The Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because the Coast Guard was given short notice of a lighted drone show, and a safety zone is needed to protect persons and vessels within the area from hazards associated with overhead drones. It is impracticable to publish an NPRM, provide a comment period, consider any comments submitted, and publish a final regulation by July 4, 2024, when the rule must be in effect to ensure the safety of life on the navigable waters during the drone show scheduled to take place then.

## III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70034. The Captain of the Port Sector Virginia (COTP) has determined that potential hazards associated with a lighted drone show on July 4, 2024, will be a safety concern for anyone beneath the drones as they are flown over the Hampton River. This rule is needed to protect personnel and vessels in the navigable waters within the safety zone during the lighted drone show.

## IV. Discussion of the Rule

This rule establishes a safety zone from 9 p.m. until 9:30 p.m. on July 4, 2024. The safety zone will encompass all navigable waters from the shoreline of the Hampton River contained within the following points: 37°01′31.9″ N 76°20′25.5″ W; 37°01′32.9″ N 76°20′20.8″ W; 37°01′36.0″ N 76°20′21.4″ W. The duration of the safety zone is intended to protect personnel and vessels in these navigable waters during the lighted drone show. No vessel or person will be permitted to enter the safety zone without obtaining permission from the COTP or a designated representative.

## V. Regulatory Analyses

We developed this rule after considering numerous statutes and

Executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive orders, and we discuss First Amendment rights of protestors.

#### A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. This rule has not been designated a “significant regulatory action,” under section 3(f) of Executive Order 12866, as amended by Executive Order 14094 (Modernizing Regulatory Review). Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based on the size, location, duration, and time-of-day of the safety zone. Vessel traffic will be able to safely transit around this safety zone which would impact a small, designated area of the Hampton River for less than 1 hour during the evening when vessel traffic is normally low. Moreover, the Coast Guard would issue a Broadcast Notice to Mariners via VHF-FM marine channel 16 about the zone, and the rule would allow vessels to seek permission to enter the zone.

#### B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term “small entities” comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

While some owners or operators of vessels intending to transit the safety zone may be small entities, for the reasons stated in section V.A above, this rule will not have a significant economic impact on any vessel owner or operator.

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

person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency’s responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

#### C. Collection of Information

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

#### D. Federalism and Indian Tribal Governments

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

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

#### E. Unfunded Mandates Reform Act

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

#### F. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves a safety zone lasting less than 1 hour that will prohibit entry within a small portion of the Hampton River. It is categorically excluded from further review under paragraph L60(a) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble.

#### G. Protest Activities

The Coast Guard respects the First Amendment rights of protestors. Protesters are asked to call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places, or vessels.

#### List of Subjects in 33 CFR Part 165

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

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

#### **PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS**

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

**Authority:** 46 U.S.C. 70034, 70051, 70124; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 00170.1, Revision No. 01.3.

■ 2. Add § 165.T05–0441 to read as follows:

#### **§ 165.T05–0441 Safety Zone; Hampton River, Hampton, VA**

(a) *Location.* The following area is a safety zone: All navigable waters from the shoreline of the Hampton River contained within the following points: 37°01′31.9″ N 76°20′25.5″ W; 37°01′32.9″ N 76°20′20.8″ W;

37°01'36.0" N 76°20'21.4" W. These coordinates are based on WGS 84.

(b) *Definitions.* As used in this section, *designated representative* means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officer operating a Coast Guard vessel and a Federal, State, and local officer designated by or assisting the Captain of the Port Virginia (COTP) in the enforcement of the safety zone.

(c) *Regulations.* (1) Under the general safety zone regulations in subpart C of this part, you may not enter the safety zone described in paragraph (a) of this section unless authorized by the COTP or the COTP's designated representative.

(2) To seek permission to enter, contact the COTP or the COTP's representative via VHF-FM Channel 16. Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(d) *Enforcement period.* This section will be enforced from 9 p.m. to 9:30 p.m. on July 4, 2024.

Dated: May 23, 2024.

**J.A. Stockwell,**

*Captain, U.S. Coast Guard, Captain of the Port, Sector Virginia.*

[FR Doc. 2024-11966 Filed 5-30-24; 8:45 am]

**BILLING CODE 9110-04-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG-2024-0426]

#### Security Zone; Portland Rose Festival on Willamette River

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notification of enforcement of regulation.

**SUMMARY:** The Coast Guard will enforce the security zone for the Portland Rose Festival on the Willamette River in Portland, OR, from noon on June 5, 2024 through noon on June 10, 2024. This action is necessary to ensure the security of vessels participating in the 2024 Portland Rose Festival on the Willamette River during the event. Our regulation for the Security Zone Portland Rose Festival on the Willamette River identifies the regulated area. During the enforcement period, no person or vessel may enter or remain in the security zone without permission from the Sector Columbia River Captain of the Port.

**DATES:** The regulations in 33 CFR 165.1312 will be enforced from noon on June 5, 2024 through noon on June 10, 2024.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this notification of enforcement, call or email Lieutenant Carlie Gilligan, Waterways Management Division, Sector Columbia River, U.S. Coast Guard; telephone 503-240-9319, email [SCRWWM@USCG.MIL](mailto:SCRWWM@USCG.MIL).

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the security zone for the Portland Rose Festival in 33 CFR 165.1312 for the Willamette River regulated area from noon on June 5, 2024 through noon on June 10, 2024. This action is necessary to ensure the security of vessels participating in the 2024 Portland Rose Festival on the Willamette River during the event. Under the provisions of 33 CFR 165.1312 and subpart D of Part 165, no person or vessel may enter or remain in the security zone, consisting of all waters of the Willamette River, from surface to bottom, encompassed by the Hawthorne and Steel Bridges, without permission from the Captain of the Port Columbia River. Persons or vessels wishing to enter the security zone may request permission to do so from the on-scene Captain of the Port representative via VHF Channel 16 or 13. The Coast Guard may be assisted by other Federal, State, or local enforcement agencies in enforcing this regulation.

In addition to this notification of enforcement in the **Federal Register**, the Coast Guard will provide notification of this enforcement period via the Local Notice to Mariners and marine information broadcasts.

Dated: May 23, 2024.

**J.W. Noggle,**

*Captain, U.S. Coast Guard, Captain of the Port Columbia River.*

[FR Doc. 2024-11977 Filed 5-30-24; 8:45 am]

**BILLING CODE 9110-04-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket Number USCG-2024-0456]

**RIN 1625-AA00**

#### Safety Zone; Corpus Christi Ship Channel, Corpus Christi, TX

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone for certain navigable waters of the Corpus Christi Ship Channel. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards created by the removal of pipeline from the floor of the Corpus Christi Ship Channel near mile markers 55 and 56. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port, Sector Corpus Christi or a designated representative.

**DATES:** This rule is effective from June 1, 2024, through June 30, 2024. It will be subject to enforcement each and every day, between the hours of 8 p.m. of one day to 6 a.m. of the next day.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG-2024-0456 in the "SEARCH" box and click "SEARCH." Click on Open Docket Folder on the line associated with this rule.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this rule, call or email Lieutenant Commander Anthony Garofalo, Sector Corpus Christi Waterways Management Division, U.S. Coast Guard; telephone 361-939-5130, email [Anthony.M.Garofalo@uscg.mil](mailto:Anthony.M.Garofalo@uscg.mil).

**SUPPLEMENTARY INFORMATION:**

#### I. Table of Abbreviations

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

#### II. Background Information and Regulatory History

The Coast Guard is issuing this temporary rule without prior notice and opportunity to comment pursuant to 5 U.S.C. 553(b). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are "impracticable, unnecessary, or contrary to the public interest." Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because it is impracticable. This safety zone must be in place by June 1st to protect personnel, vessels, and the marine environment from potential hazards associated with removal of the pipelines and there is insufficient time between now and June 1st to provide notice of

a proposal to create these safety zones, consider comments received, and publish a final rule.

In addition, the Coast Guard finds that good cause also exists under 5 U.S.C. 553(d)(3) for making this rule effective less than 30 days after publication in the **Federal Register** because the safety zone must be in effect less than 30 days from now to serve their purpose and it would be contrary to the public interest to delay its effective date until after the hazardous activities begin.

### III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70034. The Captain of the Port, Sector Corpus Christi (COTP) has determined that hazards inherent in blocking the channel for pipeline removal activities necessitate provisions to protect personnel, vessels, and the marine environment while those activities are taking place. The activities giving rise to these hazards include the deployment of heavy equipment which will obstruct vessel traffic, continuous diving operations, and various other activities which create underwater hazards while people are working.

### IV. Discussion of the Rule

This rule is subject to overnight enforcement, starting from 8 p.m. of the first day, to 6 a.m., of the next day, each and every day, from June 1st, 2024 through June 30, 2024. No vessel or person will be permitted to enter the temporary safety zones during the period in which the rule is subject to enforcement without obtaining permission from the COTP or a designated representative, who may be contacted on Channel 16 VHF-FM (156.8 MHz) or by telephone at 1-800-874-2143. The Coast Guard will issue Broadcast Notices to Mariners, Local Notices to Mariners, and/or Safety Marine Information Broadcasts as appropriate.

### V. Regulatory Analyses

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

#### A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. This rule has not been designated a

“significant regulatory action,” under Executive Order 12866, as amended by Executive Order 14094 (Modernizing Regulatory Review). Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based on the size, location, and duration of the safety zones. The safety zones cover less than 0.5 square mile area of the Corpus Christi Ship Channel in Texas. The temporary safety zones will be subject to enforcement for a period of 9 consecutive hours, each day, from June 1st, 2024 through June 30, 2024. The rule does not completely prohibit vessel traffic within the waterway and it allows mariners to request permission to enter the zones.

#### B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term “small entities” comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

While some owners or operators of vessels intending to transit the temporary safety zone may be small entities, for the reasons stated in section V.A above, this rule will not have a significant economic impact on any vessel owner or operator.

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

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency’s responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The

Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

#### C. Collection of Information

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

#### D. Federalism and Indian Tribal Governments

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

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

#### E. Unfunded Mandates Reform Act

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

#### F. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01 and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f) and have determined that this action is one of a category of actions that do not

individually or cumulatively have a significant effect on the human environment. This rule involves establishment of a temporary safety zone for navigable waters in the Corpus Christi Bay. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards created by pipeline removal activities that may include deployment of heavy equipment which will obstruct vessel traffic, continuous diver's operations, and various other activities which create underwater hazards while people are working. It is categorically excluded from further review under paragraph L60(a), in Appendix A, Table 1 of DHS Instruction Manual 023-01-001-01, Rev. 1. A Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble.

#### G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

#### List of Subjects in 33 CFR Part 165

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

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

### PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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

**Authority:** 46 U.S.C. 70034, 70051; 70124; 33 CFR 1.05-1, 6.04-1, 6.04-6, and 160.5; Department of Homeland Security Delegation No. 00170.1, Revision No. 01.3.

- 2. Add § 165.T08-0456 to read as follows:

#### § 165.T08-0456 Safety Zone; Corpus Christi Ship Channel, Corpus Christi, TX.

(a) *Location.* The safety zone will be within the following area: All navigable waters of the Corpus Christi Ship Channel, from the surface to bottom, encompassed by a line connecting the following points beginning at Point 1: 27°48'47.41" N, 97°16'49.55" W, thence to Point 2: 27°48'46.55" N, 97°16'54.8" W, thence to Point 3: 27°48'28.48" N, 97°16'58.94" W, thence to Point 4:

27°48'28.04" N, 97°16'51.42" W. These coordinates are based on World Geodetic System (WGS) 84.

(b) *Definitions.* As used in this section, designated representative means a Coast Guard Patrol officer, petty officer, or other officer operating a Coast Guard vessel and a Federal, State, and local officer designated by or assisting the Captain of the Port, Port Arthur, TX (COTP), in the enforcement of the safety zone.

(c) *Enforcement period.* This section will be subject to enforcement from 8 p.m. to 6 a.m. of the next day, on each day, from June 1st, 2024 through June 30, 2024.

(d) *Regulations.* (1) In accordance with the general regulations in § 165.23 of this part, entry into the temporary safety zone described in paragraph (a) of this section is prohibited unless authorized by the Captain of the Port Sector Corpus Christi (COTP) or a designated representative. They may be contacted on Channel 16 VHF-FM (156.8 MHz) or by telephone at 1-800-874-2143.

(2) If permission is granted, all persons and vessels shall comply with the instructions of the COTP or designated representative.

(e) *Information broadcasts.* The COTP or a designated representative will inform the public of the enforcement times and date for this safety zone through Broadcast Notices to Mariners, Local Notices to Mariners, and/or Safety Marine Information Broadcasts as appropriate.

Dated: May 24, 2024.

#### Jason Gunning,

*Captain, U.S. Coast Guard, Captain of the Port, Sector Corpus Christi.*

[FR Doc. 2024-12004 Filed 5-30-24; 8:45 am]

BILLING CODE 9110-04-P

### FEDERAL COMMUNICATIONS COMMISSION

#### 47 CFR Part 2

[WT Docket No. 19-348; DA 24-233; FRS 221855]

#### Facilitating Shared Use in the 3100-3550 MHz Band; Correction

**AGENCY:** Federal Communications Commission.

**ACTION:** Correcting amendment.

**SUMMARY:** The Federal Communications Commission published a document in the **Federal Register** of March 25, 2024, concerning a non-substantive, editorial revision made by the Wireless Telecommunication Bureau and the

Office of Engineering and Technology (WTB/OET) to the Table of Frequency Allocations in the Commission's Rules (table 22), which identifies coordinates for Department of Defense Cooperative Planning Areas (CPAs) and Periodic Use Areas (PUAs). WTB/OET deleted as redundant, the Norfolk, Virginia Cooperative Planning Area (Norfolk CPA) from the list of CPAs and PUA's in table 22, and renamed the Norfolk CPA, the Newport News-Norfolk CPA/PUA. This document deletes another redundant entry in table 22.

**DATES:** Effective May 31, 2024.

#### FOR FURTHER INFORMATION CONTACT:

Thomas Reed, Wireless Telecommunications Bureau, Mobility Division, (202) 418-0531 or [Thomas.reed@fcc.gov](mailto:Thomas.reed@fcc.gov). For information regarding the PRA information collection requirements, contact Cathy Williams, Office of Managing Director, at 202-418-2918 or [cathy.williams@fcc.gov](mailto:cathy.williams@fcc.gov).

#### SUPPLEMENTARY INFORMATION:

##### Correction

In the **Federal Register** of March 25, 2024, 89 FR 20548, WTB/OET attempted to make a non-substantive, editorial revision to § 2.106(c)(431), table 22, deleting the Norfolk CPA from the list of CPAs and PUAs and renaming the Newport News CPA/PUA as the "Newport News-Norfolk CPA/PUA." The document contained an incorrect instruction regarding the revision to table 22, and the amendments couldn't be incorporated. In the **Federal Register** of April 4, 2024, 89 FR 23527, the instruction was corrected, and the amendments incorporated into the CFR. This document removes as redundant the entry "Newport News \*".

#### List of Subjects in 47 CFR Part 2

Administrative practice and procedures, Common carriers, Communications, Communications common carriers, Communications equipment, Disaster assistance, Environmental impact statements, Imports, Radio, Reporting and recordkeeping requirements, Satellites, Telecommunications, Television, Wiretapping and electronic surveillance.

For the reasons discussed in the preamble, the Federal Communications Commission corrects 47 CFR part 2 by making the following correcting amendment:

## PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

■ 1. The authority citation for part 2 continues to read as follows:

**Authority:** 47 U.S.C. 154, 302a, 303, and 336, unless otherwise noted.

### § 2.106 [Amended]

■ 2. In § 2.106, in paragraph (c)(431), amend table 22 by removing the entry “Newport News \*”.

Dated: May 21, 2024.

**Amy Brett,**

*Chief of Staff, Wireless Telecommunications Bureau.*

[FR Doc. 2024–11744 Filed 5–30–24; 8:45 am]

BILLING CODE 6712–01–P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MB Docket No. 23–126; FCC 23–112; FR ID 220976]

### Low Power Protection Act

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; announcement of operational date.

**SUMMARY:** In this document, the Federal Communications Commission (Commission) announces that the Office of Management and Budget (OMB) has approved, for a period of three years, the information collection requirements associated with the Commission’s rules in a Report and Order that implements the Low Power Protection Act. The Commission’s Report and Order stated that the Commission would publish a document in the **Federal Register** announcing the effective date of those rules. However, due to a drafting technicality, those requirements are already effective. This document announces that the requirements are operational.

**DATES:** The amendments to the Commission’s rules at 47 CFR 73.6030(c) and (d), published at 89 FR 1466, January 10, 2024, are operational May 31, 2024.

**FOR FURTHER INFORMATION CONTACT:** Kim Matthews, Policy Division, Media Bureau, at 202–418–2154, or via email at [kim.matthews@fcc.gov](mailto:kim.matthews@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This document announces that, on May 7, 2024, OMB approved the information collection requirements contained in §§ 73.6030(c) and (d) of the Commission’s rules. The OMB Control

Number is 3060–1326. In addition, on May 7, 2024, OMB approved the information collection requirements associated with a revision to FCC Form 2100, Application for Media Bureau Audio and Video Service Authorization, Schedule F (formerly FCC 302–CA). The OMB Control Number is 3060–0928. The Commission publishes this document as an announcement of the operational date of these rules. If you have any comments on the burden estimates listed below, or how the Commission can improve the collections and reduce any burdens caused thereby, please contact Cathy Williams, Federal Communications Commission, Room 3–317, 45 L Street NE, Washington, DC 20554. Please include the OMB Control Number, 3060–1326 and/or 3060–0928, in your correspondence. The Commission will also accept your comments via email at [PRA@fcc.gov](mailto:PRA@fcc.gov).

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer and Governmental Affairs Bureau at (202) 418–0530 (voice), (202) 418–0432 (TTY).

### Synopsis

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the FCC is notifying the public that it received final OMB approval on May 7, 2024, for the information collection requirements contained in new § 73.6030(c) and (d) of the Commission’s rules and the information collection requirements contained in revisions to FCC Form 2100, Schedule F.

Under 5 CFR 1320, an agency may not conduct or sponsor a collection of information unless it displays a current, valid OMB Control Number.

No person shall be subject to a penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act that does not display a current, valid OMB Control Number.

The foregoing notice is required by the Paperwork Reduction Act of 1995, Public Law 104–13, October 1, 1995, and 44 U.S.C. 3507.

The total annual reporting burdens and costs for the respondents are as follows:

*OMB Control Number:* 3060–1326.

*OMB Approval Date:* May 7, 2024.

*OMB Expiration Date:* May 31, 2027.

*Title:* Class A Television Stations—Low Power Protection Act.

*Respondents:* Business or other for-profit entities, not-for-profit institutions, and state, local, or tribal governments.

*Number of Respondents and Responses:* 50 respondents; 250 responses.

*Estimated Time per Response:* 1 hour.

*Frequency of Response:* One-time reporting requirement.

*Obligation to Respond:* Required to obtain or retain benefits. Statutory authority for this collection of information is contained in 47 U.S.C. 151, 152, 154(i), 154(j), 303, 307, 309, 311, 336(f), and the Low Power Protection Act, Public Law 117–344, 136 Stat. 6193 (2023).

*Total Annual Burden:* 250 hours.

*Total Annual Cost:* No cost.

*Needs and Uses:* The Commission will use the information collected under this information collection to determine whether applicants can convert to Class A status pursuant to the Low Power Protection Act.

On December 11, 2023, the Commission adopted a *Report and Order* to implement the Low Power Protection Act (LPPA or Act), which was enacted on January 5, 2023. The LPPA provides certain low power television (LPTV) stations with a limited window of opportunity to apply for primary spectrum use status as Class A television stations. The *Report and Order* establishes the period during which eligible stations may file applications for Class A status, eligibility and interference requirements, and the process for submitting applications.

The Report and Order adopts new rules 47 CFR 73.6030(c) and (d) which contain information collections. Section 73.6030(c) provides that applications for conversion to Class A status must be submitted using FCC Form 2100, Schedule F within one year beginning on the date on which the Commission issues notice that the rules implementing the Low Power Protection Act take effect. The licensee will be required to submit, as part of its application, a statement concerning the station’s operating schedule during the 90 days preceding January 5, 2023 and a list of locally produced programs aired during that time period. The applicant may also submit other documentation, or may be requested by Commission staff to submit other documentation, to support its certification that the licensee meets the eligibility requirements for a Class A license under the Low Power Protection Act. Section 73.6030(d) provides that a Class A television broadcast license will only be issued under the Low Power Protection Act to a low power television licensee that files an application for a Class A Television license (FCC Form 2100,

Schedule F), which is granted by the Commission.

Under this new information collection, the Commission will collect the information, disclosures, and certifications required by § 73.6030(c) and (d) of the Commission's rules from each applicant seeking to convert to Class A status and will use the information, disclosures, and certifications to determine whether an applicant is qualified to convert to a Class A station. Without the information collected, the Commission will not be able to determine if an applicant is qualified to become a Class A station under the LPPA.

*OMB Control Number:* 3060-0928.

*OMB Approval Date:* May 7, 2024.

*OMB Expiration Date:* May 31, 2027.

*Title:* FCC Form 2100, Application for Media Bureau Audio and Video Service Authorization, Schedule F (Formerly FCC 302-CA); 47 CFR 73.6028; Section 73.3700(b)(3); Section 73.3700(h)(2) and Section 73.3572(h).

*Form Number:* FCC Form 2100, Schedule F.

*Respondents:* Business or other for-profit entities, not-for-profit institutions; State, local, or Tribal Government.

*Number of Respondents and Responses:* 115 respondents; 165 responses.

*Estimated Time per Response:* 2 hours.

*Frequency of Response:* On occasion reporting requirement and One-time reporting requirement.

*Obligation to Respond:* Required to obtain or retain benefits. Statutory authority for the collection of information associated with the LPPA is contained in 47 U.S.C. 151, 152, 154(i), 154(j), 303, 307, 309, 311, 336(f), and the Low Power Protection Act, Public Law 117-344, 136 Stat. 6193 (2023).

Statutory authority for the collection of information associated with the CBPA is contained in 47 U.S.C. 154(i), 307, 308, 309, and 319, and the Community Broadcasters Protection Act of 1999, and the Middle Class Tax Relief and Job Creation Act of 2012.

*Total Annual Burden:* 460 hours.

*Total Annual Cost:* \$41,725.

*Needs and Uses:* The FCC Form 2100, Schedule F is used by Low Power TV (LPTV) stations that seek to convert to Class A status; existing Class A stations seeking a license to cover their authorized construction permit facilities; and Class A stations entering into a channel sharing agreement. The FCC Form 2100, Schedule F requires a series of certifications by the Class A applicant as prescribed by the Community Broadcasters Protection Act of 1999 (CBPA). Licensees will be

required to provide weekly announcements to their listeners: (1) informing them that the applicant has applied for a Class A license and (2) announcing the public's opportunity to comment on the application prior to Commission action.

On December 11, 2023, the Commission adopted a Report and Order, FCC 23-112, to implement the Low Power Protection Act (LPPA or Act), which was enacted on January 5, 2023. The LPPA provides certain low power television (LPTV) stations with a limited window of opportunity to apply for primary spectrum use status as Class A television stations. The Report and Order establishes the period during which eligible stations may file applications for Class A status, eligibility and interference requirements, and the process for submitting applications. The Report and Order provides that applications to convert to Class A status under the Low Power Protection Act must be filed using FCC Form 2100, Schedule F. The application form requires certifications by the applicant as prescribed by the LPPA. This submission was made to OMB for approval of the modified FCC Form 2100, Schedule F. In addition, LPTV stations that file an application to convert to Class A status must provide local public notice of the filing of the application pursuant to 47 CFR 73.3580(c). Specifically, the station must both broadcast on-air announcements and give online notice. This submission also reflects the burden associated with that information collection and was made to request Office of Management and Budget (OMB) approval of that collection.

Federal Communications Commission.

**Marlene Dortch,**

*Secretary.*

[FR Doc. 2024-11493 Filed 5-30-24; 8:45 am]

**BILLING CODE 6712-01-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Parts 223 and 224

[Docket No. 240522-0144; RTID 0648-XR132]

#### Endangered and Threatened Wildlife; 90-Day Finding on a Petition To List the Delaware River Atlantic Sturgeon (*Acipenser oxyrinchus oxyrinchus*) Population as an Endangered Distinct Population Segment Under the Endangered Species Act

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notification of 90-day finding.

**SUMMARY:** We, NMFS, announce our 90-day finding on a petition to list the Delaware River population of Atlantic sturgeon as an endangered distinct population segment (DPS) of Atlantic sturgeon under the Endangered Species Act (ESA) and to designate critical habitat for the DPS. We find that the petition does not present substantial scientific or commercial information indicating that the petitioned actions may be warranted. Therefore, we are denying this petition.

**DATES:** This finding was made on May 31, 2024.

**ADDRESSES:** Copies of the petition and related materials are available from the NMFS website at <https://www.fisheries.noaa.gov/national/endangered-species-conservation/negative-90-day-findings>.

**FOR FURTHER INFORMATION CONTACT:** Lynn Lankshear, NMFS Greater Atlantic Regional Fisheries Office, Protected Resources Division, (978) 282-8473, [lynn.lankshear@noaa.gov](mailto:lynn.lankshear@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

A “species” is defined in section 3 of the ESA to include “any subspecies of fish or wildlife or plants, and any distinct population segment of any species of vertebrate fish or wildlife which interbreeds when mature” (16 U.S.C. 1532(16)). On July 19, 2023, we received a petition from the Delaware Riverkeeper Network (DRN) to list the Delaware River Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*) population as a DPS, to list that DPS as endangered under the ESA, and to designate critical habitat for that DPS concurrent with the listing. The Delaware River Atlantic sturgeon population is currently protected under



the ESA as part of the New York Bight DPS of Atlantic sturgeon, and 137 kilometers (85 miles) of the lower Delaware River are included as part of the designated critical habitat for the DPS.

We listed the New York Bight DPS as endangered after two separate status reviews. The first status review, which was completed in 1998, was conducted by NMFS and the U.S. Fish and Wildlife Service (collectively the “Services”) in response to a petition to list Atlantic sturgeon in the United States under the ESA. We concluded that listing Atlantic sturgeon as a subspecies<sup>1</sup> was not warranted (63 FR 50187, September 21, 1998). The second status review was completed in 2007. It concluded that there was new information to support listing Atlantic sturgeon in the United States as five DPSs (Atlantic Sturgeon Status Review Team (ASSRT), 2007).

On October 6, 2009, NMFS received a petition to list Atlantic sturgeon throughout its range as endangered or, alternatively, to list the five DPSs described in the 2007 status review. We reviewed the available information, including the 2007 Atlantic sturgeon status review report, and determined, in accordance with the Services’ joint DPS Policy (61 FR 4722, February 7, 1996), that the U.S. populations of Atlantic sturgeon comprised five DPSs because they met both criteria of the policy—*i.e.*, that the populations are both “discrete” and “significant” (77 FR 5880, February 6, 2012; 77 FR 5914, February 6, 2012). Evidence to support the existence of discrete Atlantic sturgeon populations included temporal and spatial separation during spawning and the results from genetic analyses. The significance criterion was met because each identified DPS persists in an ecological setting that is unique relative to the taxon as a whole, and the loss of any of the five DPSs would result in a significant gap in the range of the taxon. After reviewing the best available information regarding each DPSs’ current status and extinction risk, we listed four DPSs as endangered (including the New York Bight DPS) and one as threatened (77 FR 5880, February 6, 2012; 77 FR 5914, February 6, 2012).

The New York Bight DPS is defined in the regulations as all Atlantic sturgeon spawned in the watersheds that drain into coastal waters from Chatham, Massachusetts, to the Delaware-Maryland border on Fenwick Island (50 CFR 224.101). The Delaware River and the Hudson River populations

of Atlantic sturgeon were the only known extant populations for the DPS when it was listed. We subsequently identified the areas of the Delaware River and the Hudson River where the physical and biological features essential for successful reproduction and recruitment of the respective Atlantic sturgeon populations are found. We designated these areas as critical habitat for the New York Bight DPS on August 17, 2017 (82 FR 39160).

We completed a 5-year review of the New York Bight DPS on February 17, 2022. In that review, we described new information available since the listing, including information that further supports our understanding of when spawning occurs in the Delaware River, the genetic assignment of Delaware River Atlantic sturgeon to the New York Bight DPS and the river-of-origin, and where the Delaware River Atlantic sturgeon occur in the marine environment (NMFS, 2022). We also described new information suggesting a possible spawning population in the Connecticut River for which research is on-going. As summarized in the 5-year review, the information available since the listing continues to support our determination in the 2012 listing rule that the New York Bight DPS is both discrete and significant relative to the taxon as a whole. We found no new information that would change our determinations regarding the application of the DPS Policy, the status of the DPS, or its designated critical habitat (NMFS, 2022).

#### ESA Statutory, Regulatory, and Policy Provisions and Evaluation Framework

Section 4(b)(3)(A) of the ESA of 1973, as amended (16 U.S.C. 1531 *et seq.*), requires, to the maximum extent practicable, that within 90 days of receipt of a petition to list a species as threatened or endangered, the Secretary of Commerce shall make a finding on whether that petition presents substantial scientific or commercial information indicating that the petitioned action may be warranted, and promptly publish such finding in the **Federal Register** (16 U.S.C. 1533(b)(3)(A)). If NMFS finds that substantial scientific or commercial information in a petition indicates the petitioned action may be warranted (a “positive 90-day finding”), we are required to promptly commence a review of the status of the species concerned, during which we will conduct a comprehensive review of the best available scientific and commercial data. In such cases, within 12 months of receipt of the petition, we conclude the review with a finding as to whether, in

fact, the petitioned action is warranted. Because the finding at the 12-month stage is based on a more thorough review of the best available information, as compared to the narrow scope of review at the 90-day stage, a “positive 90-day finding” does not prejudice the outcome of the status review.

Under the ESA, a listing determination may address a species, which is defined to also include subspecies and, for any vertebrate species, any DPS that interbreeds when mature (16 U.S.C. 1532(16)). The Services joint DPS Policy clarifies the agencies’ interpretation of the phrase “distinct population segment” for the purposes of listing, delisting, and reclassifying a species under the ESA (61 FR 4722, February 7, 1996). A species, subspecies, or DPS is “endangered” if it is in danger of extinction throughout all or a significant portion of its range, and “threatened” if it is likely to become endangered within the foreseeable future throughout all or a significant portion of its range (ESA sections 3(6) and 3(20), respectively, 16 U.S.C. 1532(6) and (20)). Pursuant to the ESA and our implementing regulations, we determine whether species are threatened or endangered based on any one or a combination of the following section 4(a)(1) factors: (1) The present or threatened destruction, modification, or curtailment of habitat or range; (2) overutilization for commercial, recreational, scientific, or educational purposes; (3) disease or predation; (4) inadequacy of existing regulatory mechanisms to address identified threats; (5) or any other natural or manmade factors affecting the species’ existence (16 U.S.C. 1533(a)(1), 50 CFR 424.11(c)).

ESA-implementing regulations issued jointly by the Services (50 CFR 424.14(h)(1)(i)) define “substantial scientific or commercial information” in the context of reviewing a petition to list, delist, or reclassify a species as credible scientific or commercial information in support of the petition’s claims such that a reasonable person conducting an impartial scientific review would conclude that the action proposed in the petition may be warranted. Conclusions drawn in the petition without the support of credible scientific or commercial information will not be considered substantial information. In reaching the initial (90-day) finding on the petition, we consider the information described in sections 50 CFR 424.14(c), (d), and (g) (if applicable) and may also consider information readily available at the time the determination is made (50 CFR 424.19(h)(1)(ii)).

<sup>1</sup> Our finding considered whether listing Atlantic sturgeon in its North American range, including Atlantic Canada, was warranted. 63 FR 50187.

Our determination as to whether the petition provides substantial scientific or commercial information indicating that the petitioned action may be warranted depends in part on the degree to which the petition includes the following types of information: (1) information on current population status and trends and estimates of current population sizes and distributions, both in captivity and the wild, if available; (2) identification of the factors under section 4(a)(1) of the ESA that may affect the species and where these factors are acting upon the species; (3) whether, and to what extent, any or all of the factors alone or in combination identified in section 4(a)(1) of the ESA may cause the species to be an endangered species or threatened species (*i.e.*, the species is currently in danger of extinction or is likely to become so within the foreseeable future), and, if so, how high in magnitude and how imminent the threats to the species and its habitat are; (4) information on adequacy of regulatory protections and effectiveness of conservation activities by States, as well as other parties, that have been initiated or that are ongoing, that may protect the species or its habitat; and (5) a complete, balanced representation of the relevant facts, including information that may contradict claims in the petition. See 50 CFR 424.14(d).

We may also consider information readily available at the time the determination is made (50 CFR 424.14(h)(1)(ii)). We are not required to consider any supporting materials cited by the petitioner if the petitioner does not provide electronic or hard copies, to the extent permitted by U.S. copyright law, or appropriate excerpts or quotations from those materials (*e.g.*, publications, maps, reports, and letters from authorities). See 50 CFR 424.14(c)(6) and (h)(1)(ii).

The “substantial scientific or commercial information” standard must be applied in light of any prior reviews or findings we have made on the listing status of the species that is the subject of the petition (50 CFR 424.14(h)(1)(iii)). Where we have already conducted a finding on, or review of, the listing status of that species (whether in response to a petition or on our own initiative), we will evaluate any petition received thereafter seeking to list, delist, or reclassify that species to determine whether a reasonable person conducting an impartial scientific review would conclude that the action proposed in the petition may be warranted despite the previous review or finding. Where the prior review resulted in a final agency action—such as a final listing

determination, a 90-day not-substantial finding (*i.e.*, negative 90-day finding), or a 12-month not-warranted finding—a petition will generally not be considered to present substantial scientific and commercial information indicating that the petitioned action may be warranted unless the petition provides new information or analysis not previously considered. See 50 CFR 424.14(h)(1)(iii).

At the 90-day finding stage, we do not conduct additional research, and we do not solicit information from parties outside the agency to help us in evaluating the petition. We accept the petitioner’s sources and characterizations of the information presented if they appear to be based on accepted scientific principles, unless we have specific information in our files that indicates the petition’s information is incorrect, unreliable, obsolete, or otherwise irrelevant to the requested action. Information that is susceptible to more than one interpretation, or that is contradicted by other available information, will not be dismissed at the 90-day finding stage, so long as it is reliable and a reasonable person conducting an impartial scientific review could conclude it supports the petitioner’s assertions. In other words, conclusive information indicating the species may meet the ESA’s requirements for listing is not required to make a positive 90-day finding.

To make a 90-day finding on a petition to list a species, we first evaluate whether the information presented in the petition, in light of the information readily available in our files, indicates that the petitioned entity constitutes a species eligible for listing under the ESA. Next, we evaluate whether the petition presents substantial scientific or commercial information indicating the subject species may be either a threatened or endangered species, as defined by the ESA. This may be indicated in information expressly discussing the species’ status and trends, or in information describing impacts and threats to the species. We evaluate whether the petition presents any information on specific demographic factors pertinent to evaluating extinction risk for the species (*e.g.*, population abundance and trends, productivity, spatial structure, age structure, sex ratio, diversity, current and historical range, habitat integrity, or fragmentation), and the potential contribution of identified demographic risks to extinction risk for the species. We then evaluate whether the petition presents information suggesting potential links between these demographic risks and the causative

impacts and threats identified in section 4(a)(1) of the ESA.

Information presented on impacts or threats should be specific to the species and should reasonably suggest that one or more of these factors may be operative threats that act, or have acted, on the species to the point that it may warrant protection under the ESA. Broad statements about generalized threats to the species, or identification of factors that could negatively impact a species, do not constitute substantial information indicating that listing may be warranted. We look for information indicating that not only is the particular species exposed to a factor, but that the species may be responding in a negative fashion. We then assess the potential significance of that negative response.

Many petitions identify risk classifications made by nongovernmental organizations, such as the International Union for Conservation of Nature (IUCN), the American Fisheries Society, or NatureServe, as evidence of extinction risk for a species. Risk classifications by other organizations or made under other Federal or State statutes may be informative, but such classification alone may not provide the rationale for a positive 90-day finding under the ESA. For example, as explained by NatureServe, their assessments of a species’ conservation status do not constitute a recommendation by NatureServe for listing under the ESA because NatureServe assessments have different criteria, evidence requirements, purposes, and taxonomic coverage than government lists of endangered and threatened species, and therefore these two types of lists should not be expected to coincide (<https://explorer.natureserve.org/AboutTheData/DataTypes/ConservationStatusCategories>). Additionally, species classifications under IUCN and the ESA are not equivalent; data standards, criteria used to evaluate species, and treatment of uncertainty are also not necessarily the same. Thus, when a petition cites such classifications, we will evaluate the source of information that the classification is based upon in light of the standards on extinction risk and impacts or threats in accordance with the ESA and our implementing regulations as discussed above.

#### Analysis of Petition

The petitioner requests that we list the Delaware River population of Atlantic sturgeon as a separate DPS under the ESA, list that DPS as endangered, and designate critical habitat for the DPS. As noted above, the Delaware River population of Atlantic

sturgeon is currently afforded the protections of an endangered species because it is part of the ESA-listed, endangered New York Bight DPS of Atlantic sturgeon. The petitioner did not request any other changes to the New York Bight DPS that may be necessary if the Delaware population was listed as its own DPS (e.g., changes to the regulatory definition of the New York Bight DPS without the Delaware River population or changes to the status of the New York Bight DPS).

As noted above, where we have already conducted a finding or review of the listing status of a species (whether in response to a petition or on our own initiative), we will evaluate any petition received thereafter seeking to list, delist, or reclassify that species to determine whether a reasonable person conducting an impartial scientific review would conclude that the action proposed in the petition may be warranted despite the previous review of finding. Therefore, despite our previous determination that the Delaware River population of Atlantic sturgeon is part of the New York Bight DPS, we evaluated whether this petition provides new information or a new analysis not previously considered to determine whether the petitioned action may be warranted.

The petitioner asserts that there has been significant research following the 2007 status review (ASSRT, 2007) and the 2012 listing determinations for the Atlantic sturgeon DPSs, and that the information, scientific studies, and expert analyses are available in the “relevant literature” section provided at the end of the petition. The petitioner did not, however, cite to specific references for the assertions that they made in the petition. We reviewed the literature provided by the petitioner to identify whether that literature provides any relevant new information that became available after the listing of the New York Bight DPS under the ESA (77 FR 5880, February 6, 2012) and after we completed the literature review for the 5-year review of the New York Bight DPS (NMFS, 2022), and to identify any other information that we had not previously considered.

We found that we have already considered most of the literature that was provided by the petitioner, and we have cited it either in the 2007 status review (ASSRT, 2007), the listing determinations (77 FR 5880, February 6, 2012; 77 FR 5914, February 6, 2012), or in our recent 5-year review for the New York Bight DPS (NMFS, 2022). The studies that focused on genetics related to the Delaware River population (e.g., King *et al.*, 2001; Waldman *et al.*, 1996a, 1996b, 1998, 2002; Wirgin *et al.*, 2000)

provided some of the earliest results that documented genetic differentiation among Atlantic sturgeon populations. These results were described and used by the ASSRT to inform the 2007 status review (ASSRT, 2007). Additional genetic analyses were conducted for the 2007 status review to inform whether there were discrete populations of Atlantic sturgeon (ASSRT, 2007). We considered all of this information as well as the results of Wirgin *et al.* (2007) and Grunwald *et al.* (2008), which became available after completion of the 2007 status review, in reaching our listing determinations (77 FR 5880, February 6, 2012; 77 FR 5914, February 6, 2012). There was no new information regarding the differentiation of the Atlantic sturgeon populations, in general, or for the New York Bight DPS, specifically, when we completed the 5-year review for the DPS (NMFS, 2022). We did, however, review and describe new life history information for the New York Bight DPS (e.g., distribution in their marine range, occurrence in certain coastal estuaries) that became available as a result of studies that used genetic analysis to identify the origin of the individual sturgeon captured (NMFS, 2022). The genetic studies reviewed and cited for the 5-year review were Dunton *et al.* (2012), Kazyak *et al.* (2021), O’Leary *et al.* (2014), Waldman *et al.* (2013, 2019), and Wirgin *et al.* (2015a, 2015b); all of which the petitioner also lists in the “relevant literature.”

Some of the sturgeon studies provided by the petitioner can be found in NMFS’ files on Atlantic sturgeon but do not provide information relevant to considering whether the Delaware River population of Atlantic sturgeon may meet the discreteness and significance criteria of the Service’s joint DPS Policy. These include Balazik *et al.* (2017), which described the James River populations of Atlantic sturgeon; Farrae *et al.* (2017), which described the Edisto River populations of Atlantic sturgeon; and Panagiotopoulou *et al.* (2014a and 2014b), which described methodology for analyzing genetic information of North American and European stocks of Atlantic sturgeon. We could not make any connection between these studies and the petitioner’s statements that the Delaware River population of Atlantic sturgeon is discrete and warrants listing as its own, endangered DPS.

We identified eight reports or publications in the “relevant literature” section at the end of the petition that became available after we completed our literature search for the 5-year review of the New York Bight DPS. Four of these references relate to Atlantic

sturgeon genetics (i.e., White *et al.*, 2021a, 2021b, 2022; Wirgin *et al.*, 2023), and four relate to impacts to the Delaware River population of Atlantic sturgeon or its habitat (i.e., Delaware River Basin Commission (DRBC), 2022a, 2022b; Environmental Research and Consulting (ERC) and Verdantas, 2022; Hagy, 2023).

Accordingly, we reviewed these eight references to determine whether they provide new information to show that the Delaware River population of Atlantic sturgeon may meet the criterion of the Service’s joint DPS Policy (61 FR 4722, February 7, 1996). First, and as discussed below, we focused on the assertions made by the petitioner regarding discreteness, the first prong in the DPS analysis. We considered information in our files, and the four new references pertaining to genetics, to determine if the petition presents new information not previously considered with regard to whether the Delaware River population may be discrete. We also reviewed the information provided from the other four references (DRBC, 2022a, 2022b; ERC and Verdantas, 2022; Hagy, 2023), but found they did not contain new information that informed whether the Delaware River population may be discrete.

The petitioner claims that the Delaware River population of Atlantic sturgeon is discrete because it is genetically unique with characteristics found only in the Delaware River population. The petitioner’s conclusion presents only part of the information available in the literature with regard to unique characteristics found in sturgeon populations. Some mitochondrial haplotypes and some microsatellite alleles are unique to some individuals of the Delaware River population. However, that does not mean that the population is discrete. The results of analyses conducted for the 2007 status review revealed that some mitochondrial DNA haplotypes were unique to specific Atlantic sturgeon river populations, such as the A5 haplotype for the Delaware River population (ASSRT, 2007). However, only a minority of the Delaware River sturgeon that were tested had the unique haplotype. The results of Wirgin *et al.* (2007) and Grunwald *et al.* (2008) provided additional information that the A5 haplotype is found in only a minority of the fish belonging to the Delaware River population. Wirgin *et al.* (2007) and Grunwald *et al.* (2008) also found that haplotypes B and B1 are found only in the Delaware River and the Hudson River populations. Overall, the results of studies that we reviewed and considered as part of the 5-year

review of the New York Bight DPS support the conclusion that: the Delaware River population as well as many of the other Atlantic sturgeon river populations have a unique haplotype; only a minority of the individual sturgeon sampled in each population carry the unique haplotype; the Hudson River and Delaware River populations of Atlantic sturgeon share unique haplotypes that are not found in any of the other Atlantic sturgeon populations; and the majority of individuals in each Atlantic sturgeon population carry haplotypes that are common to all or many of the sturgeon populations (Savoy *et al.*, 2017; Waldman *et al.*, 2013; Wirgin *et al.*, 2015b). Therefore, the unique A5 haplotype carried by some individuals in the Delaware River population does not support that the population is discrete.

The four new studies cited by the petitioner in the “relevant literature” use microsatellite DNA rather than mitochondrial DNA. In the case of microsatellite DNA, similar to the available information on mitochondrial DNA haplotypes, private alleles (*i.e.*, a version of a gene sequence that is found only in a single population) occur in Atlantic sturgeon populations and most Atlantic sturgeon populations have at least one private allele that is carried by at least one individual of that population. White *et al.* (2021a) found that the majority of the sturgeon groups tested contained at least one private allele across all loci. However, not all individuals of a population carry the unique allele. In addition, sampling bias can influence whether and where a private allele is discovered. For example, an allele may be detected by chance in one population and may be misidentified as a private allele because the same allele also occurs in other populations but has not yet been detected in samples from another population. The scientific literature for the genetics information available to us for the 2007 status review, the listing determinations, and the 5-year review of the New York Bight DPS all describe the methods used to analyze Atlantic sturgeon genetics data which include screening for multiple, specific, microsatellite loci, use of reference collections, and various analytical tools described in each scientific publication. The new genetic studies included in the petitioner’s “relevant literature” also used these methods to further inform Atlantic sturgeon population structuring (White *et al.*, 2021a), the origin of sturgeon captured in the New York Bight directed fishery in the 1990s

(White *et al.*, 2021b), the estimated spawning abundance for the Delaware River population (White *et al.*, 2022), and population structuring (*i.e.*, genetic differentiation between population segments) for the South Atlantic DPS (Wirgin *et al.*, 2023). None of the studies relied on identification of individuals from the Delaware River population based solely on the presence of unique haplotypes or alleles, and none provided new information for the Delaware River population’s marked separation from the other populations such that it may be considered discrete as contemplated in the Services’ DPS Policy. The information available in White *et al.* (2021a, 2021b, 2022) and Wirgin *et al.* (2023) does not include new information on the genetic uniqueness of the Delaware River population of Atlantic sturgeon. In fact, all of these studies are consistent with the existing information, that only some individuals carry the unique A5 haplotype or unique allele, which we presented in our listing determination and 5-year review for the New York Bight DPS. The information available in these new studies corroborates our listing determination that the Delaware River population of Atlantic sturgeon and the Hudson River population of Atlantic sturgeon are part of the same DPS.

The petitioner asserted that the Delaware River population of Atlantic sturgeon is clearly recognizable from both mitochondrial and nuclear DNA markers such that individuals are correctly assigned to the Delaware River genetic group at very high rates, among the highest rates for any river population. The petitioner is correct that individuals are assigned to the Delaware River population at relatively high rates; however, as described above, individual Atlantic sturgeon are not assigned to the Delaware River population based on the A5 haplotype or a private allele, as asserted by the petitioner, because those are only present in some individuals of the population. A much more rigorous methodology is used by the geneticists in the above-referenced studies to assign individual Atlantic sturgeon to the river and DPS of origin and a number of factors can influence assignment certainty. Those factors include the quality of the extracted DNA from the sample (*e.g.*, as a result of sample preservation) and the genetic baseline. The genetic baseline is a reference collection of samples from individual Atlantic sturgeon captured in a river and assumed to be natal to that river because the fish was captured either as

a river resident juvenile (*i.e.*, too physiologically immature to leave the natal estuary) or as an adult in spawning condition on the known or presumed spawning grounds of that river’s spawning population. The methods used to establish the genetic baseline and the expansion of the baseline are described in the literature provided by the petitioner (ASSRT, 2007; Waldman *et al.*, 2013; Wirgin *et al.*, 2015b; Kazyak *et al.*, 2021; White *et al.*, 2021a). The Delaware River reference collection is based solely on samples from river resident juveniles (Kazyak *et al.*, 2021), which makes for a very strong reference collection, and, in turn, imparts a high level of certainty when making individual assignments to the Delaware River population. White *et al.* (2021a) and Wirgin *et al.* (2023)—both new publications provided by the petitioner—include discussions of assignment certainty with respect to the southern DPSs and their reference collections that demonstrate the connection between the strength of the genetics baseline and assignment certainty. As noted in our listing determination (77 FR 5880, February 6, 2012), assignment certainty reflects several factors, including sampling methods used and samples available to develop the genetics baseline, but assignment certainty is not a stand-alone factor for determining that a population is discrete.

The petitioner also claims that fidelity to the natal spawning river is so high that the Delaware River population is reproductively isolated from all other river populations including the Hudson River population, and, effectively, zero cross-river migration occurs. It is unclear from the petitioner’s statement whether they contend that the Delaware population is reproductively isolated such that only natal Delaware River fish spawn together, or whether, given the petitioner’s use of the term “effectively,” the petitioner is stating that some low level of spawning occurs between the Delaware River population and the Hudson River population. As described in the listing determination, based on extensive research, including genetic analyses and tagging and tracking data, the vast majority of Atlantic sturgeon return to their natal rivers to spawn, with some studies showing only one or two individuals per generation spawning outside their natal river system (77 FR 5880, February 6, 2012). Our statements in the listing determination were based on the scientific research described in Wirgin *et al.* (2000), King *et al.* (2001), and Waldman *et al.* (2002); all of which are

also included by the petitioner in the “relevant literature.” The publications and reports available for the 5-year review of the New York Bight DPS did not change our conclusions regarding fidelity of the Delaware River or the Hudson River populations of Atlantic sturgeon to their natal river. Those publications and reports are also included in the petitioner’s “relevant literature.” Of the four new genetic studies provided by the petitioner, White *et al.* (2021a) further investigates population structure by using an expanded baseline of more than 2,500 sampled Atlantic sturgeon and multiple analytical techniques to describe the coastwide population structure for Atlantic sturgeon. Their results further demonstrate that the Atlantic sturgeon populations exhibit high fidelity to their natal river at spawning.

The three other genetic publications provided by the petitioner do not provide new information that is relevant to the petitioner’s statement that the Delaware River population is reproductively isolated or to the overall discreteness of this population. White *et al.* (2021b) describes new information based on genetic analysis of Atlantic sturgeon fin spines to identify the origins of Atlantic sturgeon captured in the New York fishery in the 1990s. White *et al.* (2022) describes the feasibility of a new method for estimating the number of spawning adults for the Delaware River population of Atlantic sturgeon. It is based on the knowledge that there is high spawning fidelity for the Delaware River population, but the purpose of the research was not to investigate spawning fidelity and it does not provide any new information that would support the petitioner’s statement. Wirgin *et al.* (2023), while noting that their results for population structuring of all but the South Atlantic DPS will be reported elsewhere, states that the certainty of genetic assignments was high for both Atlantic sturgeon belonging to the Delaware River population and for Atlantic sturgeon belonging to the Hudson River population, and that the assignment certainty was even higher at the DPS-level. Other studies (*e.g.*, Kazyak *et al.*, 2021) have also found a higher level of certainty for DPS-level assignments compared to the river specific assignments within the DPS, which suggests that there is some limited genetic exchange between river populations within a DPS.

We described in the proposed listing rule why we proposed to list Atlantic sturgeon as five DPSs (75 FR 61872, October 6, 2010). In summary, we

identified five discrete Atlantic sturgeon population segments based on the evidence that each discrete population is temporally and spatially separated during spawning. The results of genetic analyses further supported that there is strong fidelity to the natal river at spawning time. We concluded that the five discrete Atlantic sturgeon population segments meet the significance criterion of the DPS Policy because each reproduces in a unique ecological setting, and the loss of any of these discrete population segments would result in a significant gap in the range of the taxon. We responded to public comment, including comments from the petitioner (DRN Comment, November 9, 2010), to further explain why we were listing the Delaware River and the Hudson River populations of Atlantic sturgeon as a single DPS (see Response to Comments 13 and 16; 77 FR 5890 and 5892, February 6, 2012). In their comments, as in this petition, the petitioner claimed that the Delaware River population of Atlantic sturgeon is genetically unique as evidenced by the presence of the A5 haplotype, and that including the Delaware River population and the Hudson River population into a single DPS affords less ESA protection to the Delaware River population. We acknowledged in our responses to their comments that genetics could be used to distinguish Atlantic sturgeon that originate from the Delaware River population from those that originate from the Hudson River population. However, we also stated that even though the Delaware River population was genetically distinguishable from the Hudson River population, based upon our evaluation of whether Atlantic sturgeon population segments met the DPS Policy criteria, we could delineate five Atlantic sturgeon DPSs (as described in detail in the proposed rule). Based on application of the DPS Policy criteria, we determined that the Delaware River population did not meet the criteria of a DPS on its own because its spawning time was not temporally separated from that of the Hudson River population, the spawning habitat of both the Delaware River and the Hudson River populations occur within the same unique ecological setting, and analyses of the genetic data for population structuring indicated that the two rivers grouped together (see 75 FR 61876, October 6, 2010). We considered our decision during the 5-year review of the New York Bight DPS in light of new information that had become available since the listing, and we concluded that no changes to the listing of the New York Bight DPS were

warranted. We have reviewed and considered the four new genetic studies provided by the petitioner and listed in their “relevant literature.” As described above, none of these provide new information regarding the discreteness of the Delaware River population of Atlantic sturgeon. On the contrary, one new study, White *et al.* (2021a), provides additional information that corroborates our listing determination for the New York Bight DPS. As described above, the three other genetic publications provided by the petitioner do not provide new information that is relevant to the petitioner’s assertion that the Delaware River population is reproductively isolated or to the overall discreteness of this population.

A DPS must be both discrete and significant to the taxon as a whole. If a population is found to be discrete in accordance with the Service’s joint DPS Policy, we next consider whether that discrete population is also significant in the context of the joint DPS Policy. In this case, the petitioner has not provided new information to show that the Delaware River population of Atlantic sturgeon may be discrete. We also note that the petitioner appears to be confusing the meaning of the term “significance” in the context of the joint DPS Policy with the word “significance” as it is used in everyday language. The joint DPS Policy directs the Services to consider available scientific evidence of the discrete population segment’s importance to the taxon to which it belongs (61 FR 4722, February 7, 1996). However, the petitioner’s “relevant literature” provides no scientific evidence that speaks to the significance of the Delaware River population of Atlantic sturgeon to the taxon as a whole. Instead, the petitioner claims that the Delaware population of Atlantic sturgeon is significant because of the population’s historical abundance. This reference to the historical abundance of the Delaware River population does not provide any new information. In the proposed and final listing rules we described the significant range-wide declines in Atlantic sturgeon from historical abundance levels due to overfishing, and we stated that the best available data indicated that current numbers of spawning adults for each DPS are one to two orders of magnitude smaller than historical levels. We also described the Delaware River population as presumably very small and extremely vulnerable to any sources of anthropogenic mortality. In addition, the petitioner claims that the Delaware River population of Atlantic sturgeon

has “unique adaptive characteristics that will help the species adapt to a changing environment.” However, we could not find any information in the “relevant literature” that supported this statement nor any such information in our files.

We also do not consider here the petitioner’s request to list a Delaware River DPS as endangered and to designate critical habitat for the DPS since both of these are dependent on a determination that the Delaware River population may warrant listing as a DPS. However, as described above, the “relevant literature” includes four new reports relative to impacts to the Delaware River population of Atlantic sturgeon or its habitat (*i.e.*, DRBC, 2022a, 2022b; ERC and Verdantas, 2022; Hagy, 2023), and each report speaks to an impact that we previously identified for the Delaware River population (*i.e.*, vessel strikes of the fish and low dissolved oxygen levels within its habitat). The petitioner did not include other information as required at 50 CFR 424.14(d). The petitioner did not include in the “relevant literature” section any new reports or publications relative to a need for a new critical habitat designation for the Delaware River population. Those reports or publications that were included (*e.g.*, Allen *et al.*, 2014; Breece *et al.*, 2013; Brundage *et al.*, 2009; Campbell and Goodman, 2004; and Lazzari *et al.*, 1986) were also considered and used by us when we designated critical habitat in the Delaware River for the New York Bight DPS (82 FR 39160, February 17, 2017; NMFS, 2017).

#### Petition Finding

We thoroughly reviewed the petition, the list of references provided by the petitioner, and other literature and information readily available to us, and find that the petition does not provide any new information regarding the discreteness of the Delaware River population of Atlantic sturgeon or otherwise offer substantial information not already considered in our status review report (ASSRT, 2007), the listing decision (77 FR 5880, February 6, 2012), or our 5-year review (NMFS, 2022). As such, we find that the petition does not present substantial scientific or commercial information indicating that the petitioned action to identify the Delaware River population of Atlantic sturgeon as a DPS may be warranted. We note that the population will continue to be listed as endangered as part of the New York Bight DPS of Atlantic sturgeon and that critical habitat in the Delaware River will continue to be designated as part of the

critical habitat for the New York Bight DPS.

#### References Cited

A complete list of all references cited herein is available upon request (see **FOR FURTHER INFORMATION CONTACT** section).

**Authority:** The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Dated: May 23, 2024.

**Samuel D. Rauch, III,**

*Deputy Assistant Administrator for Regulatory Programs National Marine Fisheries Service.*

[FR Doc. 2024–11767 Filed 5–30–24; 8:45 am]

**BILLING CODE 3510–22–P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 635

[Docket No. 240522–0143]

RIN 0648–BM66

#### Atlantic Highly Migratory Species; Bluefin Tuna General Category Effort Controls and Related Regulations

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Final rule.

**SUMMARY:** In this final rule, NMFS is modifying the process of scheduling restricted-fishing days (RFDs) by codifying a schedule of RFDs for the 2024 fishing year and subsequent fishing years, setting an additional non-codified RFD for the 2024 fishing year, establishing a General category default retention limit for large medium or giant bluefin tuna (BFT) on open days (*i.e.*, non-RFDs), and clarifying the BFT dealer regulations and the definition of a bluefin statistical document (BSD) tag. This final action is necessary to increase the likelihood of pacing General category landings to extend fishing opportunities through a greater portion of the General category time period subquotas. Lastly, this final action clarifies existing regulations to ensure better understanding and compliance by General category quota participants.

**DATES:** This final rule is effective July 1, 2024.

**ADDRESSES:** Additional information related to this final rule, including electronic copies of the final rule, and supporting documents, are available from the Atlantic Highly Migratory Species (HMS) Management Division

website at <https://www.fisheries.noaa.gov/topic/atlantic-highly-migratory-species>, on <https://www.regulations.gov> (enter “NOAA–NMFS–2024–0021” in the Search box), or by contacting Larry Redd, Jr., or Erianna Hammond (see **FOR FURTHER INFORMATION CONTACT** section).

#### FOR FURTHER INFORMATION CONTACT:

Larry Redd, Jr., [larry.redd@noaa.gov](mailto:larry.redd@noaa.gov), or Erianna Hammond, [erianna.hammond@noaa.gov](mailto:erianna.hammond@noaa.gov), at 301–427–8503.

#### SUPPLEMENTARY INFORMATION:

#### Background

BFT fisheries are managed under the 2006 Consolidated HMS Fishery Management Plan (FMP) and its amendments pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act; 16 U.S.C. 1801 *et seq.*) and consistent with the Atlantic Tunas Convention Act (ATCA; 16 U.S.C. 971 *et seq.*). HMS implementing regulations are at 50 CFR part 635. Section 635.23 describes the daily retention limits for BFT including retention limits on RFDs. Section 635.27 divides the U.S. BFT quota, established by the United States and other members of the International Commission for the Conservation of Atlantic Tunas (ICCAT), among the various domestic fishing categories per the allocations established in the FMP and its amendments. Section 635.27(a)(1) defines and describes the General category quota for BFT. NMFS is required under the Magnuson-Stevens Act at 16 U.S.C. 1854(g)(1)(D) to provide U.S. fishing vessels with a reasonable opportunity to harvest quotas under relevant international fishery agreements such as the ICCAT Convention, which is implemented domestically pursuant to ATCA.

On February 23, 2024, NMFS published a proposed rule and released a Draft Environmental Assessment (EA) (89 FR 13667, February 23, 2024). The proposed rule and Draft EA contain background information on the potential changes to the General category fishery and are not repeated here. The comment period for the proposed rule closed on March 25, 2024. NMFS received 34 written comments as well as oral comments during the public hearing held by webinar on March 18, 2024. The comments received, and the responses to those comments, are summarized in the Response to Comments section.

In developing the final measures, NMFS considered the objectives of this rulemaking along with public comments on the proposed rule and Draft EA. After reviewing this information, NMFS has concluded that the codification of a

three-day default RFD schedule from July 1 through November 30 on Tuesdays, Fridays, and Saturdays is warranted to accomplish the objective of extending fishing opportunities through a greater portion of the General category time periods, and this final rule implements such codification.

Additionally, NMFS believes that the addition of a fourth RFD per week on Sundays is appropriate in 2024 in order to further this objective and gather additional information about how the fishery operates with 4 RFDs and determine whether it would be appropriate for the future. As such, this final action implements 4 RFDs each week in 2024: Sunday, Tuesday, Friday, and Saturday from July 1 through November 30. At this time, Sunday will be an RFD only in 2024. After November 30, 2024, NMFS will consider whether a fourth RFD per week is needed in future years and whether Sunday should be that day. More information regarding this modification to the proposed rule can be found in both the "Response to Comments" and "Changes from the Proposed Rule" sections.

In brief, the final management measures implemented in this rule are: (1) the codification of a default regulatory RFD schedule consisting of every Tuesday, Friday, and Saturday from July 1 through November 30 of each year; (2) the setting of an additional non-codified RFD specifically in 2024 on every Sunday from July 1 through November 30, 2024; (3) the establishment of a General category default daily retention limit of three large medium or giant BFT per vessel on open days in June and one large medium or giant BFT per vessel on open days for all other months in time periods where the fishery is open (*i.e.*, January through March and July through December, noting that the General category BFT fishery is not open during the months of April and May); and (4) the clarification of BFT regulations regarding dealer activities on RFDs and the definition of a BSD tag. On an RFD, Atlantic Tunas General category permitted vessels may not fish for (including catch-and-release or tag-and-release fishing), possess, retain, land, or sell BFT. However, on an RFD, Atlantic Tunas General category permitted vessels may fish for, possess, retain, land, or sell other Atlantic HMS tunas (*e.g.*, bigeye, albacore, yellowfin, and skipjack). Furthermore, on an RFD, HMS Charter/Headboat permitted vessels with a commercial sale endorsement also are subject to these restrictions and may not fish commercially for BFT under the General

category restrictions and retention limits. However, such vessels may still fish for, possess, retain, or land BFT when fishing recreationally under applicable HMS Angling category rules.

As described in the Responses to Comments below, NMFS made one change to the preferred alternatives between the proposed and final rule, based in part on public comments. The specific change is described below in the section titled "Changes from the Proposed Rule."

NMFS has prepared a final EA, Regulatory Impact Review (RIR), and Final Regulatory Flexibility Analysis (FRFA), which analyze the anticipated environmental, social, and economic impacts of several alternatives considered for this final rule. The full list of alternatives and their analyses are provided in the final EA/RIR/FRFA and are not repeated here. A summary of the FRFA is provided below. A copy of the final EA/RIR/FRFA prepared for this final rule is available from NMFS (see **ADDRESSES**).

#### Response to Comments

NMFS received 34 written comments from individual members of the public. All written comments can be found at [www.regulations.gov](http://www.regulations.gov); type "NOAA-NMFS-2024-0021" in the Search box (*note*: copying and pasting the FDMS Docket Number directly from this document may not yield search results). Below, NMFS summarizes and responds to the comments made on the proposed rule during the comment period.

*Comment 1:* NMFS received multiple comments expressing concerns with codifying specific days as RFDs. Commenters felt that codifying RFDs would not provide NMFS the flexibility to respond to changes in BFT stock status, the environment, the regulations, and market conditions.

*Response:* NMFS disagrees that codifying specific days as RFDs would reduce the flexibility needed to respond to such changes. As stated in the proposed rule, NMFS may waive previously scheduled RFDs under certain circumstances, consistent with § 635.23(a)(7). Specifically, NMFS may waive an RFD(s) by adjusting the daily BFT retention limit from zero up to five on specified RFDs, after considering the inseason adjustment determination criteria at § 635.27(a)(7). These considerations include, among other things, review of dealer reports, daily landing trends, and the availability of BFT on fishing grounds. We would announce any such waiver by filing a retention limit adjustment with the Office of the Federal Register for publication. NMFS also may waive

previously designated RFDs effective upon closure of the General category fishery so that persons aboard vessels permitted in the General category may conduct tag-and-release fishing for BFT. Similarly, if NMFS is conducting a rulemaking as a result of changes in the BFT stock status, BFT quotas, or other related situations, NMFS could consider the combined impacts of RFDs and those changes on the fishery, and, if needed and appropriate, propose changes to the codified RFD schedule.

*Comment 2:* NMFS received several comments suggesting that the preferred 3-day RFD schedule has not been effective in extending the length of the season. Some commenters noted that data pre- and post-establishment of RFDs indicate that NMFS should take other measures to control effort better. Many commenters stated that NMFS should set additional RFDs per week as the preferred 3-day RFD schedule has not accomplished the primary goal to allow fishing opportunities later into the applicable time periods.

*Response:* NMFS disagrees that RFDs have not been effective in meeting its primary goal of extending the fishing season. NMFS acknowledges that in the past few years, with the 3-day RFD schedule of Tuesday, Friday, and Saturday from July 1 through November 30, the subquotas have still been harvested before the end of each time period, necessitating an early closure. However, this is because landings rates continue to be very high compared to past landings rates. This increase in landings rates may be due to various factors including increased availability of BFT and favorable weather conditions. The use of RFDs has extended the applicable time periods and has provided for additional fishing opportunities throughout each time period. Without RFDs, because of those high landings rates, the time period subquotas would likely have been met within days of each time period opening. Such a quick closure would not provide fishing opportunities through much of the fishing season.

Thus, after considering public comment and reviewing daily catch landings data in recent and past years, NMFS is finalizing the codification of a 3-day RFD schedule. NMFS is further setting a fourth, non-codified RFD for the 2024 fishing year (see Responses 3 and 4 for more information). NMFS believes the addition of a fourth day will further the objective of extending the fishing season and continuing to provide equitable fishing opportunities throughout the year and intends to evaluate after the 2024 fishing year

whether a permanent codification of a fourth RFD is warranted.

*Comment 3:* NMFS received a variety of comments regarding a specific RFD schedule. Some commenters supported the preferred 3-day RFD schedule. One commenter supported a 3-day RFD schedule, but suggested that NMFS modify the days to Sunday, Monday, and Friday. The majority of commenters suggested that NMFS set 4 RFDs per week from July 1 through November 30, with Sunday being added as the additional RFD. These commenters felt that the past years' schedule of 3 RFDs per week was not effective in extending the fishing season and stated that a 4-day RFD schedule would extend the quota later into the season, while also reducing market saturation and improving BFT prices. Other commenters felt having 4 RFDs a week would have a negative economic impact on local coastal communities, would eliminate fishing opportunities for participants who can only fish during the weekend, and could result in safety-at-sea issues. Without specifying which specific days, some commenters supported 4 or more RFDs. A few of these commenters suggested 6 RFDs a week as long as NMFS had the flexibility to increase or decrease fishing days by waiving RFDs when needed, while one comment supported as many RFDs per week as would be needed to stabilize the BFT market. One commenter supported 4 RFDs per week from August through December.

*Response:* A primary objective of this action is to slow the harvest rate of BFT in order to provide General category fishing opportunities through a greater portion of the General category time periods. As stated in the response to Comment 2, the RFD schedule in recent years (e.g., 3 RFDs per week on Tuesdays, Fridays, and Saturdays) has been effective at allowing extra fishing opportunities. However, the time period subquotas have still been reached quickly resulting in early closures of the General category. After reviewing public comments and catch rate data, NMFS has determined that it is appropriate to set a fourth RFD per week from July 1 through November 30 in 2024 to further slow the rate of catches in the General category and provide for additional fishing opportunities later into the applicable time periods. NMFS will evaluate/review the data from the 2024 fishing season to determine how well a fourth RFD achieves that objective. NMFS recognizes that a 4-day RFD schedule in 2024, specifically a Sunday, Tuesday, Friday, and Saturday schedule, would eliminate BFT commercial fishing opportunities on the

weekend and may negatively affect commercial fishermen that currently only fish for BFT on the weekend. However, all General category and HMS Charter/Headboat permit holders that fish commercially for BFT are affected when the subquota is harvested quickly and the season is closed after only a few days. In those cases, commercial fishing opportunities for all General category and HMS Charter/Headboat permit holders fishing commercially for BFT are negatively affected. By setting a 4-day RFD schedule in 2024, we believe more fishing opportunities will be available for all General category participants later into each time period. Furthermore, NMFS has the ability to waive RFDs, if necessary. We believe this added flexibility provides NMFS effective tools to manage the General category fishery.

Regarding safety-at-sea, NMFS recognizes that fishing can be dangerous in the best of circumstances. NMFS does not believe that a 4-day RFD schedule inherently causes more safety issues than a 3-day RFD schedule. Under either schedule, fishermen are not required to go fishing and must make their own determination about whether to fish given the weather or other safety-at-sea conditions. If a schedule of 4 RFDs per week in 2024 is successful at extending fishing opportunities throughout the fishing season, fewer fishermen may feel the need to go fishing on a non-RFD if the weather or other conditions are hazardous.

*Comment 4:* NMFS received many comments in support of adding Sunday as a fourth RFD per week. The commenters who supported adding Sunday as an RFD noted the highest commercial landings and effort occur on Sunday. Some recreational commenters who supported Sunday as a fourth RFD felt the high commercial fishing effort on Sundays is detrimental to any recreational vessels trying to fish. One commenter noted fishing tournaments in New England do not operate on Sundays, and therefore a Sunday RFD would not cause any impacts to any General category participants in such tournaments. Some commenters opposed the addition of a Sunday RFD, noting that the addition of Sunday would eliminate commercial BFT fishing on weekends.

*Response:* After considering public comment and further reviewing daily catch landings data in recent and past years, NMFS has determined that Sunday should be added as an additional non-codified RFD in 2024 because Sundays have recently been high landings days in the General category. From 2021 through 2023 for

the months with RFDs in place, the rate of landings on Sundays was relatively high (~14 metric tons (mt) per day). Recognizing the concerns from stakeholders regarding the addition of Sunday, at this time we are adding Sunday as an additional non-codified RFD per week only for the 2024 fishing year. This limited time should allow the opportunity to collect data and determine if it would be appropriate to include Sunday as a codified fourth RFD in future years. We recognize that the use of RFDs may allow for an increase in recreational catches of BFT on RFDs, including on weekends. However, the purpose of this action is not to increase recreational landings, but to extend the General category BFT fishery for 2024 year and during subsequent years. Although recreational landings may increase on RFDs, we note that the recreational quota has not been reached in recent years. Additionally, we emphasize that Charter/Headboat permitted vessels must abide by established retention limits when fishing recreationally on RFDs. Thus, NMFS anticipates that recreational landings would remain within the current annual Angling category quota as specified at 635.27(a)(2).

Furthermore, NMFS acknowledges that some HMS tournaments in the New England region may not include fishing on Sundays. However, NMFS is aware of some fishing tournaments that take place on Sundays in other regions during time periods when catch rates are high. RFDs that occur on a tournament date may negatively affect BFT fishing at those tournaments since some tournament participants are General category permit holders and are prohibited from fishing for BFT on RFDs. However, on an RFD, General category permit holders may still participate in non-BFT fishing during the tournament and may land sharks (if they also hold a shark endorsement), swordfish, billfish, and/or bigeye, albacore, yellowfin (YFT), and skipjack tunas recreationally as otherwise allowed. Additionally, on an RFD, Charter/Headboat-permitted vessels may participate recreationally in HMS fishing tournaments, including for BFT, under the applicable Angling category restrictions and size class limits.

*Comment 5:* NMFS received multiple comments that did not support establishing a default three-fish daily retention limit in the month of June and a default one-fish daily retention limit for all other months in time periods when the fishery is open (i.e., January through March and July through December). Commenters expressed concerns that a three-fish daily retention



limit for the month of June results in too many landings in June for the June through August time period, which is contrary to the goal of this action. These commenters were also concerned that the default retention limit would not provide NMFS the flexibility to modify the retention limit if needed. Other commenters stated that a one-fish daily retention limit would preserve resources and ensure better market prices for BFT.

*Response:* NMFS disagrees that having a default three-fish daily retention limit in June is contrary to the objectives of this action or would reduce the flexibility needed to modify the retention limit. In recent years, the rate of landings and overall fishing effort in the General category is typically slow in early June. For example, in 2023, the average amount of BFT harvested per day in June (*i.e.*, 30 open days), with the three-fish daily limit, was 1.5 mt. From July 1 through August 17 (*i.e.*, 28 open days), with the one-fish daily limit, the average amount harvested per day was 11.8 mt. In recent years, after consideration of the relevant criteria provided under § 635.27(a)(7), which includes consideration of catch rates, NMFS has regularly set the daily retention limit for the beginning of the June through August time period at three fish (*e.g.*, 86 FR 27814, May 24, 2021; 87 FR 32094, May 27, 2022; 88 FR 34454, May 30, 2023). During the month of June, NMFS monitors the landings closely, and, as appropriate, NMFS can reduce the limit to a one-fish daily retention limit to ensure fishing opportunities in all respective General category time periods and to ensure that the available quota is not exceeded. Any change in the retention limit considers the relevant criteria and includes consideration of the catch rates associated with the various authorized gear types (*i.e.*, harpoon, rod and reel). Throughout the season, NMFS monitors landings and catch rates and will close the fishery or modify retention limits as appropriate to ensure the quotas are not exceeded. NMFS will continue to monitor and evaluate the effectiveness of all these management measures in the context of current conditions to determine whether other actions are necessary.

*Comment 6:* NMFS received multiple comments suggesting that NMFS negotiate for more BFT quota at ICCAT citing increases in BFT biomass and shifts in BFT fishing grounds, resulting in high landings. Several commenters noted that the BFT stock has rebounded and is healthy. Some commenters noted that more quota is needed to address recreational trophy and tournament landings, both of which potentially

affect General category participation and landings. One commenter expressed that NMFS should consider a special allocation for giant BFT caught in tournaments with no commercial sale.

*Response:* The most recent western Atlantic BFT stock assessment, conducted in 2021, determined that the overfished status remains unknown and that the stock is not subject to overfishing. This stock status remains in effect. In 2022, NMFS increased the baseline U.S. BFT quota to 1,316.14 mt (not including the 25-mt ICCAT allocated to the United States to account for bycatch of BFT in pelagic longline fisheries in the Northeast Distant Gear Restricted Area), as codified at § 635.27(a), consistent with Recommendation 21–07 adopted by ICCAT at the November 2021 annual meeting (87 FR 33049, June 1, 2022). ICCAT Recommendation 22–10 maintained the U.S. BFT quota as specified above. Further information on the BFT stock assessment and stock status can be found in the 2022 rule referenced above and associated EA.

Regarding more quota for recreational trophy and tournament landings this would require modifications to the BFT quota for the Angling category quota and subquotas and NMFS is not considering modifications of the Angling category in this action. Additionally, regarding a special allocation for giant BFT caught in tournaments with no commercial sale, NMFS is not considering this modification, as it would require modifications to the BFT quota for the General category quota and subquotas. Amendment 13 to the 2006 Consolidated HMS FMP and its final rule (87 FR 59966, October 3, 2022) considered modifications to the BFT category subquotas. As described in Amendment 13, NMFS determined that the current structure of the BFT fishery provides equitable fishing opportunities. As such, Amendment 13 did not modify the General category subquota percentages. However, Amendment 13 eliminated the Purse Seine category and proportionally reallocated Purse Seine category quota to all of the other BFT quota categories, including the General and Angling categories, resulting in an increase to the General category and Angling category quota and subquotas.

*Comment 7:* One commenter referenced National Standard 4, which requires that conservation and management measures shall not discriminate between residents of different states, and expressed concerns that RFDs are set only for when BFT arrive off Maine versus year-round.

Another commenter stated that NMFS has a responsibility to protect the economic value of the BFT fishery under the Magnuson-Stevens Act and codifying effort controls will not provide the flexibility to do so.

*Response:* The preferred alternatives are designed to extend fishing opportunities through a greater portion of the General category time period subquotas, prevent the overharvest of quota in any period, and improve distribution of fishing opportunities without increasing BFT mortality. This action also provides flexibility to waive codified RFDs (see response to comment 1). Consistent with National Standard 4, the preferred alternatives do not discriminate between residents of different States, as the measures considered in this action apply the same rules to all General category and HMS Charter/Headboat permit holders with a commercial sale endorsement fishing commercially for BFT regardless of their state of residence. The preferred RFD schedule does not apply only to certain regions. Instead, it applies to all regions, during time periods in which landings have been the highest, shortening the time it takes to meet relevant subquotas, resulting in inseason closures earlier than desired, and contributing to market gluts. In the final rule establishing the 2023 RFD schedule, NMFS considered, among other things, RFDs for the December, and the January through March time periods (88 FR 33839, May 25, 2023). Based on public comment, at that time, NMFS did not finalize RFDs for those time periods, in part because the weather during those periods already limits participation. NMFS did not reconsider RFDs during those time periods in this rule, as the reasons for not finalizing them in 2023 still apply.

NMFS emphasizes that the Magnuson-Stevens Act requires the consideration and application of numerous factors when developing fishery conservation and management measures, including the ten National Standards at 16 U.S.C. 1851(a)(1)–(10). The proposed rule and EA did discuss past market conditions and recognized that this action should also help prevent large numbers of BFT from entering the market at the same time, which may indirectly affect price. While NMFS considered economic factors in the development of this action, the primary purpose of RFDs is not economic in nature. Rather, RFDs are an effort control used to extend General category fishing opportunities through a greater portion of the General category time period subquotas, prevent overharvest of quota in any period, and improve

distribution of fishing opportunities without increasing BFT mortality.

*Comment 8:* NMFS received multiple comments expressing concerns with General category permit holders' participation in HMS tournaments. These commenters stated that tournaments contribute significantly to landings of General category BFT in the summer. Some commenters noted that BFT landed by General category vessels participating in tournaments that include BFT should not count toward the General category quota. Some commenters suggested that NMFS should require tournaments to be catch and release only for BFT. Some commenters suggested that NMFS should require all commercially-sized BFT that are landed during tournaments be weighed in dressed form rather than whole form. One commenter expressed that HMS Charter/Headboat vessels should be able to continue to fish in and sell BFT landed in tournaments.

*Response:* NMFS disagrees that tournament landings contribute significantly to BFT General category landings in the summer. While NMFS acknowledges that tournament landings do affect landings in the General category, non-tournament landings constitute the majority of landings in the General category fishery in the summer. Furthermore, under the current regulations General category and HMS Charter/Headboat permitted vessels with a commercial sale endorsement may participate in BFT fishing tournaments (on non-RFDs) and must comply with the Atlantic Tunas General category regulations to land and sell commercial sized BFT (see § 635.4(c)(3)). In recent years both fishermen and dealers have expressed concerns regarding General category participation in HMS fishing tournaments. At this time, NMFS is not considering action to modify existing regulations regarding General category participation in HMS tournaments. NMFS may consider potential changes to these regulations in the future, if warranted.

*Comment 9:* NMFS received multiple comments suggesting alternative options to RFDs for the purpose of controlling fishing effort. One commenter suggested that NMFS take action regarding dealer and fishermen communication to reduce unsold fish. Some commenters noted that NMFS should not issue permits unless General category or HMS Charter/Headboat permit holders show proof of meeting safety regulations. These commenters cited that non-compliance of commercial safety gear, stickers, and handling restrictions by Charter/Headboat permit holders leads

to an increase in General category fishing by inexperienced or unsafe fishermen resulting in BFT that are not handled properly for sale or landed and unsold.

*Response:* NMFS believes that RFDs and retention limits offer the best options to pace General category landings to extend fishing opportunities through a greater portion of the time periods. Furthermore, as part of this action, NMFS is clarifying existing regulations to improve the understanding of vessel and dealer restrictions and requirements for participants in the General category BFT fishery. Through these measures, NMFS believes the number of unsold fish should be reduced. Additionally, in recent years (most recently in 2023), NMFS has actively encouraged operators of vessels authorized to sell bluefin tuna to contact their local Atlantic tuna dealers before departing on a trip to determine if dealers are willing to purchase BFT.

Regarding the commercial fishing vessel safety requirements, these requirements are promulgated and enforced by the U.S. Coast Guard, not by NMFS. Such provisions can be found in 46 CFR part 28. Modifying the prerequisites to obtain an HMS permit is outside the scope of this action, however NMFS takes the suggestion under advisement.

*Comment 10:* NMFS received one comment requesting that NMFS ban imports of BFT or YFT when the fishery is open and ban imported farm/pen raised tunas.

*Response:* This comment is outside of the scope of this action. Information regarding import restrictions can be found on the NMFS Office of International Affairs, Trade, and Commerce web page at <https://www.fisheries.noaa.gov/about/office-international-affairs-trade-and-commerce>.

#### Changes From the Proposed Rule

Changes from the proposed rule were made in response to public comment and refined analyses for this final rule. Therefore, where relevant, the description of measures implemented by this final rule includes any changes from the measures in the proposed rule and EA. All changes in this final rule fall within the scope of, or are a logical outgrowth of, the alternatives in the proposed rule and Draft EA. The only changes from the proposed measures are to add Sunday as a temporary fourth RFD each week from July 1 through November 30, 2024, and some minor changes to the regulatory text as described below.

NMFS proposed to set and codify a 3-day RFD schedule for every Tuesday, Friday, and Saturday from July 1 through November 30. As stated in the proposed rule, NMFS has used this RFD schedule since 2022 (in 2021, NMFS used the same 3-day schedule from September 3 through November 30) to correspond with the time periods when catch rates have been historically high in the General category often resulting in premature closures of the fishery. In this final rule, NMFS is codifying the preferred RFD schedule of every Tuesday, Friday, and Saturday from July 1 through November 30, as proposed.

However, as described in the responses to Comments 3 and 4, NMFS received many public comments suggesting that NMFS set a 4-day RFD schedule by adding Sunday as an additional RFD. Based on those public comments and refined analyses, NMFS decided to add Sunday as a fourth RFD each week for the 2024 fishing year. This change applies only to 2024, and NMFS is not codifying by regulation a Sunday RFD through this action. Instead, NMFS may consider codifying Sunday as an additional RFD in the future if deemed appropriate.

Thus, as part of this rule, NMFS is setting 4 RFDs per week for the 2024 fishing year: every Sunday, Tuesday, Friday, and Saturday from July 1 through November 30. As stated in the Response to Comments section, NMFS maintains the ability to waive previously scheduled RFDs and would announce such waivers by filing a retention limit adjustment with the Office of the Federal Register for publication.

NMFS has made a few minor changes to the regulatory text, which includes adding the word "fishing" to tag-and-release activities to § 635.23(a)(7)(i), adding the words "local time" to § 635.31(a)(1), and technical editorial corrections to meet the Office of Federal Register guidelines.

#### Classification

Pursuant to section 304(g) of the Magnuson-Stevens Act, the NMFS Assistant Administrator has determined that this final rule is consistent with the 2006 Consolidated HMS FMP and its amendments, other provisions of the Magnuson-Stevens Act, ATCA, and other applicable law.

This final rule has been determined to be not significant for purposes of Executive Order 12866.

A FRFA was prepared for this final rule. The FRFA incorporates the initial regulatory flexibility analysis (IRFA), a summary of the significant issues raised by the public comments in response to

the IRFA, NMFS' responses to those comments, and a summary of the analyses updated in response to the comments and completed to support the action. A copy of this analysis is available from NMFS (see **ADDRESSES**). A summary is provided below.

Section 604(a)(1) of the Regulatory Flexibility Act (RFA) requires agencies to state the need for, and objective of, the final action. This action is consistent with the objectives of the 2006 Consolidated HMS FMP and its amendments, the Magnuson-Stevens Act, ATCA, and other applicable law. The need for this action is to simplify and clarify the regulatory process regarding RFDs. RFDs increase the likelihood of pacing General category landings to extend fishing opportunities through a greater portion of the General category time period subquotas. Additionally, this action would reestablish a General category retention limit on open days for better understanding by General category quota participants and clarify the existing HMS dealer regulations to improve the understanding of vessel and dealer restrictions and requirements for participants in the General category BFT fishery to ensure better compliance by dealers and dealers' agents when operating on an RFD. In short, the objective of this action is to modify the process of scheduling RFDs and reestablish a General category default daily retention limit for large medium or giant BFT on open days. As effort controls, both RFDs and daily retention limits are meant to extend General category fishing opportunities through a greater portion of the General category time period subquotas, prevent overharvest of quota in any period, and improve distribution of fishing opportunities without increasing BFT mortality. Lastly, this action would clarify existing HMS dealer regulations and the definition of a BSD tag to improve the understanding of vessel and dealer restrictions and requirements for participants in the General category BFT fishery.

Section 604(a)(2) of the RFA requires a summary of significant issues raised by the public in response to the IRFA, a summary of the agency's assessment of such issues, and a statement of any changes made in the rule as a result of the comments. NMFS received 34 written comments on the proposed rule and Draft EA during the public comment period. A summary of those comments and the agency's responses are described above. No comments specifically referenced the IRFA, although some comments raised a variety of economic concerns including

viability of the General category fishery with RFDs (see comment 3), retention limit impacts on ensuring higher market prices (see comment 5) and NMFS responsibility to protect the economic value of the BFT fishery (see comment 7). NMFS' responses to those comments are summarized above. After careful consideration of all the comments received, NMFS is: (1) codifying an RFD schedule every Tuesday, Friday, and Saturday from July 1 through November 30 that will apply in 2024 and future years; (2) adding Sunday as an additional RFD for the 2024 fishing year; (3) establishing a General category default daily retention limit of three large medium or giant BFT per vessel on open days in June and one large medium or giant BFT per vessel on open days for all other months in time periods where the fishery is open; and (4) clarifying the regulations regarding BFT dealer activities on RFDs and the definition of a BSD tag.

Section 604(a)(3) of the RFA requires the agency to respond to any comments filed by the Chief Counsel for Advocacy of the Small Business Administration (SBA) in response to the proposed rule, and a detailed statement of any change made in the rule as a result of such comments. NMFS did not receive any comments from the Chief Counsel for Advocacy of the SBA in response to the proposed rule. As noted above, no comments specifically referenced the IRFA, although some comments raised a variety of economic concerns including viability of the General category fishery with RFDs (see comment 3), retention limit impacts on ensuring higher market prices (see comment 5) and NMFS responsibility to protect the economic value of the BFT fishery (see comment 7).

Section 604(a)(4) of the RFA requires agencies to provide descriptions of, and where feasible, an estimate of the number of small entities to which the rule would apply. NMFS established a small business size standard of \$11 million in annual gross receipts for all businesses in the commercial fishing industry (North American Industry Classification System (NAICS) 11411) for RFA compliance purposes. The SBA has established size standards for all other major industry sectors in the United States, including the scenic and sightseeing transportation (water) sector (NAICS code 487210), which includes for-hire (*e.g.*, charter/party boat) fishing entities. The SBA has defined a small entity under the scenic and sightseeing transportation (*i.e.*, water) sector as one with average annual receipts (*i.e.*, revenue) of less than \$14 million. NMFS considers all HMS permit holders, both

commercial and for-hire, to be small entities because they had average annual receipts of less than their respective sector's standard of \$11 million and \$14 million. As of October 2022, there are 2,630 General category permit holders and 4,175 HMS Charter/Headboat permit holders, of which 1,873 hold HMS Charter/Headboat permits with a commercial sale endorsement.

Section 604(a)(5) of the RFA requires agencies to describe any new reporting, record-keeping, and other compliance requirements. This final rule does not contain any new collection of information, reporting, or record-keeping requirements.

Section 604(a)(6) of the RFA requires agencies to describe the steps taken to minimize the significant economic impact on small entities consistent with the stated objectives of applicable statutes, including a statement of the factual, policy, and legal reasons for selecting the alternative adopted in the final rule and why each one of the other significant alternatives to the rule considered by the agency which affect the impact on small entities was rejected.

As described below, NMFS analyzed several different alternatives in this final rulemaking, including by incorporating updates as a result of public comments and additional data reviewed. NMFS also provides rationales for identifying the preferred alternatives to achieve the desired objectives. For purposes of the FRFA, NMFS assumes that each vessel will have similar catch and gross revenues to show the relative impact of the final action on vessels.

Under Alternative A, the status-quo alternative, NMFS would maintain the status quo, and as needed, would continue the recent practice of conducting an annual rulemaking to set the schedule of RFDs for upcoming fishing years. The average annual revenue for BFT landed in the General category is approximately \$9.9 million based on the average ex-vessel price from 2018 through 2022 and adjusted for inflation using the GDP Deflator. Overall, RFDs do not modify the General category quota and are designed to extend fishing opportunities through a greater proportion of the time periods in which they apply by spreading fishing effort out over time. To the extent that the ex-vessel revenue for a BFT sold by a General or HMS Charter/Headboat permitted vessel (with a commercial endorsement) may be higher when a lower volume of domestically caught BFT is on the market at one time, the use of RFDs may result in some short-term increase in

BFT prices, and the value of BFT for the applicable General category time periods could increase. These increases in price are unlikely to impact the overall average annual revenue. Under this alternative, General category participants would continue to have the same opportunity to land the annual General category quota and subquotas as they have in the past few years. As such, NMFS expects this status quo alternative would have neutral economic impacts as it does not expect this alternative to have new economic impacts on small entities participating in the fishery beyond those currently occurring.

Under Alternative B (Preferred Alternative), which NMFS is considering as four sub-alternatives (B1 is the preferred sub-alternative), NMFS would modify the process for setting an RFD schedule. Under this alternative, NMFS would no longer need to conduct an annual rulemaking to set an RFD schedule. Instead, NMFS would codify the General category time periods and days in which RFDs would be applied as a default. NMFS could, if needed and as appropriate, conduct rulemaking to change the codified RFD schedule (*e.g.*, remove an RFD or add an RFD). NMFS clarifies that this rulemaking could be for a change to the schedule on either a temporary or permanent basis. NMFS may waive these scheduled RFDs for the specific time periods and days on which they apply by adjusting the daily BFT retention limit from zero up to five after considering the criteria at § 635.27(a)(7). NMFS also may waive previously designated RFDs effective upon closure of the General category fishery so that persons aboard vessels permitted in the General category may conduct only tag-and-release fishing for BFT under § 635.26(a). Codification of default RFDs would provide greater certainty and predictability than annual rulemaking to schedule all RFDs for a certain year, providing some positive economic impacts to General category participants and dealers in terms of business planning. As stated above, the average annual revenue for BFT landed in the General category is approximately \$9.9 million based on the average ex-vessel price from 2018 through 2022 and adjusted for inflation using the GDP Deflator. To the extent that the ex-vessel revenue for a BFT sold by a General or HMS Charter/Headboat permitted vessel with a commercial endorsement may be higher when a lower volume of domestically caught BFT is on the market at one time, the use of RFDs may result in some short-term increase in BFT prices, and the value of BFT for the

applicable General category time periods could increase.

As part of Alternative B, NMFS is considering four sub-alternatives specifying different days of the week when RFDs would take place to the RFD schedule for 2024 and subsequent years. In general, three of the sub-alternatives (B1, B2, B3) have similar economic impacts because they establish the same number of RFDs and RFDs do not modify the General category quota. Instead, RFDs are designed to extend fishing opportunities through a greater proportion of the time periods in which they apply by spreading fishing effort out over time. To the extent that the ex-vessel revenue for a BFT sold by a General or HMS Charter/Headboat permitted vessel with a commercial endorsement may be higher when a lower volume of domestically caught BFT is on the market at one time, the use of RFDs may result in some short-term increase in BFT prices, and the value of the General category time period subquotas could increase.

Under Sub-Alternative B1, the preferred sub-alternative for the RFD schedule, NMFS will codify a 3-day-per-week RFD schedule for every Tuesday, Friday, and Saturday from July 1 through November 30. This sub-alternative could have neutral to minor beneficial economic impacts on small entities participating in the fishery beyond those currently occurring because this schedule could extend fishing opportunities through a greater portion of the General category time periods in the fishing year while also reducing the influx of BFT products into the market, resulting in short-term increases in ex-vessel prices and revenues for General category participants. However, these short-term increases in price are unlikely to impact the overall average annual revenue.

Under Sub-Alternative B2, NMFS would codify a 3-day-per-week RFD schedule for every Thursday, Friday, and Saturday from July 1 through November 30. This sub alternative could have neutral to minor adverse economic impacts on small entities participating in the fishery as four consecutive landings days could increase the influx of BFT products into the market resulting in a short-term decrease in ex-vessel prices and revenues for General category participants. This short-term decrease in BFT prices would be unlikely to impact the overall average annual revenue.

Under Sub-Alternative B3, NMFS would codify a 3-day-per-week RFD schedule for every Friday, Saturday, and Sunday from July 1 through November 30. This sub-alternative could have

neutral to minor adverse economic impacts on small entities participating in the fishery as RFDs for an entire weekend could negatively impact General category participants who can only commercially fish for BFT on the weekends. At this time, because current reporting requirements only track when a BFT is landed and not how often or when vessels fish, NMFS does not have estimates on how many General category permit holders follow this approach. However, under this sub-alternative, as with the other sub-alternatives, all permit holders would have the opportunity to fish for BFT on non-RFDs. Based in part on public comments and upon reviewing fishing activities in past years, NMFS anticipates that General category participants would adjust their schedules, similar to fishermen behavior during past years' RFD schedules. As such, allowing 4 consecutive landing days (even with the weekend restricted) could increase the influx of BFT products into the market resulting in a short-term decrease in ex-vessel prices and revenues for General category participants. This short-term decrease in BFT prices is unlikely to impact the overall average annual revenue.

Under Sub-Alternative B4, NMFS would codify a 4-day (or more)-per-week RFD schedule. Based on public comment and further reviewing of catch data, NMFS now believes that this sub-alternative could have minor beneficial to adverse economic impacts on small entities participating in the General category fishery as 4 or more RFDs could, rather than extending fishing opportunities, actually limit opportunities for General category participants to land the BFT quota and subquotas possibly resulting in underharvest and derby-like conditions. NMFS believes that a greater derby-like effect is expected with a greater number of RFDs per week. This derby-like effect, if large enough, could lead to an influx of BFT products into the market, which, depending on the schedule, could result in a decrease in ex-vessel prices and revenues for General category participants, which may negatively impact overall average revenue. For instance, based on public comment, NMFS now believes that a 4 non-consecutive-day RFD schedule could reduce the influx of BFT products into the market which could result in short-term increases in ex-vessel prices and revenues and thus minor beneficial impacts for some General category participants who are able to participate on all open days. Overall, for the fleet, such a schedule would result in 3 days

per week for commercial BFT fishing opportunities. Under this scenario, NMFS would anticipate that some General category participants may be unable to take advantage of the limited open days; however, NMFS would anticipate the General category quota being fully utilized as effort would likely shift to the 3 open days. This would likely have neutral economic impacts because all participants will have the same opportunities to fish commercially on open days. However, an RFD schedule of 5 or more days per week would result in 2 or fewer days per week for commercial BFT fishing opportunities. Under this scenario, NMFS would anticipate greater numbers of General category participants being unable to take advantage of more limited open days. If fishing effort is reduced enough, this may lead to an underharvest of the General category quota and subquotas, and the underutilization of the available fishery resource. In this scenario, NMFS would anticipate more adverse economic impacts.

As stated above in Sub-Alternative B1, NMFS is codifying a three-day RFD schedule on Tuesdays, Fridays, and Saturdays from July 1 through November 30. However, based on public comment on the proposed rule and Draft EA, NMFS is adding Sunday as an additional non-codified fourth RFD for the 2024 fishing year. Additionally, as noted above in the comments and responses, in further reviewing recent catch data, NMFS notes that from 2021 through 2023 for the months with RFDs in place, the rate of landings on Sundays was relatively high (*i.e.*, ~14 mt per day). The Sunday RFD will not be codified into the regulations at this time to allow for NMFS to gather additional data and observe how the fishery functions. Thus, for the 2024 fishing year, NMFS is setting an RFD schedule of 4 days (*i.e.*, Sunday, Tuesday, Friday, and Saturday) every week from July 1 through November 30. When the July through November time period is open to fishing, all General category participants could fish on Monday, Wednesday, and Thursday. At this time, NMFS believes that this schedule in 2024 would likely have neutral to adverse economic impacts on individual General category participants who could only commercially fish for BFT on the weekends. However, these individuals would have the opportunity to fish commercially for other tunas (*e.g.*, bigeye, albacore, yellowfin, skipjack) and non-HMS managed species on the weekends. Overall, for the fleet, such a schedule would likely have neutral to

minor beneficial economic impacts because all participants will have the same opportunities to fish commercially on open days, and there is no change to the overall BFT General category quota and subquotas which NMFS anticipates would be fully landed with a possible increase in ex-vessel price due to landings being spread out over time.

Under Alternative C, NMFS would remove RFDs from the existing HMS regulations and no longer set RFDs for the General category. As stated earlier in this document, the goal of RFDs is to extend General category fishing opportunities through a greater portion of the General category time periods. Without RFDs, high catch rates early in each time period would prompt NMFS to prematurely close the General category because the quota has been reached, even though fish may still be available on fishing grounds. Premature closure would mean commercial fishermen operating under the General category could not fish for, possess, retain, or sell commercial sized fish. To the extent that the ex-vessel revenue for a BFT sold by a General or HMS Charter/Headboat permitted vessel (with a commercial endorsement) may be higher when a lower volume of domestically caught BFT is on the market at one time, the use of RFDs may result in some short-term increase in BFT prices, and the value of the General category time period subquotas could increase. This alternative could have neutral to minor adverse economic impacts on small entities participating in the fishery. General category participants would likely land the subquotas over an extremely short time period increasing the influx of BFT products into the market, potentially resulting not only in an earlier closure of the fishery but also a slight decrease in ex-vessel prices and revenues for General category participants which may negatively impact overall average revenue.

As part of Alternative D, NMFS is considering three alternatives specifying the General category retention limits for BFT. In general, the three Sub-Alternatives (D1, D2, and D3) have similar economic impacts as retention limits overall are designed to extend the length of the General category time periods when BFT can be landed, providing additional fishing opportunities while also reducing the influx of BFT products into the market, which could result in a short-term increase in ex-vessel prices for General category participants.

Under Sub-Alternative D1, the status-quo alternative for retention limits, NMFS would maintain the current

regulations at § 635.23(a)(3) which do not establish a default retention limit on open days (*i.e.*, non-RFDs) when the General category is open. Under this alternative NMFS may set the General category default daily retention limit for large medium or giant BFT over a range of zero (on RFDs) to five BFT per vessel for each time period in an action published in the **Federal Register**. The daily retention limit would apply to General category permitted vessels and HMS Charter/Headboat permitted vessels with a commercial sale endorsement when fishing commercially for BFT. Overall, the use of retention limits would likely have neutral to minor beneficial economic impacts on small entities participating in the General category fishery as they could extend the length of the General category time periods when BFT can be landed, providing additional fishing opportunities while also reducing the influx of BFT products into the market which could result in a short-term increase in ex-vessel prices for General category participants. This short-term increase in BFT prices are unlikely to impact the overall average annual revenue. NMFS expects the status-quo alternative to have neutral economic impacts as it does not change existing management.

Under Sub-Alternative D2, NMFS would establish a General category default daily retention limit of one large medium or giant BFT per vessel on days when the General category is open. The daily retention limit would apply to General category permitted vessels and HMS Charter/Headboat permitted vessels with a commercial sale endorsement when fishing commercially for BFT. Retention limits would likely have neutral to minor beneficial economic impacts on small entities participating in the General category fishery as they could extend the length of the General category time periods when BFT can be landed, providing additional fishing opportunities while also reducing the influx of BFT products into the market which could result in a short-term increase in ex-vessel prices for General category participants. However, since the current practice in recent years is to set a daily retention limit of three large medium or giant BFT per vessel on days when the General category is open, starting June 1 through June 30, a default of one BFT could potentially constrain the revenue of vessels that might have been able to land two or three BFT on open days from June 1 through June 30. Although this alternative may have a short-term minor

adverse impact on a limited number of individuals and their revenues (likely resulting in a short-term decrease in ex-vessel prices), NMFS expects that the overall average annual revenue would unlikely be impacted.

Under Sub-Alternative D3, the preferred sub-alternative for retention limits, NMFS is establishing a General category daily retention limit of three large medium or giant BFT per vessel on open days in June and one large medium or giant BFT on days during all other months when the fishery is open (*i.e.*, January through March and July through December; the General category BFT fishery is not open during the months of April and May) unless adjusted with an inseason action. The daily retention limit would apply to General category permitted vessels and HMS Charter/Headboat permitted vessels with a commercial sale endorsement when fishing commercially for BFT. Retention limits would likely have neutral to minor beneficial economic impacts on small entities participating in the General category fishery as retention limits could extend the length of the General category time periods when BFT can be landed, providing additional fishing opportunities while also reducing the influx of BFT products into the market which could result in a short-term increase ex-vessel prices for General category participants. Implementation of these default retention limits would align with current management practices and provide additional fishing opportunities in all respective time periods. Codifying the current retention limits and management practices would potentially reduce some uncertainty regarding future retention limits for General category participants and dealers and thus lead to some positive economic impacts associated with their improved business planning. NMFS expects that the overall average annual revenue would be unlikely to be impacted.

Therefore in this final action, NMFS will finalize Alternative B, specifically the RFD schedule of Sub-Alternative B1, which would modify the process for setting an RFD schedule and codify a three-day-per-week schedule of RFDs for every Tuesday, Friday, and Saturday from July 1 through November 30 for 2024 and subsequent years. Additionally, based on public comments, NMFS is also adding Sunday as an additional non-codified RFD for the 2024 fishing year. This change occurred as a logical outgrowth of public comments and refined analyses of recent catch rates. Based on this change we are setting a four-day-per-

week RFD schedule of every Sunday, Tuesday, Friday, and Saturday from July 1 through November 30, 2024. NMFS may waive these scheduled RFDs for the specific time periods and days on which they apply by adjusting the daily BFT retention limit from zero up to five, after considering the criteria at 50 CFR 635.27(a)(7). NMFS also may waive previously designated RFDs effective upon closure of the General category fishery so that persons aboard vessels permitted in the General category may conduct only tag-and-release fishing for BFT under 50 CFR 635.26(a). NMFS may also remove or establish additional RFDs, either temporary ones (*i.e.*, effective only for one fishing year) or permanent ones, as appropriate, through further rulemaking.

NMFS also will finalize Sub-Alternative D3, which would establish a retention limit of three large medium or giant BFT (*i.e.*, one fish measuring 73 inches or greater) per vessel on open days when the General category is open, for June 1 through June 30 unless adjusted with an inseason action, if warranted. For all other months in time periods where the fishery is open (*i.e.*, January through March and July through December; note that the General category BFT fishery is not open during the months of April and May), the default retention limit of one large medium or giant BFT would go into effect on open days when the General category is open.

In this final rule, NMFS is clarifying the regulations to specify explicitly when Atlantic Tunas General category and HMS Charter/Headboat permit holders can sell BFT and permitted dealers can buy BFT related to RFDs as discussed in the proposed rule. These clarifications to the existing regulations are intended to aid in the enforcement of RFDs and address questions from fishing participants and dealers. As described in the proposed rule, these changes are administrative in nature and are therefore not expected to have any economic impact.

Section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. No. 104–121) states that, for each rule or group of related rules for which an agency is required to prepare a FRFA, the agency shall publish one or more guides to assist small entities in complying with the rule and shall designate such publications as “small entity compliance guides” (see 5 U.S.C. 601). The agency shall explain the actions a small entity is required to take to comply with a rule or group of rules. As part of this rulemaking process, NMFS has prepared a small entity compliance booklet summarizing

fishery information and regulations for Atlantic BFT General category RFDs, retention limits, and dealer requirements for 2024 and subsequent years. That booklet serves as the small entity compliance guide for this rule. Copies of this final rule and compliance guide are available on the HMS Management Division website.

This final rule contains no information collection requirements under the Paperwork Reduction Act of 1995.

#### List of Subjects in 50 CFR Part 635

Fisheries, Fishing, Fishing vessels, Foreign relations, Imports, Penalties, Reporting and recordkeeping requirements, Statistics, Treaties.

Dated: May 23, 2024.

**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 635 as follows:

#### PART 635—ATLANTIC HIGHLY MIGRATORY SPECIES

■ 1. The authority citation for part 635 continues to read as follows:

**Authority:** 16 U.S.C. 971 *et seq.*; 16 U.S.C. 1801 *et seq.*

■ 2. In § 635.2, remove the definition of “BSD tag” and add, in alphabetical order, the definition of “Bluefin statistical document (BSD) tag” to read as follows:

##### § 635.2 Definitions.

\* \* \* \* \*

*Bluefin statistical document (BSD) tag* means a numbered tag affixed to a BFT issued by any country in conjunction with a catch statistics information program and recorded on a BSD.

\* \* \* \* \*

■ 3. In § 635.5, revise paragraph (b)(2)(ii)(A) to read as follows:

##### § 635.5 Recordkeeping and reporting.

\* \* \* \* \*

(b) \* \* \*

(2) \* \* \*

(ii) \* \* \*

(A) *Affixing dealer tags.* A dealer or a dealer’s agent must affix a dealer tag to each BFT purchased or first received from a U.S. vessel immediately upon offloading the BFT. A dealer’s agent is a person who is currently employed by a place of business covered by the dealer’s permit; is a primary participant in the identification, weighing, and/or first receipt of fish as they are received; and fills out dealer reports as required

under § 635.5. If a vessel is placed on a trailer, the dealer or dealer's agent must affix the dealer tag to the BFT immediately upon the vessel being removed from the water. The dealer tag must be affixed to the BFT between the fifth dorsal finlet and the caudal keel. Regardless of when the BFT was landed, on an RFD (as specified at § 635.23(a)), no dealer or dealer's agent shall purchase, first receive, or affix a dealer tag to a BFT that is on or from a vessel that has an Atlantic Tunas General category permit or HMS Charter/Headboat permit with a commercial sale endorsement.

\* \* \* \* \*

■ 4. In § 635.23, revise paragraphs (a) and (c)(3) to read as follows:

**§ 635.23 Retention limits for bluefin tuna.**

\* \* \* \* \*

(a) *General category.* (1) No school, large school, or small medium size class BFT may be possessed, retained, landed, or sold on or from a vessel that has an Atlantic Tunas General category permit.

(2) The following default daily retention limits apply to vessels that have an Atlantic Tunas General category permit or HMS Charter/Headboat permit with a commercial sale endorsement fishing under the General category restrictions and retention limits when the General category is open and the day is not an RFD and the retention limit has not been adjusted per paragraph (a)(3) of this section.

(i) January 1 through March 31—one large medium or giant BFT, per vessel per day;

(ii) June 1 through June 30—three large medium or giant BFT per vessel per day; and

(iii) July 1 through December 30—one large medium or giant BFT per vessel per day.

(3) To provide for maximum utilization of the quota for BFT, NMFS may adjust the daily retention limit of large medium or giant BFT over a range from zero (on RFDs) to a maximum of five per vessel per the inseason criteria provided under § 635.27(a)(7).

(4) Regardless of the length of trip, no person may land, possess, or retain more than the daily retention limit in effect for that day. When the applicable retention limit for large medium or giant BFT has been reached, no person aboard such vessels may continue to fish, and the vessel must immediately proceed to port.

(5) From July 1 through November 30 of each year, every Tuesday, Friday, and Saturday is an RFD unless waived per paragraph (a)(7) of this section. On an RFD, no person who has been issued an

Atlantic Tunas General category permit or issued an HMS Charter/Headboat permit and fishing commercially may fish for, possess, retain, land, or sell a BFT of any size class; or catch and release or tag and release, as specified under § 635.26(a), a BFT of any size class.

(6) NMFS may remove or establish additional designated RFDs, as appropriate, following public comment via publication in the **Federal Register**.

(7) Designated RFDs may be waived in the following circumstances.

(i) If the General category fishery is closed under § 635.28(a), any remaining RFDs for the relevant time period(s) are waived so that persons aboard vessels issued an Atlantic Tunas General category permit may conduct tag-and-release fishing for BFT under § 635.26(a).

(ii) If, based on the criteria at § 635.27(a)(7), NMFS determines that RFDs are not necessary, NMFS may waive RFDs by increasing the daily retention limit per paragraph (a)(3) of this section for a specific time period(s) via publication in the **Federal Register**.

\* \* \* \* \*

(c) \* \* \*

(3) When fishing other than in the Gulf of Mexico when the General category fishery is open and no RFD is in effect, a person aboard a vessel that has been issued an HMS Charter/Headboat permit with a commercial sale endorsement may fish under either the General category restrictions and retention limits as specified in paragraphs (a)(1) through (2) and paragraphs (4) through (5) of this section or the Angling category restrictions and retention limits as specified in paragraphs (b)(1) through (3) of this section. The size category of the first BFT retained will determine whether the General category or Angling category restrictions and retention limits apply to the vessel that day.

\* \* \* \* \*

■ 5. In § 635.31, revise paragraph (a)(1) and add paragraph (a)(2)(iii) to read as follows:

**§ 635.31 Restrictions on sale and purchase.**

(a) \* \* \*

(1) A person who owns or operates a vessel from which an Atlantic tuna is landed or offloaded may sell such Atlantic tuna only if that vessel has a valid HMS Charter/Headboat permit with a commercial sale endorsement; a valid Atlantic Tunas General, Harpoon, Longline, or Trap category permit; or a valid HMS Commercial Caribbean Small Boat permit issued under this part and

the appropriate category has not been closed as specified at § 635.28(a). No person may sell a BFT smaller than the large medium size class. No large medium or giant BFT may be sold if caught by a person aboard a vessel with an Atlantic HMS Charter/Headboat permit fishing in the Gulf of Mexico at any time or outside the Gulf of Mexico when the General category fishery has been closed (see § 635.23(c)). A person may sell Atlantic BFT only to a dealer that has a valid permit for purchasing Atlantic tunas issued under this part. A person may not sell or purchase Atlantic tunas harvested with speargun fishing gear. A person issued an Atlantic Tunas General category permit or HMS Charter/Headboat permit with a commercial sale endorsement must land, sell, or transfer a BFT to a dealer that has a valid permit for purchasing Atlantic tunas no later than 0000 local time the day prior to an RFD, as specified at § 635.23(a). If that person is unable to sell or otherwise transfer the BFT to a dealer who has a dealer permit for Atlantic tunas no later than 0000 local time, the person must follow the restrictions applicable to landed but not sold BFT specified at § 635.5(a)(3). In no case shall such person possess a BFT on an RFD.

(2) \* \* \*

(iii) Dealers may not first receive a BFT from a vessel that has a valid Atlantic Tunas General permit or HMS Charter/Headboat permit with a commercial sale endorsement after 0000 local time on an RFD, as specified at § 635.23(a).

\* \* \* \* \*

■ 6. In § 635.71, revise paragraph (b)(13) and add paragraph (b)(29) to read as follows:

**§ 635.71 Prohibitions.**

\* \* \* \* \*

(b) \* \* \*

(13) As a vessel with an Atlantic Tunas General category permit, fail to immediately cease fishing and immediately return to port after catching the applicable limit of large medium or giant bluefin tuna on a commercial fishing day, as specified in § 635.23(a)(4).

\* \* \* \* \*

(29) As a dealer or dealer's agent, purchase, first receive, or affix a dealer tag to a BFT that is on or from a vessel that has been issued an Atlantic Tunas General category permit or HMS Charter/Headboat permit with a commercial sale endorsement, as

specified in § 635.5(b)(2)(ii)(A), after 0000 local time on an RFD.

\* \* \* \* \*

[FR Doc. 2024–11870 Filed 5–29–24; 4:15 pm]

BILLING CODE 3510–22–P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 635

[Docket No. 220919–0193; RTID 0648–XD922]

#### Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries; Closure of the Angling Category Gulf of Mexico Area Trophy Fishery for 2024

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Temporary rule; closure.

**SUMMARY:** NMFS closes the Angling category Gulf of Mexico area fishery for large medium and giant (“trophy” (*i.e.*, measuring 73 inches (185 centimeters) curved fork length or greater)) Atlantic bluefin tuna (BFT). This action applies to Highly Migratory Species (HMS) Angling and HMS Charter/Headboat permitted vessels when fishing recreationally.

**DATES:** Effective 11:30 p.m., local time, May 29, 2024, through December 31, 2024.

**FOR FURTHER INFORMATION CONTACT:** Becky Curtis, [becky.curtis@noaa.gov](mailto:becky.curtis@noaa.gov), 301–427–8503 or Larry Redd, Jr., [larry.redd@noaa.gov](mailto:larry.redd@noaa.gov), 301–427–8503.

**SUPPLEMENTARY INFORMATION:** BFT fisheries are managed under the 2006 Consolidated Atlantic HMS Fishery Management Plan (FMP) and its amendments, pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act; 16 U.S.C. 1801 *et seq.*) and consistent with the Atlantic Tunas Convention Act (ATCA; 16 U.S.C. 971 *et seq.*). HMS implementing regulations are at 50 CFR part 635. Section 635.27 divides the U.S. BFT quota recommended by the International Commission for the Conservation of Atlantic Tunas (ICCAT) and as implemented by the United States among the various domestic fishing categories, per the allocations established in the 2006 Consolidated HMS FMP and its amendments. NMFS is required under the Magnuson-Stevens Act at 16 U.S.C. 1854(g)(1)(D) to provide

U.S. fishing vessels with a reasonable opportunity to harvest quotas under relevant international fishery agreements, such as the ICCAT Convention, which is implemented domestically pursuant to ATCA.

Under § 635.28(a)(1), NMFS files a closure action with the Office of the Federal Register for publication when a BFT quota (or subquota) is reached or is projected to be reached. Retaining, possessing, or landing BFT under that quota category is prohibited on and after the effective date and time of a closure action for that category, for the remainder of the fishing year, until the opening of the subsequent quota period or until such date as specified.

The 2024 BFT fishing year, which is managed on a calendar-year basis and subject to an annual calendar-year quota, began January 1, 2024. The Angling category season opened January 1, 2024, and continues through December 31, 2024. As described in § 635.27(a), the current baseline U.S. BFT quota is 1,316.14 metric tons (mt) (not including the 25 mt ICCAT allocated to the United States to account for bycatch of BFT in pelagic longline fisheries in the Northeast Distant Gear Restricted Area per § 635.27(a)(3)). The Angling category baseline quota is 297.4 mt, of which 9.2 mt (3.1 percent of the annual Angling category quota) is suballocated for the harvest of large medium and giant (trophy) BFT by vessels fishing under the Angling category quota, with 2.3 mt (25 percent of the annual large medium and giant BFT Angling category quota) allocated for each of the following areas: north of lat. 42° N (the Gulf of Maine area); south of lat. 42° N and north of lat. 39°18' N (the southern New England area); south of lat. 39°18' N, and outside of the Gulf of Mexico (the southern area); and the Gulf of Mexico region. Trophy BFT measure 73 inches (185 centimeters) curved fork length or greater. We note, when the Gulf of Mexico area trophy fishery is open, no large medium or giant BFT may be retained, possessed, landed, or sold in the Gulf of Mexico, except one per vessel per year may be landed if caught incidentally to fishing for other species as specified at § 635.23(b)(1)(i) while the fishery is open. This closure action applies to the Gulf of Mexico area.

#### Angling Category Large Medium and Giant Gulf of Mexico “Trophy” Fishery Closure

Based on landings data from the NMFS Automated Catch Reporting System, as well as average catch rates and anticipated fishing conditions, the Angling category Gulf of Mexico area

trophy BFT subquota of 2.3 mt has been reached and exceeded. Therefore, retaining, possessing, or landing large medium or giant (*i.e.*, measuring 73 inches (185 centimeters) curved fork length or greater) BFT in the Gulf of Mexico by persons aboard HMS Angling and HMS Charter/Headboat permitted vessels (when fishing recreationally) must cease at 11:30 p.m. local time on May 29, 2024. This closure will remain effective through December 31, 2024. This action applies to HMS Angling and HMS Charter/Headboat permitted vessels when fishing recreationally for BFT, and is taken consistent with the regulations at § 635.28(a)(1). This action is intended to prevent further overharvest of the Angling category Gulf of Mexico area trophy BFT subquota.

If needed to ensure available quotas or subquotas are not exceeded or to enhance fishing opportunities, subsequent Angling category adjustments or closures will be published in the **Federal Register** per § 635.27(a)(7) and § 635.28(a)(1). Information regarding the Angling category fishery for Atlantic tunas, including daily retention limits for BFT measuring 27 inches (68.5 centimeters) to less than 73 inches (185 centimeters), and any further Angling category adjustments, is available at <https://hmspermits.noaa.gov>. During a closure, fishermen aboard HMS Angling and HMS Charter/Headboat permitted vessels when fishing recreationally may continue to catch and release (or tag and release) BFT of all sizes, subject to the requirements of the catch-and-release and tag-and-release programs at § 635.26. All BFT that are released must be handled in a manner that will maximize survival, and without removing the fish from the water, consistent with requirements at § 635.21(a)(1). For additional information on safe handling, see the “Careful Catch and Release” brochure available at <https://www.fisheries.noaa.gov/resource/outreach-and-education/careful-catch-and-release-brochure>.

#### Monitoring and Reporting

NMFS will continue to monitor the BFT fisheries closely. Per § 635.5(c)(1), HMS Angling and HMS Charter/Headboat permitted vessel owners are required to report the catch of all BFT retained or discarded dead, within 24 hours of the landing(s) or end of each trip, by accessing <https://hmspermits.noaa.gov>, using the HMS Catch Reporting app, or calling 888–872–8862 (Monday through Friday from 8 a.m. until 4:30 p.m.).



## Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act (16 U.S.C. 1855(d)) and regulations at 50 CFR part 635, and this action is exempt from review under Executive Order 12866.

The Assistant Administrator for NMFS (AA) finds that pursuant to 5 U.S.C. 553(b)(B), it is impracticable and contrary to the public interest to provide prior notice of, and an opportunity for public comment on, this action for the following reasons. Specifically, the regulations implementing the 2006 Consolidated HMS FMP and its amendments provide for inseason adjustments and fishery closures to respond to the unpredictable nature of BFT availability on the fishing grounds, the migratory nature of this species, and the regional variations in the BFT fishery. Providing for prior notice and opportunity to comment is impracticable and contrary to the public interest as this fishery is currently underway and, based on landings information, the Angling category Gulf of Mexico area trophy fishery subquota has been reached and exceeded. Delaying this action could result in further excessive trophy BFT landings that may result in future potential quota reductions for the Angling category, depending on the magnitude of a potential Angling category overharvest. NMFS must close the Gulf of Mexico area trophy BFT fishery before additional landings of these sizes of BFT occur. Taking this action does not raise conservation and management concerns, and would support effective management of the BFT fishery. NMFS notes that the public had an opportunity to comment on the underlying rulemakings that established the U.S. BFT quota and the inseason adjustment criteria.

For all of the above reasons, the AA also finds that pursuant to 5 U.S.C. 553(d), there is good cause to waive the 30-day delay in effectiveness.

**Authority:** 16 U.S.C. 971 *et seq.* and 1801 *et seq.*

Dated: May 28, 2024.

**Karen H. Abrams,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 2024-11992 Filed 5-28-24; 4:15 pm]

**BILLING CODE 3510-22-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 660

[Docket No. 031125294-4091-02]

RIN 0648-XD988

### Fisheries Off West Coast States; the Highly Migratory Species Fishery; El Niño Pacific Loggerhead Conservation Area Closure

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Temporary rule; closure.

**SUMMARY:** NMFS is prohibiting fishing with large-mesh drift gillnet (DGN) gear ( $\geq 14$  inches mesh) off the coast of southern California east of 120° W meridian from June 1, 2024, through August 31, 2024. This prohibition is based on the Assistant Administrator for Fisheries' (AA's) determination that El Niño conditions are occurring off the coast of southern California. This action is intended to protect Endangered Species Act-listed loggerhead sea turtles (*Caretta caretta*), specifically, the endangered North Pacific Ocean Distinct Population Segment.

**DATES:** Effective 12:01 a.m. Pacific Daylight Time (PDT), June 1, 2024, through 11:59 p.m. PDT, August 31, 2024.

**FOR FURTHER INFORMATION CONTACT:**

Chris Fanning, West Coast Region (WCR), NMFS, (562) 980-4198, [chris.fanning@noaa.gov](mailto:chris.fanning@noaa.gov).

**SUPPLEMENTARY INFORMATION:** The DGN fishery is managed under the Fishery Management Plan for U.S. West Coast Fisheries for Highly Migratory Species (50 CFR part 660, subpart K) and occurs off the coast of California. NMFS regulations state that “No person may fish with, set, or haul back drift gillnet gear in U.S. waters of the Pacific Ocean east of the 120° W meridian from June 1 through August 31 during a forecasted, or occurring, El Niño event off the coast of southern California” (50 CFR 660.713(c)(2)). This area, which corresponds to the Southern California Bight (SCB), is referred to in the regulations as the “Pacific loggerhead conservation area.”

Under 50 CFR 660.713(c)(2)(ii), the AA is to rely on information developed by NOAA offices (the Climate Prediction Center (CPC) and the West Coast Office of the Coast Watch program) to make the determination that

an El Niño event is forecasted or occurring off southern California. The AA is to use monthly sea surface temperature (SST) charts to determine whether there are warmer-than-normal SSTs off southern California “during the months prior to the closure months for years in which an El Niño event has been declared” by the CPC. Specifically, the AA is to use SST data from the second and third months prior to the month of closure. To make a determination for a closure to begin in June, the AA is using data from March and April.

NMFS published these regulations to protect loggerhead sea turtles, which are listed under the Endangered Species Act. The regulations addressed a reasonable and prudent alternative (RPA) included in NMFS' 2000 biological opinion for this fishery. The biological opinion concluded that bycatch in the DGN fishery was likely to jeopardize the continued existence of loggerhead sea turtles and, as an RPA, recommended the fishery be closed during summer months when El Niño conditions are present to avoid the likelihood of jeopardy. NMFS implemented the Pacific Loggerhead Conservation Area regulations in 2003 to address this RPA. The regulations were amended in 2007 (72 FR 31756, June 8, 2007).

On May 9, 2024, the CPC issued an El Niño Advisory. Under the CPC's El Niño/Southern Oscillation (ENSO) diagnostic system, an El Niño Advisory is issued when El Niño conditions are observed and expected to continue. In May 2024, NMFS staff reviewed the SST anomalies in the SCB during March and April of 2024, relying on SST maps available through NOAA's Coast Watch program (for details see <https://coastwatch.pfeg.noaa.gov/erddap/index.html>). These maps indicated that SSTs were above normal in the SCB. NMFS concluded that a determination that El Niño conditions are occurring off southern California is warranted based on SSTs that were warmer than normal during March and April, 2024, consistent with regulations at 50 CFR 660.713(c)(2)(ii).

If SSTs return to normal or below normal during a closure period, regulations at 50 CFR 660.713(c)(2)(iii) state that the AA may re-open the fishery after publishing a **Federal Register** notice announcing that El Niño conditions are no longer present in the SCB. The CPC report on May 9, 2024, indicates a transition from El Niño to ENSO-neutral likely in the next month. The CPC also indicates a La Niña may develop in June–August (with a 49

percent chance) or July–September (with a 69 percent chance).

#### Classification

This action is required by regulations at 50 CFR 660.713 and is exempt from Office of Management and Budget review under Executive Order 12866.

NMFS finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(B) for the time-area closure of the DGN fishery. Notice and comment procedures for this action are impracticable and contrary to the public interest. The most recent El Niño determination occurred on May 9, 2024, and regulations require that the closure period begin on June 1; therefore, there is insufficient time for notice and comment procedures. For the same reasons, NMFS also finds good cause under 5 U.S.C. 553(d)(3) to waive the general requirement for a 30-day delay in effectiveness for this action. This measure is based upon the best available information and is necessary for the conservation of loggerhead sea turtles. The closure period anticipated by the regulation ends, at the latest, on August 31, 2024. A delay in effectiveness may allow the fishery to interact with and injure or kill loggerhead sea turtles that may occur within the SCB during the time period in which the regulation was intended to protect loggerheads.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: May 28, 2024.

**Karen H. Abrams,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. 2024–11989 Filed 5–30–24; 8:45 am]

**BILLING CODE 3510–22–P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 679

[Docket No. 240417–0111]

RTID 0648–XE003

#### Fisheries of the Exclusive Economic Zone Off Alaska; Recreational Fishing for Chinook Salmon in the Cook Inlet Exclusive Economic Zone Area

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Temporary rule; closure.

**SUMMARY:** NMFS is prohibiting recreational fishing for Chinook salmon in the Cook Inlet exclusive economic zone (EEZ) Area. This action is necessary for the conservation of all Cook Inlet Chinook stocks due to the uncertainty of run strength and to protect stocks of concern.

**DATES:** Effective 0001 hours, Alaska local time (A.l.t.), May 30, 2024, through 2400 hours, A.l.t., August 15, 2024.

**FOR FURTHER INFORMATION CONTACT:** Adam Zaleski, 907–586–7228.

**SUPPLEMENTARY INFORMATION:** NMFS manages the Cook Inlet EEZ Area according to the Fishery Management Plan for Salmon Fisheries in the EEZ off Alaska (Salmon FMP). The intended effect of this action is to conserve and manage the salmon resources in Cook Inlet EEZ Area in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR parts 600 and 679.

In accordance with § 679.118(c)(1)(ii), the Regional Administrator has determined it is necessary to close Chinook salmon recreational fishing for conservation and management purposes and is prohibiting recreational fishing for Chinook salmon in the Cook Inlet EEZ Area. In making this determination, the Regional Administrator has considered the following factors: the low proposed Chinook salmon acceptable biological catch in the Cook Inlet EEZ Area (270), anticipated harvest

rates, expected mortality, and the potential number of participants.

#### Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act. This action is authorized by 50 CFR 679.118(c)(1)(ii), which was issued pursuant to section 304(c), and is necessary to carry out the Salmon FMP. This action is exempt from review under Executive Order 12866.

Pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice and an opportunity for public comment on this action. Notice and comment would be impracticable and contrary to the public interest, as it would prevent NMFS from responding to the most recent information regarding the status of Cook Inlet Chinook salmon stocks in a timely fashion. This action is being taken pursuant to regulations implementing amendment 16 to the Salmon FMP (April 30, 2024, 89 FR 34718). These Federal salmon management measures—which generally allow for recreational harvest of all salmon stocks in the Cook Inlet EEZ year-round—become effective May 30, 2024. Therefore, publishing a notification providing time for public comment would delay the closure of the Cook Inlet EEZ to recreational Chinook salmon fishing until after the regulations that otherwise authorize such fishing become effective. A delay of this closure would prevent the accomplishment of the conservation and management objectives for the Cook Inlet EEZ Area salmon fishery, resulting in recreational harvest of Chinook salmon that is not supported by current stock levels.

The Assistant Administrator for Fisheries, NOAA also finds good cause to waive the 30-day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of prior notice and opportunity for public comment.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: May 24, 2024.

**Karen H. Abrams,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. 2024–11946 Filed 5–30–24; 8:45 am]

**BILLING CODE 3510–22–P**

# Proposed Rules

Federal Register

Vol. 89, No. 106

Friday, May 31, 2024

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 HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 117

[Docket No. FDA-2016-D-2343]

#### Hazard Analysis and Risk-Based Preventive Controls for Human Food; Draft Guidance for Industry; Appendix 1; Extension of Comment Period

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Notification of availability; extension of comment period.

**SUMMARY:** The Food and Drug Administration (FDA, we, or the Agency) is extending the comment period for a revised draft Introduction, and a revised draft Appendix 1, within a multichapter guidance for industry entitled “Hazard Analysis and Risk-Based Preventive Controls for Human Food” which were announced in the **Federal Register** of February 2, 2024. We are taking this action in response to a request for an extension to allow interested persons additional time to submit comments before FDA begins work on the final guidance.

**DATES:** FDA is extending the comment period on our draft guidance published February 2, 2024 (89 FR 7315). Submit either electronic or written comments by August 2, 2024, to ensure that the Agency considers your comment on this draft guidance before it begins work on the final guidance.

**ADDRESSES:** You may submit comments on any guidance at any time as follows.

#### Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to <https://www.regulations.gov> will be posted to the docket unchanged. Because your

comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else’s Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on <https://www.regulations.gov>.

- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see “Written/Paper Submissions” and “Instructions”).

#### Written/Paper Submissions

Submit written/paper submissions as follows:

- *Mail/Hand Delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA-305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in “Instructions.”

*Instructions:* All submissions received must include the Docket No. FDA-2016-D-2343 for “Hazard Analysis and Risk-Based Preventive Controls for Human Food: Draft Guidance for Industry; Appendix 1.” Received comments will be placed in the docket and, except for those submitted as “Confidential Submissions,” publicly viewable at <https://www.regulations.gov> or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 240-402-7500.

- *Confidential Submissions—*To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states “THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.” We will review this copy, including the claimed confidential information, in our

consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on <https://www.regulations.gov>. Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as “confidential.” Any information marked as “confidential” will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA’s posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: <https://www.govinfo.gov/content/pkg/FR-2015-09-18/pdf/2015-23389.pdf>.

*Docket:* For access to the docket to read background documents or the electronic and written/paper comments received, go to <https://www.regulations.gov> and insert the docket number, found in brackets in the heading of this document, into the “Search” box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240-402-7500.

You may submit comments on any guidance at any time (see 21 CFR 10.115(g)(5)).

**FOR FURTHER INFORMATION CONTACT:** Linda Kahl, Center for Food Safety and Applied Nutrition, Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 240-402-2784.

**SUPPLEMENTARY INFORMATION:** In the **Federal Register** of February 2, 2024 (89 FR 7315), we published a notice announcing the availability of a revised draft Introduction, and a revised draft Appendix 1, within a multichapter guidance entitled “Hazard Analysis and Risk-Based Preventive Controls for Human Food.” The notice of availability opened a docket with a 120-day comment period, to close on June 3, 2024.

We have received a request to extend the comment period for the revised draft Introduction, and revised draft Appendix 1. The request conveys that additional time would be helpful for stakeholders to fully evaluate and develop meaningful comments to the Introduction and Appendix which are

highly complex and detailed. We have considered the request and have concluded that an extension of the comment period by 60 days, until August 2, 2024, is appropriate. We believe that the extension will allow adequate time for interested persons to submit comments without significantly delaying the final guidance.

Dated: May 28, 2024.

**Lauren K. Roth,**

*Associate Commissioner for Policy.*

[FR Doc. 2024–11987 Filed 5–30–24; 8:45 am]

BILLING CODE 4164–01–P

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Administration for Children and Families

#### 45 CFR Parts 302, 303, and 304

RIN: 0970–AD00

#### Employment and Training Services for Noncustodial Parents in the Child Support Program

**AGENCY:** Office of Child Support Services (OCSS), Administration for Children and Families (ACF), Department of Health and Human Services (HHS or the Department).

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** In an effort to make the child support program more effective, this Notice of Proposed Rulemaking (NPRM) proposes to allow Federal financial participation (FFP) for certain optional and nonduplicative employment and training services for eligible noncustodial parents in the child support program. The proposed rule will permit states, at their discretion, to use FFP to provide any or all of the following services: job search assistance; job readiness training; job development and job placement services; skills assessments; job retention services; work supports; and occupational training and other skills training directly related to employment.

**DATES:** Consideration will be given to written comments on this NPRM received on or before July 30, 2024.

**ADDRESSES:** You may submit comments, identified by [docket number and/or Regulatory Information Number (RIN) number], by one of the following methods:

- *Federal e-Rulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments.

- *Mail:* Written comments may be submitted to: Office of Child Support Services, *Attention:* Director of Policy

and Training, 330 C Street SW, Washington, DC 20201.

**Instructions:** All submissions received must include the agency name and docket number or RIN for this rulemaking. All comments received will be posted without change to <https://www.regulations.gov>, including any personal information provided.

**Docket:** Go to the Federal Rulemaking Portal at <https://www.regulations.gov> for access to the rulemaking docket, including any background documents and the plain-language summary of the proposed rule of not more than 100 words in length required by the Providing Accountability Through Transparency Act of 2023.

#### FOR FURTHER INFORMATION CONTACT:

Chad Edinger, Program Specialist, OCSS Division of Regional Operations, at mail to: [ocss.dpt@acf.hhs.gov](mailto:ocss.dpt@acf.hhs.gov) or (303) 844–1213. Telecommunications Relay users may dial 711 first.

#### SUPPLEMENTARY INFORMATION:

##### Submission of Comments

Comments should be specific, address issues raised by the proposed rule, and explain reasons for any objections or recommended changes. Additionally, we will be interested in comments that indicate agreement with the proposal. We will not acknowledge receipt of the comments we receive. However, we will review and consider all comments that are relevant and received during the comment period. We will respond to these comments in the preamble to the final rule.

##### Statutory Authority

This NPRM is published under the authority granted to the Secretary of Health and Human Services by section 1102 of the Social Security Act (the Act) (42 U.S.C. 1302). Section 1102 of the Act authorizes the Secretary to publish regulations, not inconsistent with the Act, as may be necessary to the efficient administration of the functions with which the Secretary is responsible under the Act. This NPRM is also authorized by section 452(a)(1) of the Act, which states that the Secretary's designee "shall establish such standards for State programs for locating noncustodial parents, establishing paternity, and obtaining child support . . . as he determines to be necessary to assure that such programs will be effective."

Section 454 of the Act establishes requirements that states must include in their title IV–D State plans, the costs of which are eligible for FFP under section 455 of the Act. Section 454(13) of the Act requires the State plan to "provide

that the State will comply with such other requirements and standards as the Secretary determines to be necessary to the establishment of an effective program for locating noncustodial parents, establishing paternity, obtaining support orders, and collecting support payments . . . ." The rulemaking is also consistent with section 451, which authorizes federal funding to states for enforcing support obligations, obtaining child support payments, and assuring that assistance in obtaining support is available to all children.

##### Background

In 1975, Congress established the child support program under title IV–D of the Social Security Act (Pub. L. 93–647). The child support program is administered at the federal level by the Office of Child Support Services (OCSS) and functions in 54 states and territories and over 60 tribes. When the child support program began, its primary focus was collecting child support to recover welfare costs, but that has changed significantly over time. Today, the program is focused on delivering family-centered child support services that improve the long-term financial and emotional support of children, by collecting and facilitating consistent child support payments based on the noncustodial parents' ability to pay. This evolution has been guided by the changing needs of families, by federal legislation, and by research and data that contribute to OCSS's understanding of the standards and requirements necessary to establish an effective child support program.

Families and work have fundamentally changed since 1975. The percent of children who need child support services has increased and the ability of noncustodial parents to pay child support has declined. Families are more likely to divorce or never marry, increasing the likelihood that children will spend time apart from one of their parents. In 2021, 40 percent of births were to unmarried women, up from 14 percent in 1975.<sup>1</sup> In FY 2022, the child support program served one in five children in the United States, or 12.8

<sup>1</sup> U.S. Department of Health and Human Services, National Center for Health Statistics, "Nonmarital Childbearing in the United States, 1940–99," National Vital Statistics Reports, 48: 16 (October 18, 2000), available at [https://www.cdc.gov/nchs/data/nvsr/nvsr48/nvsr48\\_16.pdf](https://www.cdc.gov/nchs/data/nvsr/nvsr48/nvsr48_16.pdf). Osterman, Michelle J.K., Brady E. Hamilton, Joyce A. Martin, Anne K. Driscoll, and Claudia P. Valenzuela, "Births: Final Data for 2021," National Vital Statistics Reports, 72: 1 (January 31, 2023), available at <https://www.cdc.gov/nchs/data/nvsr/nvsr72/nvsr72-01.pdf>.

million children.<sup>2</sup> The labor market has been particularly difficult for less-educated men during this period, leaving them with significantly fewer job opportunities and less income than before. In 2015, the real hourly earnings for men 25–54 years old with only a high school degree was 18 percent lower than it was in 1973.<sup>3</sup> As of 2018, over 70 percent of nonresident parents had not attended college.<sup>4</sup> In 2017, more than one-third of nonresident parents (3.4 million) lived in families with incomes below 200 percent of the official poverty thresholds and 43 percent did not work full-time, year-round.<sup>5</sup>

Other societal changes have also affected the child support program, including greatly elevated incarceration rates. Incarceration rates increased dramatically between 1980 and 2008 and have since declined, but the percent of the U.S. population incarcerated in 2020 was more than double the figure in 1980.<sup>6</sup> It is estimated that 6 percent of all children in the United States have a parent who was ever incarcerated.<sup>7</sup>

<sup>2</sup> U.S. Department of Health and Human Services, Administration for Children and Families, Office of Child Support Services, “2022 Child Support: More Money for Families,” undated, available at [https://www.acf.hhs.gov/sites/default/files/documents/ocse/2022\\_infographic\\_national.pdf](https://www.acf.hhs.gov/sites/default/files/documents/ocse/2022_infographic_national.pdf).

<sup>3</sup> Binder, Ariel J. and John Bound, “The Declining Labor Market Prospects of Less-Educated Men,” *Journal of Economic Perspectives*, 33: 2 (2019), available at <https://pubs.aeaweb.org/doi/pdfplus/10.1257/jep.33.2.163>.

<sup>4</sup> Sanders, Patrick, “Demographic and Socioeconomic Characteristics of Nonresident Parents,” Washington, DC: Congressional Research Service, R46942 (October 2021) available at <https://crsreports.congress.gov/product/pdf/R/R46942>. This report uses the term “nonresident parent” rather than noncustodial parent. It defines a nonresident parent as a person 15 years or older who does not reside for a majority of nights in the same household as one or more of his or her biological, adopted, or stepchildren under age 21. This definition is very similar to the definition of a noncustodial parent used by the child support program. For purposes of the child support program, a noncustodial parent is a parent who does not have primary care, custody, or control of the child, and who may have an obligation to pay child support (See Office of Child Support Services, Glossary of Common Terms available at <https://www.acf.hhs.gov/css/glossary#N>).

<sup>5</sup> *Ibid.*

<sup>6</sup> Kluckow, Rich and Zhen Zeng “Correctional Populations in the United States, 2020—Statistical Tables” (March 2022), Lauren E. Glaze, “Correctional Populations in the United States, 2010” (December 2011), and Louis W. Jankowski, Louis W., “Correctional Populations in the United States, 1990” (July 1992), U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, all available at [https://bjs.ojp.gov/library/publications/list?series\\_filter=Correctional%20Populations%20in%20the%20United%20States](https://bjs.ojp.gov/library/publications/list?series_filter=Correctional%20Populations%20in%20the%20United%20States). Historical U.S. population data available at <https://www.census.gov/data/tables/time-series/dec/pop-change-data-text.html>.

<sup>7</sup> The Annie E. Casey Foundation, “Children Who Had a Parent Who Was Ever Incarcerated by Race and Ethnicity in United States” (May 2023)

Having an incarceration record is a barrier to employment that diminishes earnings potential, reducing a parent’s ability to work and pay child support.<sup>8</sup> Sixty-five percent of noncustodial parents who enrolled in a recently completed national demonstration of child support-led employment and training programs reported that they had been previously incarcerated.<sup>9</sup>

In 1996, Congress enacted the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA, Pub. L. 104–193), which included significant changes to the child support program.<sup>10</sup> These changes included the introduction of a new “family first” distribution policy, which required that former assistance families receive certain child support arrearage payments collected by the state before the state and Federal governments retained their share of collections.<sup>11</sup> PRWORA also amended the Social Security Act to add work requirements for noncustodial parents owing past-due child support for a child receiving assistance under the Temporary Assistance for Needy Families (TANF) program. Specifically, section 466(a)(15) of the Act requires states to have laws and procedures under which the state has the authority to issue an order requiring an individual to participate in work activities, as defined by section 407(d).<sup>12</sup>

available at <https://datacenter.aecf.org/data/tables/9734-children-who-had-a-parent-who-was-ever-incarcerated-by-race-and-ethnicity#detailed/1/any/false/2043,1769,1696,1648,1603/10,11,9,12,1,13/18995,18996>.

<sup>8</sup> Travis, Jeremy, Bruce Western, & Steve Redburn, (Eds.) *The Growth of Incarceration in the United States: Exploring Causes and Consequences*. Washington, DC: The National Academies Press, (2014), available at <https://nap.nationalacademies.org/catalog/18613/the-growth-of-incarceration-in-the-united-states-exploring-causes>.

<sup>9</sup> Maria Cancian, Maria, Angela Guarin, Leslie Hodges, and Daniel R. Meyer, “Characteristics of Participants in the Child Support Noncustodial Parent Employment Demonstration (CSPED) Evaluation,” Madison, WI: Institute for Research on Poverty (December 2019), Appendix Table C3, available at <https://www.irp.wisc.edu/wp-content/uploads/2019/05/CSPED-Final-Characteristics-of-Participants-Report-2019-Compliant.pdf>.

<sup>10</sup> Legler, Paul, *The Coming Revolution in Child Support Policy: Implications of the 1996 Welfare Act Family Law Quarterly*, Vol. 30, No. 3 (Fall 1996), pp. 519–563, available at <https://www.jstor.org/stable/25740093>.

<sup>11</sup> Congressional Research Service, “The Child Support Enforcement Program: Summary of Laws Enacted Since 1950,” Washington, DC: Congressional Research Service, R47630 (July 2023) available at <https://crsreports.congress.gov/product/pdf/R/R47630>.

<sup>12</sup> In section 407(d) of the Social Security Act, work activities are defined as: (1) unsubsidized employment; (2) subsidized private sector employment; (3) subsidized public sector employment; (4) work experience (including work associated with the refurbishing of publicly assisted

In 1997, Congress authorized a total of \$3 billion for the Welfare-to-Work (WtW) Grants program as part of the Balanced Budget Act of 1997 (Pub. L. 105–33). Administered by the U.S. Department of Labor, these grants were intended to help long-term welfare recipients and noncustodial parents of children whose custodial parents met certain criteria find and keep good jobs.<sup>13</sup> Congress appropriated funds for fiscal years 1998 and 1999, and grantees were allowed five years to spend their funds, which ended in 2004. OCSS encouraged IV–D and IV–A agencies to work together to support WtW programs and encouraged states to make “special efforts to inform potentially eligible noncustodial parents about the existence and availability of WtW services.”<sup>14</sup>

In addition, OCSS issued policy guidance, in PIQ 98–03 and AT 00–08, to respond to state inquiries about the availability of FFP under title IV–D for work activities for noncustodial parents. OCSS concluded that because section 466(a)(15) of the Act did not require that IV–D programs establish, provide, or administer work activity programs for noncustodial parents, the costs of these activities could not be attributed to the IV–D program. In guidance, OCSS explained that FFP was available “for the identification and referral of unemployed noncustodial parents to job training, coordination with courts regarding compliance with court orders, tracking participation, and data collection,” but was not available for “training and services provided by entities other than the IV–D agency.”<sup>15</sup> OCSS viewed the determination of

housing) if sufficient private sector employment is not available; (5) on-the-job training; (6) job search and job readiness assistance; (7) community service programs; (8) vocational educational training (not to exceed 12 months with respect to any individual); (9) job skills training directly related to employment; (10) education directly related to employment, in the case of a recipient who has not received a high school diploma or a certificate of high school equivalency; (11) satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalency, in the case of a recipient who has not completed secondary school or received such a certificate; and (12) the provision of child care services to an individual who is participating in a community service program. Available at [https://www.ssa.gov/OP\\_Home/ssact/title04/0407.htm](https://www.ssa.gov/OP_Home/ssact/title04/0407.htm).

<sup>13</sup> U.S. Department of Labor, “Training and Employment Guidance Letter No. 15–01, General Program Questions,” Reissued March 22, 2002, available at [https://www.dol.gov/sites/dolgov/files/ETA/advisories/TEGL/2002/TEGL15-01\\_GP.pdf](https://www.dol.gov/sites/dolgov/files/ETA/advisories/TEGL/2002/TEGL15-01_GP.pdf).

<sup>14</sup> U.S. Department of Health and Human Services, Administration for Children and Families, Office of Child Support Services, AT–00–08, available at <https://www.acf.hhs.gov/css/policy-guidance/questions-and-responses-regarding-collaborative-efforts-iv-d-agencies-and>.

<sup>15</sup> *Ibid.*

eligibility for and cost of participation in WtW programs as “the responsibilities of the WtW grantees, not the courts or the IV–D agency.”<sup>16</sup>

### Justification

The current proposal to allow FFP for employment and training services for noncustodial parents would supersede OCSS’s prior guidance. In the late 1990s, OCSS did not have the benefit of rigorous evidence and other data that now show that providing employment and training services to noncustodial parents can make a child support program more effective in collecting child support payments. In the decades that followed OCSS’s policy guidance of 1998 and 2000, national demonstrations and state-based programs have examined the effectiveness of providing employment and training services to unemployed and underemployed noncustodial parents and found positive outcomes in employment rates, earnings, child support payment rates, the amount of child support paid, and payment regularity.<sup>17</sup>

<sup>16</sup> Ibid.

<sup>17</sup> Miller, Cynthia, and Virginia Knox, “The Challenge of Helping Low-Income Fathers Support Their Children: Final Lessons From Parents’ Fair Share,” New York: MDRC (2001), available at [https://www.mdrc.org/sites/default/files/full\\_529.pdf](https://www.mdrc.org/sites/default/files/full_529.pdf).

Perez-Johnson, Irma, Jacqueline Kauff, Alan Hershey, “Giving Noncustodial Parents Options: Employment and Child Support Outcomes of the SHARE Program,” Princeton, NJ: Mathematica Policy Research (October 2003), available at [https://aspe.hhs.gov/sites/default/files/migrated\\_legacy\\_files/39936/report.pdf](https://aspe.hhs.gov/sites/default/files/migrated_legacy_files/39936/report.pdf). Pearson, Jessica, Nancy Thoenes, Lanae Davis, David Price, Jane Venohr and Tracy Griffith, “OCSE Responsible Fatherhood Programs: Client Characteristics and Program Outcomes,” Denver, CO: Center for Policy Research and Policy Studies Inc. (September 2003), available at <https://www.frpn.org/asset/ocse-responsible-fatherhood-programs-client-characteristics-and-program-outcomes>. Martinson, Karin, Demetra Smith Nightingale, Pamela A. Holcomb, Burt S. Barnow, and John Trutko, “Partners for Fragile Families Demonstration Projects: Employment and Child Support Outcomes and Trends,” Washington, DC: The Urban Institute (September 2007), available at <https://www.urban.org/sites/default/files/publication/46816/411567-Partners-for-Fragile-Families-Demonstration-Projects.PDF>. Schroeder, Daniel and Nicholas Doughty, “Texas Non-Custodial Parent Choices: Program Impact Analysis,” Austin, TX: Lyndon B. Johnson School of Public Affairs, University of Texas (September 2009), available at [https://sites.utexas.edu/rymarshallcenter/files/2005/07/NCP\\_Choices\\_Final\\_Sep\\_03\\_2009.pdf](https://sites.utexas.edu/rymarshallcenter/files/2005/07/NCP_Choices_Final_Sep_03_2009.pdf). Lippold, Kye, Austin Nichols, and Elaine Sorensen, “Strengthening Families Through Stronger Fathers: Final Impact Report for the Pilot Employment Programs,” Washington, DC: Urban Institute (October 2011), available at <https://www.urban.org/sites/default/files/publication/26676/412442-Strengthening-Families-Through-Stronger-Fathers-Final-Impact-Report-for-the-Pilot-Employment-Programs.PDF>. Born, Catherine E., Pamela Caudill Ovwigho, and Correne Saunders, “The Noncustodial Parent Employment Program: Employment and Payment Outcomes,” Baltimore, MD: Family Welfare Research and Training Group,

Research shows that reliable child support depends on the economic stability of noncustodial parents. For example, in Wisconsin, noncustodial fathers who paid at least 90 percent of their order during the first year after it was established were 9 times as likely to work all four quarters that year than those who paid nothing.<sup>18</sup> Nationally, over 70 percent of child support collections are made through wage withholding by employers.<sup>19</sup> Noncustodial parents with irregular employment are particularly unlikely to pay the full amount of their child support order. As a result, substantial arrears accrue.

Unpublished data available to OCSS show that 78 percent of the \$114 billion in child support arrears that was owed in FY 2022 was owed by parents who had annual reported incomes below \$20,000, which is consistent with earlier published research that examined child support debt in nine states and found a similar result.<sup>20</sup> Studies have also

University of Maryland, School of Social Work (April 2011), available at <https://www.ssw.umaryland.edu/media/ssw/fwrtp/child-support-research/cs-initiatives/npep.pdf?e>. Pearson, Jessica, Lanae Davis and Jane Venohr, “Parents to Work! Program Outcomes and Economic Impacts,” Denver, CO: Center for Policy Research (February 2011), available at <https://centerforpolicyresearch.org/wp-content/uploads/ParentsToWork.pdf>. Davis, Lanae, Jessica Pearson, and Nancy Thoenes, “Evaluation of the Tennessee Parent Support Program,” Denver, CO: Center for Policy Research (November 2013), available at <https://centerforpolicyresearch.org/wp-content/uploads/EvaluationTennesseeParentSupportProgram.pdf>. Sorensen, Elaine, “What We Learned from Recent Federal Evaluations of Programs Serving Disadvantaged Noncustodial Parents,” Washington, DC: Office of Planning, Research, and Evaluation, Administration for Children and Families, U.S. Department of Health and Human Services (November 2020), available at [https://www.acf.hhs.gov/sites/default/files/documents/opre/OPRE%20NCP%20Employment%20Brief\\_508.pdf](https://www.acf.hhs.gov/sites/default/files/documents/opre/OPRE%20NCP%20Employment%20Brief_508.pdf). Wasserman, Kyla, Lily Freedman, Zaina Rodney, and Caroline Schultz, “Connecting Parents to Occupational Training: A Partnership Between Child Support Agencies and Local Service Providers,” New York: MDRC (April 2021), available at [https://www.mdrc.org/sites/default/files/FamiliesForward\\_Report\\_0.pdf](https://www.mdrc.org/sites/default/files/FamiliesForward_Report_0.pdf).

<sup>18</sup> Cancian, Maria, Yoona Kim, and Daniel R. Meyer, “Who Is Not Paying Child Support?” Madison, WI: Institute for Research on Poverty (2021), available at <https://www.irp.wisc.edu/wp-content/uploads/2021/11/CSRPA-2020-2022-T2.pdf>.

<sup>19</sup> DCL 23–06, OCSS Preliminary FY 2022 Data Report and Tables, available at <https://www.acf.hhs.gov/css/policy-guidance/fy-2022-preliminary-data-report-and-tables>.

<sup>20</sup> The unpublished data is based on a random sample of noncustodial parents who owed arrears in the OCSS Debtor File as of April 2022, which was matched to data from the National Directory of New Hires. Reported income is the amount of quarterly earnings and unemployment insurance reported for the noncustodial parent in the National Directory of New Hires for FY 2021. The \$113.4 billion figure is from the Office of Child Support

shown that owing large amounts of child support arrears among low-income noncustodial parents can be counterproductive to the goals of the child support program as it pushes these parents further away from the formal labor market, reduces their child support payments, and distances them from their children.<sup>21</sup> Parents who owe large amounts of arrears can be discouraged from working in jobs that withhold income for child support, especially if they can easily turn to other means of earning money where child support is not typically withheld, such as self-employment or working off the books.<sup>22</sup>

Based on this research and evidence, OCSS has reconsidered its prior guidance. In doing so, we have not disregarded our previous interpretation of section 466(a)(15) of the Act, which provided the basis for the prior policy. Section 466(a)(15) neither authorizes nor prohibits the child support program from providing employment and training services under title IV–D, and is not the legal basis for the proposed rule. OCSS has determined, based on section 452(a)(1), that it is appropriate to establish a new standard authorizing employment and training services because the data and evidence now available lead us to conclude that this option is necessary to assure that State programs for obtaining child support will be effective. State expenses for providing these services under their IV–

Services FY 2022 Preliminary Data Tables, Table P–98 available at <https://www.acf.hhs.gov/css/policy-guidance/fy-2022-preliminary-data-report-and-tables>. Sorensen, Elaine, Lilianna Sousa, and Simon Schaner, “Assessing Child Support Arrears in Nine Large States and the Nation,” Washington, DC: Urban Institute (2007), available at <https://www.urban.org/sites/default/files/publication/29736/1001242-Assessing-Child-Support-Arrears-in-Nine-Large-States-and-the-Nation.PDF>.

<sup>21</sup> Miller, Daniel P. and Ronald B. Mincy, “Falling Further Behind? Child Support Arrears and Fathers’ Labor Force Participation,” *Social Service Review* 86:4 (2012), available at <https://www.journals.uchicago.edu/doi/10.1086/668761>. Cancian, Maria, Carolyn Heinrich, and Yiyoon Chung, “Discouraging Disadvantaged Fathers’ Employment: An Unintended Consequence of Policies Designed to Support Families,” *Journal of Policy Analysis and Management* 32:4 (2013), available at [https://www.researchgate.net/publication/264476066\\_Discouraging\\_Disadvantaged\\_Fathers\\_Employment\\_An\\_Unintended\\_Consequence\\_of\\_Policies\\_Designed\\_to\\_Support\\_Families](https://www.researchgate.net/publication/264476066_Discouraging_Disadvantaged_Fathers_Employment_An_Unintended_Consequence_of_Policies_Designed_to_Support_Families). Kimberly Turner and Maureen Waller, “Indebted Relationships: Child Support Arrears and Nonresident Fathers’ Involvement with Children,” *Journal of Marriage and Family* 79:1 (2017), available at <https://online.library.wiley.com/doi/full/10.1111/jomf.12361>.

<sup>22</sup> Freeman, Richard B. and Jane Waldfogel, “Does Child Support Enforcement Policy Affect Male Labor Supply?” in *Fathers Under Fire: The Revolution in Child Support Enforcement*, eds. Irwin Garfinkel, Sara S. McLanahan, Daniel R. Meyer, and Judith A. Seltzer, New York: Russell Sage Foundation (1998).

D plan would, therefore, be eligible for FFP under section 455 of the Act. Since the rulemaking results in providing states the opportunity for federal funding, rather than eliminating or removing FFP, we assume that the rulemaking will not place states in a less favorable position to their detriment, but would provide a new and reliable source of funding for these services, which will in turn improve the effectiveness of state child support programs.

### Relevant Studies of Employment and Training Services

Since the 1990s, a significant body of research has examined the effectiveness of providing employment and training services to unemployed and underemployed parents who owe child support.<sup>23</sup> The first large-scale effort was conducted by MDRC and was called Parents' Fair Share (PFS). PFS was first implemented as a pilot program in nine sites in 1992–1993, followed by a national random assignment demonstration implemented in seven sites in 1994–1996. More than 5,500 noncustodial parents were randomly assigned to PFS or a control group during the national demonstration.<sup>24</sup>

The PFS demonstration gave participating courts and child support agencies the ability to refer noncustodial parents facing contempt for nonpayment of child support to the PFS program where they received the following four core services: employment and training services, enhanced child support services, peer support, and mediation. The employment and training services included job search assistance/job clubs, job development, classroom-based education and training, on-the-job training, and job retention services. The enhanced child support services included assigning smaller caseloads to child support workers who handled PFS cases, expediting modification of child support orders, and offering flexible

rules that allowed child support orders to be reduced while noncustodial parents participated in PFS. Peer support consisted of participating in a facilitated support group built around a responsible fatherhood curriculum developed by MDRC. The lead agency for these demonstration projects varied; only two were led by a local child support agency.

The PFS demonstration found that PFS significantly increased the likelihood of paying child support during the two-year follow-up period. The average quarterly payment rate was 12 percent higher for parents who enrolled in PFS than those who did not.<sup>25</sup> While the final PFS report did not examine the regularity of child support payments, the interim report did. It found that parents who enrolled in PFS during the first year of the demonstration were 19 percent more likely than the control group to pay child support in at least four of the six quarters during the 18-month follow-up period.<sup>26</sup>

In December 2000, a descriptive study conducted as part of the national evaluation of Welfare-to-Work (WtW) grant programs examined the strategies that 11 purposively selected WtW programs used to provide employment services to noncustodial parents. The study found that a variety of organizations can successfully operate employment and training programs for noncustodial parents.<sup>27</sup> Eight of 11 programs partnered with the state or local child support agency. Child support agencies provided referrals, designated specific staff to work with the program, and offered flexible payment options and debt reduction options for participants. The principal employment services that all of the WtW programs provided were employability assessments, individualized employment plans, job search assistance, job readiness activities, job retention services, and assistance with transportation and work expenses. Some of the WtW programs also provided job development and placement services, on-the-job training,

skills training, General Educational Development (GED) instruction, basic skills training, and work experience.

One WtW program that served noncustodial parents was evaluated as part of the national evaluation of the WtW grants program.<sup>28</sup> This program, called Support Has A Rewarding Effect (SHARE), operated in Yakima, Kittitas, and Klickitat counties in the State of Washington from July 1998 through September 2001. It was led by the Tri-County Workforce Development Council (WDC) and involved a strong collaboration among Tri-County WDC, the State's Division of Child Support (DCS), and the office of the Yakima County Prosecuting Attorney (YCPA). SHARE provided the courts and YCPA the ability to offer WtW services to noncustodial parents during a child support contempt hearing. WtW services consisted of employability assessments, individualized employment plans, and other WtW services structured to meet the needs of the noncustodial parent. Job search workshops and referrals for job openings were the principal service offered, but noncustodial parents could be offered pre-employment education, vocational training, or on-the-job training. After the noncustodial parent had secured a job, WtW case management continued for at least 90 days, during which time job retention services were provided. WtW funds were also available to help with work supports such as transportation, uniforms, work supplies, and other short-term emergency needs. The evaluation examined employment and child support payment trends for 574 noncustodial parents who were referred to the SHARE program. The evaluation found that the earnings and child support payments of noncustodial parents referred to SHARE increased substantially after being referred to the program.<sup>29</sup>

In 1998, OCSS launched an eight-state demonstration to test the effectiveness of fatherhood programs.<sup>30</sup> The purpose of these programs was to assist unemployed or low-income noncustodial parents in paying their child support by improving their employment and earnings and encouraging more involved parenting. States were given wide latitude in program format, services provided, and client eligibility. Most states partnered with community-based organizations to lead the project and most projects offered employment services. The exact

<sup>23</sup> Employment and training programs for noncustodial parents described here were evaluated using one of three evaluation methods: evaluating the outcomes of individuals randomly assigned to the program (*i.e.* the treatment group) or receive business as usual (*i.e.* the control group), typically referred to as a random control trial (RCT) or an experimental evaluation; evaluating the outcomes of individuals who enrolled in the program compared to a group of individuals who did not enroll in the program but are similar to those who did enroll, referred to here as a semi-experimental evaluation; and evaluations that examine the outcomes of individuals who enrolled in the program, typically before and after they entered the program, which are often referred to as outcome evaluations. The first two evaluation methods are considered impact evaluations, which draw causal inferences, while the third evaluation method is not designed to attribute causality.

<sup>24</sup> Miller, Cynthia, and Virginia Knox (2001).

<sup>25</sup> *Ibid.*

<sup>26</sup> Doolittle, Fred, Virginia Knox, Cynthia Miller, and Sharon Rowser, "Building Opportunities, Enforcing Obligations: Implementation and Interim Impacts of Parents' Fair Share," New York: MDRC (1998), table 6.3, available at [https://www.mdrc.org/sites/default/files/full\\_38.pdf](https://www.mdrc.org/sites/default/files/full_38.pdf).

<sup>27</sup> Martinson, Karin, John Trutko, and Debra Strong, "Serving Noncustodial Parents: A Descriptive Study of Welfare-to-Work Programs," Washington, DC: Urban Institute (December 2000), available at <https://www.urban.org/sites/default/files/publication/62761/410340-Serving-Noncustodial-Parents-A-Descriptive-Study-of-Welfare-to-Work-Programs.PDF>.

<sup>28</sup> Perez-Johnson, Irma, et al. (October 2003).

<sup>29</sup> *Ibid.*

<sup>30</sup> Pearson, Jessica, et al. (June 2000).

package of employment services varied by project, but employment services across all projects included job search assistance, job readiness services, job development and placement, work supports, and vocational skills training and assessments. This demonstration was evaluated by comparing participant outcomes before and after enrollment in the program. The evaluation found that the percent of participants paying child support increased after enrollment in every participating state, by amounts ranging from 4 percent to 31 percent.<sup>31</sup> The average amount of child support due that was paid also increased after enrollment in every participating state, by amounts ranging from 1 percent to 16 percent.<sup>32</sup>

In 2000, OCSS and the Ford Foundation launched a national demonstration called Partners for Fragile Families (PFF), which was conducted in 13 sites and ended in 2003.<sup>33</sup> The goals of this demonstration were to promote voluntary paternity establishment; improve the parenting and relationship skills of young fathers; and help young fathers secure and retain employment. It targeted fathers between the ages of 16 and 25 years old who had not yet established paternity and did not have extensive involvement in the child support program. The lead agency in all 13 sites was a community-based organization, but each site partnered with the local child support agency and typically other organizations, such as workforce development agencies. The primary service consisted of a series of structured workshops on topics such as fatherhood, parenting, job readiness and job search, and child support. The exact package of employment services varied across projects, but the following employment services were offered across all projects: job readiness instruction, job search assistance, job referral and placement, job development, on-the-job training, GED classes, and job skills training. PFF enrolled over 1,470 noncustodial parents.<sup>34</sup> The evaluation of PFF examined child support outcomes of participants at the time of enrollment and over the next two years. It found that the percent of participants with

child support orders increased from 14 percent to 35 percent during the first two years after program enrollment.<sup>35</sup> It also found that the average number of months participants paid child support increased from 4.2 months to 5.2 months, and the average annual amount of child support paid increased by 43 percent from \$1,238 to \$1,775 between the first and second year after enrollment.<sup>36</sup>

In 2005, the Child Support Division of the Office of the Attorney General of Texas and the Texas Workforce Commission established the Noncustodial Parent (NCP) Choices program.<sup>37</sup> The goal of the program is to help parents make regular child support payments and become financially stable.<sup>38</sup> This program remains in operation today and is currently operating in 21 of the 28 workforce development board areas in Texas.<sup>39</sup> To be eligible to receive services, noncustodial parents must be court-ordered to participate. When a noncustodial parent enters the program, workforce development staff perform an assessment of needs and barriers and create an individual employment plan designed to move that individual into a stable employment situation. Additional employment and training services offered to noncustodial parents mirror those provided to TANF recipients under the Texas' Choices Program.<sup>40</sup> The services emphasize Work First, providing job referrals and job search assistance, and may include job referrals and job development, support services, short-term training, subsidized employment/work experience, GED and English as a Second Language (ESL) classes, and job retention and career advancement assistance.

NCP Choices was evaluated during the initial years of its operation.<sup>41</sup> The impact evaluation was based on data from 2005 to 2009 and ten local workforce development areas. It used a quasi-experimental evaluation design.<sup>42</sup>

<sup>35</sup> Martinson, Karin, et al. (September 2007).

<sup>36</sup> Ibid.

<sup>37</sup> Schroeder, Daniel and Nicholas Doughty (September 2009).

<sup>38</sup> Texas Workforce Commission, Noncustodial Parent Choices Program, available at <https://www.twc.texas.gov/programs/noncustodial-parent-choices#:~:text=The%20goal%20of%20NCP%20Choices,Alamo>.

<sup>39</sup> Ibid.

<sup>40</sup> <https://www.twc.texas.gov/programs/choices>.

<sup>41</sup> Schroeder, Daniel and Nicholas Doughty (September 2009).

<sup>42</sup> Quasi-experimental designs aim to assess causal relationships without using random assignment. When evaluating a program, they compare the group of individuals who participated in the program to a group of individuals who did not participate in the program who are as similar as possible to those who participated in the

A total of 2,296 noncustodial parents who participated in NCP Choices were included in the evaluation. The evaluation found monthly child support collection rates among NCP Choices participants were 47 percent higher than the comparison group in the first year after program enrollment, and the amounts collected averaged \$57 per month higher.<sup>43</sup> In addition, those ordered into NCP Choices paid their child support 50 percent more consistently over time than the comparison group.<sup>44</sup> All of these positive impacts continued well into the second through fourth years after program enrollment.<sup>45</sup>

In 2006, the New York State Legislature enacted the Strengthening Families Through Stronger Fathers Initiative, a pilot program to help low-income noncustodial parents find work and pay their child support.<sup>46</sup> The legislation authorized funding for five programs to provide employment and other supportive services to low-income noncustodial parents, which operated from 2006 to 2009. Employment services offered by the five programs consisted of job search and placement assistance, job readiness training, job development, job skills training, and employment-related supports.<sup>47</sup> One program provided subsidized employment and job retention and career enhancement services. The pilot programs served 3,668 noncustodial parents.<sup>48</sup> The impact evaluation used a quasi-experimental design. It found that Strengthening Families Through Stronger Fathers increased the percent of parents paying child support by 22 percent, and the amount of child support paid by 35 percent in the first year after enrollment compared to the comparison group.<sup>49</sup>

program in terms of pre-intervention characteristics. For further information, see Handley, Margaret A., Courtney Lyles, Charles McCulloch, and Adithya Cattamanchi, "Selecting and Improving Quasi-Experimental Designs in Effectiveness and Implementation Research" Annual Review of Public Health 39 (2018), available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8011057/pdf/nihms-1671041.pdf>.

<sup>43</sup> Schroeder, Daniel and Nicholas Doughty (September 2009).

<sup>44</sup> Ibid.

<sup>45</sup> Ibid.

<sup>46</sup> Tannehill, Tess G., Carolyn T. O'Brien, and Elaine J. Sorensen, "Strengthening Families Through Stronger Fathers Initiative: Process Evaluation Report." Washington, DC: Urban Institute (July 2009), available at <https://www.urban.org/sites/default/files/publication/28106/1001412-Strengthening-Families-Through-Stronger-Fathers-Initiative-Process-Evaluation-Report.PDF>.

<sup>47</sup> Ibid.

<sup>48</sup> Lippold, Kyle, et al. (October 2011).

<sup>49</sup> Ibid.

<sup>31</sup> Pearson, Jessica, et al. (September 2003).

<sup>32</sup> Ibid.

<sup>33</sup> Martinson, Karin, John Trutko, Demetra Smith Nightingale, Pamela A. Holcomb, and Burt S. Barnow, "The Implementation of the Partners for Fragile Families Demonstration Projects," Washington, DC: The Urban Institute (June 2007), available at <https://www.urban.org/sites/default/files/publication/46576/411511-The-Implementation-of-the-Partners-for-Fragile-Families-Demonstration-Projects.PDF>.

<sup>34</sup> Ibid, Exhibit 2.1.



In 2006, Maryland began the Noncustodial Parent Employment Program (NPEP), a joint effort of the Child Support Enforcement and Family Investment Administrations of the Maryland Department of Human Resources.<sup>50</sup> The purpose of this program is to provide employment services to noncustodial parents who are behind in their child support so that they can be a reliable source of income for their children. NPEP was a statewide program in its initial years and still operates today, but not in all counties.<sup>51</sup> During its initial phase, each NPEP program provided employment services similar to those offered during the WtW grants program. An evaluation of NPEP was conducted, which examined 3,900 noncustodial parents referred to NPEP in 2007 and 2008.<sup>52</sup> Outcomes for these participants were examined one year before and after enrollment. The evaluation found that the average amount of child support paid increased from \$1,094 in the year prior to enrollment to \$1,246 in the year after enrollment, a 14 percent increase.<sup>53</sup> It also found that the average number of months that a participant paid child support rose from 3.7 months in the year prior to enrollment to 4.5 months in the year after enrollment, a 22 percent increase.<sup>54</sup>

In 2008, the Arapahoe County Division of Child Support Enforcement, the Arapahoe/Douglas Workforce Center, and the 18th Judicial District Court in Colorado established the Parents to Work program to secure jobs for unemployed and underemployed noncustodial parents and generate child support payments.<sup>55</sup> The program is still in operation today.<sup>56</sup> An evaluation of this program was conducted, which examined the first two years of operation. During that time the following employment services were offered: intensive job search assistance, job readiness training, job placement, job development, on-the-job training, work experience, occupational and vocational training, subsidized employment, pre-GED or GED preparation, and assistance with transportation, work clothes and tools. The evaluation examined the outcomes of participants one year before and after enrollment and compared them to a

group of noncustodial parents who did not participate in Parents to Work.<sup>57</sup> It found that the average percentage of child support due that was paid by the treatment group rose from 36.6 percent in the year prior to enrollment to 41.3 percent in the year following enrollment, but was approximately the same at both points in time for the comparison group.<sup>58</sup> Payment regularity also improved significantly for the treatment group, rising from an average of 5.3 payments in the year prior to enrollment to 5.7 payments in the year following enrollment, but again payment regularity was about the same for the comparison group.<sup>59</sup>

In 2009, the Tennessee Department of Human Services (DHS) was awarded a grant from OCSS to develop, implement, and evaluate a program providing employment, parenting time, and case management services to low-income, unwed parents in the child support program in three Tennessee judicial districts. The program, called the Parent Support Program (PSP), placed child support staff known as Grant Program Coordinators in each of the three local child support offices to provide services to families. These staff were the primary providers of employment, parenting time, and case management services. The Grant Program Coordinators conducted a needs assessment at enrollment and developed a service plan for each participant. They also provided job search and job readiness assistance, job development, and financial assistance with work-related expenses. For other employment services, such as job training, participants were referred to other service providers. Enrollment began in January 2010 and ended in March 2013. During that time, PSP enrolled 1,016 noncustodial parents. The evaluation examined participant outcomes in the year before and after enrollment. The evaluation found that the average percentage of child support due that participants paid rose from 33 percent

in the year prior to enrollment to 36 percent in the year after enrollment.<sup>60</sup>

Many more states than those discussed above have operated employment and training programs for noncustodial parents, but they have not been able to use FFP to pay for these services. This has limited the potential impact and reach of these services. As of February 2014, 30 States and the District of Columbia were operating 77 employment and training programs for noncustodial parents with active child support agency involvement. Three of these states were operating statewide programs—Georgia, Maryland, and North Dakota. But only a few of these programs have been able to secure resource commitments to fund these services in an ongoing, consistent or statewide basis. As a result, many programs that were operating in 2014 are no longer in operation. Other programs have had to scale back because of reduced funding. Nonetheless, because of the continued work of child support agencies, many new programs have emerged so that there are roughly the same number of states that have employment and training programs for noncustodial parents with active child support agency involvement as in 2014.

Informed by the child support program's positive experience with providing employment and training programs, and the positive outcomes of three decades of national demonstrations and state evaluations, OCSS now proposes to allow states to access FFP for these services and establish standards and requirements for states when opting to provide federally assisted employment and training services under their IV–D State plans. This proposed rule would provide additional stability and support for states to increase the effectiveness of their respective programs for collecting child support payments.

#### Further Studies in Support of the Proposed Rulemaking

OCSS previously issued an NPRM on November 17, 2014 that included regulatory changes similar to those being proposed here. 79 FR 68547, 68556 (November 17, 2014). While this proposed rule received overwhelming support from states, many Members of Congress, and the public, it was not included in the final rule issued on December 20, 2016 in order to allow for further study. The final rule stated, “While we appreciate the support the commenters expressed, we think allowing for federal IV–D

<sup>50</sup> Born, Catherine E., et al. (April 2011).

<sup>51</sup> <https://dhs.maryland.gov/child-support-services/noncustodial-parents/noncustodial-parent-employment-programs/>

<sup>52</sup> Born, Catherine E., et al. (April 2011).

<sup>53</sup> *Ibid.*

<sup>54</sup> *Ibid.*

<sup>55</sup> Pearson, Jessica, et al. (February 2011).

<sup>56</sup> <https://www.adworks.org/job-seekers/programs/parents-to-work/>.

<sup>57</sup> Pearson, Jessica, et al. (February 2011). Parents to Work was intended to be evaluated using random assignment, but the treatment group was disproportionately selected from case worker and court referrals, while the comparison group was disproportionately selected from ad hoc reports. Because of this difference in procedures, the two groups were statistically significantly different prior to program entry. In an effort to offset this limitation, the study examined the outcomes of noncustodial parents in both groups after controlling for observed differences in pre-program earnings, child support payments, and other characteristics. The sample size for the evaluation was 601 parents in the treatment group and 349 in the comparison group.

<sup>58</sup> *Ibid.*

<sup>59</sup> *Ibid.*

<sup>60</sup> Davis, Lanae, et al. (November 2013).

reimbursement for job services needs further study and would be ripe for implementation at a later time.” 81 FR 93492, 93496 (December 20, 2016).

Since 2016, findings from three new national demonstrations that offered employment and training services to noncustodial parents have been released. They are the Child Support National Parent Employment Demonstration (CSPED), Enhanced Traditional Jobs Demonstration (ETJD), and Families Forward Demonstration (FFD). These three demonstrations added considerably to OCSS’s understanding of the effectiveness of employment programs for noncustodial parents and further informed the development of this NPRM.

#### *Child Support National Parent Employment Demonstration (CSPED)*

CSPED was a randomized control trial (RCT) demonstration designed to test the effectiveness of child support-led employment programs for noncustodial parents. It was funded by OCSS, which awarded demonstration grants to eight state child support agencies in 2012. These child support agencies operated employment programs for noncustodial parents in 18 local jurisdictions from 2013 to 2017. A total of 10,173 noncustodial parents enrolled in the demonstration.<sup>61</sup> CSPED was able to reach such a large number of noncustodial parents in part because it recruited noncustodial parents administratively as well as during contempt hearings. Key services included employment services, enhanced child support services, and parenting classes. Employment services consisted of one-on-one job counseling, job search assistance, job readiness training, and job placement and retention services. Programs were encouraged to offer short-term job skills training and vocational educational training, but not required to do so. Enhanced child support services were expected to include initiating order modifications if needed, removing license suspensions and holding other enforcement remedies in abeyance while parents participated in the program, and reducing state-owed arrears if permitted by state law.<sup>62</sup>

<sup>61</sup> Cancian, Maria, Daniel R. Meyer, Robert Wood, “Final Impact Findings from the Child Support Noncustodial Parent Employment Demonstration,” Madison, WI: Institute for Research on Poverty (March 2019), available at [https://www.acf.hhs.gov/sites/default/files/documents/ocse/csped\\_impact\\_report.pdf](https://www.acf.hhs.gov/sites/default/files/documents/ocse/csped_impact_report.pdf).

<sup>62</sup> Office of Child Support Enforcement, “National Child Support Noncustodial Parent Employment Demonstration Projects,” Washington, DC: U.S. Department of Health and Human Services, Administration for Children and Families, HHS—

CSPED increased the effectiveness of the child support program by increasing noncustodial parents’ employment and earnings as measured by quarterly earnings, which, in turn, increased the likelihood of paying child support through wage withholding. Specifically, it increased participants’ employment rate by 3 percent during the first 2 years after enrollment, and increased their earnings by 4 percent during the first year after enrollment, both of which are measured using quarterly earnings.<sup>63</sup> This, in turn, increased the likelihood of participants paying child support through income withholding by 8 percent during the first year after enrollment.<sup>64</sup> It also increased noncustodial parents’ satisfaction with the child support program, increased noncustodial parent-child contact, and improved noncustodial parents’ attitudes about responsibility for children, all of which contributed to an improved image of the child support program and helped overcome significant distrust among noncustodial parents, paving the way for better communication, more cooperation, and a more effective child support program.<sup>65</sup> Finally, a benefit-cost analysis of CSPED found that the benefits of CSPED outweighed its costs within two years when the costs of employment and parenting services received by members of the regular-services group were taken into account.<sup>66</sup>

2012–ACF–OCSE–FD–0297 (2012), available at [https://www.acf.hhs.gov/sites/default/files/documents/ocse/hhs-2012-acf-ocse-fd-0297\\_csped.pdf](https://www.acf.hhs.gov/sites/default/files/documents/ocse/hhs-2012-acf-ocse-fd-0297_csped.pdf).

<sup>63</sup> Sorensen, Elaine (November 2020).

<sup>64</sup> *Ibid.* While CSPED was successful at increasing the likelihood of paying child support through income withholding, it did not increase the amount of child support paid. As noted in the text, CSPED provided both employment and enhanced child support services. It appears that these services worked at cross-purposes to one another. As part of enhanced child support services, child support agencies offered order modification services to participants, which reduced their average amount of child support orders. Reducing child support orders will necessarily reduce income withholding orders, which reduces the amount of child support paid since most child support is paid via income withholding. In contrast, employment services are designed to increase the employment and earnings of noncustodial parents, which, in turn, are expected to increase child support payments. Thus, it appears that one service reduced the amount of child support paid while the other increased it, resulting in no impact on the amount of child support paid.

<sup>65</sup> Cancian, Maria, et al. (March 2019).

<sup>66</sup> Cancian, Maria, Daniel R. Meyer, and Robert G. Wood, “Carrots Work Better than Sticks? Results from the National Child Support Noncustodial Parent Employment Demonstration,” *Journal of Policy Analysis and Management*. 41:2 (2022), available at <https://onlinelibrary.wiley.com/doi/pdf/10.1002/pam.22370>.

#### *Enhanced Traditional Jobs Demonstration*

ETJD was a RCT demonstration designed to test the effectiveness of providing temporary subsidized jobs and other enhanced services. It was funded by the U.S. Department of Labor (DOL) and the Office of Planning, Research, and Evaluation within the U.S. Department of Health and Human Services, Administration for Children and Families. DOL awarded seven demonstration grants, four of which targeted noncustodial parents and three of which targeted formerly incarcerated individuals. The demonstration operated from 2011 to 2014 and enrolled a total of 4,000 individuals in the four demonstrations that targeted noncustodial parents. Key services in the noncustodial parent demonstration sites included up to four months of subsidized employment, other employment services, and child support-related assistance.<sup>67</sup>

ETJD showed that providing subsidized employment to noncustodial parents successfully increased their employment and earnings in the final year of the 30-month follow-up period, well after the subsidized employment ended. During this period, noncustodial parents who received ETJD services were 7 percent more likely to be employed, and their earnings were 13 percent higher than the noncustodial parents who did not receive ETJD services.<sup>68</sup>

ETJD also successfully increased the likelihood of noncustodial parents paying child support and the average number of months of paying child support during the final year of the 30-month follow-up period. During this period, noncustodial parents who received ETJD services were 11 percent more likely to pay child support, and the average number of months of paying child support was 16 percent higher than noncustodial parents who did not receive ETJD services.<sup>69</sup>

<sup>67</sup> Redcross, Cindy, Bret Barden, and Dan Bloom, “The Enhanced Transitional Jobs Demonstration: Implementation and Early Impacts of the Next Generation of Subsidized Employment Programs,” New York: MDRC (November 2016), available at [https://www.mdrc.org/sites/default/files/ETJD\\_STED\\_2016\\_FR.pdf](https://www.mdrc.org/sites/default/files/ETJD_STED_2016_FR.pdf).

<sup>68</sup> Barden, Bret, Randall Juras, Cindy Redcross, Mary Farrell, Dan Bloom, “New Perspectives on Creating Jobs: Final Impacts of the Next Generation of Subsidized Employment Programs,” New York: MDRC (May 2018), available at [https://www.mdrc.org/sites/default/files/ETJD\\_STED\\_Final\\_Impact\\_Report\\_2018\\_508Compliant\\_v2.pdf](https://www.mdrc.org/sites/default/files/ETJD_STED_Final_Impact_Report_2018_508Compliant_v2.pdf).

<sup>69</sup> Barden, Bret, et al. (May 2018). ETJD did not increase the amount of child support paid in the final year of the follow-up period. This is likely because local child support agencies in three of the four ETJD sites initiated order modifications if

### *Families Forward Demonstration*

FFD was designed to test the effectiveness of offering free occupational training to increase reliable child support payments. It operated in five locations from 2018 to 2020 and enrolled 761 noncustodial parents. FFD was funded through a grant from the W. K. Kellogg Foundation, local funding raised by participating child support agencies, and matching federal funds through Section 1115 Waivers approved by the Office of Child Support Services.<sup>70</sup> FFD provided the following three services: free occupational training, other employment services and wraparound supports, and responsive child support services. Free occupational training targeted demand-driven occupations, which varied by location. Other employment services focused on job search and placement assistance and career planning. The most common wraparound supports were work-related, such as assistance with work-related transportation costs or other work-related expenses. Responsive child support services included child support navigation, arrears compromise programs, order modification if needed, and suspension of enforcement action.<sup>71</sup> The evaluation of this demonstration consisted of an implementation study and an analysis of child support outcomes for program participants prior to and after program enrollment.<sup>72</sup> It found that the trends in child support payments for noncustodial parent participants improved relative to their pre-enrollment trends.<sup>73</sup> While this study was not designed to attribute causality, these findings suggest that offering free training to noncustodial parents may have a positive impact on child support payments, providing further evidence that offering training services to noncustodial parents holds promise for increasing the effectiveness of the child support program.

Results from these recent demonstrations, in addition to the large

needed as an enhanced child support service to address the possibility that orders were too high relative to participants' ability to pay. If orders are reduced, income withholding orders will be lower and the amount of child support withheld will be lower. Thus, the amount of child support paid will not necessarily increase as a result of increased earnings if orders are modified downward. Only one ETJD site did not offer to initiate order modifications and that was the only site that saw a statistically significant increase in the amount of child support paid.

<sup>70</sup> The FFD program in New York was additionally supported by the Robin Hood Foundation.

<sup>71</sup> Wasserman, Kyla, et al. (April 2021).

<sup>72</sup> *Ibid.*

<sup>73</sup> *Ibid.*

body of evidence that preceded these demonstrations, provide support for OCSS's determination that permitting states to provide employment and training services to noncustodial parents can increase the effectiveness of the child support program. By allowing states to use FFP to provide employment and training services, OCSS aims to create a reliable funding source for states that choose these services to supplement traditional enforcement tools and effectively obtain child support.

### **Section-by-Section Discussion of the Provisions of This Proposed Rule**

This NPRM proposes to allow FFP for certain optional and nonduplicative employment and training services designed to supplement traditional enforcement tools and to help noncustodial parents find and retain employment so they can support their children.

#### *§ 302.76 Employment and Training Services*

We propose to add a new optional State plan provision at § 302.76, Employment and Training Services. The proposal permits states to provide certain employment and training services to eligible noncustodial parents pursuant to § 303.6(c)(5).

We propose to limit eligibility to noncustodial parents who have an open IV-D case; have a current child support order or be determined by the IV-D agency to be fully cooperating with the IV-D agency to establish a current child support order; are unemployed or underemployed or at risk of not being able to comply with their current support order; and are not receiving the same employment and training service under Temporary Assistance for Needy Families (TANF) (45 CFR part 261), Supplemental Nutrition Assistance Program Employment and Training program (7 CFR 273.7 and 273.24), Federal Pell Grant (34 CFR part 690), the U.S. Department of Labor Employment and Training programs authorized under Title I of the Workforce Innovation and Opportunity Act (20 CFR parts 675–688), the Adult Education and Family Literacy Act (AEFLA) program (34 CFR part 463), or the Vocational Rehabilitation program (34 CFR part 361). States may add additional eligibility criteria. We invite comment on these proposed eligibility criteria.

We acknowledge the benefits of improved coordination between the various Federal programs that are eligible to provide employment and training services. We encourage states to

establish a coordinated, nonduplicative set of employment and training services with other federally-funded programs.

The primary goal of offering employment and training services is to increase the consistency of current support payments to families with minor children. Thus, the proposed rule does not allow noncustodial parents with arrears-only cases to be eligible to receive employment and training services as a reimbursable IV-D cost when no current support obligation exists or is being established.

We propose that allowable employment and training services are limited to:

- (i) Job search assistance;
- (ii) Job readiness training;
- (iii) Job development and job placement services;
- (iv) Skills assessments to facilitate job placement;
- (v) Job retention services;
- (vi) Work supports, such as transportation assistance, uniforms, and tools; and

(vii) Occupational training and other skills training directly related to employment, which may also include activities to improve literacy and basic skills, such as programs to complete high school or a high school equivalency certificate, or English as a second language, as long as they are included in the same employment and training services plan.

We recognize that providing these services will require case management. Thus, FFP may also be used to provide case management for these allowable services. FFP may not be used for subsidized employment or to provide to the noncustodial parent cash payments, checks, reimbursements, or any other form of payment that can be legally converted to currency. For example, FFP may not be used to provide financial incentive payments to noncustodial parents, or to directly reimburse noncustodial parents for employment and training related expenditures. Allowable services must be secured through service providers as opposed to allowing reimbursement to parents.

We have included a focused set of employment and training services because our review of research found that employment and training programs for noncustodial programs tend to provide a package of employment and training services in their effort to improve the effectiveness of child support program. The list of proposed allowable services includes those services that were most frequently provided in various demonstrations, research evaluations, and state-based

programs detailed in the proposed rule. We invite comment on the list of proposed allowable employment and training services.

We suggest that child support agencies should partner wherever possible with existing employment and training providers and that child support agencies especially should not try to carry out job development on their own and should consider doing so through or in partnership with the local American Job Center business services representatives.

We have included work supports and job retention services as allowable expenditures because, as described above, many of the employment and training programs for noncustodial parents that have been evaluated included these services as part of a package of employment and training services, which were found effective at improving child support outcomes. Work supports consist of costs incurred for bona fide services and assistance provided to noncustodial parents so that they may find and retain employment or participate in employment and training services. For example, a common form of work supports is transportation assistance, such as bus tokens and gas vouchers. Work supports may also include the cost of providing emergency child care assistance for children on the child support case associated with the noncustodial parent receiving employment and training services if that emergency inhibits participation in employment and training services or finding or retaining work.<sup>74</sup> Job retention services are services that assist a job holder with retaining employment and can include regular check-ins with job holders as well as supporting managers who hired job holders with on-the-job issues. Job retention services can be offered directly to the job holder or to the employer to serve the job holder.

We propose that this State plan provision be optional to states since offering employment and training services may increase state costs. If the state chooses this option, this proposal will require that the State plan include a description of the employment and training services and eligibility criteria. It will also require that the State plan

<sup>74</sup> Other eligible work supports may include, but are not limited to: costs incurred for bona fide services and assistance such as work-related tools; work-related clothing or uniforms; transportation and travel to or from training and work sites; emergency vehicle repairs if affordable transportation alternatives are not available; referrals for child care assistance; referrals to health care, mental health counseling or drug treatment; licenses; application fees; and other costs of employment and training tests or certifications.

include an explanation of how the child support program is establishing a coordinated, nonduplicative set of employment and training services with other federally-funded programs. It will also require that states comply with future reporting requirements prescribed by the Office.

#### *§ 303.6 Enforcement of Support Obligations*

We propose to redesignate existing paragraph § 303.6(c)(5) as new paragraph § 303.6(c)(6) and to add new paragraph § 303.6(c)(5) to provide program standards related to the proposed optional State plan provision § 302.76, Employment and Training Services. Additionally, we propose that funds can only be used for a limited set of employment and training services which complement, not duplicate, the services a noncustodial parent may be receiving from another federally-funded program. OCSS remains diligent in efforts to not duplicate services provided to noncustodial parents under other federally-funded programs. Because IV–D funds can only be used for a limited set of employment and training services, OCSS will encourage states to use other funding to pay for services that are not eligible for IV–D funds and combine those services with IV–D funded services to address the multiple barriers to employment that low-income noncustodial parents often face.

The proposed language allows flexibility for states to coordinate with other programs to ensure that IV–D funds are used effectively to help noncustodial parents obtain and maintain employment to support their children, while avoiding duplicating services. Partnering with other programs can allow child support programs to broaden the types of services they provide to noncustodial parents in their caseload. For example, if a noncustodial parent is currently enrolled in a high school equivalency certificate program or any service already being provided to the noncustodial parent that is being paid for by another federal funding source, IV–D funds would not be available for this same service, but would be available for non-duplicative services, such as job search assistance, provided a noncustodial parent is not receiving that service from any of the federal funding sources detailed in the proposed amendments to 303.6 and 302.76.

States are strongly encouraged to maximize coordination to ensure effective service delivery and to provide the most appropriate mix of services that address the multiple barriers to

employment that low-income noncustodial parents often face while minimizing costs to the child support program. In particular, we strongly encourage coordination with the six core programs providing services through state workforce development systems established under the Workforce Innovation and Opportunity Act (WIOA) to make the most appropriate use of federal funds. Furthermore, we strongly encourage states to coordinate with high-quality training programs and other evidence-based training models shown to lead to sustained earnings gains—to increase noncustodial parents' ability to meet their financial obligations to their children. Noncustodial parents who receive Pell Grants may use those funds, to the extent permissible by the Higher Education Act of 1965, to pay for some of the same eligible employment and training services that state child support programs can provide under this NPRM. Therefore, we will encourage states to communicate with noncustodial parents concerning Pell Grants and ensure non-duplication of any employment and training services attained with Pell Grant funds. OCSS's policy goals are to make it possible for state child support agencies to provide employment and training services to noncustodial parents who need them but are not being provided such services by other federally-funded programs.

OCSS anticipates that many state child support agencies will purchase employment and training services by entering into contracts with public, private and community-based employment, fatherhood, and community re-entry programs, community action agencies, community colleges, or other service providers, rather than offer these services in-house, in accordance with 45 CFR 304.22, *Federal financial participation in purchased support enforcement services*. Child support agencies may also access employment and training services by partnering with labor organizations. However, this does not preclude a child support agency from providing employment and training services to noncustodial parents directly. In addition, OCSS encourages child support agencies to develop and maintain partnerships with TANF, the Supplemental Nutrition Assistance Program, workforce agencies, workforce development boards, and American Job Centers to offer available employment and training services to noncustodial parents whenever those resources are available. We also encourage state child support agencies to partner with other

organizations that can offer additional employment and training activities beyond those funded under title IV–D, such as Vocational Rehabilitation agencies for those noncustodial parents who are individuals with disabilities and are eligible for the Vocational Rehabilitation program.

We do not want states to duplicate other services, but we also do not want to make it impossible for states to provide employment and training services due to the unavailability of data needed to verify that such services are not being duplicated. Thus, child support programs will make individual determinations about whether a noncustodial parent is receiving the same employment and training services from other programs. To ensure the eligibility criterion is met, the child support program may obtain an attestation from the noncustodial parent that the parent is not receiving the same

employment and training services under the federal programs listed in § 303.6(c)(5). This will allow a noncustodial parent getting some services from the American Job Center to also receive nonduplicated employment and training services through the child support program.

*§ 304.20 Availability and Rate of Federal Financial Participation*

We propose to redesignate existing paragraph § 304.20(b)(3)(vii) as new paragraph § 304.20(b)(3)(viii), and to add new paragraph § 304.20(b)(3)(vii) allowing FFP for certain employment and training services when they are provided in accordance with § 303.6(c)(5).

**Effective Dates**

The proposed effective date will be 60 days from the date of publication of the final rule.

**Impact Analysis**

**Paperwork Reduction Act of 1995**

Under the Paperwork Reduction Act (Pub. L. 104–13), all Departments are required to submit to OMB for review and approval any reporting or recordkeeping requirements inherent in a proposed or final rule. There is one new State plan reporting requirement because of this proposed rule for states that implement the optional and nonduplicative employment and training services. The description and total estimated burden on the “State Plan for Child Support Collection and Establishment of Paternity Under Title IV–D of the Social Security Act,” and the State Plan Transmittal Form [OMB 0970–0017] are described in the chart below.

Section and purpose	Instrument	Number of respondents	Average burden hour per response	Total cost	National Federal share	National State share
Added optional requirement § 302.76 Employment and training services.	State plan amendment.	One time for 33 states.	3 hours × \$66.82 × 33 states.	\$6,615.18	\$4,366.02	\$2,249.16

A state may submit a plan amendment for the optional and nonduplicative employment and training services at any time after the proposed rule becomes final. But not all states will implement these optional services. Out of the 54 states, we estimate 33 will eventually submit plan amendments for these optional services. Additionally, we estimate that states will take 3 hours to draft the required information to amend their State plans. The cost to respondents was calculated using the Bureau of Labor Statistics job code for State Government Management Analyst [13–1111] and wage data from May 2021, which is \$33.41 per hour. To account for fringe benefits and overhead, the rate was multiplied by two, which is \$66.82. The total estimated cost is \$6,615.18 with a state share of \$2,249.16. OCSS reimburses states for 66 percent of the administrative costs incurred to administer the State plan.

ACF will consider comments by the public on this proposed collection of information in the following areas:

1. Evaluating whether the proposed collection is necessary for the proper performance of the functions of ACF, including whether the information will have practical utility;
2. Evaluating the accuracy of ACF’s estimates of the proposed collection of

information, including the validity of the methodology and assumptions used;

3. Enhancing the quality, usefulness, and clarity of the information to be collected; and

4. Minimizing the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technology, e.g., permitting electronic submission of responses.

OMB is required to make a decision concerning the collection of information contained in these proposed regulations within 60 days after publication of this document in the **Federal Register**. Written comments to OMB for the proposed information collection should be sent directly to the following: Office of Management and Budget (OMB), either by fax to 202–395–6974 or by email to *OIRA\_submission@omb.eop.gov*. Please mark faxes and emails to the attention of the desk officer for ACF.

**Regulatory Impact Analysis**

*Executive Orders 12866 and 13563*

Executive Orders 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits

(including potential economic, environmental, public health and safety effects, distributive impacts, and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This rule meets the standards of Executive Order 13563 because providing employment training and services benefits the public, particularly children and families whose economic security would be improved by increasing family income and improving financial stability. These services help to reduce the need for and cost of providing public assistance. This proposed rule was designated by OMB as a significant regulatory action under Executive Order 12866, as amended by Executive Order 14094. If finalized, the rule would not result in economic impacts that exceed the monetary threshold in section 3(f)(1) of Executive Order 12866 (as amended).

The estimated fiscal impact of allowing child support programs to use FFP for employment and training services would result in an increase of \$15.5 million in federal expenditures during FY 2025, the anticipated first fiscal year of implementation. As more child support programs use this authority, the estimated fiscal impact will increase. By FY 2034, the estimated

fiscal impact is expected to be \$75.9 million per budget year. These estimates do not reflect the potential benefits to the Federal Government of implementing this program, such as reducing the cost of providing child support enforcement services and reducing reliance on means-tested programs; they only reflect the estimated cost of providing employment and training services to noncustodial parents.

### Regulatory Flexibility Analysis

The Secretary proposes to certify that, under 5 U.S.C. 605(b), as enacted by the Regulatory Flexibility Act (Pub. L. 96–354), this proposed rule, if finalized, will not result in a significant impact on a substantial number of small entities. The primary impact is on state governments. State governments are not considered small entities under the Regulatory Flexibility Act.

### Unfunded Mandates Reform Act of 1995

The Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4) requires agencies to prepare an assessment of anticipated costs and benefits before issuing any rule that may result in an annual expenditure by state, local, and tribal governments, in the aggregate, or by the private sector, of \$100 million or more (adjusted annually for inflation). That threshold level is currently approximately \$177 million. This rule does not impose any mandates on state, local, or tribal governments, or the private sector, that will exceed this threshold in any year.

### Assessment of Federal Regulations and Policies on Families

Section 654 of the Treasury and General Government Appropriations Act of 1999 requires federal agencies to determine whether a proposed policy or regulation may affect family well-being. If the agency's determination is affirmative, then the agency must prepare an impact assessment addressing seven criteria specified in the law. We certify that we have assessed this proposed rule's impact on the well-being of families. This proposed rule will have a positive impact on family well-being as defined in the legislation by proposing evidence-informed policies and practices that help to ensure that noncustodial parents support their children more consistently and reliably.

### Congressional Review

This proposed rule is not a major rule as defined in 5 U.S.C. Chapter 8.

### Executive Order 13132

Executive Order 13132 prohibits an agency from publishing any rule that has federalism implications if the rule either imposes substantial direct compliance costs on state and local governments and is not required by statute, or the rule preempts state law, unless the agency meets the consultation and funding requirements of section 6 of the Executive Order. This rule does not have federalism impacts as defined in the Executive Order 13132.

Jeff Hild, Principal Deputy Assistant Secretary for the Administration for Children and Families, performing the delegable duties of the Assistant Secretary for Children and Families, approved this document on April 24, 2024.

### List of Subjects

#### 45 CFR Part 302

Child support, State plan requirements.

#### 45 CFR Part 303

Child Support, Standards for program operations

#### 45 CFR Part 304

Child support, Federal financial participation

Dated: May 24, 2024.

**Xavier Becerra,**

*Secretary, Department of Health and Human Services.*

For the reasons stated in the preamble, the Department of Health and Human Services proposes to amend 45 CFR parts 302, 303, and 304 as set forth below:

### PART 302—STATE PLAN REQUIREMENTS

- 1. The authority citation for part 302 continues to read as follows:

**Authority:** 42 U.S.C. 651 through 658, 659a, 660, 664, 666, 667, 1302, 1396a(a)(25), 1396b(d)(2), 1396b(o), 1396b(p), and 1396(k).

- 2. Section 302.76 is added to read as follows:

#### § 302.76 Employment and training services

The State plan may provide for employment and training services for eligible noncustodial parents in accordance with § 303.6(c)(5) of this chapter. If the state chooses this option, the State plan must include a description of the employment and training services and the eligibility criteria. In addition, the State plan must explain how the IV–D agency is coordinating with the state agencies

administering the Temporary Assistance for Needy Families program (TANF) (45 CFR part 261), the Supplemental Nutrition Assistance Program Employment and Training program (7 CFR 273.7 and 273.24), and the six core programs of the state's workforce development system established under the Workforce Innovation and Opportunity Act (WIOA), to ensure the noncustodial parent is receiving well-coordinated employment and training services across these programs and systems, and that services are not being duplicated. States electing the option must comply with future reporting requirements prescribed by the Office.

### PART 303—STANDARDS FOR PROGRAM OPERATIONS

- 3. The authority citation for part 303 continues to read as follows:

**Authority:** 42 U.S.C. 651 through 658, 659a, 660, 663, 664, 666, 667, 1302, 1396a(a)(25), 1396b(d)(2), 1396b(o), 1396b(p), 1396(k), and 25 U.S.C. 1603(12) and 1621e.

- 4. Amend § 303.6 by:
  - a. Redesignating paragraph (c)(5) as paragraph (c)(6); and
  - b. Adding paragraph (c)(5).

The addition reads as follows:

#### § 303.6 Enforcement of support obligations

\* \* \* \* \*

(c) \* \* \*

(5) As elected by the state in § 302.76 of this chapter, provide employment and training services to eligible noncustodial parents. In addition to eligibility criteria that may be set by the IV–D agency, the noncustodial parent must: have an open IV–D case; have a current child support order or be determined by the IV–D agency to be fully cooperating with the IV–D agency to establish a current child support order; be unemployed or underemployed or at risk of not being able to comply with their current support order; and not be receiving the same employment and training services under the Temporary Assistance for Needy Families program (TANF) (45 CFR part 261), Supplemental Nutrition Assistance Program Employment and Training program (7 CFR 273.7 and 273.24), Federal Pell Grant (34 CFR part 690), the U.S. Department of Labor Employment and Training programs authorized under Title I of the Workforce Innovation and Opportunity Act (20 CFR parts 675–688), the Adult Education and Family Literacy Act (AEFLA) program (34 CFR part 463), or the State Vocational Rehabilitation program (34 CFR part 361).

These IV–D agency employment and training services are limited to:

- (i) Job search assistance;
- (ii) Job readiness training;
- (iii) Job development and job placement services;
- (iv) Skills assessments to facilitate job placement;
- (v) Job retention services;
- (vi) Work supports, such as transportation assistance, uniforms, and tools; and
- (vii) Occupational training and other skills training directly related to employment, which may also include activities to improve literacy and basic skills, such as programs to complete high school or a high school equivalency certificate, or English as a second language, as long as they are

included in the same employment and training services plan.

Federal financial participation may also be used to provide case management in connection with these allowable services. Federal financial participation is not available for cash payments, checks, reimbursements, or any other form of payment that can be legally converted to currency.

**PART 304—FEDERAL FINANCIAL PARTICIPATION**

■ 5. The authority citation for part 304 continues to read as follows:

**Authority:** 42 U.S.C. 651 through 655, 657, 1302, 1396a(a)(25), 1396b(d)(2), 1396b(o), 1396b(p), and 1396(k).

- 6. Amend § 304.20 by:
  - a. Redesignating paragraph (b)(3)(vii) as paragraph (b)(3)(viii); and
  - b. Adding paragraph (b)(3)(vii).

The addition reads as follows:

**§ 304.20 Availability and rate of Federal financial participation**

\* \* \* \* \*

(b) \* \* \*

(3) \* \* \*

(vii) Employment and training services activities in accordance with § 303.6(c)(5).

\* \* \* \* \*

[FR Doc. 2024–11842 Filed 5–30–24; 8:45 am]

**BILLING CODE 4184–41–P**

# Notices

Federal Register

Vol. 89, No. 106

Friday, May 31, 2024

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

### Agricultural Marketing Service

[Doc. No. AMS-CN-22-0093]

#### Meeting of the Advisory Committee on Universal Cotton Standards

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Notice of public meeting.

**SUMMARY:** In accordance with the Federal Advisory Committee Act, as amended, the Agricultural Marketing Service (AMS), U.S. Department of Agriculture (USDA), is announcing a meeting of the Advisory Committee on Universal Cotton Standards (Committee). This meeting is being convened to review the Universal Standards for American Upland cotton that are prepared by USDA and make recommendations to the Secretary of Agriculture regarding the establishment, revision, or change of the standards.

**DATES:** An in-person three-day meeting will be held June 25, 2024, from 1:30 p.m. to approximately 5 p.m. central time (CT), June 26, 2024, from 9 a.m. to approximately 5 p.m. CT and June 27, 2024, from 9 a.m. to approximately 12 p.m. CT.

**ADDRESSES:** The Committee meeting will be held at the DoubleTree by Hilton Memphis, 5069 Sanderlin Avenue, Memphis, TN 38117 on June 25, 2024, from 1:30 p.m. to approximately 5 p.m. CT and on June 26, 2024, from 9 a.m. CT to approximately 12 p.m. CT. The meeting will reconvene on June 26, 2024, from 1:30 p.m. CT to approximately 5 p.m. CT and on June 27, 2024, at 9 a.m. CT to approximately 12 p.m. CT at USDA, AMS, Cotton & Tobacco Program, 3275 Appling Road, Memphis, TN 38133. Information and instructions pertaining to the meeting can be found at <https://www.ams.usda.gov/event/30th-universal-cotton-standards-conference> or <https://>

[www.ams.usda.gov/about-ams/facas-advisory-councils/acucis](https://www.ams.usda.gov/about-ams/facas-advisory-councils/acucis).

#### FOR FURTHER INFORMATION CONTACT:

Gretchen Deatherage, Designated Federal Officer, Advisory Committee on Universal Cotton Standards, USDA-AMS-Cotton and Tobacco Program, 3275 Appling Road, Memphis, TN 38133; Telephone: (901) 384-3030; Email: [gretchen.deatherage@usda.gov](mailto:gretchen.deatherage@usda.gov).

**SUPPLEMENTARY INFORMATION:** Pursuant to the Federal Advisory Committee Act (FACA) (5 U.S.C. 10), the Secretary of Agriculture (Secretary) re-established the Committee in 2023 as announced in the **Federal Register** on May 2, 2023 (88 FR 27431). The Committee includes representatives of all segments of the U.S. cotton industry and the twenty international associations that are signatories to the Universal Cotton Standards Agreement which is authorized under the United States Cotton Standards Act (7 U.S.C. 51-65). The purpose of the meeting is: (1) to recommend to the Secretary of Agriculture any changes considered necessary to the Universal Standards; and (2) to visually review and approve the 2024 practical forms of the American Upland Cotton Grade Standards.

The meeting will be open to the public. The meeting agenda for June 25th includes presentations on a proposed standard for High Volume Instrument (HVI) color grade and a proposal to refresh the 1986 Original Standards. A formal meeting of the Committee will take place on the morning of June 26th, where presentations by invited speakers and formal Committee action will take place. On the afternoon of June 26th, Committee members will review the 1986 original set and reserve sets of standard guide boxes for authenticity. New practical forms will then be matched and approved on June 27th.

**Public Comments:** Written comments for the Committee's consideration during the meeting should be submitted no later than June 19, 2024, and will be accepted via <https://>

[www.regulations.gov](https://www.regulations.gov): Doc. No. AMS-CN-22-0093. Comments can also be sent via email to [gretchen.deatherage@usda.gov](mailto:gretchen.deatherage@usda.gov) or by mail to USDA, AMS, Cotton & Tobacco Program, 3275 Appling Road, Room #5, Memphis, TN 38133. Any comments received after June 19th will be reviewed by AMS but

may not receive Committee consideration.

**Meeting Accommodations:** The meeting locations are compliant with the Americans with Disabilities Act, and the USDA provides reasonable accommodation to individuals with disabilities where appropriate. If you are a person requiring reasonable accommodation, please make requests in advance for sign language interpretation, assistive listening devices, or other reasonable accommodation to the person listed under the **FOR FURTHER INFORMATION CONTACT** section. Determinations for reasonable accommodation will be made on a case-by-case basis.

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

Equal opportunity practices in accordance with USDA's policies will be followed in all appointments to the Committee. To ensure that the recommendations of the Committee have taken into account the needs of the diverse groups served by the Department, membership shall include, to the extent practicable, individuals with demonstrated ability to represent the many communities, identities, races, ethnicities, backgrounds, abilities, cultures, and beliefs of the American people, including underserved communities.

Dated: May 28, 2024.

**Cikena Reid,**

*USDA Committee Management Officer.*

[FR Doc. 2024-12015 Filed 5-30-24; 8:45 am]

**BILLING CODE 3410-02-P**



**DEPARTMENT OF AGRICULTURE****Animal and Plant Health Inspection Service**

[Docket No. APHIS–2008–0119]

**Implementation of Revised Lacey Act Provisions****AGENCY:** Animal and Plant Health Inspection Service, USDA.**ACTION:** Notice.

**SUMMARY:** The Food, Conservation, and Energy Act of 2008 amended the Lacey Act to provide, in part, that importers submit a declaration at the time of importation for certain plants and plant products. Enforcement of the declaration requirement began on April 1, 2009, and products requiring a declaration are being phased-in. The purpose of this notice is to inform the public of another phase of the Federal Government's enforcement schedule.

**DATES:** We will consider all comments that we receive on or before July 30, 2024.

**ADDRESSES:** You may submit comments by either of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Enter APHIS–2008–0119 in the Search field. Select the Documents tab, then select the Comment button in the list of documents.

- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS–2008–0119, Regulatory Analysis and Development, PPD, APHIS, Station 3A–03.8, 4700 River Road Unit 118, Riverdale, MD 20737–1238.

Supporting documents and any comments we receive on this docket may be viewed at [regulations.gov](https://www.regulations.gov) or in our reading room, which is located in Room 1620 of the USDA South Building, 14th Street and Independence Avenue SW, Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 799–7039 before coming.

**FOR FURTHER INFORMATION CONTACT:** Ms. Erin Otto, National Policy Manager, Lacey Act Program, Compliance and Environmental Coordination Branch, PPD, APHIS, 4700 River Road Unit 150, Riverdale, MD 20737; (301) 851–3881; [Erin.M.Otto@usda.gov](mailto:Erin.M.Otto@usda.gov).

**SUPPLEMENTARY INFORMATION:****Background**

The Lacey Act (16 U.S.C. 3371 *et seq.*), first enacted in 1900 and significantly amended in 1981, is the United States' oldest wildlife protection

statute. The Act combats trafficking in illegally taken wildlife, fish, or plants. The Food, Conservation and Energy Act of 2008, effective May 22, 2008, amended the Lacey Act by expanding its protection to a broader range of plants and plant products (section 8204, Prevention of Illegal Logging Practices). The Lacey Act now makes it unlawful to import, export, transport, sell, receive, acquire, or purchase in interstate or foreign commerce any plant, with some limited exceptions, taken, possessed, transported, or sold in violation of any law of the United States or an Indian tribe, or in violation of any State or foreign law that protects plants or that regulates certain specified plant-related activities. The Lacey Act also now makes it unlawful to make or submit any false record, account, or label for, or any false identification of, any plant.

In addition, section 3 of the Lacey Act, as amended, makes it unlawful, beginning December 15, 2008, to import certain plants, including plant products, without an import declaration. The declaration must contain the scientific name of the plant, value of the importation, quantity of the plant, and name of the country from which the plant was harvested. For paper and paperboard products containing recycled content, the declaration also must include the average percent of recycled content without regard for species or country of harvest. The plant import declaration requirement does not apply to plants used exclusively as packaging material to support, protect, or carry another item, unless the packaging material itself is the item being imported. Currently, enforcement of the declaration requirement is being phased in, as described in four notices we published in the **Federal Register**,<sup>1</sup> the first on February 3, 2009 (74 FR 5911–5913, Docket No. APHIS–2008–0119), the second on September 2, 2009 (74 FR 45415–45418, Docket No. APHIS–2008–0119), the third on February 6, 2015 (80 FR 6681–6683, Docket No. APHIS–2008–0119), and the fourth on July 2, 2021 (86 FR 35259–35261, Docket No. APHIS–2008–0119).

In our February 2009 notice, we committed to providing affected individuals and industry with at least 6 months' notice for any products that would be added to the phase-in schedule. The phased-in enforcement schedule began April 1, 2009. The most recent phase (VI) began on October 1, 2021. The enforcement schedule is

available on the Animal and Plant Health Inspection Service (APHIS) website at <https://www.aphis.usda.gov/aphis/ourfocus/planthealth/import-information/lacey-act>. We continue to consider the applicability of the declaration requirement to products not included in the current phase-in schedule and we invite public comment on how the declaration requirement should be enforced as to these products.

Phase VII of the enforcement schedule, which would begin on December 1, 2024, is described below. We invite public comment on the products covered under this phase of the plan, as well as on whether any additional Harmonized Tariff Schedule (HTS) chapters should be included in the current phase-in schedule. Should there be additions to phase VII, we intend to provide at least 6 months' notice to persons and industries affected by those changes to facilitate compliance with the new requirements. Changes will be announced in the **Federal Register**. For the full description of the HTS chapters, please refer to the Harmonized Tariff Schedule at [usitc.gov](https://www.usitc.gov).

*Ch. 12 Headings (Industrial or Medicinal Plants)*

- 1211201090-wild ginseng roots
- 1211500000-ephedra
- 1211600000-bark of African cherry (*Prunus africana*)

*Ch. 13 Headings (Lac, Gums, Resins, and Other Vegetable Saps and Extracts)*

- 1302140100-vegetable saps and extracts of ephedra

*Ch. 14 Headings (Vegetable Plaiting Materials)*

- 1401-vegetable materials of a kind used for plaiting
- 1404903000-istle of a kind used primarily in brooms or in brushes, whether or not in hanks or bundles
- 1404904000-other vegetable materials used primarily in brooms or in brushes, whether or not in hanks or bundles
- 1404909020-raw canaigre, chestnut, curupay, divi-divi, eucalyptus, gall nuts, hemlock, larch, mangrove, myrobalan, oak, quebracho, sumac, tara, urunday, valonia, wattle materials of a kind used primarily in tanning
- 1404909040-other raw vegetable materials of a kind used primarily in dyeing or tanning

*Ch. 33 Headings (Essential Oils)*

- 3301295141-essential oils of saffras including *Ocotea cymbarum*
- 3301295142-essential oils of vetiver

<sup>1</sup>To view these notices and the comments we received, go to <http://www.regulations.gov> and enter APHIS–2008–0119 in the Search field.

- 3301295150-other essential oils
- 3303001000-floral or flowers waters
- 3307410000-“agarbatti” and other odoriferous preparations which operate by burning
- 3307490000-other preparations for perfuming or deodorizing rooms, including odoriferous preparations used during religious rites

*Ch. 36 Headings (Pyrotechnic Products)*

- 3605000030-matches with natural wood stems

*Ch. 38 Headings (Miscellaneous Chemical Products)*

- 3805901000-pine oil

*Ch. 42 Headings (Articles of Leather, Travel Goods, and Handbags)*

- 4202392000-wood articles of a kind normally carried in the pocket or in the handbag
- 4202925000-musical instrument cases
- 4202929315-jewelry boxes, and similar containers of a kind normally sold at retail with their contents

*Ch. 44 Headings (Wood and Articles of Wood)*

- 4412<sup>2</sup>-plywood, veneered panels and similar laminated wood
- 4413-densified wood, in blocks, plates, strips or profile shapes

*Ch. 45 Headings (Cork and Articles of Cork)*

- 4501-natural cork, raw or simply prepared; waste cork; crushed, granulated, or ground cork
- 4503-articles of natural cork

*Ch. 46 Headings (Basketware and Wickerwork)*

- 460121-bamboo mats, matting, and screens
- 460122-rattan mats, matting, and screens
- 460129-mats, matting, and screens of other vegetable materials
- 460192-bamboo plaits and similar products of plaiting materials, whether or not assembled into strips; plaiting materials, plaits and similar products of plaiting materials, bound together in parallel strands or woven, in sheet form, whether or not being finished articles
- 460193-rattan plaits and similar products of plaiting materials, whether or not assembled into strips; plaiting materials, plaits and similar

products of plaiting materials, bound together in parallel strands or woven, in sheet form, whether or not being finished articles

- 460194-plaits and similar products of plaiting materials, whether or not assembled into strips; plaiting materials, plaits and similar products of plaiting materials, bound together in parallel strands or woven, in sheet form, whether or not being finished articles of other vegetable materials
- 460211-bamboo basketwork, wickerwork and other articles
- 460212-rattan basketwork, wickerwork and other articles
- 4602190500-fishing baskets or creels of other vegetable materials
- 4602191200-willow baskets and bags, whether or not lined
- 4602193500-other willow or wood wickerwork
- 4602194500-other goods made from willow or wood plaits
- 4602196000-wickerwork of other vegetable materials
- 4602198000-other goods made from vegetable material plaits

*Ch. 56 Headings (Nonwovens, Twine, Ropes, and Cables and Articles Thereof)*

- 5608901000-fish netting and fishing nets of materials other than manmade materials

*Ch. 64 Headings (Footwear)*

- 64029923-footwear with a base or platform of wood with outer soles and uppers or rubber or plastics; and uppers of which over 90 percent of the external surface is rubber or plastics
- 64029925-footwear with a base or platform of cork with outer soles and uppers of rubber or plastics; and uppers of which over 90 percent of the external surface is rubber or plastics
- 64035111-footwear covering the ankle, with outer soles of leather, made on a base or platform of wood, not having an inner sole or a protective metal toe-cap
- 64035910-other footwear, with outer soles of leather made on a base or platform of wood, not having an inner sole or a protective metal toe-cap
- 64039111-other footwear covering the ankle made on a base or platform of wood, not having an inner sole or a protective metal toe-cap
- 64039910-other shoes made on a base or platform of wood, not having an inner sole or a protective metal toe-cap
- 64039920-other footwear made on a base or platform of wood

*Ch. 66 Headings (Umbrellas)*

- 6601-umbrellas and sun umbrellas

- 660320-umbrella frames, including frames mounted on shafts
- 66039041-umbrella handles, knobs, tips, and caps

*Ch. 82 Headings (Tools and Cutlery)*

- 820210-handsaws and parts thereof
- 820310-files, rasps, and similar tools
- 82032020-tweezers
- 8203206030-pliers
- 820520-hammers and sledgehammers, and parts thereof
- 820530-planes, chisels, gouges, and similar cutting tools for working wood, and parts thereof
- 820540-screwdrivers, and parts thereof
- 82055115-carving and butchers steels, with or without handles
- 8205513030-kitchen and table implements
- 8206-tools of two or more headings 8202 to 8205, put up in sets for retail sale
- 821110-sets of assorted knives
- 8211918030-steak knives
- 82119290-other knives with fixed blades
- 82119300-knives having other than fixed blades
- 821410-paper knives, letter openers, erasing knives, nonmechanical pencil sharpeners, and blades and parts thereof
- 821420-manicure or pedicure sets and instruments (including nail files), and parts thereof
- 82149030-cleavers with their handles
- 82159940-spoons and ladles with base metal (except stainless steel) or non-metal handles

*Ch. 84 Headings (Machinery, Boilers, and Nuclear Reactors)*

- 841891-furniture designed to receive refrigerating or freezing equipment
- 84189940-refrigerating or freezing equipment door assemblies incorporating more than one of the following: inner panel; outer panel; insulation; hinges; handles
- 8436800070-bee-keeping machinery
- 8436990030-parts of bee-keeping machinery
- 843840-brewery machinery
- 844520-textile spinning machines
- 8446100010-power looms for weaving fabrics of a width not exceeding 30 cm
- 8447119090-other circular knitting machines with circular diameter not exceeding 165 mm
- 8447129090-other circular knitting machines with circular diameter exceeding 165 mm
- 844811-dobbies and jacquards; card reducing, copying, punching or assembling machines for use with machines of heading 8444, 8445, 8446 or 8447

<sup>2</sup> Currently, most of HTS chapter 4412 has already been implemented, with two specified exemptions (44129906 and 441229957). APHIS established the exemptions in 2009 as a temporary exception for plywood that contained composite material. Since then, APHIS has established a special use designation for such material and is therefore eliminating the exemptions, and the entire chapter will be covered.

- 844833-spindles, spindle flyers, spinning rings, and ring travellers
- 8448420000-reeds for loom, healds, and heald-frames for weaving machines or of their auxiliary machinery
- 84509040-furniture designed to receive the machines of subheadings 8450.11 through 8450.20, inclusive
- 8451210090-other drying machines
- 8451906000-furniture designed to receive the drying machines of subheading 8451.21 or 8451.29
- 84529010-furniture, bases and covers for sewing machines, and parts thereof
- 8481805060-bath, shower, sink, and lavatory faucets
- 84819050-parts of hand operated and check appliances

*Ch. 85 Headings (Electrical Machinery and Equipment)*

- 851821-single loudspeakers, mounted in their enclosures
- 851822-multiple loudspeakers, mounted in the same enclosure
- 8538100000-boards, panels, consoles, desks, cabinets, and other bases for goods of heading 8537, not equipped with their apparatus
- 8543709810-amplifiers
- 8543709820-special effects pedals for use with musical instruments

*Ch. 87 Headings (Vehicles)*

- 87089450-steering wheels for other vehicles
- 871610-trailers and semi-trailers for housing or camping
- 871620-self-loading or self-unloading trailers and semi-trailers for agricultural purposes
- 8716390010-agricultural trailers
- 8716390020-trailers for use with vehicles of heading 8709
- 8716400000-other trailers and semi-trailers
- 87168010-farm wagons and carts
- 8716901090-parts of farm wagons and carts

*Ch. 88 Headings (Aircraft and Spacecraft)*

- 8802200115-airplanes and other aircraft with unladen weight not exceeding 450 kg

*Ch. 89 Headings (Boats)*

- 890110-cruise ships, excursion boats and similar vessels principally designed for the transport of persons; ferry boats of all kinds
- 890190-other vessels for the transport of goods and other vessels for the transport of both persons and goods
- 8902-fishing vessels, factory ships, and other vessels for processing or preserving fishery products

- 890321-sailboats, other than inflatable, with or without auxiliary motor of a length not exceeding 7.5 m
- 890322-sailboats, other than inflatable, with or without auxiliary motor of a length exceeding 7.5 m but not exceeding 9.2 m
- 890323-sailboats, other than inflatable, with or without auxiliary motor of a length exceeding 24 m
- 890331-motorboats, other than inflatable, not including outboard motorboats of a length not exceeding 7.5 m
- 890332-motorboats, other than inflatable, not including outboard motorboat of a length exceeding 7.5 m but not exceeding 24 m
- 890333-motorboats, other than inflatable, not including outboard motorboat of a length exceeding 24 m
- 89039305-canoes not of a type designed to be principally used with motors or sails of a length not exceeding 7.5 m
- 89039315-other row boats not of a type designed to be principally used with motors or sails of a length not exceeding 7.5 m
- 89039390-other vessels for pleasure or sports of a length not exceeding 7.5 m
- 89039906-other canoes
- 89039916-other rowboats
- 8903999100-other vessels
- 8904-tug boats and pusher crafts
- 8905901000-floating docks

*Ch. 90 Headings (Optical, Photographic, Cinematographic, Measuring, Checking, Precision, Medical, or Surgical Instruments and Apparatus; Parts and Accessories Thereof)*

- 900319-frames and mountings for spectacles, goggles or the like of non-plastics materials
- 900390-parts for spectacles, goggles or the like
- 900410-sunglasses
- 9005100040-prism binoculars
- 9005100080-other binoculars
- 90058040-optical telescopes
- 9005904000-parts and accessories (including mountings) incorporating goods of heading 9001 or 9002
- 900691-parts and accessories for cameras
- 90138020-hand magnifiers, magnifying glasses, loupes, thread counters and similar apparatus
- 90141060-gyroscopic compasses, other than electrical
- 90171080-other drafting tables and machines
- 9017204000-disc calculators, slide rules, and other mathematical calculating instruments

*Ch. 91 Headings (Clocks and Watches)*

- 910212-electrically operated wrist watches with opto-electric display only
- 91022902-straps, bands, or bracelets entered with watches of subheading 9102.29.04
- 9105195000-alarm clocks valued over \$5 each
- 9105295000-wall clocks valued over \$5 each
- 911180-other watch cases
- 91119070-other watch case parts
- 91122080-other clock cases and cases of a similar type for other goods of this chapter
- 911290-clock case parts

*Ch. 92 Headings (Musical Instruments)*

- 92059012-keyboard pipe organs
- 92059014-harmoniums and similar keyboard instruments with free metal reeds
- 92059015-piano accordions
- 92059018-accordions and similar instruments
- 92059019-mouth organs
- 92099180-other parts and accessories for pianos
- 92099905-metronomes, tuning forks, and pitch pipes
- 92099910-mutes for instruments; pedals, dampers and spurs for drums; pedals and holders for cymbals; lyres and other music holders for attachment to musical instrument; and collapsible stands for holding music or for holding musical instruments
- 92099961-parts for music boxes

*Ch. 93 Headings (Arms and Ammunitions)*

- 9301903020-rifles
- 93019060-shotguns
- 930310-muzzle-loading firearms
- 930320-other sporting, hunting, or target-shooting shotguns, including combination shotgun-rifles
- 9303304020-centerfire rifles valued over \$25 but not over \$50 each
- 9303304030-rimfire rifles valued over \$25 but not over \$50 each
- 9303308010-other autoloading centerfire rifles
- 9303308012-other single shot centerfire rifles
- 9303308017-other bolt action centerfire rifles
- 9303308025-other centerfire rifles
- 9303308030-other rimfire rifles
- 93039040-pistols and revolvers designed to fire only blank cartridges or blank ammunition
- 9303908000-other firearms
- 93052005-rifle stocks of shotguns or rifles of heading 9303

*Ch. 94 Headings (Furniture, Bedding, Mattresses, and Similar Articles)*

- 940131-swivel seats with variable height adjustment of wood
- 940152-bamboo seats
- 940153-rattan seats
- 940159-other seats of cane, osier, or similar materials
- 94016140-other upholstered chairs with wooden frames
- 94016160-other upholstered seats with wooden frames
- 9401790011-outdoor household seating with textile covered cushions or textile seating or backing material
- 9401790015-other outdoor seating with textile covered cushions or textile seating or backing material
- 9401790025-outdoor household seating
- 9401790035-other outdoor seating
- 9401806025-seats for children
- 9401806028-other household seating
- 94019115-wood parts of seats of a kind used in motor vehicles
- 94019190-other wood parts for seats
- 94019925-seat parts of cane, osier, bamboo or similar material
- 94033080-wooden furniture of a kind used in offices
- 94034060-wooden furniture of a kind used in the kitchen designed for motor vehicle use
- 94035060-wooden furniture of a kind used in the bedroom designed for motor vehicle use
- 94035090-wooden furniture of a kind used in the bedroom
- 94036080-other wooden furniture
- 94038200-bamboo furniture
- 94038300-rattan furniture
- 940389-other furniture of cane, osier, bamboo or similar materials
- 94039100-wood parts for furniture
- 94039920-furniture parts of cane, osier, bamboo or similar materials
- 940410-mattress supports
- 94051180-light fixtures of other materials
- 9405428410-other lighting sets
- 9406100000-prefabricated buildings made of wood

*Ch. 95 Headings (Toys, Games, and Sporting Equipment)*

- 9504300020-pinball machines and bell-type machines and consoles
- 9504300040-other games, operated by coins, banknotes, bank cards, tokens, or by any other means of payment, other than automatic bowling alley equipment
- 9504300060-parts and accessories of other games, operated by coins, banknotes, bank cards, tokens, or by any other means of payment, other than automatic bowling alley equipment

- 9504904000-game machines, other than those operated by coins, banknotes (paper currency), discs or similar articles; parts and accessories thereof
- 95049060-chess, checkers, parchisi, backgammon, darts and other games played on boards of a special design, all the foregoing games and parts there of (including their boards); mahjong and dominoes; any of the foregoing games in combination with each other, or with other games, packaged together as a unit in immediate containers of a type used in retail sales; poker chips and dice
- 9504909060-bowling equipment and parts and accessories thereof
- 95051015-Christmas ornaments of wood
- 95051030-nativity scenes and figures thereof
- 95061120-cross-country skis
- 95061140-other skis
- 95061160-parts and accessories of skis, not including ski poles
- 9506198040-ski poles and parts and accessories thereof
- 9506290020-water skis
- 9506290030-surf boards
- 950640-articles and equipment for table-tennis, and parts and accessories thereof
- 950651-lawn-tennis rackets, whether or not strung, and parts and accessories thereof
- 9506594080-other parts and accessories of badminton rackets not previously listed
- 9506990510-bows and bow parts
- 9506990520-arrows and arrow parts
- 95069915-baseball articles and equipment, except balls, and parts and accessories thereof
- 95069920-football, soccer, and polo articles and equipment, except balls, and parts and accessories thereof
- 95069925-ice-hockey and field-hockey articles and equipment, except balls and skates, and parts and accessories thereof
- 95069945-other items, including parts and accessories of sleds, bobsleds, toboggans, and the like
- 95071000-fishing rods and parts and accessories thereof
- 95079080-other items (including parts and accessories) of fishing rods and other line fishing tackle not previously listed
- 950810-traveling circuses and traveling menageries
- 950822-carousels, swings, and roundabouts
- 950829-other amusement park rides and water park amusements than previously listed
- 950830-fairground amusements
- 950840-traveling theaters

*Ch. 96 Headings (Miscellaneous Manufactured Articles)*

- 960310-brooms and brushes, consisting of twigs or other vegetable materials bound together, with or without handles
- 960330-artist brushes, writing brushes, and similar brushes for the application of cosmetics
- 96034020-paint rollers
- 96034040-natural bristle brushes
- 9603404060-other paint, distemper, varnish, or similar brushes than previously listed
- 96039040-feather dusters
- 96039080-other brooms
- 9605-travel sets for personal toilet, sewing or shoe or clothes cleaning other than manicure and pedicure sets listed under heading 8214
- 96062960-other buttons
- 960810-ball point pens
- 960830-fountain pens, stylograph pens, and other pens
- 96084040-propelling or sliding pencils with a mechanical action for extending, or for extending and retracting, the lead
- 960910-pencils and crayons, with leads encased in a sheath
- 9610-slates and boards with writing or drawing surfaces, whether or not framed
- 9611-date, sealing or numbering stamps and the like (including devices for printing and embossing labels), designed for operating in the hand; hand-operated composing sticks and hand printing sets incorporating such composing sticks
- 961320-gas fueled, refillable pocket lighters
- 96140025-other pipe and pipe bowls of wood or root
- 96151940-combs and hair-slides valued over \$4.50 per gross
- 96151960-other comb and hair-slides than previously listed
- 96159030-hair pins
- 96170010-vacuum flask vessels with parts other than glass inner having a capacity not exceeding 1 liter
- 96170030-vacuum flask vessels with parts other than glass inner having a capacity exceeding 1 liter but not 2 liters
- 96170040-vacuum flask vessels with parts other than glass inner having a capacity exceeding 2 liters
- 9618-tailors' dummies and other mannequins for shopwindow dressing

**Additional Information**

APHIS will continue to provide the latest information regarding the Lacey Act on our website, <https://www.aphis.usda.gov/aphis/ourfocus/planthealth/import-information/lacey-act>. The

website currently contains the Lacey Act, as amended; requirements, commodities and products covered, information on prohibitions, and the current status of implementation of the declaration requirement of the Lacey Act; frequently asked questions; the implementation schedule; and a link to the Lacey Act Web Governance System (LAWGS). The website will be updated as new materials become available. We encourage persons interested in receiving timely updates on APHIS' Lacey Act efforts to register for our stakeholder registry at <https://public.govdelivery.com/accounts/USDAAPHIS/subscriber/new/> and select "Lacey Act Declaration" as a topic of interest.

### Paperwork Reduction Act

This notice contains no new information collection or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). The information collection activities included in this notice are approved by the Office of Management and Budget under control number 0579-0349.

### E-Government Act Compliance

The Animal and Plant Health Inspection Service is committed to compliance with the E-Government Act to promote the use of the internet and other information technologies, to provide increased opportunities for citizen access to Government information and services, and for other purposes. For information pertinent to E-Government Act compliance related to this notice, please contact Mr. Joseph Moxey, APHIS' Information Collection Coordinator, at (301) 851-2533.

Done in Washington, DC, this 23rd day of May 2024.

**Michael Watson,**

*Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 2024-11901 Filed 5-30-24; 8:45 am]

**BILLING CODE 3410-34-P**

## DEPARTMENT OF AGRICULTURE

### Commodity Credit Corporation

#### Farm Service Agency

[Docket ID: FSA-2024-0006]

### Information Collection Request; Assignment of Payment; Joint Payment Authorization; and Request for Waiver

**AGENCY:** Commodity Credit Corporation and Farm Service Agency, USDA.

**ACTION:** Notice; request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act requirement, the Commodity Credit Corporation (CCC), and Farm Service Agency (FSA) are requesting comments from all interested individuals and organizations on a revision and an extension of a currently approved information collection.

**DATES:** We will consider comments that we receive by July 30, 2024.

**ADDRESSES:** We invite you to submit comments on this notice. You may submit comments electronically through Federal eRulemaking portal, identified by Docket ID: fsa02024-0006: Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

You may also send comments to the Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503.

Copies of the information collection may be requested by contacting Yanira Sanabria by calling her.

**FOR FURTHER INFORMATION CONTACT:** For specific questions related to collection activities, Yanira Sanabria, (202) 772-6032; email: [yanira.sanabria@usda.gov](mailto:yanira.sanabria@usda.gov). Persons with disabilities who require alternative mean for communication should contact the USDA's TARGET Center at (202) 720-2600 (Voice).

#### SUPPLEMENTARY INFORMATION:

*Title:* Assignment and Joint Payment Elections.

*Forms:* CCC-36, "Assignment of Payment;" CCC-37, "Joint Payment Authorization;" and FPAC-FMD-12 Electronic Funds Transfer (EFT) Hardship Waiver Request.

*OMB Control Number:* 0560-0183.

*Expiration Date of Approval:* August 31, 2024.

*Type of Request:* Revision and extension of a currently approved information collection request.

*Abstract:* FSA and CCC are requesting an extension with a revision of the currently approved information. Section 8(g) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(g)) authorizes producers to assign FSA conservation program payments in accordance with regulations issued by the Secretary. The Assignment of Payments regulation as specified in 7 CFR part 1404 requires that any such assignment be signed by both the assignor and the assignee. The Agricultural Act of 1949, as amended, extends that authority to CCC programs, including rice, feed grains, cotton, and wheat. The Natural Conservation Service (NRCS) is also using the forms,

but most NRCS programs are exempt from the PRA.

Producers (Assignors) use form CCC-36-Assignment of Payment to assign payments under various CCC, FSA, or NRCS programs. Customers may submit a completed CCC-36 to any FSA and NRCS County Office to be entered into the Financial Services application or the NRCS ProTracts web application. County Office data entry requires a second user for verification. The second user may be located in the same County Office or another Office. When there is no second user available, an employee from another County Office may perform this action by submitting a faxed copy of the form.

Producers use form CCC-37-Joint Payment Authorization to make program payments from the CCC or FSA jointly payable to multiple entities. They must submit the form in hard copy or electronically to the FSA County office that retains copies for the producer and joint payee. No fax is allowed for this form. There are no regulations governing joint payments (CCC-37-Joint Payment Authorization), but this service is offered as a result of public requests for the type of payment option.

Customers may use the form FPAC FMD-12, Electronic Funds Transfer (EFT) Hardship Waiver Request for FSA. Payments of Federal Benefits by Check to invoke a hardship waiver payment. In accordance with Treasury Regulation 31 CFR 208, Payments by electronic funds transfer (EFT) are not required for anyone over the age of 90 born prior to May 1, 1921. The hardship waiver request can currently be submitted either in person or by phone call to the local county FSA office by entering the waiver request in the Financial Service application for the following reasons: Geographic Barrier or Mental Impairment.

The differences in the forms are that FSA use a tax identification number instead of a social security number. Most NRCS programs and some FSA programs are exempt from the Paperwork Reduction Act.

In the information collection request, the number of responses and respondents decreased by 262,107 and the burden hours also decreased by 43,725 which were all due to fewer producers or farmers participating in several programs such as the Coronavirus Food Assistance Program (CFAP), Wildfires and Hurricanes Indemnity Program, and other FSA programs. The forms of CCC-251 and CCC-252 were removed from the collection due to less than 10 respondents using each form.

For the following estimated total annual burden on respondents, the formula used to calculate the total burden hours is the estimated average time per response multiplied by the estimated total annual responses.

**Estimate of Respondent Burden:** Public reporting burden for collecting information under this notice is estimated to average 0.1667 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collections of information.

**Type of Respondents:** Producers participating in FSA, CCC, and NRCS programs.

**Estimated Number of Respondents:** 202,612.

**Estimated Average Number of Responses per Respondent:** 2.163.

**Estimated Total Annual Responses:** 438,584.

**Estimated Average Time per Response:** 0.1664.

**Estimated Total Annual Burden on Respondents:** 72,962 hours.

We are requesting comments on all aspects of this information collection to help FSA:

(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 burden of the collection of information including the validity of the methodology and assumptions used;

(3) Evaluate the quality, ability and clarity of the information technology; and

(4) Minimize the burden of the information collection on those who respond through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

All comments received in response to this notice, including names and addresses when provided, will be made a matter of public record. Comments will be summarized and included in the submission for Office of Management and Budget approval.

#### USDA Non-Discrimination Policy

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are

prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family or parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Individuals who require alternative means of communication for program information (for example, braille, large print, audiotope, American Sign Language, etc.) should contact the responsible Agency or 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). Additionally, program information may be made available in languages other than English.

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

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

#### Zach Ducheneaux,

Executive Vice President, Commodity Credit Corporation. Administrator, Farm Service Agency.

[FR Doc. 2024-12001 Filed 5-30-24; 8:45 am]

BILLING CODE 3410-05-P

### COMMISSION ON CIVIL RIGHTS

#### Notice of Public Meeting of the Ohio Advisory Committee to the U.S. Commission on Civil Rights

**AGENCY:** U.S. Commission on Civil Rights.

**ACTION:** Notice of virtual business meeting.

**SUMMARY:** Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission

on Civil Rights (Commission) and the Federal Advisory Committee Act, that the Ohio Advisory Committee (Committee) to the U.S. Commission on Civil Rights will hold a public meeting via Zoom. The purpose of this meeting is discuss, revise, and vote, as needed, on matters related to the Committee's draft report on the source of income discrimination in Ohio housing.

**DATES:** Friday, June 28, 2024, from 1 p.m. to 2 p.m. eastern time.

**ADDRESSES:** This meeting will be held via Zoom.

**Registration Link (Audio/Visual):**

<https://bit.ly/44Sjc8O>

**Join by Phone (Audio Only):** 1-833-435-1820 USA Toll Free; Webinar ID: 161 452 6976#

#### FOR FURTHER INFORMATION CONTACT:

Melissa Wojnaroski, Designated Federal Officer, at [mwojnaroski@usccr.gov](mailto:mwojnaroski@usccr.gov) or 1-202-618-4158.

**SUPPLEMENTARY INFORMATION:** This Committee meeting is available to the public through the registration link above. Any interested members of the public may attend this meeting. An open comment period will be provided to allow members of the public to make oral statements 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 meeting platform. To request additional accommodations, please email [svillanueva@usccr.gov](mailto:svillanueva@usccr.gov) at least 10 business days prior to each meeting.

Members of the public are entitled to submit written comments; the comments must be received in the regional office within 30 days following the scheduled meeting. Written comments may be emailed to Melissa Wojnaroski at [mwojnaroski@usccr.gov](mailto:mwojnaroski@usccr.gov). Persons who desire additional information may contact the Regional Programs Coordination Unit at 1-202-618-4158.

Records generated from these meetings may be inspected and reproduced at the Regional Programs Coordination Unit Office, as they become available, both before and after each meeting. Records of the meetings will be available via [www.facadatabase.gov](http://www.facadatabase.gov) under the

Commission on Civil Rights, Ohio Advisory Committee link. Persons interested in the work of this Committee are directed to the Commission's website, <http://www.usccr.gov>, or may contact the Regional Programs Coordination Unit at [svillanueva@usccr.gov](mailto:svillanueva@usccr.gov).

### Agenda

- I. Welcome and Roll Call
- II. Approval of Minutes
- III. Announcements and Updates
- IV. Draft Report Discussion
- V. Next Steps
- VI. Public Comment
- VII. Adjournment

Dated: May 28, 2024.

**David Mussatt,**

*Supervisory Chief, Regional Programs Unit.*

[FR Doc. 2024-12019 Filed 5-30-24; 8:45 am]

**BILLING CODE P**

## COMMISSION ON CIVIL RIGHTS

### Notice of Public Meeting of the Utah Advisory Committee to the U.S. Commission on Civil Rights

**AGENCY:** U.S. Commission on Civil Rights.

**ACTION:** Notice of public meeting.

**SUMMARY:** Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act, that the Utah Advisory Committee (Committee) to the U.S. Commission on Civil Rights will hold a public meeting via Zoom at 3 p.m. MT on Monday, June 3, 2024. The purpose of the meeting is to discuss the Committee's project, *The Civil Rights Implications of Disparate Outcomes in Utah's K-12 Education System*.

**DATES:** Monday, June 3, 2024, from 3 p.m.-4:30 p.m. mountain time.

**ADDRESSES:** The meeting will be held via Zoom Webinar.

*Registration Link (Audio/Visual):*  
[https://www.zoomgov.com/webinar/register/WN\\_psyeeA0aT4SHFBOXibfUaw](https://www.zoomgov.com/webinar/register/WN_psyeeA0aT4SHFBOXibfUaw)

*Join by Phone (Audio Only):* (833) 435-1820 USA Toll-Free; Meeting ID: 161 368 3046

**FOR FURTHER INFORMATION CONTACT:** David Barreras, Designated Federal Officer, at [dbarreras@usccr.gov](mailto:dbarreras@usccr.gov) or (202) 656-8937.

**SUPPLEMENTARY INFORMATION:** This committee meeting is available to the public through the registration link above. Any interested member of the public may listen to the meeting. An

open comment period will be provided to allow members of the public to make a statement as time allows. Per the Federal Advisory Committee Act, public minutes of the meeting will include a list of persons who are present at the meeting. If joining via phone, callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Closed captioning will be available for individuals who are deaf, hard of hearing, or who have certain cognitive or learning impairments. To request additional accommodations, please email Liliana Schiller, Support Services Specialist, at [lschiller@usccr.gov](mailto:lschiller@usccr.gov) at least 10 business days prior to the meeting.

Members of the public are entitled to submit written comments; the comments must be received in the regional office within 30 days following the meeting. Written comments may be emailed to David Barreras at [dbarreras@usccr.gov](mailto:dbarreras@usccr.gov). Persons who desire additional information may contact the Regional Programs Coordination Unit at (312) 353-8311.

Records generated from this meeting may be inspected and reproduced at the Regional Programs Coordination Unit Office, as they become available, both before and after the meeting. Records of the meetings will be available via [www.facadatabase.gov](http://www.facadatabase.gov) under the Commission on Civil Rights, Utah Advisory Committee link. Persons interested in the work of this Committee are directed to the Commission's website, <http://www.usccr.gov>, or may contact the Regional Programs Coordination Unit at [lschiller@usccr.gov](mailto:lschiller@usccr.gov).

### Agenda

- I. Welcome & Roll Call
- II. Discussion: Civil Rights Implications of Disparate Outcomes in Utah's K-12 Education System
- III. Public Comment
- IV. Next Steps
- V. Adjournment

Dated: May 28, 2024.

**David Mussatt,**

*Supervisory Chief, Regional Programs Unit.*

[FR Doc. 2024-12020 Filed 5-30-24; 8:45 am]

**BILLING CODE P**

## COMMISSION ON CIVIL RIGHTS

### Notice of a Public Meeting of the Delaware Advisory Committee to the U.S. Commission on Civil Rights

**AGENCY:** Commission on Civil Rights.

**ACTION:** Announcement of meeting.

**SUMMARY:** Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission), and the Federal Advisory Committee Act (FACA), that the Delaware Advisory Committee to the Commission will hold a virtual meeting on Wednesday, June 12, 2024, at 1:00 p.m. ET. The purpose of the meeting is for post report discussion of the committee's report on COVID-19 health disparities and people of color in Delaware.

**DATES:** Wednesday, June 12, 2024, 1:00 p.m. ET.

*Meeting Link (Audio/Visual):* <http://tinyurl.com/5wjwkjnb>; password: USCCR-DE

*Join by Phone (Audio Only):* 1-833-435-1820 USA Toll-Free; Meeting ID: 161 474 2730#

**FOR FURTHER INFORMATION CONTACT:** Ivy L. Davis, at [ero@usccr.gov](mailto:ero@usccr.gov) or by phone at 1-202-530-8468.

**SUPPLEMENTARY INFORMATION:** Members of the public may attend these Committee meetings through the registration link above. Any interested member of the public may listen to the meeting. An open comment period will be provided to allow members of the public to make brief statements as time allows. Per the Federal Advisory Committee Act, public minutes of the meetings will include a list of persons who attend 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 will be available for individuals who are deaf, hard of hearing, or who have certain cognitive or learning impairments. To request additional accommodations, please email Evelyn Bohor, [ebohor@usccr.gov](mailto:ebohor@usccr.gov), at least 10 business days prior to the meeting.

Members of the public are entitled to submit written comments; the comments must be received in the regional office within 30 days following each meeting. Written comments may be emailed to the attention of Ivy Davis at [ero@usccr.gov](mailto:ero@usccr.gov). Persons who desire

additional information may contact Evelyn Bohor at [ebohor@usccr.gov](mailto:ebohor@usccr.gov).

Records generated from this meeting may be inspected and reproduced at the Regional Programs Coordination Unit Office, as they become available, both before and after the meeting. Records of all meetings will be available via [www.facadatabase.gov](http://www.facadatabase.gov) under the Commission on Civil Rights, Delaware Advisory Committee link. Persons interested in the work of this Committee are directed to the Commission's website, <http://www.usccr.gov>, or may contact Evelyn Bohor at [ebohor@usccr.gov](mailto:ebohor@usccr.gov).

#### Agenda

- I. Welcome and Roll Call
- II. Post Report Discussions
- III. Committee term ends June 16, 2024
- IV. Public Comments
- V. Adjourn

*Exceptional Circumstance:* Pursuant to 41 CFR 102–3.150, the notice for this meeting is given less than 15 calendar days prior to the meeting because of the exceptional circumstances of staffing limitations during the holiday.

Dated: May 28, 2024.

**David Mussatt,**

*Supervisory Chief, Regional Programs Unit.*

[FR Doc. 2024–12011 Filed 5–30–24; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[B–28–2024]

#### Foreign-Trade Zone (FTZ) 75, Notification of Proposed Production Activity; Lucid Motors USA, Inc.; (Lithium-Ion Batteries), Casa Grande and Tempe, Arizona

Lucid Motors USA, Inc. (Lucid) submitted a notification of proposed production activity to the FTZ Board (the Board) for its facilities located in Casa Grande and Tempe, Arizona within Subzone 75N. The notification conforming to the requirements of the Board's regulations (15 CFR 400.22) was received on May 22, 2024.

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/](http://www.trade.gov/)

*ftz*. The proposed finished product(s) and material(s)/component(s) would be added to the production authority that the Board previously approved for the operation, as reflected on the Board's website.

The proposed foreign-status materials/components include: lithium-ion battery cells and finished lithium-ion batteries (duty rate of 3.4%). The request indicates that certain materials/components may be subject to duties under section 301 of the Trade Act of 1974 (section 301), depending on the country of origin. The applicable section 301 decisions require subject merchandise to be admitted to FTZs in privileged foreign status (19 CFR 146.41). Lucid's original request for production authority (B–37–2020) sought to admit the foreign-status components described in this notification in PF status. This request would remove the PF status limitation.

Public comment is invited from interested parties. Submissions shall be addressed to the Board's Executive Secretary and sent to: [ftz@trade.gov](mailto:ftz@trade.gov). The closing period for their receipt is July 10, 2024.

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 Kolade Osho at [Kolade.Osho@trade.gov](mailto:Kolade.Osho@trade.gov).

Dated: May 28, 2024.

**Elizabeth Whiteman,**

*Executive Secretary.*

[FR Doc. 2024–11988 Filed 5–30–24; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[B–29–2024]

#### Foreign-Trade Zone (FTZ) 32, Notification of Proposed Production Activity; J.J.C. International Distributors LLC dba Clar Company; (Galvanized Steel Products); Miami, Florida

J.J.C. International Distributors LLC dba Clar Company submitted a notification of proposed production activity to the FTZ Board (the Board) for its facility in Miami, Florida within FTZ 32. The notification conforming to the requirements of the Board's regulations (15 CFR 400.22) was received on May 23, 2024.

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](http://www.trade.gov/ftz).

The proposed finished products include: galvanized steel studs, galvanized steel tracks, galvanized steel furring channels, galvanized steel angles, and galvanized steel corner beads (duty-free).

The proposed foreign-status materials/components include: hot dip galvanized steel sheet in coils (duty-free). The request indicates that certain materials/components may be subject to duties under section 301 of the Trade Act of 1974 (section 301), depending on the country of origin. The applicable section 301 decisions require subject merchandise to be admitted to FTZs in privileged foreign status (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](mailto:ftz@trade.gov). The closing period for their receipt is July 10, 2024.

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 Kolade Osho at [Kolade.Osho@trade.gov](mailto:Kolade.Osho@trade.gov).

Dated: May 28, 2024.

**Elizabeth Whiteman,**

*Executive Secretary.*

[FR Doc. 2024–11990 Filed 5–30–24; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–801–002]

#### Mattresses From Serbia: Preliminary Results of Antidumping Duty Administrative Review; 2022–2023

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**SUMMARY:** The U.S. Department of Commerce (Commerce) preliminarily finds that certain producers and/or exporters subject to this administrative review made sales of subject merchandise at less than normal value during the period of review (POR) May 1, 2022, through April 30, 2023. Interested parties are invited to comment on these preliminary results.



**DATES:** Applicable May 31, 2024.

**FOR FURTHER INFORMATION CONTACT:** Peter K. Farrell or Tyler R. Weinhold, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-2104 or (202) 482-1121, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

On May 14, 2021, Commerce published in the **Federal Register** an antidumping duty order on mattresses from Serbia.<sup>1</sup> On May 2, 2023, Commerce published in the **Federal Register** a notice of opportunity to request an administrative review of the *Order*.<sup>2</sup> On July 12, 2023, Commerce published the notice of initiation of the administrative review of the *Order*.<sup>3</sup> On January 22, 2024, we extended the time limit for completion of these preliminary results to May 24, 2024, in accordance with section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Act).<sup>4</sup>

**Scope of the Order**

The products covered by the scope of the *Order* are mattresses from Serbia. For a complete description of the scope of the *Order*, see the Preliminary Decision Memorandum.<sup>5</sup>

**Methodology**

Commerce is conducting this review in accordance with section 751(a) of the Act. For a full description of the methodology underlying these preliminary results, see the Preliminary Decision Memorandum.<sup>6</sup> A list of the topics discussed in the Preliminary Decision Memorandum is included as an appendix to this notice. The Preliminary Decision Memorandum is a public document and is on file

<sup>1</sup> See *Mattresses from Cambodia, Indonesia, Malaysia, Serbia, Thailand, the Republic of Turkey, and the Socialist Republic of Vietnam: Antidumping Duty Orders*, 86 FR 26460 (May 14, 2021) (*Order*).

<sup>2</sup> See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review and Join Annual Inquiry Service List*, 88 FR 27445 (May 2, 2023).

<sup>3</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 88 FR 44262 (July 12, 2023).

<sup>4</sup> See Memorandum, “Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,” dated January 22, 2024.

<sup>5</sup> See Memorandum, “Decision Memorandum for the Preliminary Results of the Administrative Review of the Antidumping Duty Order on Mattresses from Serbia; 2022–2023,” dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

<sup>6</sup> See Preliminary Decision Memorandum.

electronically via Enforcement and Compliance’s Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Preliminary Decision Memorandum can be found at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

**Preliminary Results of Review**

We preliminarily determine that the following weighted-average dumping margin exists for the period May 1, 2022, through April 30, 2023:

Exporter/producer	Estimated weighted-average dumping margin (percent)
Healthcare Europe DOO Ruma .....	42.09

**Disclosure and Public Comment**

Commerce intends to disclose to interested parties its calculations and analysis performed in these preliminary results, within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of this notice in the **Federal Register**, in accordance with 19 CFR 351.224(b).

Pursuant to 19 CFR 351.309(c), interested parties may submit case briefs or other written comments to the Assistant Secretary for Enforcement and Compliance no later than 30 days after the date of publication of this notice. Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than five days after the date for filing case briefs.<sup>7</sup> Interested parties who submit case or rebuttal briefs in this proceeding must submit: (1) a table of contents listing each issue; and (2) a table of authorities.<sup>8</sup>

As provided under 19 CFR 351.309(c)(2) and (d)(2), in prior proceedings we have encouraged interested parties to provide an executive summary of their brief that should be limited to five pages total, including footnotes. In this administrative review, we instead request that interested parties provide, at the beginning of their briefs, a public executive summary for each issue raised in their briefs.<sup>9</sup> Further, we request that

<sup>7</sup> See 19 CFR 351.309(d); see also *Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings*, 88 FR 67069, 67077 (September 29, 2023).

<sup>8</sup> See 19 CFR 351.309(c)(2) and (d)(2).

<sup>9</sup> We use the term “issue” here to describe an argument that Commerce would normally address

interested parties limit their executive summary of each issue to no more than 450 words, not including citations. We intend to use the executive summaries as the basis of the comment summaries included in the issues and decision memorandum that will accompany the final determination in this investigation. We request that interested parties include footnotes for relevant citations in the executive summary of each issue. Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).<sup>10</sup>

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, limited to issues raised in the case and rebuttal briefs, must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, within 30 days after the date of publication of this notice. Requests should contain: (1) the party’s name, address, and telephone number; (2) the number of participants and whether any participant is a foreign national; and (3) a list of the issues to be discussed. If a request for a hearing is made, Commerce intends to hold the hearing at a time and date to be determined. Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

All submissions, including case and rebuttal briefs, as well as hearing requests, should be filed via ACCESS.<sup>11</sup> An electronically filed document must be received successfully in its entirety by ACCESS by 5:00 p.m. Eastern Time on the established deadline.

**Final Results of Review**

Commerce intends to issue the final results of this administrative review, including the results of its analysis of the issues raised in any written briefs, no later than 120 days after the date of publication of this notice in the **Federal Register**, unless extended, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(1).

**Assessment Rates**

Upon completion of this administrative review, pursuant to section 751(a)(2)(A) of the Act, Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this

in a comment of the Issues and Decision Memorandum.

<sup>10</sup> See *Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings; Final Rule*, 88 FR 67069 (September 29, 2023).

<sup>11</sup> See 19 CFR 351.303.

review. If the weighted-average dumping margin for a mandatory respondent is not zero or *de minimis* in the final results of this review, we will calculate an importer-specific assessment rate on the basis of the ratio of the total amount of dumping calculated for each importer's examined sales and the total entered value of such sales in accordance with 19 CFR 351.212(b)(1).<sup>12</sup> If the weighted-average dumping margin is zero or *de minimis* in the final results of review, or if an importer-specific assessment rate is zero or *de minimis*, Commerce will instruct CBP to liquidate appropriate entries without regard to antidumping duties.<sup>13</sup> For entries of subject merchandise during the POR produced by the respondent(s) for which it did not know its merchandise was destined for the United States, we will instruct CBP to liquidate such entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.<sup>14</sup> The final results of this administrative review shall be the basis for the assessment of antidumping duties on entries of merchandise under review and for future cash deposits of estimated antidumping duties, where applicable.

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.*, within 90 days of publication).

### Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication in the **Federal Register** of the final results of this administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for companies subject to this review will be equal to the company-specific weighted-average dumping margin established in the final

<sup>12</sup> See *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings: Final Modification*, 77 FR 8101, 8103 (February 14, 2012).

<sup>13</sup> *Id.* 77 FR at 8102–03; see also 19 CFR 351.106(c)(2).

<sup>14</sup> See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

results of this administrative review; (2) for merchandise exported by a company not covered in this review but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published in the completed segment for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the less-than-fair-value investigation but the producer is, then the cash deposit rate will be the rate established in the most recently completed segment of the proceeding for the producer of the merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 112.11 percent, the all-others rate established in the less-than-fair-value investigation.<sup>15</sup> These cash deposit requirements, when imposed, shall remain in effect until further notice.

### Notification to Importers

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

### Notification to Interested Parties

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213(h)(2) and 19 CFR 351.221(b)(4).

Dated: May 23, 2024.

### Ryan Majerus,

*Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

### Appendix

#### List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the *Order*
- IV. Discussion of the Methodology
- V. Currency Conversion
- VI. Recommendation

[FR Doc. 2024–11945 Filed 5–30–24; 8:45 am]

#### BILLING CODE 3510–DS–P

<sup>15</sup> See *Mattresses from Serbia: Final Affirmative Determination of Sales at Less Than Fair Value, and Final Negative Finding of Critical Circumstances*, 86 FR 15892 (March 25, 2021).

## DEPARTMENT OF COMMERCE

### International Trade Administration

[C–580–888]

### Certain Carbon and Alloy Steel Cut-to-Length Plate From the Republic of Korea: Preliminary Results and Partial Rescission of Countervailing Duty Administrative Review; 2022

**AGENCY:** Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce.

**SUMMARY:** The U.S. Department of Commerce (Commerce) preliminarily determines that countervailable subsidies are being provided to certain producers and exporters of certain carbon and alloy steel cut-to-length plate (CTL plate) from the Republic of Korea (Korea) during the period of review (POR) January 1, 2022, through December 31, 2022. In addition, Commerce is rescinding this review with respect to 48 companies. Interested parties are invited to comment on these preliminary results of review.

**DATES:** Applicable May 31, 2024.

**FOR FURTHER INFORMATION CONTACT:** Faris Montgomery or Laurel Smalley, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–1537 or (202) 482–3456, respectively.

#### SUPPLEMENTARY INFORMATION:

### Background

On May 25, 2017, Commerce published a countervailing duty (CVD) order on CTL plate from Korea.<sup>1</sup> On July 12, 2023, Commerce published a notice of initiation of an administrative review of the *Order*.<sup>2</sup> We initiated an administrative review of 50 producers/exporters of CTL plate from Korea for the POR. On August 15, 2023, Commerce selected POSCO Co., Ltd. (POSCO) as the sole mandatory respondent in this administrative review.<sup>3</sup> On December 20, 2023, Commerce extended the deadline for the preliminary results of this review to no later than May 24, 2024.<sup>4</sup>

<sup>1</sup> See *Certain Carbon and Alloy Steel Cut-to-Length Plate from the Republic of Korea: Countervailing Duty Order*, 82 FR 24103 (May 25, 2017) (*Order*).

<sup>2</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 88 FR 44262, 44271 (July 12, 2023).

<sup>3</sup> See Memorandum, “Respondent Selection,” dated August 15, 2023.

<sup>4</sup> See Memorandum, “Extension of Deadline for Preliminary Results of Countervailing Duty

Continued

For a complete description of the events that followed the initiation of this review, see the Preliminary Decision Memorandum.<sup>5</sup> A list of topics discussed in the Preliminary Decision Memorandum is included at Appendix I. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

**Scope of the Order**

The merchandise covered by the Order is CTL plate. For a complete description of the scope of the Order, see the Preliminary Decision Memorandum.

**Rescission of Administrative Review, in Part**

On September 14, 2023, Commerce notified interested parties that we intended to rescind this administrative review for 48 companies for which the record information shows no suspended entries of subject merchandise during the POR.<sup>6</sup> No parties commented on the notification of the intent to rescind the review, in part. Therefore, we find that there were no entries of subject merchandise during the POR by the 48 companies listed in Appendix II. As a result of our finding, we are rescinding this review, in part, pursuant to 19 CFR 351.213(d)(3) with respect to these companies. For further information regarding this determination, see "Rescission of Administrative Review, In Part" section in the Preliminary Decision Memorandum.

**Methodology**

Commerce is conducting this CVD administrative review in accordance with section 751(a)(1)(A) of the Tariff Act of 1930, as amended (the Act). For each of the subsidy programs found countervailable, we preliminarily determine that there is a subsidy, *i.e.*, a government-provided financial contribution that gives rise to a benefit

Administrative Review; 2022," dated December 20, 2023.

<sup>5</sup> See Memorandum, "Decision Memorandum for the Preliminary Results of the Countervailing Duty Administrative Review of Certain Carbon and Alloy Steel Cut-to-Length Plate from the Republic of Korea; 2022," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

<sup>6</sup> See Memorandum, "Notice of Intent to Rescind Review, in Part," dated September 14, 2023.

to the recipient, and that the subsidy is specific.<sup>7</sup> For a full description of the methodology underlying our conclusions, see the Preliminary Decision Memorandum.

**Preliminary Results of Review**

As a result of this review, we preliminarily determine the following net countervailable subsidy rate exists for the POR, January 1, 2022, through December 31, 2022:

Manufacturer/exporter	Countervailable subsidy rate (percent <i>ad valorem</i> )
POSCO <sup>8</sup> .....	1.47

*Disclosure*

Commerce intends to disclose its calculations and analysis performed to interested parties for these preliminary results within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

**Public Comment**

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance. Pursuant to 19 CFR 351.309(c), interested parties may submit case briefs no later than 30 days after the date of publication of this notice.<sup>9</sup> Rebuttal briefs, limited to issues raised in the case briefs, may be filed no later than seven days after the date for filing case briefs.<sup>10</sup> Pursuant to 19 CFR 351.309(d)(2), rebuttal briefs must be limited to issues raised in the case

<sup>7</sup> See sections 771(5)(B) and (D) of the Act regarding financial contribution; section 771(5)(E) of the Act regarding benefit; and section 771(5A) of the Act regarding specificity.

<sup>8</sup> As discussed in the Preliminary Decision Memorandum, Commerce preliminarily finds the following companies to be cross-owned with POSCO: POSCO Chemical Co., Ltd.; POSCO Holdings Inc.; POSCO Mobility Solution Co., Ltd.; POSCO M-Tech Co., Ltd.; and POSCO Nippon Steel RHF Joint Venture Co., Ltd. The subsidy rate applies to all cross-owned companies. We note that POSCO has an affiliated trading company through which it exported certain subject merchandise during the POR, POSCO International (aka POSCO International Corporation). POSCO International was not selected as a mandatory respondent but was examined in the context of POSCO. Therefore, there is not an established CVD rate for POSCO International; POSCO International's subsidies are accounted for in POSCO's total subsidy rate. Instead, entries of subject merchandise exported by POSCO International will receive the rate of the producer listed on the U.S. Customs and Border Protection (CBP) entry form. Thus, the subsidy rate applied to POSCO and POSCO's cross-owned affiliates is also applied to POSCO International for entries of subject merchandise produced by POSCO.

<sup>9</sup> See 19 CFR 351.309(c)(1)(ii).

<sup>10</sup> See 19 CFR 351.309(d)(1) and (2).

briefs. Interested parties who submit case briefs or rebuttal briefs in this proceeding must submit: (1) a table of contents listing each issue; and (2) a table of authorities.<sup>11</sup>

As provided under 19 CFR 351.309(c)(2) and (d)(2), in prior proceedings we have encouraged interested parties to provide an executive summary of their brief that should be limited to five pages total, including footnotes. In this review, we instead request that interested parties provide at the beginning of their briefs a public, executive summary for each issue raised in their briefs.<sup>12</sup> Further, we request that interested parties limit their public executive summary of each issue to no more than 450 words, not including citations. We intend to use the public executive summaries as the basis of the comment summaries included in the issues and decision memorandum that will accompany the final results in this administrative review. We request that interested parties include footnotes for relevant citations in the public executive summary of each issue. Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).<sup>13</sup>

Pursuant to 19 CFR 251.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, using Enforcement and Compliance's ACCESS system within 30 days of publication of this notice.<sup>14</sup> Requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants; (3) whether any participant is a foreign national; and (4) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case and rebuttal briefs. If a request for a hearing is made, Commerce intends to hold the hearing at a time and date to be determined. Parties should confirm the date and time of the hearing two days before the scheduled date.

Parties are reminded that all briefs and hearing requests must be filed electronically using ACCESS<sup>15</sup> and must be served on interested parties.<sup>16</sup> Electronically filed documents must be

<sup>11</sup> See 19 CFR 351.309(c)(2) and (d)(2).

<sup>12</sup> We use the term "issue" here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

<sup>13</sup> See *Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings*, 88 FR 67069, 67077 (September 29, 2023).

<sup>14</sup> See 19 CFR 351.310(c).

<sup>15</sup> See 19 CFR 351.303.

<sup>16</sup> See 19 CFR 351.303(f).

received successfully in their entirety by 5:00 p.m. Eastern Time on the established deadline.

### Final Results

Unless the deadline is extended pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(2), Commerce intends to issue the final results of this administrative review, including the results of its analysis of the issues raised by the parties in any written briefs, no later than 120 days after the date of publication of these preliminary results.

### Assessment Rates

In accordance with 19 CFR 351.221(b)(4)(i), we preliminarily assigned subsidy rates in the amounts shown above for the producers/exporters shown above. Upon completion of the administrative review, consistent with section 751(a)(1) of the Act and 19 CFR 351.212(b)(2), Commerce shall determine, and CBP shall assess, countervailing duties on all appropriate entries covered by this review, for the above-listed companies.

For the companies for which this review is rescinded, Commerce will instruct CBP to assess countervailing duties on all appropriate entries at a rate equal to the cash deposit of estimated countervailing duties required at the time of entry, or withdrawal from warehouse, for consumption, during the period January 1, 2022, through December 31, 2022, in accordance with 19 CFR 351.212(c)(1)(i). We intend to issue assessment instructions to CBP no earlier than 35 days after the date of publication of this notice in the **Federal Register**.

For the companies remaining in the review, we intend to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.*, within 90 days of publication).

### Cash Deposit Requirements

Pursuant to section 751(a)(2)(C) of the Act, Commerce intends, upon publication of the final results, to instruct CBP to collect cash deposits of estimated countervailing duties in the amounts calculated in the final results for the companies listed above on shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of

publication of the final results of this review, except, where the rate calculated in the final results is zero or *de minimis*, no cash deposit will be required. For all non-reviewed firms, we will instruct CBP to continue to collect cash deposits of estimated countervailing duties at the most recent company-specific or all-others rate applicable to the company, as appropriate. These cash deposit instructions, when imposed, shall remain in effect until further notice.

### Notification to Interested Parties

These preliminary results of review are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213(d)(4) and 351.221(b)(4).

Dated: May 24, 2024.

### Ryan Majerus,

*Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

### Appendix I

#### List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Period of Review
- V. Diversification of Korea's Economy
- VI. Rescission of the Administrative Review, In Part
- VII. Subsidies Valuation Information
- VIII. Benchmarks and Interest Rates
- IX. Analysis of Programs
- X. Recommendation

### Appendix II

#### Companies for Which Commerce Is Rescinding the Review

1. Ajin Industrial Co., Ltd.
2. BDP International
3. Blue Track Equipment
4. Boxco, Inc.
5. Bukook Steel Co., Ltd.
6. Buma CE Co., Ltd.
7. China Chengdu International Techno-Economic Cooperation Co., Ltd.
8. Daehan I.M. Co., Ltd.
9. Daehan Tex Co., Ltd.
10. Daelim Industrial Co., Ltd.
11. Daesam Industrial Co., Ltd.
12. Daesin Lighting Co., Ltd.
13. Daewoo International Corp.
14. Dong Yang Steel Pipe
15. DKC
16. DK Corporation
17. DK Dongshin Co., Ltd.
18. Dongbu Steel Co., Ltd.
19. Dongkuk Industries Co., Ltd.
20. Dongkuk Steel Mill Co., Ltd.
21. EAE Automotive Equipment
22. EEW KHPC Co., Ltd.
23. Eplus Expo Inc.
24. GS Global Corp.
25. Haem Co., Ltd.
26. Han Young Industries

27. Hyosung Corp.
28. Hyundai Steel Co.
29. Jinmyung Frictech Co., Ltd.
30. Khana Marine Ltd.
31. Kindus Inc.
32. Korean Iron and Steel Co., Ltd.
33. Kyoungil Precision Co., Ltd.
34. LG Electronics Inc.
35. Menics
36. Qian'an Rentai Metal Products Co., Ltd.
37. Samsun C&T Corp.
38. Samsung Electronics Co., Ltd.
39. Shinko
40. Shipping Imperial Co., Ltd.
41. Sinchang Eng Co., Ltd.
42. SK Networks Co., Ltd.
43. SNP Ltd.
44. Steel N People Ltd.
45. Summit Industry
46. Sungjin Co., Ltd.
47. Wonbang Tech Co., Ltd.
48. Young Sun Steel

[FR Doc. 2024-11991 Filed 5-30-24; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[RTID 0648-XE002]

#### 32nd General Advisory Committee to the U.S. Section to the Inter-American Tropical Tuna Commission and 17th Scientific Advisory Subcommittee to the General Advisory Committee; Meeting Announcement

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of public meeting.

**SUMMARY:** NMFS announces a public meeting of the 32nd General Advisory Committee (GAC) to the U.S. Section to the Inter-American Tropical Tuna Commission (IATTC) and the 17th Scientific Advisory Subcommittee (SAS) to the GAC. This meeting will be held on July 22 and 23, 2024, via webinar. The meeting topics are described under the **SUPPLEMENTARY INFORMATION** section of this notice.

**DATES:** The virtual meeting of the SAS and GAC will be held on Monday July 22, 2024, and Tuesday July 23, 2024, from 9 a.m. to 1 p.m. PDT each day (or until business is concluded). You must complete the registration process by June 17, 2024, if you plan to attend the meeting (see **ADDRESSES**).

**ADDRESSES:** If you plan to attend the meeting, which will be held by webinar, please register at <https://forms.gle/DpUoHLPXrMNyRBJ79>. Instructions for attending the meeting will be emailed to meeting participants before the meeting occurs. This meeting may be audio

recorded for the purposes of generating notes of the meeting. As public comments will be made publicly available, participants and public commenters are urged not to provide personally identifiable information (PII) at this meeting. Participation in the meeting by web conference or by telephone constitutes consent to the audio recording. Executive sessions are not open to the public, and are therefore not recorded.

**FOR FURTHER INFORMATION CONTACT:** Amanda Munro, NMFS West Coast Region, (619) 407-9284 or [amanda.munro@noaa.gov](mailto:amanda.munro@noaa.gov).

**SUPPLEMENTARY INFORMATION:** The timing of U.S. SAS and GAC meetings are adjusted based on the dates of the IATTC Annual Meeting. This year, the IATTC will convene its 15th Meeting of the Scientific Advisory Committee (SAC) in June 2024, and the 102nd Annual Meeting of the IATTC will be held on August 26–September 6, 2024. For 2024, the combined U.S. SAS and GAC Meeting will be held on July 22–23, after the IATTC SAC Meeting and before the IATTC Annual Meeting. This timing allows for scientific topics presented at the IATTC SAC Meeting, including stock assessments, to be discussed and used to inform U.S. positions at the combined U.S. SAS and GAC Meeting. This meeting will also include updates from IATTC working groups and is expected to include presentations of draft U.S. proposals to be submitted to the IATTC. An executive session may be called in order to discuss sensitive information, including possible U.S. negotiating positions for the upcoming IATTC Annual Meeting.

In accordance with the Tuna Conventions Act (16 U.S.C. 951 *et seq.*) (TCA), the U.S. Department of Commerce, in consultation with the Department of State (the State Department), appoints a GAC to the U.S. Section to the IATTC and a SAS that advises the GAC. The U.S. Section consists of the four U.S. Commissioners and alternate U.S. Commissioners to the IATTC and representatives of the State Department, NOAA, Department of Commerce, other U.S. Government agencies, and stakeholders. The GAC provides recommendations to the U.S. section of the IATTC. The purpose of the SAS is to advise the GAC on

scientific matters and provide recommendations to the GAC. Per the TCA, the SAS advises the GAC on matters including the conservation of ecosystems, the sustainable uses of living marine resources related to the tuna fishery in the eastern Pacific Ocean, and the long-term conservation and management of stocks of living marine resources in the eastern tropical Pacific Ocean. NMFS West Coast Region staff provides administrative and technical support services as necessary for the effective functioning of the SAS and GAC.

The meetings of the SAS and GAC are open to the public, unless in executive session. The time and manner of public comment will be at the discretion of the Chairs for the SAS and GAC. For more information and updates on the upcoming IATTC meetings, please visit the IATTC's website: <https://www.iatcc.org/MeetingsENG.htm>.

#### SAS and GAC Meeting Topics

Given the virtual nature of these meetings, the agenda will be concise. The SAS and GAC meeting to prepare for the 101st IATTC Annual Meeting is expected to cover a broad spectrum of topics including but not limited to:

- (1) Outcomes of the most recent IATTC stock assessments and updates for tuna, tuna-like species, and other species caught in association with those fisheries in the eastern Pacific Ocean;
- (2) Evaluation of the IATTC Staff's Recommendations to the Commission for 2024;
- (3) Potential proposal(s) to the IATTC;
- (4) Updates from Joint IATTC-Western and Central Pacific Fisheries Commission Northern Committee Working Group on Pacific Bluefin Tuna;
- (5) Recommendations from the SAS and GAC members; and
- (6) Other issues as they arise.

#### Special Accommodations

Requests for sign language interpretation or other auxiliary aids should be directed to Amanda Munro (see **FOR FURTHER INFORMATION CONTACT**).

*Authority:* 16 U.S.C. 951 *et seq.*

Dated: May 24, 2024.

**Karen H. Abrams,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 2024-11974 Filed 5-30-24; 8:45 am]

**BILLING CODE 3510-22-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[RTID 0648-XE005]

#### Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permits

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice; request for comments.

**SUMMARY:** The Assistant Regional Administrator for Sustainable Fisheries, Greater Atlantic Region, NMFS, has made a preliminary determination that an exempted fishing permit application contains all of the required information and warrants further consideration. The exempted fishing permit would allow federally permitted fishing vessels to fish outside fishery regulations in support of exempted fishing activities proposed by the Coonamessett Farm Foundation. Regulations under the Magnuson-Stevens Fishery Conservation and Management Act require publication of this notification to provide interested parties the opportunity to comment on applications for proposed exempted fishing permits.

**DATES:** Comments must be received on or before June 14, 2024.

**ADDRESSES:** You may submit written comments by the following method:

- *Email:* [nmfs.gar.efp@noaa.gov](mailto:nmfs.gar.efp@noaa.gov). Include in the subject line "Investigation of baiting practices on catch and bycatch in gillnets and design of an effective outreach program to minimize seabird bycatch".

**FOR FURTHER INFORMATION CONTACT:** Anjali Bhardwaj, Fishery Management Specialist, [anjali.bhardwaj@noaa.gov](mailto:anjali.bhardwaj@noaa.gov), 978-281-9293.

**SUPPLEMENTARY INFORMATION:** The applicant submitted a complete application for an exempted fishing permit (EFP) to conduct commercial fishing activities that the regulations would otherwise restrict. This EFP would exempt the participating vessels from the following Federal regulations:

TABLE 1—REQUESTED EXEMPTIONS

CFR citation	Regulation	Need for exemption
50 CFR 648.11, but not to include 648.11(l)(3).	Monitoring Coverage .....	The three vessels participating in this EFP have limited deck space and/or life raft capacity and cannot accommodate both an observer and a project scientist. As stated in 648.11(l)(3), the participating vessels are still required to submit pre-trip notifications.

TABLE 2—PROJECT SUMMARY

Project title .....	Investigation of baiting practices on catch and bycatch in gillnets and design of an effective outreach program to minimize seabird bycatch.
Project start .....	July 1, 2024.
Project end .....	October 15, 2024.
Project objectives .....	Investigate differences in levels of shearwater bycatch during spiny dogfish sets utilizing different gillnet baiting strategies.
Project location .....	Georges Bank.
Number of vessels .....	3.
Number of trips .....	40 total, up to 15 per vessel.
Trip duration (days) .....	1.
Total number of days .....	20 (each trip includes 2 vessels).
Gear type(s) .....	Gillnet.
Number of tows or sets .....	1 set per trip.
Duration of tows or sets .....	1 hour.

**Project Narrative**

The Coonamesset Farm Foundation, Inc. (CFF) is requesting an EFP in support of a study aimed at better understanding how demersal gillnet baiting practices influence shearwater bycatch off the coast of Cape Cod. In the subject fishery, vessels harvest and process skates, and then use the skate racks to bait gillnets that are deployed to target dogfish, which can result in bycaught seabirds. This EFP would be for the first year of a 2-year study.

Under the EFP, three participating vessels would be exempt from Northeast Fishery Observer Program monitoring coverage due to limited vessel space and safety equipment needed to accommodate CFF personnel during research trips. No other exemptions are needed to perform this project. Vessels will target dogfish using 6.5-inch (16.5-centimeter) mesh gillnets set in strings consisting of 12 nets each. Of the 12 nets, half will utilize either forward baiting (baiting nets before setting) or after baiting (baiting nets after setting), and the remaining nets will not include bait. CFF intends to use retained and discarded catch weights to assess the effect that different baiting treatments have on catch. Any entangled seabird will be documented in detail. CFF intends to use cameras to quantify behavior and abundance of seabird species in the study area using cameras. The results will determine if high levels of seabird bycatch correlate with specific gillnet baiting strategies.

CFF, or contracted scientific personnel, will accompany trips under the EFP. Legal catch will be landed for

sale. If approved, the applicant may request minor modifications and extensions to the EFP throughout the year. EFP modifications and extensions may be granted without further notice if they are deemed essential to facilitate completion of the proposed research and have minimal impacts that do not change the scope or impact of the initially approved EFP request. Any fishing activity conducted outside the scope of the exempted fishing activity would be prohibited.

All comments received are a part of the public record and may be posted for public viewing without change. All personal identifying information (e.g., name, address), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter “anonymous” as the signature if you wish to remain anonymous).

*Authority:* 16 U.S.C. 1801 *et seq.*

Dated: May 24, 2024.

**Karen H. Abrams,**  
*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
 [FR Doc. 2024–11913 Filed 5–30–24; 8:45 am]

**BILLING CODE 3510–22–P**

**COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED**

**Procurement List; Proposed Addition and Deletion**

**AGENCY:** Committee for Purchase From People Who Are Blind or Severely Disabled.

**ACTION:** Proposed addition to and deletion from the Procurement List.

**SUMMARY:** The Committee is proposing to add service(s) to the Procurement List that will be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities, and delete product(s) previously furnished by such agencies.

**DATES:** *Comments must be received on or before:* June 30, 2024.

**ADDRESSES:** Committee for Purchase From People Who Are Blind or Severely Disabled, 355 E Street SW, Suite 325, Washington, DC 20024.

**FOR FURTHER INFORMATION CONTACT:** For further information or to submit comments contact: Michael R. Jurkowski, Telephone: (703) 785–6404, or email [CMTEFedReg@AbilityOne.gov](mailto:CMTEFedReg@AbilityOne.gov).

**SUPPLEMENTARY INFORMATION:** This notice is published pursuant to 41 U.S.C. 8503 (a)(2) and 41 CFR 51–2.3. Its purpose is to provide interested persons an opportunity to submit comments on the proposed actions.

**Additions**

In accordance with 41 CFR 51–5.3(b), the Committee intends to add this services requirement to the Procurement List as a mandatory purchase only for

DEPT OF THE ARMY, W2V6 USA ENG SPT CTR HUNTSVIL, CA at Fort Liberty, NC with the proposed qualified nonprofit agency as the authorized source of supply. Prior to adding the service to the Procurement List, the Committee will consider other pertinent information, including information from Government personnel and relevant comments from interested parties regarding the Committee's intent to geographically limit this services requirement.

The following service(s) are proposed for addition to the Procurement List for production by the nonprofit agencies listed:

*Service(s)*

*Service Type:* Base Operations Support.  
*Mandatory for:* US Army, DPW, Fort Liberty, Fort Liberty, NC

*Authorized Source of Supply:* Skookum Educational Programs, Bremerton, WA

*Contracting Activity:* DEPT OF THE ARMY, W2V6 USA ENG SPT CTR HUNTSVIL, CA

**Deletions**

The following product is proposed for deletion from the Procurement List:

*Product(s)*

*NSN(s)—Product Name(s):*

8920-01-E62-4281—Rice, Long Grain, Parboiled, 6/10 lb. Pkgs.

*Designated Source of Supply:*

VisionCorps, Lancaster, PA  
*Contracting Activity:* DLA TROOP SUPPORT, PHILADELPHIA, PA

**Michael R. Jurkowski,**

*Director, Business Operations.*

[FR Doc. 2024-11963 Filed 5-30-24; 8:45 am]

**BILLING CODE 6353-01-P**

**COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED**

**Procurement List; Deletions**

**AGENCY:** Committee for Purchase From People Who Are Blind or Severely Disabled.

**ACTION:** Deletions from the Procurement List.

**SUMMARY:** This action deletes product(s) from the Procurement List that were furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

**DATES:** *Date deleted from the Procurement List:* June 30, 2024.

**ADDRESSES:** Committee for Purchase From People Who Are Blind or Severely

Disabled, 355 E Street SW, Suite 325, Washington, DC 20024.

**FOR FURTHER INFORMATION CONTACT:**

Michael R. Jurkowski, Telephone: (703) 785-6404, or email [CMTEFedReg@AbilityOne.gov](mailto:CMTEFedReg@AbilityOne.gov).

**SUPPLEMENTARY INFORMATION:**

**Deletions**

On 4/26/2024 (89 FR 32404), the Committee for Purchase From People Who Are Blind or Severely Disabled published notice of proposed deletions from the Procurement List. This notice is published pursuant to 41 U.S.C. 8503 (a)(2) and 41 CFR 51-2.3.

After consideration of the relevant matter presented, the Committee has determined that the product(s) listed below are no longer suitable for procurement by the Federal Government under 41 U.S.C. 8501-8506 and 41 CFR 51-2.4.

*Regulatory Flexibility Act Certification*

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in additional reporting, recordkeeping or other compliance requirements for small entities.

2. The action may result in authorizing small entities to furnish the product(s) to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 8501-8506) in connection with the product(s) deleted from the Procurement List.

*End of Certification*

Accordingly, the following product(s) are deleted from the Procurement List:

*Product(s)*

*NSN(s)—Product Name(s):*

7510-01-383-7680—Grips, Pencil, Cusheeze

*Designated Source of Supply:* West Texas Lighthouse for the Blind, San Angelo, TX

*Contracting Activity:* GSA/FAS ADMIN SVCS ACQUISITION BR(2), NEW YORK, NY

**Michael R. Jurkowski,**

*Director, Business Operations.*

[FR Doc. 2024-11964 Filed 5-30-24; 8:45 am]

**BILLING CODE 6353-01-P**

**CORPORATION FOR NATIONAL AND COMMUNITY SERVICE**

**Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; AmeriCorps Member Exit Survey**

**AGENCY:** Corporation for National and Community Service.

**ACTION:** Notice of information collection; request for comment.

**SUMMARY:** The Corporation for National and Community Service, operating as AmeriCorps, has submitted a public information collection request (ICR) entitled Member Exit Survey for review and approval in accordance with the Paperwork Reduction Act.

**DATES:** Written comments must be submitted to the individual and office listed in the **ADDRESSES** section by July 1, 2024.

**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](http://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:** Copies of this ICR, with applicable supporting documentation, may be obtained by calling the Corporation for National and Community Service, Dr. Andrea Robles, Office of Evaluation and Research, (202) 510-6292, [arobles@americorps.gov](mailto:arobles@americorps.gov).

**SUPPLEMENTARY INFORMATION:** The OMB is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of CNCS, 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;
- Propose ways to enhance the quality, utility, and clarity of the information to be collected; and
- Propose ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

**Comments**

A 60-day notice requesting public comment was published in the **Federal Register** on March 26, 2024 at 89 FR 20951. This comment period ended May 28, 2024. No public comments were received from this notice.

*Title of Collection:* AmeriCorps Member Exit Survey.

*OMB Control Number:* 3045–0094.  
*Type of Review:* Revision.

*Respondents/Affected Public:* Individuals.

*Total Estimated Number of Annual Responses:* 80,000.

*Total Estimated Number of Annual Burden Hours:* 20,000.

**Abstract:** All members in the three AmeriCorps programs—AmeriCorps State & National, VISTA, and the National Civilian Community Corps (NCCC)—are invited to complete a questionnaire upon completing their service term. The questionnaire asks members about their motivations for joining AmeriCorps, experiences while serving, and future plans and aspirations. Completion of the questionnaire is not required to successfully exit AmeriCorps or to receive any stipends, education awards, or other benefits of service. The purpose of the information collection is to learn more about the member experience and members' perceptions of their AmeriCorps experience so that AmeriCorps can improve the program. Members complete the questionnaire electronically through the AmeriCorps Member Portal. Members are invited to respond as their exit date nears and are allowed to respond for an indefinite period following the original invitation. AmeriCorps seeks to revise the current information collection. The questionnaire submitted for clearance will be revised to change response options for one of the questions or to add a new question, as needed, to better obtain information on self-efficacy. AmeriCorps also seeks to continue using the currently approved information collection until the renewed information collection is approved by OMB. The current application expires on May 31, 2024.

**Mary Hyde,**

*Director, Office of Research and Evaluation.*  
[FR Doc. 2024–12013 Filed 5–30–24; 8:45 am]

**BILLING CODE 6050–28–P**

**DEPARTMENT OF DEFENSE****Office of the Secretary**

[Docket ID: DoD–2024–OS–0063]

**Privacy Act of 1974; System of Records**

**AGENCY:** Office of the Secretary of Defense, Department of Defense (DoD).

**ACTION:** Notice of a modified system of records.

**SUMMARY:** In accordance with the Privacy Act of 1974, the DoD is modifying and reissuing a current system of records titled, “Adjunct Faculty Information Database, DSCA 04.” This system of records was originally established by the Defense Security Cooperation Agency to collect and maintain records on adjunct faculty members on assignment with the Defense Institute of International Legal Studies (DILS). This system of records notice (SORN) name is changing from “Adjunct Faculty Information Database” to “Adjunct Faculty Information Records.” In addition to the name change, this system is being updated to incorporate the DoD standard routine uses. The DoD is also modifying various other sections within the SORN to improve clarity or update information that has changed.

**DATES:** This system of records is effective upon publication; however, comments on the Routine Uses will be accepted on or before July 1, 2024. The Routine Uses are effective at the close of the comment period.

**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 Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency, Regulatory Directorate, 4800 Mark Center Drive, Attn: Mailbox 24, Suite 08D09, 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:**

Teresa D. Simpson, Component Privacy

Officer, Defense Security Cooperation Agency (DSCA), Office of General Counsel, 220 12th Street South, Suite 103, Arlington, VA 22202, [teresa.d.simpson.civ@mail.mil](mailto:teresa.d.simpson.civ@mail.mil), (703) 697–9032.

**SUPPLEMENTARY INFORMATION:****I. Background**

The DILS supports U.S. foreign policy and national security policy with rule of law training and education focused on human rights, international humanitarian law, and the law of armed conflict. The data will also be used as a resource for future travel and training assignments, as a record of adjunct assignments and a basis to identify training requirements for the adjunct faculty. Subject to public comment, the DoD is updating this SORN to add the standard DoD routine uses (A through J). Other modifications are to the following sections: (1) System name change from “Adjunct Faculty to Information Database” to “Adjunct Faculty Information Records,” (2) System Manager to update the contact information, (3) Authority for Maintenance of the System to update citation(s); (4) Purpose of the System to improve clarity; (5) Categories of individuals to clarify the individuals covered by the systems; (6) Records Source Categories to add additional sources; (7) Policies and Practices For Retrieval of Records for clarity; (8) to the Retention and Disposition section to reflect the approved disposition; and (9) to the Record Access, Notification, and Contesting Record Procedures, to reflect the updated guidance for accessing records and to update the appropriate citation for contesting records. Furthermore, this notice includes non-substantive changes to simplify the formatting and text of the previously published notice.

DoD SORNs have been published in the **Federal Register** and are available from the address in **FOR FURTHER INFORMATION CONTACT** or at the Privacy and Civil Liberties Directorate website at <https://dpcl.d.defense.gov/privacy>.

**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,



OATSD(PCLT) has provided a report of this system of records to the OMB and to Congress.

Dated: May 24, 2024.

**Aaron T. Siegel,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

**SYSTEM NAME AND NUMBER:**

Adjunct Faculty Information Records, DSCA 04.

**SECURITY CLASSIFICATION:**

Unclassified.

**SYSTEM LOCATION:**

Defense Institute of International Legal Studies (DIILS), 441 Elliot Avenue, Newport, RI 02841-1531.

**SYSTEM MANAGER(S):**

Program Support Specialist, Curriculum Department, Defense Institute of International Legal Studies, 441 Elliot Avenue, Newport, RI 02841-1531, email: [dsca.pentagon.diils.list.webmaster@mail.mil](mailto:dsca.pentagon.diils.list.webmaster@mail.mil).

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

10 U.S.C. 113, Secretary of Defense; 10 U.S.C. 134, Under Secretary of Defense for Policy; 22 U.S.C. Chapter 32, Foreign Assistance; Department of Defense Directive 5105.65, Defense Security Cooperation Agency (DSCA); Department of Defense Directive 5132.03, DoD Policy and Responsibilities Relating to Security Cooperation; and E.O. 9397 (SSN), as amended.

**PURPOSE(S) OF THE SYSTEM:**

Defense Institute of International Legal Studies (DIILS) supports U.S. foreign policy and national security policy with rule of law training and education focused on human rights, international humanitarian law, and the law of armed conflict. The purpose of Adjunct Faculty system of records is to collect supplied information from qualified adjunct faculty members to prepare for their overseas travel assignments as well as maintain a record of their qualifications for participation in future training programs. This data will also be used as a resource for future travel and training assignments, as a record of adjunct assignments and a basis to identify training requirements for the adjunct faculty.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Adjunct faculty members on assignment with the Defense Institute of International Legal Studies. Such individuals include Military (*e.g.*,

Active, National Guard, Reserve, and Coast Guard), civilian and contractor employees, and private sector personnel.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Name, date and place of birth, Social Security Number (SSN), home and work addresses, work, fax, home and personal cell phone numbers, U.S. Government credit card number, personal and alternative email addresses, pay grade, military status (*e.g.*, military rank, branch of service, retired and reserves), security clearance and current status, passport information, language capability, self-rating/level of expertise and abilities, training completed (*e.g.*, trafficking in persons, human rights, code of conduct, etc.), biography, and professional references.

**RECORD SOURCE CATEGORIES:**

Records and information stored in this system of records are obtained from individuals.

**ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE 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 pertinent.

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 for the purpose of comparing to the agency's system of records or to non-Federal records, in coordination with an Office of Inspector General in conducting an audit, investigation, inspection, evaluation, or some other review as authorized by the Inspector General Act.

J. To such recipients and under such circumstances and procedures as are mandated by Federal statute or treaty.

**POLICIES AND PRACTICES FOR STORAGE OF RECORDS:**

Records are maintained in paper and electronic storage media.

**POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:**

Records may be retrieved by name and SSN.

**POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:**

Temporary. Cut off and destroy when no longer needed.

**ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:**

Records are maintained in a controlled facility. Physical entry is restricted by the use of locks, guards, and is accessible only to authorized personnel. Access to records is limited to person(s) responsible for servicing the record in performance of their official duties and who are properly screened and cleared for need-to-know. Access to computerized data is restricted by centralized access control to include the use of Common Access Cards (CAC), passwords (which are changed periodically), file permissions, firewalls, and intrusion alert systems, including the use of a “block out” restriction feature when viewing SSNs.

**RECORD ACCESS PROCEDURES:**

Individuals seeking access to records about themselves contained in this system should address written inquiries to the Office of the Secretary of Defense/ Joint Staff Freedom of Information Act Requester Service Center, 1155 Defense Pentagon, Washington, DC 20301-1155. The requester must provide their full name, current address and telephone number, and the number of this system of records notice and be signed.

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:**

The DoD rules for accessing records, contesting contents, and appealing initial Component determinations are contained in 32 CFR part 310, or may be obtained from the system manager.

**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:**

September 9, 2016, 81 FR 62487; June 07, 2013, 78 FR 34352.

[FR Doc. 2024-11900 Filed 5-30-24; 8:45 am]

**BILLING CODE 6001-FR-P**

**DEPARTMENT OF DEFENSE****Office of the Secretary****Strategic Environmental Research and Development Program Scientific Advisory Board; Notice of Federal Advisory Committee Meeting**

**AGENCY:** Under Secretary of Defense for Acquisition and Sustainment (USD(A&S)), Department of Defense (DoD).

**ACTION:** Notice of Federal advisory committee meeting.

**SUMMARY:** The DoD is publishing this notice to announce that the following Federal Advisory Committee meeting of the Strategic Environmental Research and Development Program (SERDP) Scientific Advisory Board (SAB) will take place.

**DATES:** SERDP SAB will hold a meeting open to the public. Tuesday, June 25, 2024 from 9:00 a.m. to 11:20 a.m. EDT.

**ADDRESSES:** The meeting will be accessible by videoconference. Information for accessing the videoconference is provided in **SUPPLEMENTARY INFORMATION**, “Meeting Accessibility.”

**FOR FURTHER INFORMATION CONTACT:** Dr. Kimberly Spangler, Designated Federal Officer (DFO) 703-571-2477 (voice), [kimberly.y.spangler.civ@mail.mil](mailto:kimberly.y.spangler.civ@mail.mil) (email). Mailing address is SERDP Office, 3500 Defense Pentagon, RM 5C646, Washington, DC 20301-3500. Website: <https://serdp-estcp.org/about>. The most up-to-date changes to the meeting agenda can be found on the website.

**SUPPLEMENTARY INFORMATION:** This meeting is being held under the provisions of chapter 10 of title 5, United States Code (U.S.C.) (commonly known as the “Federal Advisory Committee Act” or “FACA”) and 41 CFR 102-3.140 and 102-3.150.

**Availability of Materials for the Meeting:** Additional information, including the agenda or any updates to the agenda, is available on <https://serdp-estcp.mil/about/programs?Id=b7ba8fa2-c6b0-4ae3-bdcd-50a3461ef4d9>.

**Purpose of the Meeting:** The purpose of the meeting is for the SERDP SAB to make recommendations regarding technologies, research, projects, programs, activities, and, if appropriate, funding within the scope of SERDP Fiscal Year (FY) 2024.

**Agenda:** Tuesday, June 25, 2024, from 9:00 a.m. to 2:30 p.m.—Convene, Program Overview Briefings, Project Briefings and Voting on FY 2024 Recommendations, Public Comment Period, and Adjourn.

**Meeting Accessibility:** Pursuant to 5 U.S.C. 1009(a) and 41 CFR 102-3.140 through 102-3.165, this meeting is open to the public. The meeting will be held via videoconference. If you wish to attend by videoconference you must register at this link: <https://www.zoomgov.com/j/1619982980?pwd=YVQ3WFRRajQ1TFJoSHJ6VUNHskRkZz09>. Once registered, the web address and audio number will be provided. For purposes of transparency and attendance reporting you will be required to use your actual first name and last name as your username and provide your affiliation.

**Special Accommodations:** Individuals requiring special accommodations to access the public meeting should contact Dr. Kimberly Spangler at 703-571-2477 (voice) no later than Friday, June 21, 2024 (by 5:00 p.m. EST) so that appropriate arrangements can be made.

**Written Statements:** Pursuant to 41 CFR 102-3.140 and 5 U.S.C. 1009(a)(3), interested persons may submit a written statement to the SERDP SAB. Individuals submitting a statement must submit their statement no later than 5:00 p.m. EST, Monday, June 24, 2024 to [kimberly.y.spangler.civ@mail.mil](mailto:kimberly.y.spangler.civ@mail.mil) (email) or to 703-571-2477 (voice). If a statement pertaining to a specific topic being discussed at the planned meeting is not received by Monday, June 24, 2024, prior to the meeting, then it may not be provided to, or considered by, the SERDP SAB during the June 25, 2024 meeting. The DFO, Dr. Kimberly Spangler, will review all timely submissions with the SERDP SAB Chair and ensure such submissions are provided to the members of the SERDP SAB before the meeting.

**Public Comment Period:** Just before the meeting adjourns the SERDP SAB Chair will ask those in the virtual meeting if there are any oral public comments. If there are, the chair will call on each person to speak. The individual will have up to 5 minutes to address the board. After oral comments, any comments submitted to the DFO will be read aloud.

Dated: May 28, 2024.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison  
Officer, Department of Defense.

[FR Doc. 2024-12012 Filed 5-30-24; 8:45 am]

BILLING CODE 6001-FR-P

## DEPARTMENT OF EDUCATION

### National Committee on Foreign Medical Education and Accreditation; Request for Nominations

**AGENCY:** National Committee on Foreign Medical Education and Accreditation (NCFMEA), U.S. Department of Education.

**ACTION:** Request for nominations for appointment.

**SUMMARY:** Secretary of Education, Miguel A. Cardona, is seeking nomination(s) of medical experts for appointment of members to fill one NCFMEA member position.

**DATES:** Nominations must be received no later than July 20, 2024.

**ADDRESSES:** Interested persons, stakeholders, or organizations (including individuals seeking reappointment by the Secretary of Education to serve on the NCFMEA) may submit nomination(s), including attachments, to the Secretary via the following method: Via electronic mail to: [cmtmgmtoffice@ed.gov](mailto:cmtmgmtoffice@ed.gov). Please note in the email subject line, "NCFMEA Nomination 2024".

**FOR FURTHER INFORMATION CONTACT:** Jacob Brett-Turner, White House Liaison, Office of the Secretary, Office of the White House Liaison, U.S. Department of Education. Telephone: (202) 456-1111. Email: [cmtmgmtoffice@ed.gov](mailto:cmtmgmtoffice@ed.gov).

If you are deaf, hard of hearing, or have a speech disability and wish to access telecommunications relay services, please dial 7-1-1.

#### SUPPLEMENTARY INFORMATION:

##### Privacy Act Statement

*Purpose:* The purpose of collecting nomination information is for the Secretary of Education to review nominations. The Secretary is required by section 102 of the Higher Education Act of 1965, as amended (HEA), at 20 U.S.C. 1002(a)(2)(B), to establish a panel of medical experts. The nomination information will be used to evaluate, select, and appoint individuals for membership on the NCFMEA and conduct necessary ethics vetting and ethics training for nominees who are appointed to serve on the NCFMEA. Finally, the nomination information

will be used to communicate with nominees and, if appointed, communicate with appointees to conduct the business of the NCFMEA.

*Authorities:* The collection of the nomination information is authorized by the Educational Technical Assistance Act of 2002 (ETAA) (Pub. L. 107-279; 20 U.S.C. 9605); 5 U.S.C. 301; Public Law 95-521, Ethics in Government Act of 1978; Public Law 101-194, Ethics Reform Act of 1989, as amended; and Executive Orders 12674, 12565, and 11222, as amended.

*Routine Use Disclosures:* Although the Department does not otherwise anticipate non-consensually disclosing the information you provide outside of the Department, the Department may non-consensually disclose such information pursuant to the published routine uses described in the following System of Records Notices: "Secretary's Communications Control System" (18-01-01), "Employee Conduct—Government Ethics" (18-09-03), and "Executive Branch Confidential Financial Disclosure Reports" (OGE/GOVT-2), the most recent versions of which are located on the Department's "Privacy Act System of Record Notice Issuances (SORN)" web page at [www2.ed.gov/notices/ed-pia.html](http://www2.ed.gov/notices/ed-pia.html).

*Consequences of Failure to Provide Information:* Submitting nominations with the requested information in response to this notice is voluntary. You are not required to provide the personally identifiable information requested; however, if you do not, then the Department may not be able to consider the nominee for membership on the NCFMEA.

NCFMEA's Statutory Authority and Function: The NCFMEA is authorized per section 102 of the HEA, at 20 U.S.C. 1002. The Secretary of Education is required by section 102 of the HEA, at 20 U.S.C. 1002(a)(2)(B), to establish a panel of medical experts who shall: evaluate the standards of accreditation applied to applicant foreign medical schools; and determine the comparability of those standards to standards for accreditation applied to United States medical schools. The NCFMEA shall be comprised of 11 voting members, each appointed for a term of service as determined by the Secretary of Education. Due consideration shall be given to the appointment of individuals who are broadly knowledgeable about foreign medical education and accreditation, respected in the educational community, and representative of various constituencies. Per the authorizing legislation for the Committee, one member of the

Committee will be a medical student enrolled in an accredited medical school at the time of appointment by the Secretary of Education.

#### Nomination Process

Interested persons, stakeholders, or organizations (including individuals seeking reappointment) may nominate one or more qualified individuals for membership on the NCFMEA. Please be sure to use the information noted in the **ADDRESSES** section of this notice. If you would like to nominate an individual or yourself for appointment, please submit the following information:

(a) A cover letter addressed to the Honorable Miguel A. Cardona, Secretary of Education. Please provide in the cover letter, the reason(s) the nominated individual is interested in being selected as a nominee for appointment by the Secretary to serve on the NCFMEA.

##### Attachments:

(b) A copy of the nominee's resume/curriculum vitae;

(c) Contact information for the nominee (name, title, mailing address, phone number, and email address).

#### Appointment

After nomination and completion of an ethics review conducted by the U.S. Department of Education-Ethics Division, the term of service for the individual appointed by the Secretary will begin on October 1, 2024, and will end on September 30, 2028. When an NCFMEA member's term of service is not completed, the Secretary of Education appoints an individual to serve for the remainder of the term of service of her/his predecessor. No member may serve for a period in excess of three consecutive terms. Members of the Committee will serve as Special Government Employees (SGEs), as defined in 18 U.S.C. 202(a). As SGEs, members are selected for their individual expertise, integrity, impartiality, and experience.

*Accessible Format:* Upon request to the contact person listed under **FOR FURTHER INFORMATION CONTACT**, individuals with disabilities can obtain this document in an accessible format. The Department will provide the requestor with an accessible format that may include Rich Text Format (RTF) or text format (txt), a thumb drive, an MP3 file, braille, large print, audiotape or compact disc, or another accessible format.

*Electronic Access to This Document:* The official version of this document is published in the **Federal Register**. You may access the official edition of the **Federal Register** and the Code of

Federal Regulations at [www.govinfo.gov](http://www.govinfo.gov). At this site, you can view this document, as well as other documents of this Department published in the **Federal Register**, in text or PDF. To use PDF, you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at: [www.federalregister.gov](http://www.federalregister.gov). Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

**Miguel A. Cardona**,  
Secretary of Education.

[FR Doc. 2024-11951 Filed 5-30-24; 8:45 am]

**BILLING CODE 4000-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. IC24-9-000]

#### Commission Information Collection Activities (FERC-567) Comment Request; Extension

**AGENCY:** Federal Energy Regulatory Commission, Department of Energy.

**ACTION:** Notice of information collection and request for comments.

**SUMMARY:** In compliance with the requirements of the Paperwork Reduction Act of 1995 (PRA), the Federal Energy Regulatory Commission (Commission or FERC) is soliciting public comment on the currently approved information collection, FERC-567, Gas Pipeline Certificates: Annual Reports of System Flow Diagrams (OMB Control Number 1902-0005), which will be submitted to the Office of Management and Budget (OMB) for review. No comments were received on the 60-day notice published on March 11, 2024.

**DATES:** Comments on the collection of information are due July 1, 2024.

**ADDRESSES:** Send written comments on FERC-567 to OMB through [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Attention: Federal Energy Regulatory

Commission Desk Officer. Please identify the OMB Control Number (1902-0303) in the subject line of your comments. Comments should be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain).

Please submit copies of your comments to the Commission. You may submit copies of your comments (identified by Docket No. IC24-9-000) by one of the following methods:

Electronic filing through <https://www.ferc.gov>, is preferred.

- **Electronic Filing:** Documents must be filed in acceptable native applications and print-to-PDF, but not in scanned or picture format.

- For those unable to file electronically, comments may be filed by USPS mail or by hand (including courier) delivery.

- **Mail via U.S. Postal Service Only:** Addressed to: Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE, Washington, DC 20426.

- **Hand (including Courier) Delivery:** Deliver to: Federal Energy Regulatory Commission, Secretary of the Commission, 12225 Wilkins Avenue, Rockville, MD 20852.

**Instructions:** OMB submissions must be formatted and filed in accordance with submission guidelines at [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Using the search function under the “Currently Under Review” field, select Federal Energy Regulatory Commission; click “submit,” and select “comment” to the right of the subject collection.

**FERC submissions** must be formatted and filed in accordance with submission guidelines at: <https://www.ferc.gov>. For user assistance, contact FERC Online Support by email at [ferconlinesupport@ferc.gov](mailto:ferconlinesupport@ferc.gov), or by phone at: (866) 208-3676 (toll-free).

**Docket:** Users interested in receiving automatic notification of activity in this docket or in viewing/downloading comments and issuances in this docket may do so at <https://www.ferc.gov/ferc-online/overview>.

**FOR FURTHER INFORMATION CONTACT:** Jean Sonneman may be reached by email at [DataClearance@FERC.gov](mailto:DataClearance@FERC.gov), telephone at (202) 502-6362.

**SUPPLEMENTARY INFORMATION:**

**Title:** FERC-567, Gas Pipeline Certificates: Annual Reports of System Flow Diagrams.

**OMB Control No.:** 1902-0005.

**Type of Request:** Three-year extension of the FERC-567 information collection requirements with no changes to the current reporting requirements.

**Abstract:** Per 18 CFR 260.8(a), each major interstate natural gas company with a system delivery capacity exceeding 100,000 Mcf<sup>1</sup> per day is required to submit, by June 1 of each year, diagrams reflecting operating conditions on the pipeline’s main transmission system during the previous 12 months ending on December 31. The submitted information must include (i) configuration and location of installed pipeline facilities; (ii) receipt and delivery points between shippers, and pipeline companies; (iii) location of compressor stations on a pipeline system; (iv) pipeline diameters; (v) maximum allowable operating pressures; (vi) suction and discharge pressures at compressor stations; (vii) installed horsepower and volumes compressed at each compressor station; (viii) existing shippers currently nominating service under firm contracts on each pipeline company; and (ix) peak capacity on the system. The information is collected so that it is available in the event the Commission needs to confirm pipeline facility data.

**Type of Respondents:** Natural gas pipeline companies with a system delivery capacity in excess of 100,000 Mcf per day.

**Estimate of Annual Burden:** The Commission estimates the annual public reporting burden<sup>2</sup> and cost<sup>3</sup> for the information collection as follows.

<sup>1</sup> Mcf is a unit of measurement for natural gas that equals 1,000 cubic feet.

<sup>2</sup> Burden is defined as the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. For further explanation of what is included in the information collections burden, reference 5 CFR 1320.3.

<sup>3</sup> The Commission staff estimates that the average respondent for FERC-567 is similarly situated to the Commission, in terms of salary plus benefits. Based on FERC’s current annual average of \$207,786 (for salary plus benefits), the average hourly cost is \$100/hour.

FERC-567 BURDEN ESTIMATES

Respondents	Number of respondents	Annual number of responses per respondent	Total number of responses	Average burden & cost per response	Total annual burden hours & total annual cost	Cost per respondent (\$)
	(1)	(2)	(1) * (2) = (3)	(4)	(3) * (4) = (5)	(5) ÷ (1)
Natural Gas Pipelines .....	124	1	124	4 hrs.; \$400 .....	496 hrs.; \$49,600 .....	\$400

*Comments:* Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Dated: May 24, 2024.  
**Debbie-Anne A. Reese,**  
*Acting Secretary.*  
 [FR Doc. 2024-11997 Filed 5-30-24; 8:45 am]  
**BILLING CODE 6717-01-P**

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Docket No. ER24-2091-000]

**Paxton BESS 1 LLC; Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization**

This is a supplemental notice in the above-referenced proceeding of Paxton BESS 1 LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard

to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is June 13, 2024.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically may mail similar pleadings to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (<http://www.ferc.gov>). From the Commission's Home Page on the internet, this information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field.

User assistance is available for eLibrary and the Commission's website during normal business hours from FERC Online Support at 202-502-6652 (toll free at 1-866-208-3676) or email at [ferconlinesupport@ferc.gov](mailto:ferconlinesupport@ferc.gov), or the Public Reference Room at (202) 502-8371, TTY (202) 502-8659. Email the Public Reference Room at [public.referenceroom@ferc.gov](mailto:public.referenceroom@ferc.gov).

The Commission's Office of Public Participation (OPP) supports meaningful

public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, environmental justice communities, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502-6595 or [OPP@ferc.gov](mailto:OPP@ferc.gov).

Dated: May 24, 2024.  
**Debbie-Anne A. Reese,**  
*Acting Secretary.*  
 [FR Doc. 2024-11998 Filed 5-30-24; 8:45 am]  
**BILLING CODE 6717-01-P**

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Project No. 2183-086]

**Grand River Dam Authority; Notice of Application for Accepted for Filing, Soliciting Comments, Motions To Intervene, and Protests**

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

- a. *Application Type:* Revised Shoreline Management Plan.
- b. *Project No:* 2183-086.
- c. *Date Filed:* June 6, 2023.
- d. *Applicant:* Grand River Dam Authority.
- e. *Name of Project:* Markham Ferry Hydroelectric Project.
- f. *Location:* The project is located on the Grand River in Mayes County, Oklahoma. The project does not occupy any federal lands.
- g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a-825r.
- h. *Applicant Contact:* Jacklyn Smittle, Grand River Dam Authority, 918-981-8473, [Jacklyn.Smittle@gdra.com](mailto:Jacklyn.Smittle@gdra.com).
- i. *FERC Contact:* Mark Douglas, (202) 502-6350 or [Mark.Douglas@ferc.gov](mailto:Mark.Douglas@ferc.gov).
- j. *Cooperating agencies:* With this notice, the Commission is inviting federal, state, local, and Tribal agencies

with jurisdiction and/or special expertise with respect to environmental issues affected by the proposal, that wish to cooperate in the preparation of any environmental document, if applicable, to follow the instructions for filing such requests described in item p below. Cooperating agencies should note the Commission's policy that agencies that cooperate in the preparation of any environmental document cannot also intervene. See 94 FEREC ¶ 61,076 (2001).

k. *Deadline for filing comments, motions to intervene, and protests:* June 24, 2024.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Acting Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Acting Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. The first page of any filing should include the docket number P-2183-086. Comments emailed to Commission staff are not considered part of the Commission record.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

l. *Description of Request:* As a result of a required six-year review process, the Grand River Dam Authority (GRDA) filed an updated Shoreline Management Plan (SMP) under Article 406 for the Markham-Ferry Project. The revised plan, developed in consultation with stakeholders, discusses proposed modifications and updates to certain

elements of the previously approved plan. The revised plan also discusses additional resource provisions pertaining to vegetation management, wetlands, and wildlife habitat.

m. *Locations of the Application:* This filing may be viewed on the Commission's website at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1-866-208-3676 or email [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), for TTY, call (202) 502-8659. Agencies may obtain copies of the application directly from the applicant.

n. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

o. *Comments, Protests, or Motions to Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214, respectively. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

p. *Filing and Service of Documents:* Any filing must (1) bear in all capital letters the title "COMMENTS", "PROTEST", or "MOTION TO INTERVENE" as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person commenting, protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis. Any filing made by an intervenor must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 385.2010.

q. The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help

members of the public, including landowners, environmental justice communities, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502-6595 or [OPP@ferc.gov](mailto:OPP@ferc.gov).

**Debbie-Anne A. Reese,**  
Acting Secretary.

[FR Doc. 2024-11887 Filed 5-30-24; 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:* EG24-187-000.  
*Applicants:* Bayou Galion Solar Project, LLC.

*Description:* Bayou Galion Solar Project, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

*Filed Date:* 5/23/24.  
*Accession Number:* 20240523-5087.  
*Comment Date:* 5 p.m. ET 6/13/24.

Take notice that the Commission received the following Complaints and Compliance filings in EL Dockets:

*Docket Numbers:* EL24-110-000.  
*Applicants:* Southwest Power Pool, Inc.

*Description:* Petition for Declaratory Order of Southwest Power Pool, Inc.  
*Filed Date:* 5/21/24.  
*Accession Number:* 20240521-5247.  
*Comment Date:* 5 p.m. ET 6/20/24.

Take notice that the Commission received the following electric rate filings:

*Docket Numbers:* ER24-1697-000.  
*Applicants:* AES Westwing II ES, LLC.  
*Description:* Supplement to April 4, 2024 AES Westwing II ES, LLC tariff filing.

*Filed Date:* 5/17/24.  
*Accession Number:* 20240517-5155.  
*Comment Date:* 5 p.m. ET 5/28/24.

*Docket Numbers:* ER24-1718-000.  
*Applicants:* Switched On, LLC.  
*Description:* Supplement to 04/08/2024, Switched On, LLC tariff filing.

*Filed Date:* 5/21/24.  
*Accession Number:* 20240521-5242.  
*Comment Date:* 5 p.m. ET 5/31/24.

*Docket Numbers:* ER24-1769-001.

*Applicants:* Midcontinent Independent System Operator, Inc..  
*Description:* Tariff amendment: 2024–05–23\_SA 4275 NSP–NSP Substitute Original GIA (R1036) to be effective 4/8/2024.

*Filed Date:* 5/23/24.

*Accession Number:* 20240523–5113.

*Comment Date:* 5 p.m. ET 6/13/24.

*Docket Numbers:* ER24–1780–001.

*Applicants:* Lake Erie Connector Transmission, LLC.

*Description:* Lake Erie Connector Transmission, LLC submits an amendment to its 04/12/2024 Request for Order Confirming Negotiated Rate Authority and Waiver of Previously Granted Reporting Requirements.

*Filed Date:* 5/23/24.

*Accession Number:* 20240523–5205.

*Comment Date:* 5 p.m. ET 6/3/24.

*Docket Numbers:* ER24–2082–000.

*Applicants:* Tri-State Generation and Transmission Association, Inc.

*Description:* 205(d) Rate Filing: amendment to Rate Schedule FERC No. 2 to be effective 7/22/2024.

*Filed Date:* 5/22/24.

*Accession Number:* 20240522–5226.

*Comment Date:* 5 p.m. ET 6/12/24.

*Docket Numbers:* ER24–2083–000.

*Applicants:* Southwest Power Pool, Inc.

*Description:* 205(d) Rate Filing: 4261 1000 Mile Solar & SPS Facilities Service Agreement to be effective 7/23/2024.

*Filed Date:* 5/23/24.

*Accession Number:* 20240523–5054.

*Comment Date:* 5 p.m. ET 6/13/24.

*Docket Numbers:* ER24–2084–000.

*Applicants:* American Electric Power Service Corporation, PJM Interconnection, L.L.C.

*Description:* 205(d) Rate Filing: American Electric Power Service Corporation submits tariff filing per 35.13(a)(2)(iii): AEP submits amended and Restated CIAC, SA No. 6679 to be effective 4/29/2024.

*Filed Date:* 5/23/24.

*Accession Number:* 20240523–5067.

*Comment Date:* 5 p.m. ET 6/13/24.

*Docket Numbers:* ER24–2086–000.

*Applicants:* Midcontinent Independent System Operator, Inc.

*Description:* 205(d) Rate Filing: 2024–05–23\_SA 4296 NSP–NSP GIA (R1032) to be effective 5/13/2024.

*Filed Date:* 5/23/24.

*Accession Number:* 20240523–5090.

*Comment Date:* 5 p.m. ET 6/13/24.

*Docket Numbers:* ER24–2087–000.

*Applicants:* Public Service Company of New Hampshire.

*Description:* Tariff amendment: Cancel First amend Engineering Design Procurement Agreement NECEC Transmission to be effective 5/23/2024.

*Filed Date:* 5/23/24.

*Accession Number:* 20240523–5100.

*Comment Date:* 5 p.m. ET 6/13/24.

*Docket Numbers:* ER24–2088–000.

*Applicants:* RB Inyokern Solar WDAT 1203 LLC.

*Description:* 205(d) Rate Filing: RB Inyokern Solar WDAT 1203 LLC Co-Tenancy and Shared Facilities Agreement to be effective 8/1/2024.

*Filed Date:* 5/23/24.

*Accession Number:* 20240523–5107.

*Comment Date:* 5 p.m. ET 6/13/24.

*Docket Numbers:* ER24–2089–000.

*Applicants:* Alabama Power Company, Georgia Power Company, Mississippi Power Company.

*Description:* 205(d) Rate Filing: Alabama Power Company submits tariff filing per 35.13(a)(2)(iii): Cooperative Energy NITSA amendment Filing (adding South Diamondhead DP) to be effective 4/22/2024.

*Filed Date:* 5/23/24.

*Accession Number:* 20240523–5132.

*Comment Date:* 5 p.m. ET 6/13/24.

*Docket Numbers:* ER24–2090–000.

*Applicants:* RB Inyokern Solar WDAT 1281 LLC.

*Description:* 205(d) Rate Filing: RB Inyokern Solar WDAT 1281 LLC Co-Tenancy and Shared Facilities Agreement to be effective 8/1/2024.

*Filed Date:* 5/23/24.

*Accession Number:* 20240523–5143.

*Comment Date:* 5 p.m. ET 6/13/24.

*Docket Numbers:* ER24–2091–000.

*Applicants:* Paxton BESS 1 LLC.

*Description:* Baseline eTariff Filing: Paxton BESS 1 LLC MBR Tariff to be effective 7/23/2024.

*Filed Date:* 5/23/24.

*Accession Number:* 20240523–5156.

*Comment Date:* 5 p.m. ET 6/13/24.

The filings are accessible in the Commission's eLibrary system (<https://elibrary.ferc.gov/idmws/search/fercgensearch.asp>) by querying the docket number.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, environmental justice communities, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or [OPP@ferc.gov](mailto:OPP@ferc.gov).

Dated: May 23, 2024.

**Debbie-Anne A. Reese,**

*Acting Secretary.*

[FR Doc. 2024–11889 Filed 5–30–24; 8:45 a.m.]

BILLING CODE 6717–01–P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. CP23–516–000; CP23–516–001]

#### East Tennessee Natural Gas, LLC; Notice of Availability of the Draft Environmental Impact Statement for the Proposed Ridgeline Expansion Project

The staff of the Federal Energy Regulatory Commission (FERC or Commission) has prepared a draft environmental impact statement (EIS) for the Ridgeline Expansion Project (Project), proposed by East Tennessee Natural Gas, LLC (East Tennessee) in the above-referenced docket. East Tennessee requests authorization to construct and operate 122.2 miles of 30-inch-diameter natural gas pipeline and associated facilities in Trousdale, Smith, Jackson, Putnam, Overton, Fentress, Morgan, and Roane Counties, Tennessee. The purpose of the Project is to provide about 300,000 dekatherms per day of new firm natural gas transportation capacity and up to 95,000 dekatherms of customized delivery service (*i.e.*, parking capability) from multiple providers to the site of Tennessee Valley Authority's Kingston Fossil Plant.

The draft EIS assesses the potential environmental effects of the construction and operation of the Project in accordance with the requirements of the National Environmental Policy Act (NEPA). The FERC staff concludes that approval of the proposed Project would have some limited adverse environmental effects; however, with implementation of the mitigation measures recommended in

the EIS, these effects would be avoided, mitigated, or reduced to less-than-significant levels.

The U.S. Army Corps of Engineers (USACE), the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, and the National Park Service participated as cooperating agencies in the preparation of the EIS. Cooperating agencies have jurisdiction by law or special expertise with respect to resources potentially affected by the proposal and participate in the NEPA analysis. The USACE will adopt and use the EIS to consider the issuance of an Individual Permit under section 404 of the Clean Water Act. Although the USACE provided input to the conclusions and recommendations presented in the draft EIS, the USACE will present its own conclusions and recommendations in its Record of Decision for the Project. A copy of the USACE Nashville District’s Public Notice is included as appendix 1.<sup>1</sup>

The draft EIS addresses the potential environmental effects of the construction and operation of the following Project facilities, all in the state of Tennessee:

- 122.2 miles of 30-inch-diameter pipeline in Trousdale, Smith, Jackson, Putnam, Overton, Fentress, Morgan, and Roane Counties, including 4.0 miles of header pipeline and 118.2 miles of mainline pipeline (collectively referred to as the Mainline);
- a new 14,600-horsepower, electric-driven compressor station (Hartsville Compressor Station) and an associated solar array to partially power the facility in Trousdale County;
- a new meter and regulating station to receive gas from Columbia Gulf Transmission, LLC in Trousdale County;
- modifications to two existing meter and regulating stations to receive gas from Texas Eastern Transmission, LP and Midwestern Gas Transmission Company in Trousdale County;
- a new delivery meter station to measure gas delivered to the Kingston Fossil Plant in Roane County; and
- related appurtenances.

East Tennessee also proposes to remove approximately 24 miles of previously abandoned-in-place pipe segments along East Tennessee’s

existing 22-inch-diameter Line 3100–1 associated with various prior pipeline replacement projects. East Tennessee would relay the new 30-inch-diameter Mainline pipe into the same trench.

The Commission mailed a copy of the *Notice of Availability* to federal and state resources agencies, elected officials, environmental groups and non-governmental organizations, Native American Tribes, potentially affected landowners, local libraries and newspapers, and other stakeholders. The draft EIS is only available in electronic format. It may be viewed and downloaded from FERC’s website ([www.ferc.gov](http://www.ferc.gov)), on the natural gas environmental documents page (<https://www.ferc.gov/industries-data/natural-gas/environment/environmental-documents>). In addition, the draft EIS may be accessed by using the eLibrary link on FERC’s website. Click on the eLibrary link (<https://elibrary.ferc.gov/eLibrary/search>), select “General Search,” and enter the docket number in the “Docket Number” field, excluding the last three digits (*i.e.*, CP23–516). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at [FercOnlineSupport@ferc.gov](mailto:FercOnlineSupport@ferc.gov) or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659.

The draft EIS is not a decision document. It presents Commission staff’s independent analysis of the environmental issues for the Commission to consider when addressing the merits of all issues in this proceeding. Any person wishing to comment on the draft EIS may do so. Your comments should focus on the draft EIS’s disclosure and discussion of potential environmental effects, measures to avoid or lessen environmental impacts, and the completeness of the submitted alternatives, information, and analyses. In addition, landowner comments are encouraged on the site-specific construction plans that East Tennessee developed for residences within 25 feet of construction work areas, provided in appendix J of the draft EIS. To ensure consideration of your comments on the proposal in the final EIS, it is important that the Commission receive your

comments on or before 5:00 p.m. Eastern Time on July 15, 2024.

For your convenience, there are four methods you can use to submit your comments to the Commission. The Commission will provide equal consideration to all comments received, whether filed in written form or provided verbally. The Commission encourages electronic filing of comments and has staff available to assist you at (866) 208–3676 or [FercOnlineSupport@ferc.gov](mailto:FercOnlineSupport@ferc.gov). Please carefully follow these instructions so that your comments are properly recorded.

(1) You can file your comments electronically using the eComment feature on the Commission’s website ([www.ferc.gov](http://www.ferc.gov)) under the link to FERC Online. This is an easy method for submitting brief, text-only comments on a project;

(2) You can file your comments electronically by using the eFiling feature on the Commission’s website ([www.ferc.gov](http://www.ferc.gov)) under the link to FERC Online. With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on “eRegister.” If you are filing a comment on a particular project, please select “Comment on a Filing” as the filing type; or

(3) You can file a paper copy of your comments by mailing them to the Commission. Be sure to reference the project docket number (CP23–516) on your letter. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Acting Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Acting Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

(4) In lieu of sending written or electronic comments, the Commission invites you to attend one of the public comment sessions its staff will conduct in the project area to receive comments on the draft EIS, scheduled as follows:

Date and time	Location
Tuesday, June 11, 2024: 6:00 to 8:00 p.m. EDT .....	Kingston Community Center, 201 Patton Ferry Road, Kingston, TN 37763, (865) 376–1356.
Wednesday, June 12, 2024: 6:00 to 8:00 p.m. CDT .....	Cookeville High School, 1 Cavalier Drive, Cookeville, TN 38501, (931) 520–2287.

<sup>1</sup> The appendices referenced in this notice will not appear in the **Federal Register**. Copies of the appendices were sent to all those receiving this

notice in the mail and are available at [www.ferc.gov](http://www.ferc.gov) using the link called “eLibrary.” For instructions on connecting to eLibrary, refer to the last page of this

notice. For assistance, contact FERC at [FercOnlineSupport@ferc.gov](mailto:FercOnlineSupport@ferc.gov) or call toll free, (866) 208–3676 or TTY (202) 502–8659.



Date and time	Location
Thursday, June 13, 2024: 6:00 to 8:00 p.m. CDT .....	Trousdale Community Center, 301 E Main Street, Hartsville, TN 37074, (615) 374-9574.

The primary goal of these comment sessions is to have you identify the specific environmental issues and concerns with the draft EIS. Individual verbal comments will be taken on a one-on-one basis with a court reporter. This format is designed to receive the maximum amount of verbal comments, in a convenient way during the timeframe allotted.

Each comment session is scheduled from 6:00 p.m. to 8:00 p.m. You may arrive at any time after 6:00 p.m. There will not be a formal presentation by Commission staff when the session opens. If you wish to speak, the Commission staff will hand out numbers in the order of your arrival. Comments will be taken until the end times listed above. However, if no additional numbers have been handed out and all individuals who wish to provide comments have had an opportunity to do so, staff may conclude the session at 7:30 p.m. Please see appendix 2 for additional information on the session format and conduct.

Your oral comments will be recorded by the court reporter (with FERC staff or representative present) and become part of the public record for this proceeding. Transcripts will be publicly available on FERC's eLibrary system (see page 2 and 3 for instructions on using eLibrary). If a significant number of people are interested in providing oral comments in the one-on-one settings, a time limit may be implemented for each commentor. Although there will not be a formal presentation, Commission staff will be available throughout the comment session to answer your questions about the environmental review process.

It is important to note that the Commission provides equal consideration to all comments received, whether filed in written form or provided orally at a comment session.

Any person seeking to become a party to the proceeding must file a motion to intervene pursuant to Rule 214 of the Commission's Rules of Practice and Procedures (18 CFR part 385.214). Motions to intervene are more fully described at <https://www.ferc.gov/how-intervene>. Only intervenors have the right to seek rehearing or judicial review of the Commission's decision. The Commission grants affected landowners and others with environmental concerns intervenor status upon showing good

cause by stating that they have a clear and direct interest in this proceeding which no other party can adequately represent. Simply filing environmental comments will not give you intervenor status, but you do not need intervenor status to have your comments considered.

**Questions?**

Additional information about the Project is available from the Commission's Office of External Affairs, at (866) 208-FERC, or on the FERC website ([www.ferc.gov](http://www.ferc.gov)) using the eLibrary link. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, environmental justice communities, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502-6595 or [OPP@ferc.gov](mailto:OPP@ferc.gov).

In addition, the Commission offers a free service called eSubscription that allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to <https://www.ferc.gov/ferc-online/overview> to register for eSubscription.

Dated: May 24, 2024.

**Debbie-Anne A. Reese,**  
*Acting Secretary.*

[FR Doc. 2024-11999 Filed 5-30-24; 8:45 am]

**BILLING CODE 6717-01-P**

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Project No. 2422-058]

**Great Lakes Hydro America, LLC;  
Notice of Availability of Draft  
Environmental Assessment**

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's (Commission) regulations, 18 CFR part 380, the Office of Energy Projects has reviewed the application for license for the Sawmill Hydroelectric Project, located on the Androscoggin River in Coos County, New Hampshire and has prepared a Draft Environmental Assessment (DEA) for the project. No federal land is occupied by project works or located within the project boundary.

The DEA contains staff's analysis of the potential environmental impacts of the project and concludes that licensing the project, with appropriate environmental protective measures, would not constitute a major federal action that would significantly affect the quality of the human environment.

The Commission provides all interested persons with an opportunity to view and/or print the DEA via the internet through the Commission's Home Page (<http://www.ferc.gov/>), using the "eLibrary" link. Enter the docket number, excluding the last three digits in the docket number field, to access the document. For assistance, contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or toll-free at (866) 208-3676, or for TTY, (202) 502-8659.

You may also register online at <https://ferconline.ferc.gov/eSubscription.aspx> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

Any comments should be filed within 30 days from the date of this notice.

The Commission strongly encourages electronic filing. Please file comments using the Commission's eFiling system at <https://ferconline.ferc.gov/FERCOnline.aspx>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <https://ferconline.ferc.gov/QuickComment.aspx>.

For assistance, please contact FERC Online Support. In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Acting Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. The first page of any filing should include docket number P-2422-058.

Any questions regarding this notice may be directed to Ryan Hansen at (202) 502-8074 or [ryan.hansen@ferc.gov](mailto:ryan.hansen@ferc.gov).

Dated: May 23, 2024.

**Debbie-Anne A. Reese,**  
Acting Secretary.

[FR Doc. 2024-11885 Filed 5-30-24; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RD24-3-000]

#### Commission Information Collection Activities (FERC-725B); Comment Request; Extension

**AGENCY:** Federal Energy Regulatory Commission, Department of Energy.

**ACTION:** Notice of information collection and request for comments.

**SUMMARY:** In compliance with the requirements of the Paperwork Reduction Act of 1995, the Federal Energy Regulatory Commission (Commission or FERC) is soliciting public comment on the currently approved information collection, FERC-725B, Mandatory Reliability Standards, Critical Infrastructure Protection (CIP) (Update for CIP-012-1 to version CIP-012-02) Cyber Security—Communications between Control Centers.

**DATES:** Comments on the collection of information are due July 30, 2024.

**ADDRESSES:** You may submit copies of your comments (identified by Docket No. RD24-3-000) by one of the following methods:

Electronic filing through <https://www.ferc.gov>, is preferred.

- **Electronic Filing:** Documents must be filed in acceptable native applications and print-to-PDF, not in scanned or picture format.

- For those unable to file electronically, comments may be filed

by USPS mail or by other delivery methods:

- **Mail via U.S. Postal Service Only:** Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE, Washington, DC 20426.

- **All other delivery services:** Federal Energy Regulatory Commission, Office of the Secretary, 12225 Wilkins Avenue, Rockville, MD 20852.

**Instructions:** All submissions must be formatted and filed in accordance with submission guidelines at: <https://www.ferc.gov>. For user assistance, contact FERC Online Support by email at [ferconlinesupport@ferc.gov](mailto:ferconlinesupport@ferc.gov), or by phone at (866) 208-3676 (toll-free).

**Docket:** Users interested in receiving automatic notification of activity in this docket or in viewing/downloading comments and issuances in this docket may do so at <https://www.ferc.gov>.

**FOR FURTHER INFORMATION CONTACT:** Jean Sonneman may be reached by email at [DataClearance@FERC.gov](mailto:DataClearance@FERC.gov), telephone at (202) 502-6362.

#### SUPPLEMENTARY INFORMATION:

**Title:** FERC-725B, Mandatory Reliability Standards, Critical Infrastructure Protection (CIP) (Update to CIP-012-2).

**OMB Control No.:** 1902-0248.

**Type of Request:** Revision of a currently approved FERC-725B information collection requirements with changes to the reporting requirements.

**Abstract:** On August 8, 2005, Congress enacted the Energy Policy Act of 2005.<sup>1</sup> The Energy Policy Act of 2005 added a new section 215 to the Federal Power Act (FPA),<sup>2</sup> which requires a Commission-certified Electric Reliability Organization to develop mandatory and enforceable Reliability Standards,<sup>3</sup> including requirements for cybersecurity protection, which are subject to Commission review and approval. Once approved, the Reliability Standards may be enforced by the Electric Reliability Organization subject to Commission oversight, or the Commission can independently enforce Reliability Standards.

<sup>1</sup> Energy Policy Act of 2005, Public Law 109-58, sec. 1261 *et seq.*, 119 Stat. 594 (2005).

<sup>2</sup> 16 U.S.C. 824o.

<sup>3</sup> Section 215 of the FPA defines Reliability Standard as a requirement, approved by the Commission, to provide for reliable operation of existing bulk-power system facilities, including cybersecurity protection, and the design of planned additions or modifications to such facilities to the extent necessary to provide for reliable operation of the Bulk-Power System. However, the term does not include any requirement to enlarge such facilities or to construct new transmission capacity or generation capacity.

On February 3, 2006, the Commission issued Order No. 672,<sup>4</sup> implementing FPA section 215. The Commission subsequently certified the North American Electric Reliability Corporation (NERC) as the Electric Reliability Organization. The Reliability Standards developed by NERC become mandatory and enforceable after Commission approval and apply to users, owners, and operators of the Bulk-Power System, as set forth in each Reliability Standard.<sup>5</sup> The CIP Reliability Standards require entities to comply with specific requirements to safeguard bulk electric system (BES) Cyber Systems<sup>6</sup> and their associated BES Cyber Assets. These standards are results-based and do not specify a technology or method to achieve compliance, instead leaving it up to the entity to decide how best to comply.

The Commission has approved multiple versions of the CIP Reliability Standards submitted by NERC, partly to address the evolving nature of cyber-related threats to the Bulk-Power System. High impact systems include large control centers. Medium impact systems include smaller control centers, ultra-high voltage transmission, and large substations and generating facilities. The remainder of the BES Cyber Systems are categorized as low impact systems. Most requirements in

<sup>4</sup> *Rules Concerning Certification of the Elec. Reliability Org.; and Procedures for the Establishment, Approval, and Enft of Elec. Reliability Standards*, Order No. 672, 71 FR 8661 (Feb. 17, 2006), 114 FERC ¶ 61,104, *order on reh'g*, Order No. 672-A, 71 FR 19814 (Apr. 28, 2006), 114 FERC ¶ 61,328 (2006).

<sup>5</sup> NERC uses the term “registered entity” to identify users, owners, and operators of the Bulk-Power System responsible for performing specified reliability functions with respect to NERC Reliability Standards. *See, e.g., Version 4 Critical Infrastructure Protection Reliability Standards*, Order No. 761, 77 FR 24594 (Apr. 25, 2012), 139 FERC ¶ 61,058, at P 46, *order denying clarification and reh'g*, 140 FERC ¶ 61,109 (2012). Within the NERC Reliability Standards are various subsets of entities responsible for performing various specified reliability functions. We collectively refer to these as “entities.”

<sup>6</sup> NERC defines BES Cyber System as “[o]ne or more BES Cyber Assets logically grouped by a responsible entity to perform one or more reliability tasks for a functional entity.” NERC, *Glossary of Terms Used in NERC Reliability Standards*, at 5 (2020), *Glossary\_of\_Terms.pdf* ([nerc.com](http://nerc.com)). NERC defines BES Cyber Asset as

A Cyber Asset that if rendered unavailable, degraded, or misused would, within 15 minutes of its required operation, mis-operation, or non-operation, adversely impact one or more Facilities, systems, or equipment, which, if destroyed, degraded, or otherwise rendered unavailable when needed, would affect the reliable operation of the Bulk Electric System. Redundancy of affected Facilities, systems, and equipment shall not be considered when determining adverse impact. Each BES Cyber Asset is included in one or more BES Cyber Systems.

*Id.* at 4.

the CIP Reliability Standards apply to high and medium impact systems; however, a technical controls requirement in Reliability standard CIP-012, described below, applies to all (low, medium and high) impact Control Centers.

The FERC-725B information collection requirements are subject to review by the Office of Management and Budget (OMB) under section 3507(d) of the Paperwork Reduction Act of 1995.<sup>7</sup> OMB's regulations require approval of certain information collection requirements imposed by agency rules.<sup>8</sup> Upon approval of a collection of information, OMB will assign an OMB control number and expiration date. Respondents subject to the filing requirements will not be penalized for failing to respond to these collections of information unless the collections of information display a valid OMB control number. The Commission solicits comments on the Commission's need for this information, whether the information will have practical utility, the accuracy of the burden estimates, ways to enhance the quality, utility, and clarity of the information to be collected or retained, and any suggested methods

for minimizing respondents' burden, including the use of automated information techniques.

Reliability Standard CIP-012-2—Communications between Control Centers: requires entities to protect the confidentiality, integrity, and availability and integrity of data transmitted between Control Centers that could lead to mis-operation or instability on the Bulk-Power System. Specifically, the Reliability Standard CIP-012-2 is revised to add requirements for entities to provide protections of the availability of communication links and sensitive data transmitted between BES Control Centers. It is part of the implementation of the Congressional mandate of the Energy Policy Act of 2005 to develop mandatory and enforceable Reliability Standards to better ensure the reliability of the nation's Bulk-Power System.

*Type of Respondents:* Business or other for profit, and not for profit institutions.

*Estimate of Annual Burden:*<sup>9</sup> The Commission bases its paperwork burden estimates on the changes in paperwork burden presented by the proposed revision to CIP Reliability Standard

CIP-012-2 as compared to the current Commission-approved Reliability Standard CIP-012-1. As discussed above, the immediate order addresses the area of modification to the CIP Reliability Standards: modifications to provide protections of the availability of communication links and sensitive data transmitted between BES Control Centers.

The CIP Reliability Standards, viewed as a whole, implement a defense-in-depth approach to protecting the security of BES Cyber Systems at all impact levels.<sup>10</sup> The CIP Reliability Standards are objective-based and allow entities to choose compliance approaches best tailored to their systems.<sup>11</sup> The NERC Compliance Registry, as of March 15, 2024, identifies approximately 1,610 unique U.S. entities that are subject to mandatory compliance with CIP Reliability Standards. Of this total, we estimate that 730 entities will face an increased paperwork burden under proposed Reliability Standard CIP-012-2. Based on these assumptions, we estimate the following reporting burdens:

FERC-725B, MODIFICATIONS IN DOCKET NO. RD24-3-000

	Number of respondents	Number of responses <sup>12</sup> per respondent	Total number of responses	Avg. burden hrs. & cost per response <sup>13</sup>	Total annual burden hours & total annual cost
	(1)	(2)	(1) × (2) = (3)	(4)	(3) × (4) = 5
Implementation of Documented Plan(s) (Requirement R1) <sup>14</sup> .	730	1	730	42 hrs.; \$4,493.16 .....	30,660 hrs.; \$3,280,006.80.
Document Identification of methods to mitigate the risk(s) posed by unauthorized disclosure and unauthorized modification (Requirement R1.1) <sup>14</sup> .	730	1	730	20 hrs.; \$2,139.60 .....	14,600 hrs.; \$1,561,908.
Document Identification of methods to mitigate the risk(s) posed by loss of the ability to communicate (Requirement R1.2) <sup>14</sup> .	730	1	730	60 hrs.; \$6,418.80 .....	43,800 hrs.; \$4,685,724.
Document Identification of methods to use to initiate the recovery of communication links (Requirement R1.3) <sup>14</sup> .	730	1	730	100 hrs.; \$10,698 .....	73,000 hrs.; \$7,809,540.
Document Identification of where the implemented method(s) as required in Parts 1.1 and 1.2 (Requirement R1.4) <sup>12</sup> .	730	1	730	50 hrs.; \$5,349 .....	36,500 hrs.; \$3,904,770.
Document identification of the responsibilities of each Responsible Entity (if <i>not</i> owned by same Responsible Entity) required in Parts 1.1, 1.2 and 1.3 (Requirement R1.5) <sup>14</sup> .	730	1	730	50 hrs.; \$5,349 .....	36,500 hrs.; \$3,904,770.
Maintaining Compliance (ongoing, starting in Year 2) .....	730	1	730	1 hr.; \$106.98 .....	730 hrs.; \$78,095.40.
Total (one-time, in Year 1) .....			4,380		235,060 hrs.; \$25,146,718.80.
Total (ongoing, starting in Year 2) .....			730		730 hrs.; \$78,095.40.

<sup>7</sup> 44 U.S.C. 3507(d) (2012).

<sup>8</sup> 5 CFR 1320.11 (2017).

<sup>9</sup> "Burden" is the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. For further explanation of what is included in the information collection burden, refer to 5 CFR 1320.3.

<sup>10</sup> Order No. 822, 154 FERC ¶ 61,037 at 32.

<sup>11</sup> *Mandatory Reliability Standards for Critical Infrastructure Protection*, Order No. 706, 73 FR 7368 (Feb. 7, 2008), 122 FERC ¶ 61,040, at P 72 (2008); order on reh'g, Order No. 706-A, 123 FERC

¶ 61,174 (2008); order on clarification, Order No. 706-B, 126 FERC ¶ 61,229 (2009).

<sup>12</sup> We consider the filing of an application to be a "response."

<sup>13</sup> The hourly cost for wages plus benefits is based on the average of the occupational categories for 2024 found on the Bureau of Labor Statistics website ([http://www.bls.gov/oes/current/naics2\\_22.htm](http://www.bls.gov/oes/current/naics2_22.htm)):

Information Security Analysts (Occupation Code: 15-1212): \$80.62.

Computer and Mathematical (Occupation Code: 15-0000): \$74.16.

Legal (Occupation Code: 23-0000): \$160.24.

Computer and Information Systems Managers (Occupation Code: 11-3021): \$112.88.

These various occupational categories' wage figures are averaged as follows: \$80.62/hour + \$74.16/hour + \$160.24/hour + \$112.88/hour ÷ 4 = \$106.975/hour (\$106.98 rounded). The resulting wage figure is rounded to \$106.98/hour for use in calculating wage figures in the Final Rule in Docket No. RD24-3-000.

<sup>14</sup> This includes the record retention costs for the one-time and the on-going reporting documents.

1. The one-time burden (in Year 1) for the FERC-725B information collection will be averaged over three years:

- 235,060 hours ÷ 3 = 78,353 (rounded) hours/year over Years 1–3
- The number of one-time responses for the FERC-725B information collection is also averaged over Years 1–3: 4,380 responses ÷ 3 = 1,460 responses/year

2. The average annual number (for Years 1–3) of responses and burden for one-time and ongoing burden will total:

- 2,190 responses [1,460 responses (one-time) + 730 responses (ongoing)]
- 79,083 burden hours [78,353 hours (one-time) + 730 hours (ongoing)]

*Comments:* Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Dated: May 23, 2024.

**Debbie-Anne A. Reese,**

*Acting Secretary.*

[FR Doc. 2024-11882 Filed 5-30-24; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2629-029]

#### Village of Morrisville, Vermont; Notice of Application for Amendment of License Accepted for Filing, Soliciting Comments, Motions To Intervene, and Protests

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

- Application Type:* Administrative Amendment of License.
- Project No:* 2629-029.
- Date Filed:* February 15, 2022, and supplemented on July 11, 2023.
- Applicant:* Village of Morrisville, Vermont (licensee).
- Name of Project:* Morrisville Hydroelectric Project.

f. *Location:* The project is located on the Green River, Elmore Pond Brook, and Lamoille River, in Lamoille County, Vermont. The project does not occupy any federal lands.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a-825r.

h. *Applicant Contact:* Penny Jones, Manager, Village of Morrisville, Water and Light Department, 857 Elmore Street, Morrisville, VT 05661; *pjones@mwlv.com*; (802) 888-3348.

i. *FERC Contact:* Marybeth Gay, (202) 502-6125, *Marybeth.gay@ferc.gov*.

j. *Deadline for filing comments, motions to intervene, and protests:* June 24, 2024.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Acting Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Acting Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. The first page of any filing should include the docket number P-2629-029. Comments emailed to Commission staff are not considered part of the Commission record.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. *Description of Request:* As currently licensed, the Morrisville Hydroelectric Project No. 2629 (Morrisville Project) consists of four developments: Cadys Falls, Morrisville, Lake Elmore, and Green River. On April 25, 2013, the Village of Morrisville, Vermont (Village) filed an application

for a new license to continue to operate and maintain the Morrisville Project. In the license application, the Village proposes to continue operating the Morrisville, Cadys Falls, and Green River Developments. The Village proposed to remove the Lake Elmore Development from the project, permanently set the spillway opening at elevation 1,139 feet mean sea level (msl), and discontinue the annual fall drawdown at the development. Commission staff issued a final environmental assessment for the project's relicensing on December 16, 2014.

On August 9, 2016, the Vermont Agency of Natural Resources issued a water quality certificate (WQC) for the project's relicensing. Among other conditions, the WQC would restrict drawdowns of the Green River Development's reservoir to 1.5 feet from December 16 through March 31. By letter dated September 13, 2016, Commission staff requested that the Village conduct two studies for the Green River Development dam, a hydraulic and hydrology analysis and a stability analysis, to determine the effects of the 1.5-foot winter drawdown limit on the stability of the Green River Development's dam and the ability of the Green River Development to accommodate flood flows. The Village has not completed these studies, and the relicense application is still pending.

The Village filed an amendment to the current project license on February 15, 2022, as supplemented on July 11, 2023. The Village states that, in order to remove the Morrisville and Cadys Falls Developments from the uncertainty surrounding the Green River Development, it proposes to administratively amend the current license to split the project's four developments into two separately licensed projects. As proposed in this amendment application, the Green River and Lake Elmore Developments would remain licensed under docket number P-2629, while the Cadys Falls and Morrisville developments would be licensed separately under a new project number.

The Village states that its proposed amendment is administrative in nature and will not result in changes to the four developments' operations, ground disturbance, or environmental effects. On March 12, 2024, the Village notified the Commission that it intends to submit an application to surrender the Green River Development after the Commission issues its decision on the proposed amendment application.

l. *Locations of the Application:* This filing may be viewed on the

Commission's website at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1-866-208-3676 or email [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), for TTY, call (202) 502-8659. Agencies may obtain copies of the application directly from the applicant.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *Comments, Protests, or Motions to Intervene*: Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214, respectively. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. *Filing and Service of Documents*: Any filing must (1) bear in all capital letters the title "COMMENTS", "PROTEST", or "MOTION TO INTERVENE" as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person commenting, protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis. Any filing made by an intervenor must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 385.2010.

p. The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, environmental justice communities, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and

assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502-6595 or [OPP@ferc.gov](mailto:OPP@ferc.gov).

Dated: May 23, 2024.

**Debbie-Anne A. Reese,**  
*Acting Secretary.*

[FR Doc. 2024-11884 Filed 5-30-24; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2666-055]

#### **Black Bear Hydro Partners, LLC; Notice of Intent To File License Application, Filing of Pre-Application Document, and Approving Use of the Traditional Licensing Process**

a. *Type of Filing*: Notice of Intent to File License Application and Request to Use the Traditional Licensing Process.

b. *Project No.*: 2666-055.

c. *Date Filed*: March 28, 2024.

d. *Submitted By*: Black Bear Hydro Partners, LLC (Black Bear Hydro).

e. *Name of Project*: Medway Hydroelectric Project.

f. *Location*: On the West Branch of the Penobscot River, in Penobscot County, Maine.

g. *Filed Pursuant to*: 18 CFR 5.3 and 5.5 of the Commission's regulations.

h. *Potential Applicant Contact*: Mike Scarzello, Licensing Manager, Brookfield Renewable, 399 Big Bay Road, Queensbury, NY 12804; (315) 566-0197; email at [michael.scarzello@brookfieldrenewable.com](mailto:michael.scarzello@brookfieldrenewable.com).

i. *FERC Contact*: Allan Creamer at (202) 502-8365; or email at [allan.creamer@ferc.gov](mailto:allan.creamer@ferc.gov).

j. Black Bear Hydro filed its request to use the Traditional Licensing Process on March 28, 2024. Black Bear Hydro provided public notice of its request on April 2, 2024. In a letter dated May 24, 2024, the Director of the Division of Hydropower Licensing approved Black Bear Hydro's request to use the Traditional Licensing Process.

k. With this notice, we are initiating informal consultation with the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service under section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 CFR part 402. We are also initiating consultation with the Maine State Historic Preservation Officer, as required by section 106, National Historical Preservation Act,

and the implementing regulations of the Advisory Council on Historic Preservation at 36 CFR 800.2.

l. With this notice, we are designating Black Bear Hydro as the Commission's non-Federal representative for carrying out informal consultation, pursuant to section 7 of the Endangered Species Act and section 106 of the National Historic Preservation Act.

m. Black Bear Hydro filed a Pre-Application Document (PAD; including a proposed process plan and schedule) with the Commission, pursuant to 18 CFR 5.6 of the Commission's regulations.

n. A copy of the PAD may be viewed and/or printed on the Commission's website (<http://www.ferc.gov>), using the "eLibrary" link. Enter the docket number, excluding the last three digits in the docket number field to access the document. For assistance, contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), (886) 208-3676 (toll free), or (202) 502-8659 (TTY).

You may register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filing and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

o. The licensee states its unequivocal intent to submit an application for a new license for Project No. 2666. Pursuant to 18 CFR 16.20, each application for a new license and any competing license applications must be filed with the Commission at least 24 months prior to the expiration of the existing license. All applications for license for this project must be filed by March 31, 2027.

p. The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, environmental justice communities, Tribal members, and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502-6595, or [OPP@ferc.gov](mailto:OPP@ferc.gov).

Dated: May 24, 2024.

**Debbie-Anne A. Reese,**  
*Acting Secretary.*

[FR Doc. 2024-11996 Filed 5-30-24; 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:* EG24–188–000.  
*Applicants:* Timbermill Wind, LLC.  
*Description:* Timbermill Wind, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

*Filed Date:* 5/24/24.

*Accession Number:* 20240524–5109.  
*Comment Date:* 5 p.m. ET 6/14/24.

*Docket Numbers:* EG24–189–000.  
*Applicants:* Prosperity Wind, LLC.  
*Description:* Prosperity Wind, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

*Filed Date:* 5/24/24.

*Accession Number:* 20240524–5110.  
*Comment Date:* 5 p.m. ET 6/14/24.

Take notice that the Commission received the following electric rate filings:

*Docket Numbers:* ER20–1298–007.  
*Applicants:* Midcontinent Independent System Operator, Inc.  
*Description:* Compliance filing: 2024–05–24 MISO TO's Order 864 Compliance RE NIPSCO to be effective 1/27/2020.

*Filed Date:* 5/24/24.

*Accession Number:* 20240524–5056.  
*Comment Date:* 5 p.m. ET 6/14/24.

*Docket Numbers:* ER23–1851–007.  
*Applicants:* PJM Interconnection, L.L.C.

*Description:* Tariff Amendment: Status Report—Amended ISA—CSA, SA Nos. 6917–6918; Queue No. AD1–031 to be effective 10/26/2023.

*Filed Date:* 5/24/24.

*Accession Number:* 20240524–5098.  
*Comment Date:* 5 p.m. ET 6/14/24.

*Docket Numbers:* ER23–2359–007.  
*Applicants:* PJM Interconnection, L.L.C.

*Description:* Tariff Amendment: Amendment to ISA/CSA SA Nos. 6967 & 6968; AD2–100/131—Docket ER23–2359 to be effective 9/6/2023.

*Filed Date:* 5/24/24.

*Accession Number:* 20240524–5105.  
*Comment Date:* 5 p.m. ET 6/14/24.

*Docket Numbers:* ER24–1316–001.  
*Applicants:* Duke Energy Carolinas, LLC.

*Description:* Tariff Amendment: DEC—Response to Deficiency Letter to be effective 5/1/2024.

*Filed Date:* 5/23/24.

*Accession Number:* 20240523–5221.  
*Comment Date:* 5 p.m. ET 6/13/24.

*Docket Numbers:* ER24–2092–000.  
*Applicants:* Public Service Company of New Hampshire.

*Description:* 205(d) Rate Filing: Two Party Small Generator IA Brookfield White Pine Hydro LLC to be effective 5/24/2024.

*Filed Date:* 5/23/24.

*Accession Number:* 20240523–5213.  
*Comment Date:* 5 p.m. ET 6/13/24.

*Docket Numbers:* ER24–2093–000.  
*Applicants:* PJM Interconnection, L.L.C.

*Description:* 205(d) Rate Filing: Designated Entity Agreement, SA No. 7236 between PJM and BGE to be effective 4/25/2024.

*Filed Date:* 5/24/24.

*Accession Number:* 20240524–5063.  
*Comment Date:* 5 p.m. ET 6/14/24.

*Docket Numbers:* ER24–2094–000.  
*Applicants:* PJM Interconnection, L.L.C.

*Description:* 205(d) Rate Filing: Designated Entity Agreement, SA No. 7237 between PJM and ACE to be effective 4/25/2024.

*Filed Date:* 5/24/24.

*Accession Number:* 20240524–5065.  
*Comment Date:* 5 p.m. ET 6/14/24.

*Docket Numbers:* ER24–2095–000.  
*Applicants:* Niagara Mohawk Power Corporation, New York Independent System Operator, Inc.

*Description:* 205(d) Rate Filing: Niagara Mohawk Power Corporation submits tariff filing per 35.13(a)(2)(iii): NMPC 205: Amended Interconnection Agreement between NMPC, Empire Power (SA333) to be effective 5/25/2024.

*Filed Date:* 5/24/24.

*Accession Number:* 20240524–5087.  
*Comment Date:* 5 p.m. ET 6/14/24.

*Docket Numbers:* ER24–2096–000.  
*Applicants:* New York Independent System Operator, Inc.

*Description:* 205(d) Rate Filing: NYISO 205: Modeling Improvements for Capacity Accreditation to be effective 7/24/2024.

*Filed Date:* 5/24/24.

*Accession Number:* 20240524–5102.  
*Comment Date:* 5 p.m. ET 6/14/24.

*Docket Numbers:* ER24–2097–000.  
*Applicants:* NextEra Energy Seabrook, LLC.

*Description:* 205(d) Rate Filing: Construction Services Agreement NEES & NECEC to be effective 5/25/2024.

*Filed Date:* 5/24/24.

*Accession Number:* 20240524–5104.  
*Comment Date:* 5 p.m. ET 6/14/24.

*Docket Numbers:* ER24–2098–000.  
*Applicants:* Pacific Gas and Electric Company.

*Description:* 205(d) Rate Filing: May 2024 Western WDT Service Agreement

Biannual Filing (SA 17) to be effective 8/1/2024.

*Filed Date:* 5/24/24.

*Accession Number:* 20240524–5128.  
*Comment Date:* 5 p.m. ET 6/14/24.

The filings are accessible in the Commission's eLibrary system (<https://elibrary.ferc.gov/idmws/search/fercgensearch.asp>) by querying the docket number.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, environmental justice communities, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or [OPP@ferc.gov](mailto:OPP@ferc.gov).

Dated: May 24, 2024.

**Debbie-Anne A. Reese,**  
*Acting Secretary.*

[FR Doc. 2024–12000 Filed 5–30–24; 8:45 am]

**BILLING CODE 6717–01–P**

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Project No. 15305–000]

**Twentymile Pumped Storage, LLC; Notice of Preliminary Permit Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Competing Applications**

On March 10, 2023, Twentymile Pumped Storage, LLC, filed an application for a preliminary permit, pursuant to section 4(f) of the Federal Power Act (FPA), proposing to study the

feasibility of the Twentymile Pumped Storage Project to be located near the town of Oak Creek in Routt County, Colorado. The sole purpose of a preliminary permit, if issued, is to grant the permit holder priority to file a license application during the permit term. A preliminary permit does not authorize the permit holder to perform any land-disturbing activities or otherwise enter upon lands or waters owned by others without the owners' express permission.

The proposed project will have an above ground upper reservoir and an underground lower reservoir. A net hydraulic head of approximately 1,300 feet is expected between the maximum water level in the upper reservoir and minimum water level in the underground lower reservoir. Initial filling of the upper reservoir will use existing available water located currently in the mine. The existing sealed voids of tunnels and galleries at mine sites will become the lower reservoir. The upper surface reservoir will have a surface elevation of approximately 7,600 feet msl and will be connected to the lower reservoir via an underground water conveyance system-penstock, access shafts and tunnels, and ventilation shafts, with a new underground powerhouse containing reversible pump-turbine generator units. The single penstock would be 16 feet in diameter that bifurcates to two units in the powerhouse.

The approximate storage volume of the upper reservoir will be approximately 1,550 acre-feet. The lower reservoir would have a surface elevation of 6,000 feet msl with a storage volume of approximately 1,550 acre-feet. A new, approximately 1.8-mile long 230-kilovolt (kV) overhead interconnection line will extend from the powerhouse to a substation. The powerhouse would contain two turbines and generators, with a generating capacity of 250 megawatts (MW) based on available hydraulic head and water to fill the reservoirs. Each turbine is rated for 133 MW, and each generator is rated for 125 MW. The estimated average annual generation is 547,500 MWh.

*Applicant Contact:* Ushakar Jha, Twentymile Pumped Storage, LLC, 100 S Olive St., West Palm Beach, Florida 33401; email: [ushakar@ryedevelopment.com](mailto:ushakar@ryedevelopment.com); phone: (503) 309-2496.

*FERC Contact:* Lee Baker; email: [everard.baker@ferc.gov](mailto:everard.baker@ferc.gov); phone: (202) 502-8554.

Deadline for filing comments, motions to intervene, competing applications

(without notices of intent), or notices of intent to file competing applications: 60 days from the issuance of this notice. Competing applications and notices of intent must meet the requirements of 18 CFR 4.36.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, notices of intent, and competing applications using the Commission's eFiling system at <https://ferconline.ferc.gov/eFiling.aspx>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <https://ferconline.ferc.gov/QuickComment.aspx>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support. In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Acting Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Acting Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. The first page of any filing should include docket number P-15305-000.

More information about this project, including a copy of the application, can be viewed or printed on the "eLibrary" link of the Commission's website at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number (P-15305) in the docket number field to access the document. For assistance, contact FERC Online Support.

Dated: May 24, 2024.

**Debbie-Anne A. Reese,**  
*Acting Secretary.*

[FR Doc. 2024-11995 Filed 5-30-24; 8:45 am]

**BILLING CODE 6717-01-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL OP-OFA-128]

### Environmental Impact Statements; Notice of Availability

*Responsible Agency:* Office of Federal Activities, General Information 202-564-5632 or <https://www.epa.gov/nepa>. Weekly receipt of Environmental Impact Statements (EIS)

Filed May 20, 2024 10 a.m. EST

Through May 24, 2024 10 a.m. EST Pursuant to 40 CFR 1506.9.

*Notice:* Section 309(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other

Federal agencies. EPA's comment letters on EISs are available at: <https://cdxapps.epa.gov/cdx-enepa-II/public/action/eis/search>.

EIS No. 20240090, Final Supplement, BR, UT, Glen Canyon Dam Long-Term Experimental and Management Plan, Review Period Ends: 07/01/2024, Contact: Wayne Pullan 801-524-3600.

EIS No. 20240091, Final, BOEM, NJ, Atlantic Shores Offshore Wind South, Review Period Ends: 07/01/2024, Contact: Kimberly Sullivan 702-338-4766.

EIS No. 20240092, Draft, FERC, TN, Ridgeline Expansion Project, Comment Period Ends: 07/15/2024, Contact: Office of External Affairs 866-208-3372.

Dated: May 24, 2024.

**Cindy S. Barger,**

*Director, NEPA Compliance Division, Office of Federal Activities.*

[FR Doc. 2024-11965 Filed 5-30-24; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[Petitions IV-2024-1; FRL-11985-01-R4]

### Clean Air Act Operating Permit Program; Order on Petition for Objection to State Operating Permit for DCP Operating Company L.P. (Mobile County, Alabama)

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of final order on petition.

**SUMMARY:** The EPA Administrator signed an order dated May 10, 2024, granting in part and denying in part the petition dated January 8, 2024, from Mobile Environmental Justice Action Coalition and GASP. The petition requested that EPA object to Clean Air Act (CAA) title V operating permit issued by the Alabama Department of Environmental Management (ADEM) to DCP Operating Company L.P. for its natural gas treatment and processing facility located in Mobile Bay, Mobile County, Alabama.

**FOR FURTHER INFORMATION CONTACT:** Art Hofmeister, Air Permits Section, EPA Region 4, (404) 562-9115, [hofmeister.art@epa.gov](mailto:hofmeister.art@epa.gov). The final order and petitions are available at: <https://www.epa.gov/title-v-operating-permits/title-v-petition-database>.

**SUPPLEMENTARY INFORMATION:** EPA received a petition from Mobile Environmental Justice Action Coalition and GASP dated January 8, 2024, requesting that EPA object to the

issuance of operating permit no. 503–8085, issued by ADEM to DCP Operating Company L.P. in Mobile Bay, Mobile County, Alabama. On May 10, 2024, the EPA Administrator issued an order granting in part and denying in part the petition. The order itself explains the bases for EPA's decision. Sections 307(b) and 505(b)(2) of the CAA provide that a petitioner may request review of those portions of an order that deny issues in a petition. Any petition for review shall be filed in the United States Court of Appeals for the appropriate circuit no later than July 30, 2024.

Dated: May 22, 2024.

**Jeanneanne Gettle,**

*Acting Regional Administrator, Region 4.*

[FR Doc. 2024–12016 Filed 5–30–24; 8:45 am]

**BILLING CODE 6560–50–P**

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## FEDERAL FINANCIAL INSTITUTIONS EXAMINATION COUNCIL

[Docket No. AS24–13]

### Appraisal Subcommittee; Notice of Meeting

**AGENCY:** Appraisal Subcommittee of the Federal Financial Institutions Examination Council.

**ACTION:** Notice of meeting.

*Description:* In accordance with section 1104(b) of title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, notice is hereby given that the Appraisal Subcommittee (ASC) will meet in open session for its regular meeting:

*Location:* This will be a virtual meeting via Webex. Please visit the Agency's homepage ([www.asc.gov](http://www.asc.gov)) and access the provided registration link in the News and Events section. You MUST register in advance to attend this Meeting.

*Date:* June 12, 2024.

*Time:* 10 a.m. ET.

*Status:* Open.

### Reports

Chair  
Executive Director  
Delegated State Compliance Reviews  
Grants Director  
Financial Manager

### Action and Discussion Items

Approval of Minutes  
March 13, 2024 Quarterly Meeting  
Minutes  
Fiscal Year 2024 ASC Budget  
Reprogramming Request  
Fiscal Year 2024 Notice of Funding  
Availability for the Appraisal  
Foundation

### How To Attend and Observe an ASC Meeting

The meeting will be open to the public via live webcast only. Visit the Agency's homepage ([www.asc.gov](http://www.asc.gov)) and access the provided registration link in the News and Events section. The meeting space is intended to accommodate public attendees. However, if the space will not accommodate all requests, the ASC may refuse attendance on that reasonable basis. The use of any video or audio tape recording device, photographing device, or any other electronic or mechanical device designed for similar purposes is prohibited at ASC Meetings.

**James R. Park,**

*Executive Director.*

[FR Doc. 2024–11944 Filed 5–30–24; 8:45 am]

**BILLING CODE 6700–01–P**

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## 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)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843), and interested persons may express their views in writing on the standards enumerated in section 4. Unless otherwise noted, nonbanking

activities will be conducted throughout the United States.

Comments received are subject to public disclosure. In general, comments received will be made available without change and will not be modified to remove personal or business information including confidential, contact, or other identifying information. Comments should not include any information such as confidential information that would not be appropriate for public disclosure.

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Ann E. Misback, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington, DC 20551–0001, not later than July 1, 2024.

*A. Federal Reserve Bank of Richmond* (Brent B. Hassell, Assistant Vice President) P.O. Box 27622, Richmond, Virginia 23261. Comments can also be sent electronically to

[Comments.applications@rich.frb.org](mailto:Comments.applications@rich.frb.org):

1. *Capital Bancorp, Inc., Rockville, Maryland*; to acquire Integrated Financial Holdings, Inc., Raleigh, North Carolina, and thereby indirectly acquire West Town Bank & Trust, North Riverside, Illinois. In addition, Capital Bancorp, Inc., through the acquisition of Integrated Financial Holdings, Inc., will engage in providing loan servicing and data processing, pursuant to sections 225.28(b)(1) and (b)(14)(i) of the Board's Regulation Y, respectively.

Board of Governors of the Federal Reserve System.

**Erin Cayce,**

*Assistant Secretary of the Board.*

[FR Doc. 2024–11902 Filed 5–30–24; 8:45 am]

**BILLING CODE P**

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Medicare & Medicaid Services

[Document Identifiers: CMS–10279 and CMS–10752]

### Agency Information Collection Activities: Submission for OMB Review; Comment Request

**AGENCY:** Centers for Medicare & Medicaid Services, Health and Human Services (HHS).

**ACTION:** Notice.

**SUMMARY:** The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for the public to comment on CMS' intention to collect



information from the public. Under the Paperwork Reduction Act of 1995 (PRA), Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, and to allow a second opportunity for public comment on the notice. Interested persons are invited to send comments regarding the burden estimate or any other aspect of this collection of information, including the necessity and utility of the proposed information collection for the proper performance of the agency's functions, the accuracy of the estimated burden, ways to enhance the quality, utility, and clarity of the information to be collected, and the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

**DATES:** Comments on the collection(s) of information must be received by the OMB desk officer by July 1, 2024.

**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](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function.

To obtain copies of a supporting statement and any related forms for the proposed collection(s) summarized in this notice, please access the CMS PRA website by copying and pasting the following web address into your web browser: <https://www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing>.

**FOR FURTHER INFORMATION CONTACT:** William Parham at (410) 786-4669.

**SUPPLEMENTARY INFORMATION:** Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501-3520), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. The term "collection of information" is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3506(c)(2)(A)) requires Federal agencies to publish a 30-day notice in the **Federal Register** concerning each proposed collection of information,

including each proposed extension or reinstatement of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, CMS is publishing this notice that summarizes the following proposed collection(s) of information for public comment:

1. *Type of Information Collection Request:* Reinstatement with change to a previously approved collection; *Title of Information Collection:* Ambulatory Surgical Center Conditions for Coverage; *Use:* The purpose of this package is to request from the Office of Management and Budget (OMB) the approval to reinstate, with changes, the collection of information. The conditions for coverage for ASCs are regulation based on criteria described and codified at § 42 CFR 416. The conditions for coverage establish standards designed to ensure that each ASC has properly trained staff to provide the appropriate type and level of care for the environment of ASC patients.

To determine ASC compliance with CMS standards, CMS, via the Secretary, authorizes States, through contracts, to survey ASC facilities. For Medicare purposes, certification is based on the State survey agency's recording of an ASC provider's compliance or non-compliance with the health and safety conditions for coverage as published and codified in 42 CFR 416.40 to 485.54. The information collections aid surveyors as they assess ASC compliance or non-compliance.

The previous iteration of this information collection request had a burden of 262,946 annual hours at an annual cost of \$28,144,370. For this requested reinstatement, with changes, the adjusted annual hourly burden is 97,527 hours at a cost of \$11,089,427. The reasons for this change, is the previous iteration of this IC assumed the development associated with IC-1 and IC-2 occurred frequently. We have revised this as development of drafts only occur on a one-time basis. *Form Number:* CMS-10279 (OMB control number: 0938-1071); *Frequency:* Annual; *Affected Public:* Business or other for-profit and Not-for-profit institutions; *Number of Respondents:* 6,257; *Total Annual Responses:* 6,257; *Total Annual Hours:* 97,527. (For policy questions regarding this collection contact Claudia Molinar at 410-786-8445.)

2. *Type of Information Collection Request:* Revision of a currently approved collection; *Title of Information Collection:* Submission of 1135 Waiver Request Automated Process; *Use:* Waivers under Section 1135 of the Social Security Act (the Act)

and certain flexibilities allow the CMS to relax certain requirements, known as the Conditions of Participation (CoPs) or Conditions of Coverage to promote the health and safety of beneficiaries. Under Section 1135 of the Act, the Secretary may temporarily waive or modify certain Medicare, Medicaid, and Children's Health Insurance Program (CHIP) requirements to ensure that sufficient health care services are available to meet the needs of individuals enrolled in Social Security Act programs in the emergency area and time periods. These waivers ensure that healthcare entities/caregivers who provide such services in good faith can be reimbursed and exempted from sanctions.

During emergencies, CMS must be able to apply program waivers and flexibilities under section 1135 of the Social Security Act, in a timely manner to respond quickly to unfolding events. In a disaster or emergency, waivers and flexibilities assist health care providers/suppliers in providing timely healthcare and services to people who have been affected and enables States, Federal districts, and U.S. territories to ensure Medicare and/or Medicaid beneficiaries have continued access to care. During disasters and emergencies, it is not uncommon to evacuate patients in health care facilities to other provider settings or across State lines, especially, during hurricane, wildfire, and tornado events. CMS must collect relevant information for which a provider is requesting a waiver or flexibility to make proper decisions about approving or denying such requests. Collection of this data aids in the prevention of gaps in access to care and services before, during, and after an emergency. CMS must also respond to inquiries related to a Public Health Emergency (PHE) from providers. CMS is not collecting information from these inquiries; we are merely responding to them.

The collection of the information surrounding 1135 Waiver requests/inquiries is based on a case-by-case basis and not regularly scheduled (e.g., quarterly, annually, by all providers/suppliers). The collection of information only occurs when the healthcare entity, impacted by an emergency, is requesting waivers/flexibilities under Section 1135 of the Act or inquiring about PHEs. The collection of information is also dependent on provider types; therefore, it is not a collection for all Medicare-participating facilities. In 2021, we implemented a streamlined, automated process to standardize the 1135 waiver requests and inquiries submitted based on lessons learned during the COVID-19 PHE.

Furthermore, the normal operations of a healthcare provider are disrupted by emergencies or disasters occasionally. When this occurs, State Survey Agencies (SA) deliver a provider/beneficiary tracking report regarding the current status of all affected healthcare providers and their beneficiaries. We are revising this information collection streamlined automated process to update for clarity during emergencies. To quickly identify patient risks/needs, CMS added fields to assess sufficient staffing, equipment and supplies as well as added an assessment of a cyber security attack on the care and services provided to patients (if applicable). Moreover, to decrease the time/effort of stakeholders (State Survey Agencies (SAs)/Providers) submitting this data during emergencies, CMS also added a feature to autofill multiple fields when the stakeholder documents a valid CMS Certification Number (CCN). This streamlined automated process will consist of a public facing web form as well as a process for SAs/Providers to submit data using extracts (CSV or Excel) on emergent events impacting Health Care Facilities via automated mail handler system. Both processes (public facing web form and extracts via an automated mail handler system) are known as the Health Care Facility (HCF) Operational Status. Finally, Acute Hospital Care at Home waiver is granted at the individual hospital/CMS Certification Number (CCN) level and waives § 482.23(b) and (b)(1) of the Hospital Conditions of Participation (CoPs) which require nursing services to be provided on premises 24 hours a day, 7 days a week and the immediate availability of a registered nurse for care of any patient (This waiver allows hospitals to utilize models of *at-home* hospital care). This Acute Hospital Care at Home web form was revised to add questions for the respondents to meet requirements for all hospitals for (1) the Patient Rights CoP at 42 CFR 482.13, (2) the Consolidated Appropriations Act of 2023 and (3) for emergency response. *Form Number:* CMS-10752 (OMB control number: 0938-1384); *Frequency:* Occasionally; *Affected Public:* Private Sector; Business or other for-profits and Not-for-profit institutions and State, Local or Tribal Governments; *Number of Respondents:* 1,020; *Total Annual Responses:* 11,916; *Total Annual Hours:* 11,916. (For policy questions regarding

this collection, contact Adriane Saunders at 404-562-7484.)

**William N. Parham III,**

*Director, Division of Information Collections and Regulatory Impacts, Office of Strategic Operations and Regulatory Affairs.*

[FR Doc. 2024-11978 Filed 5-30-24; 8:45 am]

**BILLING CODE 4120-01-P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Health Resources and Services Administration

#### Advisory Commission on Childhood Vaccines Meeting; Correction

**AGENCY:** Health Resources and Services Administration (HRSA), Department of Health and Human Services.

**ACTION:** Notice; correction.

**SUMMARY:** HRSA published a document in the **Federal Register** on February 26, 2024, setting forth the meeting schedule for the 2024 Advisory Commission on Childhood Vaccines (ACCV). The ACCV held two of its 2024 meetings on March 7, 2024, and March 8, 2024. The remaining two 2024 ACCV meetings originally scheduled for September 5, 2024, and September 6, 2024, are rescheduled for July 11, 2024, 12:30 p.m. ET—4:30 p.m. ET, and July 12, 2024, 12:00 p.m. ET—4:15 p.m. ET.

**FOR FURTHER INFORMATION CONTACT:** Pita Gomez, Principal Staff Liaison, Division of Injury Compensation Programs, HRSA, 5600 Fishers Lane, 8W-25A, Rockville, Maryland 20857; 800-338-2382; or [ACCV@hrsa.gov](mailto:ACCV@hrsa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Correction

In the **Federal Register** of February 26, 2024, FR Doc. 2024-03824, page 14080, column 1, correct the Dates caption to read “The ACCV meetings will be held on:

- March 7, 2024, 1 p.m. ET—4 p.m. ET;
- March 8, 2024, 1 p.m. ET—4 p.m. ET;
- July 11, 2024, 12:30 p.m. ET—4:30 p.m. ET;
- July 12, 2024, 12:00 p.m. ET—4:15 p.m. ET.”

**Maria G. Button,**

*Director, Executive Secretariat.*

[FR Doc. 2024-11962 Filed 5-30-24; 8:45 am]

**BILLING CODE 4165-15-P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Health Resources and Services Administration

#### Meeting of the Advisory Committee on Infant and Maternal Mortality

**AGENCY:** Health Resources and Services Administration (HRSA), Department of Health and Human Services.

**ACTION:** Notice.

**SUMMARY:** In accordance with the Federal Advisory Committee Act, this notice announces that the Advisory Committee on Infant and Maternal Mortality (ACIMM or Committee) has scheduled a public meeting. Information about ACIMM and the agenda for this meeting can be found on the ACIMM website at <https://www.hrsa.gov/advisory-committees/infant-mortality/index.html>.

**DATES:** June 26, 2024, from 9:30 a.m. to 5 p.m. eastern time and June 27, 2024, from 9:30 a.m. to 4 p.m. eastern time.

**ADDRESSES:** This meeting will be held in person at HRSA Headquarters, 5600 Fishers Lane, Conference Room 5W07, Rockville, Maryland 20857, and virtually via webinar. *The webinar link and log-in information will be available at the ACIMM website before the meeting:* <https://www.hrsa.gov/advisory-committees/infant-mortality/index.html>.

#### FOR FURTHER INFORMATION CONTACT:

Vanessa Lee, MPH, Designated Federal Official, Maternal and Child Health Bureau, HRSA, 5600 Fishers Lane, Rockville, Maryland 20857; 301-443-0543; or [SACIM@hrsa.gov](mailto:SACIM@hrsa.gov).

**SUPPLEMENTARY INFORMATION:** ACIMM is authorized by section 222 of the Public Health Service Act (42 U.S.C. 217a), as amended. The Committee is governed by provisions of the Federal Advisory Committee Act (5 U.S.C. chapter 10), as amended.

ACIMM advises the Secretary of Health and Human Services on department activities, partnerships, policies, and programs directed at reducing infant mortality, maternal mortality and severe maternal morbidity, and improving the health status of infants and women before, during, and after pregnancy. The Committee provides advice on how to coordinate Federal, State, local, Tribal, and territorial governmental efforts designed to improve infant mortality, related adverse birth outcomes, maternal health, as well as influence similar efforts in the private and voluntary sectors. The Committee provides guidance and

recommendations on the policies, programs, and resources required to address the disparities and inequities in infant mortality, related adverse birth outcomes and maternal health outcomes, including maternal mortality and severe maternal morbidity. With its focus on underlying causes of the disparities and inequities seen in birth outcomes for women and infants, the Committee advises the Secretary of Health and Human Services on the health, social, economic, and environmental factors contributing to the inequities and proposes structural, policy, and/or systems level changes.

The agenda for the June 26–27, 2024, meeting is being finalized and may include the following topics: Federal updates, including on the Healthy Start program; maternal and infant mental health; presentations and Committee discussions on the workgroup topics of rural health care access, social drivers of health, and women's health before/ between pregnancies; and discussion of possible recommendations to achieve optimal maternal health and overall birth outcomes for underserved populations, including Black/African-American families. Agenda items are subject to change as priorities dictate. Refer to the ACIMM website listed above for any updated information concerning the meeting.

Members of the public will have the opportunity to provide written or oral comments. Public participants may submit written statements in advance of the scheduled meeting by emailing [SACIM@hrsa.gov](mailto:SACIM@hrsa.gov). Oral comments will be honored in the order they are requested and may be limited as time allows. Requests to submit a written statement or make oral comments to ACIMM should be sent to Vanessa Lee, Designated Federal Official, using the email address above at least 3 business days prior to the meeting.

Individuals who plan to attend and need special assistance or another reasonable accommodation should notify Vanessa Lee at the contact information listed above at least 10 business days prior to the meeting. Since this meeting occurs in a Federal Government building, attendees joining in person must go through a security check to enter the building. Non-U.S. Citizen attendees must notify HRSA of their planned attendance at least 20 business days prior to the meeting to facilitate their entry into the building. All attendees are required to present

government-issued identification prior to entry.

**Maria G. Button,**

*Director, Executive Secretariat.*

[FR Doc. 2024–11968 Filed 5–30–24; 8:45 am]

**BILLING CODE 4165–15–P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### National Institutes of Health

#### National Institute of Neurological Disorders and Stroke; Notice of Closed Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

*Name of Committee:* National Institute of Neurological Disorders and Stroke Special Emphasis Panel; URGenT: Translational Efforts to Advance Gene-based Therapies for Ultra-Rare Neurological and Neuromuscular Disorders.

*Date:* June 27, 2024.

*Time:* 10:00 a.m. to 4:00 p.m.

*Agenda:* To review and evaluate grant applications.

*Place:* National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852 (Virtual Meeting).

*Contact Person:* Mirela Milescu, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Activities, NINDS/NIH/DHHS, NSC, 6001 Executive Boulevard, Rockville, MD 20852, 301–496–5720, [mirela.milescu@nih.gov](mailto:mirela.milescu@nih.gov).

(Catalogue of Federal Domestic Assistance Program Nos. 93.853, Clinical Research Related to Neurological Disorders; 93.854, Biological Basis Research in the Neurosciences, National Institutes of Health, HHS).

Dated: May 24, 2024.

**Lauren A. Fleck,**

*Program Analyst, Office of Federal Advisory Committee Policy.*

[FR Doc. 2024–11970 Filed 5–30–24; 8:45 am]

**BILLING CODE 4140–01–P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### National Institutes of Health

#### National Institute of Neurological Disorders and Stroke; 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:* National Institute of Neurological Disorders and Stroke Special Emphasis Panel; NSD–A/B Member Conflict SEP.

*Date:* June 24, 2024.

*Time:* 10:00 a.m. to 12:00 p.m.

*Agenda:* To review and evaluate grant applications and/or proposals.

*Place:* National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852 (Virtual Meeting).

*Contact Person:* Surojeet Sengupta, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Activities, NINDS/NIH/DHHS, NSC, 6001 Executive Boulevard, Room 5134 Rockville, MD 20852, 301–496–9223, [surojeet.sengupta@nih.gov](mailto:surojeet.sengupta@nih.gov).

*Name of Committee:* National Institute of Neurological Disorders and Stroke Special Emphasis Panel; Validation of Biomarkers.

*Date:* June 25, 2024.

*Time:* 10:00 a.m. to 6:00 p.m.

*Agenda:* To review and evaluate cooperative agreement applications.

*Place:* National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852 (Virtual Meeting).

*Contact Person:* Surojeet Sengupta, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Activities, NINDS/NIH/DHHS, NSC, 6001 Executive Boulevard, Room 5134, Rockville, MD 20852, 301–496–9223, [surojeet.sengupta@nih.gov](mailto:surojeet.sengupta@nih.gov).

(Catalogue of Federal Domestic Assistance Program Nos. 93.853, Clinical Research Related to Neurological Disorders; 93.854, Biological Basis Research in the Neurosciences, National Institutes of Health, HHS).

Dated: May 24, 2024.

**Lauren A. Fleck,**

*Program Analyst, Office of Federal Advisory Committee Policy.*

[FR Doc. 2024–11973 Filed 5–30–24; 8:45 am]

**BILLING CODE 4140–01–P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### National Institutes of Health

#### National Institute of Allergy and Infectious Diseases; Notice of Closed Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

*Name of Committee:* National Institute of Allergy and Infectious Diseases Special Emphasis Panel; Long-Acting Drug Delivery Systems for ART Optimization in Children Living with HIV–1 II (LADDS II) (R61/R33 Clinical Trial Not Allowed).

*Date:* June 27, 2024.

*Time:* 1:00 p.m. to 4:00 p.m.

*Agenda:* To review and evaluate grant applications.

*Place:* National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Rockville, MD 20892 (Video Assisted Meeting).

*Contact Person:* Poonam Pegu, Ph.D., Scientific Review Officer, Scientific Review Program, National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, MSC–9823, Rockville, MD 20892, 240–292–0719, [poonam.pegu@nih.gov](mailto:poonam.pegu@nih.gov).

(Catalogue of Federal Domestic Assistance Program Nos. 93.855, Allergy, Immunology, and Transplantation Research; 93.856, Microbiology and Infectious Diseases Research, National Institutes of Health, HHS)

Dated: May 24, 2024.

**Lauren A. Fleck,**

*Program Analyst, Office of Federal Advisory Committee Policy.*

[FR Doc. 2024–11981 Filed 5–30–24; 8:45 am]

**BILLING CODE 4140–01–P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### National Institutes of Health

#### National Institute on Drug Abuse; 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:* National Institute on Drug Abuse Special Emphasis Panel; NIH Support for Conferences and Scientific Meetings (R13).

*Date:* June 27, 2024.

*Time:* 1:00 p.m. to 3:30 p.m.

*Agenda:* To review and evaluate grant applications.

*Place:* National Institute of Health, National Institute on Drug Abuse, 301 North Stonestreet Avenue, Bethesda, MD 20892 (Virtual Meeting).

*Contact Person:* Meysam Yazdankhah, Ph.D., Scientific Review Officer, Scientific Review Branch, National Institute on Drug Abuse, NIH, 301 North Stonestreet Avenue, MSC 6021, Bethesda, MD 20892, (301) 402–6965, [meysam.yazdankhah@nih.gov](mailto:meysam.yazdankhah@nih.gov).

*Name of Committee:* National Institute on Drug Abuse Special Emphasis Panel; Mechanism for Time-Sensitive Drug Abuse Research.

*Date:* June 27, 2024.

*Time:* 2:00 p.m. to 3:00 p.m.

*Agenda:* To review and evaluate grant applications.

*Place:* National Institute of Health, National Institute on Drug Abuse, 301 North Stonestreet Avenue, Bethesda, MD 20892 (Virtual Meeting).

*Contact Person:* Sudhirkumar U. Yanpallewar, M.D. Scientific Review Officer Scientific Review Branch National Institute on Drug Abuse, NIH 301 North Stonestreet Avenue, MSC 6021 Bethesda, MD 20892 (301) 443–4577 [sudhirkumar.yanpallewar@nih.gov](mailto:sudhirkumar.yanpallewar@nih.gov)

*Name of Committee:* National Institute on Drug Abuse Special Emphasis Panel; Adolescent Overdose Prevention and SUD Treatment Initiative.

*Date:* July 11, 2024.

*Time:* 11:00 a.m. to 2:00 p.m.

*Agenda:* To review and evaluate grant applications.

*Place:* National Institute of Health, National Institute on Drug Abuse, 301 North Stonestreet Avenue, Bethesda, MD 20892 (Virtual Meeting).

*Contact Person:* Caitlin Elizabeth Angela Moyer, Ph.D. Scientific Review Officer Scientific Review Branch National Institute on Drug Abuse, NIH 301 North Stonestreet Avenue, MSC 6021 Bethesda, MD 20892 (301) 443–4577 [caitlin.moyer@nih.gov](mailto:caitlin.moyer@nih.gov) (Catalogue of Federal Domestic Assistance Program Nos. 93.277, Drug Abuse Scientist Development Award for Clinicians, Scientist Development Awards, and Research Scientist Awards; 93.278, Drug Abuse National Research Service Awards for Research Training; 93.279, Drug Abuse and Addiction Research Programs, National Institutes of Health, HHS)

Dated: May 24, 2024.

**Lauren A. Fleck,**

*Program Analyst, Office of Federal Advisory Committee Policy.*

[FR Doc. 2024–11980 Filed 5–30–24; 8:45 am]

**BILLING CODE 4140–01–P**

## DEPARTMENT OF HOMELAND SECURITY

### U.S. Customs and Border Protection

#### Automated Commercial Environment (ACE) Export Manifest for Vessel Cargo Test: Renewal of Test

**AGENCY:** U.S. Customs and Border Protection; Department of Homeland Security.

**ACTION:** General notice.

**SUMMARY:** This notice announces that U.S. Customs and Border Protection (CBP) is renewing the Automated Commercial Environment (ACE) Export Manifest for Vessel Cargo Test, a National Customs Automation Program (NCAP) test concerning ACE export manifest capability.

**DATES:** The voluntary pilot initially began on August 20, 2015, as corrected on October 20, 2015, and modified and extended on August 14, 2017, and further extended on April 27, 2022. This renewal is effective May 31, 2024. The renewed test will run for an additional two years from the date of publication of this notice in the **Federal Register**.

**ADDRESSES:** Applications for new participants in the ACE Export Manifest for Vessel Cargo Test must be submitted via email to CBP Export Manifest at [cbpexportmanifest@cbp.dhs.gov](mailto:cbpexportmanifest@cbp.dhs.gov). In the subject line of the email, please write “ACE Export Manifest for Vessel Cargo Test Application”. Applications will be accepted at any time during the test period. Written comments concerning program, policy, and technical issues may also be submitted via email to CBP Export Manifest at [cbpexportmanifest@cbp.dhs.gov](mailto:cbpexportmanifest@cbp.dhs.gov). In the subject line of the email, please write “Comment on ACE Export Manifest for Vessel Cargo Test”.

Comments may be submitted at any time during the test period.

**FOR FURTHER INFORMATION CONTACT:**

Thomas J. Pagano, Branch Chief, or David Garcia, Program Manager, Outbound Enforcement and Policy Branch, Office of Field Operations, CBP, via email at [cbpexportmanifest@cbp.dhs.gov](mailto:cbpexportmanifest@cbp.dhs.gov), or by telephone, 202–344–3277.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

Under the current regulatory requirements, the complete manifest is generally not required to be submitted until after the departure of the vessel. See sections 4.75, 4.76, and 4.84 of title 19 of the Code of Federal Regulations (19 CFR 4.75, 4.76 and 4.84). The Automated Commercial Environment (ACE) Export Manifest for Vessel Cargo Test is a voluntary test in which participants agree to submit export manifest data to U.S. Customs and Border Protection (CBP) electronically at least twenty-four hours prior to loading of the cargo onto the vessel in preparation for departure from the United States. The ACE Export Manifest for Vessel Cargo Test is authorized under 19 CFR 101.9(b), which provides for the testing of National Customs Automation Program (NCAP) programs or procedures.

The ACE Export Manifest for Vessel Cargo Test examines the functionality of filing export manifest data for vessel cargo electronically in ACE. ACE creates a single automated export processing platform for certain export manifest, commodity, licensing, export control, and export targeting transactions. This will reduce costs for CBP, partner government agencies, and the trade community, as well as improve facilitation of export shipments through the supply chain.

The ACE Export Manifest for Vessel Cargo Test also assesses the feasibility of requiring the manifest information to be filed electronically in ACE within a specified time before the cargo is loaded on the vessel. This capability will enhance CBP's ability to calculate the risk and effectively identify and inspect shipments prior to the loading of cargo in order to facilitate compliance with U.S. export laws.

CBP announced the procedures and criteria related to participation in the ACE Export Manifest for Vessel Cargo Test in a notice published in the **Federal Register** on August 20, 2015 (80 FR 50644). This test was originally scheduled to run for approximately two years. A correction to the notice,

regarding the technical capability requirements, was published on October 20, 2015 (80 FR 63575). On August 14, 2017, CBP extended the test period (82 FR 37890). At that time, CBP also modified the original notice to make certain data elements optional and opened the test to accept additional applications for all parties who met the eligibility requirements. CBP further renewed the test for an additional two years on April 27, 2022 (87 FR25036). Through this notice, CBP is renewing the test again.

The data elements, unless noted otherwise, are mandatory. Data elements which are mandatory must be provided to CBP for every shipment. Data elements which are marked "conditional" must be provided to CBP only if the particular information pertains to the cargo. Data elements which are marked "optional" may be provided to CBP but are not required to be completed. The data elements are set forth below:

- (1) Mode of Transportation (containerized vessel cargo or noncontainerized vessel cargo)
- (2) Name of Ship or Vessel
- (3) Nationality of Ship
- (4) Name of Master (optional)
- (5) Port of Loading
- (6) Port of Discharge
- (7) Bill of Lading Number (Master and House)
- (8) Bill of Lading Type (Master, House, Simple or Sub)
- (9) Number of House Bills of Lading (optional)
- (10) Marks and Numbers (conditional)
- (11) Container Numbers (conditional)
- (12) Seal Numbers (conditional)
- (13) Number and Kind of Packages
- (14) Description of Goods
- (15) Gross Weight (lb. or kg.) or Measurements (per HTSUS)
- (16) Shipper name and address
- (17) Consignee name and address
- (18) Notify Party name and address (conditional)
- (19) Country of Ultimate Destination
- (20) In-bond Number (conditional)
- (21) Internal Transaction Number (ITN) or AES Exemption Statement (per shipment)
- (22) Split Shipment Indicator (Yes/No) (optional)
- (23) Portion of Split Shipment (e.g., 1 of 10, 4 of 10, 5 of 10, Final, etc.) (optional)
- (24) Hazmat Indicator (Yes/No)
- (25) UN Number (conditional) (If the hazmat indicator is yes, then UN (for United Nations Number) or NA (North American Number) and the

corresponding four-digit identification number assigned to the hazardous material must be provided.)

- (26) Chemical Abstract Service (CAS) Registry Number (conditional)
- (27) Vehicle Identification Number (VIN) or Product Identification Number (conditional) (For shipments of used vehicles, the VIN must be reported, or for used vehicles that do not have a VIN, the Product Identification Number must be reported.)

For further details on the background and procedures regarding this test, please refer to the August 20, 2015 notice, as corrected by the October 20, 2015 notice, and the August 14, 2017 extension and modification.

**II. Renewal of the ACE Export Manifest for Vessel Cargo Test Period**

CBP will renew the test for another two years to continue evaluating the ACE Export Manifest for Vessel Cargo Test. This will assist CBP in determining whether electronic submission of manifests will allow for improvements in the functionality and capabilities at the departure level. The renewed test will run for two additional years from the date of publication.

**III. Applicability of Initial Test Notice**

All provisions in the August 20, 2015 notice, as corrected by the October 20, 2015 notice, and in the August 14, 2017 modification and extension remain applicable, subject to the further extension of the time period provided in this renewal.

**IV. Paperwork Reduction Act**

In accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104–13, 44 U.S.C. 3507), an agency may not conduct, and a person is not required to respond to, a collection of information unless the collection of information displays a valid control number assigned by the Office of Management and Budget (OMB). The collections of information in this NCAP test have been approved by OMB in accordance with the requirements of the Paperwork Reduction Act and assigned OMB control number 1651–0001.

**Diane J. Sabatino,**

(A) Executive Assistant Commissioner, Office of Field Operations, U.S. Customs and Border Protection.

[FR Doc. 2024–11950 Filed 5–30–24; 8:45 am]

**BILLING CODE 9111–14–P**

**DEPARTMENT OF HOMELAND SECURITY****Federal Emergency Management Agency**

[Docket ID: FEMA–2024–0016; OMB No. 1660–0151]

**Agency Information Collection Activities: Proposed Collection; Comment Request; Facility Access Request**

**AGENCY:** Federal Emergency Management Agency, Department of Homeland Security.

**ACTION:** 60-Day notice of extension and request for comments.

**SUMMARY:** The Federal Emergency Management Agency, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public to take this opportunity to comment on an extension of a currently approved information collection. In accordance with the Paperwork Reduction Act of 1995, this notice seeks comments concerning access to all FEMA controlled facilities. This information is used to create a profile within the system boundary of the FEMA.

**DATES:** Comments must be submitted on or before July 30, 2024.

**ADDRESSES:** To avoid duplicate submissions to the docket, please submit comments at [www.regulations.gov](http://www.regulations.gov) under Docket ID FEMA–2024–0016. Follow the instructions for submitting comments.

All submissions received must include the agency name and Docket ID. Regardless of the method used for submitting comments or material, all submissions will be posted, without change, to the Federal eRulemaking Portal at <http://www.regulations.gov>, and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to read the Privacy and Security Notice that is available via a link on the homepage of [www.regulations.gov](http://www.regulations.gov).

**FOR FURTHER INFORMATION CONTACT:** Kymlee Murphy Perroni, Security Technology Branch Chief, Federal Emergency Management Agency Office of the Chief Security Officer, [Kymlee.Murphy@fema.dhs.gov](mailto:Kymlee.Murphy@fema.dhs.gov), 202–710–5587. You may contact the Information Management Division for copies of the proposed collection of information at email address: [FEMA-Information-Collections-Management@fema.dhs.gov](mailto:FEMA-Information-Collections-Management@fema.dhs.gov).

**SUPPLEMENTARY INFORMATION:** Visitor management is governed by DHS Instruction Manual 121–01–011–01, Visitor Management for DHS Headquarters and DHS Component Headquarters Facilities; FEMA Directive 121–1, Personal Identification Standard; FEMA Directive 121–3, Facility Access; and FEMA Instruction 121–3–1, Credential and Access Reference.

**Collection of Information**

*Title:* Facility Access Request.

*Type of Information Collection:* Extension of a currently approved information collection.

*OMB Number:* 1660–0151.

*FEMA Forms:* FEMA Form FF–900–FY–21–100 Facility Access Request and FEMA Form FF–900–FY–21–101 Facility Access Request.

*Abstract:* The purpose of these forms is to apply for access to all FEMA controlled facilities. This information is used to create a profile in the PACS. The personally identifiable information (PII) is used to authenticate the identity of Federal employees, contractors, and visitors who have entry authorization, and in the event of an emergency, to contact individuals. Respondents are typically individuals.

*Affected Public:* Federal Government & State, local or Tribal Government.

*Estimated Number of Respondents:* 20,500.

*Estimated Number of Responses:* 20,500.

*Estimated Total Annual Burden Hours:* 3,417.

*Estimated Total Annual Respondent Cost:* \$180,178.

*Estimated Respondents' Operation and Maintenance Costs:* 0.

*Estimated Respondents' Capital and Start-Up Costs:* 0.

*Estimated Total Annual Cost to the Federal Government:* \$27,201.

**Comments**

Comments may be submitted as indicated in the **ADDRESSES** caption above. Comments are solicited to (a) evaluate whether the proposed data collection is necessary for the proper performance of the agency, including whether the information shall have practical utility; (b) evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) enhance the quality, utility, and clarity of the information to be collected; and (d) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other

technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

**Millicent Brown Wilson,**

*Records Management Branch Chief, Office of the Chief Administrative Officer, Mission Support, Federal Emergency Management Agency, Department of Homeland Security.*

[FR Doc. 2024–11880 Filed 5–30–24; 8:45 am]

**BILLING CODE 9111–19–P**

**DEPARTMENT OF HOMELAND SECURITY****Federal Emergency Management Agency**

[Docket ID FEMA–2024–0002; Internal Agency Docket No. FEMA–B–2436]

**Proposed Flood Hazard Determinations**

**AGENCY:** Federal Emergency Management Agency, Department of Homeland Security.

**ACTION:** Notice.

**SUMMARY:** Comments are requested on proposed flood hazard determinations, which may include additions or modifications of any Base Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the preliminary FIRM, and where applicable, the FIS report that the Federal Emergency Management Agency (FEMA) has provided to the affected communities. The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

**DATES:** Comments are to be submitted on or before August 29, 2024.

**ADDRESSES:** The Preliminary FIRM, and where applicable, the FIS report for each community are available for inspection at both the online location <https://hazards.fema.gov/femaportal/prelimdownload> and the respective Community Map Repository address listed in the tables below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA

Map Service Center at <https://msc.fema.gov> for comparison.

You may submit comments, identified by Docket No. FEMA-B-2436, to Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646-7659, or (email) [patrick.sacbibit@fema.dhs.gov](mailto:patrick.sacbibit@fema.dhs.gov).

**FOR FURTHER INFORMATION CONTACT:** Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646-7659, or (email) [patrick.sacbibit@fema.dhs.gov](mailto:patrick.sacbibit@fema.dhs.gov); or visit the FEMA Mapping and Insurance eXchange (FMIX) online at [https://www.floodmaps.fema.gov/fhm/fmx\\_main.html](https://www.floodmaps.fema.gov/fhm/fmx_main.html).

**SUPPLEMENTARY INFORMATION:** FEMA proposes to make flood hazard determinations for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be

construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. These flood hazard determinations are used to meet the floodplain management requirements of the NFIP.

The communities affected by the flood hazard determinations are provided in the tables below. Any request for reconsideration of the revised flood hazard information shown on the Preliminary FIRM and FIS report that satisfies the data requirements outlined in 44 CFR 67.6(b) is considered an appeal. Comments unrelated to the flood hazard determinations also will be considered before the FIRM and FIS report become effective.

Use of a Scientific Resolution Panel (SRP) is available to communities in support of the appeal resolution process. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. Use of the SRP only may be exercised after FEMA and local communities have been

engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Additional information regarding the SRP process can be found online at [https://www.floodsrp.org/pdfs/srp\\_overview.pdf](https://www.floodsrp.org/pdfs/srp_overview.pdf).

The watersheds and/or communities affected are listed in the tables below. The Preliminary FIRM, and where applicable, FIS report for each community are available for inspection at both the online location [https://hazards.fema.gov/femaportal/prelim\\_download](https://hazards.fema.gov/femaportal/prelim_download) and the respective Community Map Repository address listed in the tables. For communities with multiple ongoing Preliminary studies, the studies can be identified by the unique project number and Preliminary FIRM date listed in the tables. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison. (Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

**Nicholas A. Shufro,**  
Assistant Administrator (Acting) for Risk Management, Federal Emergency Management Agency, Department of Homeland Security.

Community	Community map repository address
<b>Lee County, Mississippi and Incorporated Areas</b> <b>Project: 19-04-0021S Preliminary Date: June 2, 2023</b>	
City of Baldwin .....	City Hall, 200 West Main Street, Baldwin, MS 38824.
Unincorporated Areas of Lee County .....	Lee County Courthouse, 201 West Jefferson Street, Suite A, Tupelo, MS 38804.
<b>Lowndes County, Mississippi and Incorporated Areas</b> <b>Project: 19-04-0021S Preliminary Date: June 2, 2023</b>	
City of Columbus .....	Building Department Inspections, 1621 Main Street, Columbus, MS 39701.
Unincorporated Areas of Lowndes County .....	Lowndes County Building Inspection Office, 17 Airline Road, Columbus, MS 39701.
<b>Monroe County, Mississippi and Incorporated Areas</b> <b>Project: 19-04-0021S Preliminary Date: June 2, 2023</b>	
City of Aberdeen .....	City Hall, 125 West Commerce Street, Aberdeen, MS 39730.
City of Amory .....	City Hall, 109 South Front Street, Amory, MS 38821.
Town of Smithville .....	Town Hall, 63443 Highway 25 North, Smithville, MS 38870.
Unincorporated Areas of Monroe County .....	Monroe County Courthouse, 201 West Commerce Street, Aberdeen, MS 39730.
<b>Prentiss County, Mississippi and Incorporated Areas</b> <b>Project: 19-04-0021S Preliminary Date: June 2, 2023</b>	
City of Booneville .....	City Hall, 203 North Main Street, Booneville, MS 38829.
Unincorporated Areas of Prentiss County .....	Prentiss County Chancery Building, 100 North Main Street, Booneville, MS 38829.
<b>Tishomingo County, Mississippi and Incorporated Areas</b> <b>Project: 19-04-0021S Preliminary Date: June 2, 2023</b>	
Town of Belmont .....	Tishomingo County Courthouse, 1008 Battleground Drive, Iuka, MS 38852.
Town of Tishomingo .....	Tishomingo County Courthouse, 1008 Battleground Drive, Iuka, MS 38852.
Unincorporated Areas of Tishomingo .....	Tishomingo County Courthouse, 1008 Battleground Drive, Iuka, MS 38852.
Village of Paden .....	Tishomingo County Courthouse, 1008 Battleground Drive, Iuka, MS 38852.

[FR Doc. 2024–12010 Filed 5–30–24; 8:45 am]

BILLING CODE 9111–12–P

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

[Docket ID FEMA–2024–0002; Internal Agency Docket No. FEMA–B–2437]

**Changes in Flood Hazard Determinations**

**AGENCY:** Federal Emergency Management Agency, Department of Homeland Security.

**ACTION:** Notice.

**SUMMARY:** This notice lists communities where the addition or modification of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or the regulatory floodway (hereinafter referred to as flood hazard determinations), as shown on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports, prepared by the Federal Emergency Management Agency (FEMA) for each community, is appropriate because of new scientific or technical data. The FIRM, and where applicable, portions of the FIS report, have been revised to reflect these flood hazard determinations through issuance of a Letter of Map Revision (LOMR), in accordance with Federal Regulations. The currently effective community number is shown in the table below and must be used for all new policies and renewals.

**DATES:** These flood hazard determinations will be finalized on the dates listed in the table below and revise the FIRM panels and FIS report in effect prior to this determination for the listed communities.

From the date of the second publication of notification of these changes in a newspaper of local circulation, any person has 90 days in which to request through the community that the Deputy Associate Administrator for Insurance and Mitigation reconsider the changes. The flood hazard determination information may be changed during the 90-day period.

**ADDRESSES:** The affected communities are listed in the table below. Revised flood hazard information for each community is available for inspection at both the online location and the respective community map repository address listed in the table below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison.

Submit comments and/or appeals to the Chief Executive Officer of the community as listed in the table below.

**FOR FURTHER INFORMATION CONTACT:** Rick Sacbabit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646–7659, or (email) [patrick.sacbabit@fema.dhs.gov](mailto:patrick.sacbabit@fema.dhs.gov); or visit the FEMA Mapping and Insurance eXchange (FMIX) online at [https://www.floodmaps.fema.gov/fhm/fmx\\_main.html](https://www.floodmaps.fema.gov/fhm/fmx_main.html).

**SUPPLEMENTARY INFORMATION:** The specific flood hazard determinations are not described for each community in this notice. However, the online location and local community map repository address where the flood hazard determination information is available for inspection is provided.

Any request for reconsideration of flood hazard determinations must be submitted to the Chief Executive Officer of the community as listed in the table below.

The modifications are made pursuant to section 201 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and with 44 CFR part 65.

The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

These flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. The flood hazard determinations are in accordance with 44 CFR 65.4.

The affected communities are listed in the following table. Flood hazard determination information for each community is available for inspection at both the online location and the respective community map repository address listed in the table below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, “Flood Insurance.”)

**Nicholas A. Shufro,**

*Assistant Administrator (Acting) for Risk Management, Federal Emergency Management Agency, Department of Homeland Security.*

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Date of modification	Community No.
Alabama: St. Clair .....	Unincorporated areas of St. Clair County (23–04–6468P).	The Honorable Stan Batemon, Chair, St. Clair County Board of Commissioners, 165 5th Avenue, Suite 100, Ashville, AL 35953.	St. Clair County Engineering Department, 31588 Highway 231, Ashville, AL 35953.	<a href="https://msc.fema.gov/portal/advanceSearch">https://msc.fema.gov/portal/advanceSearch</a> .	Aug. 23, 2024 ....	010290
Arizona: Yavapai .....	City of Prescott (22–09–1249P).	The Honorable Phil Goode, Mayor, City of Prescott, 201 South Cortez Street, Prescott, AZ 86303.	Public Works Department, 433 North Virginia Street, Prescott, AZ 86301.	<a href="https://msc.fema.gov/portal/advanceSearch">https://msc.fema.gov/portal/advanceSearch</a> .	Jul. 31, 2024 .....	040098
Yavapai .....	Unincorporated areas of Yavapai County (22–09–1249P).	James Gregory, Chair, Yavapai County Board of Supervisors, 1015 Fair Street, Prescott, AZ 86305.	Yavapai County Hall, 1015 Fair Street, Prescott, AZ 86305.	<a href="https://msc.fema.gov/portal/advanceSearch">https://msc.fema.gov/portal/advanceSearch</a> .	Jul. 31, 2024 .....	040093



State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Date of modification	Community No.
Colorado:						
Arapahoe .....	City of Centennial (23-08-0194P).	The Honorable Stephanie Piko, Mayor, City of Centennial, 13133 East Arapahoe Road, Centennial, CO 80112.	Southeast Metro Stormwater Authority, 7437 South Fairplay Street, Centennial, CO 80112.	<a href="https://msc.fema.gov/portal/advanceSearch">https://msc.fema.gov/portal/advanceSearch</a> .	Sep. 6, 2024 .....	080315
El Paso .....	City of Manitou Springs (23-08-0292P).	The Honorable John Graham, Mayor, City of Manitou Springs, 606 Manitou Avenue, Manitou Springs, CO 80829.	City Hall, 606 Manitou Avenue, Manitou Springs, CO 80829.	<a href="https://msc.fema.gov/portal/advanceSearch">https://msc.fema.gov/portal/advanceSearch</a> .	Aug. 28, 2024 ....	080063
Larimer .....	City of Fort Collins (22-08-0636P).	The Honorable Jeni Arndt, Mayor, City of Fort Collins, P.O. Box 580, Fort Collins, CO 80522.	City Hall, 700 Wood Street, Fort Collins, CO 80521.	<a href="https://msc.fema.gov/portal/advanceSearch">https://msc.fema.gov/portal/advanceSearch</a> .	Jul. 24, 2024 .....	080102
Larimer .....	City of Loveland (22-08-0337P).	The Honorable Jacki Marsh, Mayor, City of Loveland, 500 East 3rd Street, Suite 330, Loveland, CO 80537.	City Hall, 700 Wood Street, Loveland, CO 80537.	<a href="https://msc.fema.gov/portal/advanceSearch">https://msc.fema.gov/portal/advanceSearch</a> .	Aug. 19, 2024 ....	080103
Larimer .....	Unincorporated areas of Larimer County (22-08-0337P).	John Kefalas, Chair, Larimer County Board of Commissioners, P.O. Box 1190, Fort Collins, CO 80522.	Larimer County Engineering Department, 200 West Oak Street, Suite 3000, Fort Collins, CO 80521.	<a href="https://msc.fema.gov/portal/advanceSearch">https://msc.fema.gov/portal/advanceSearch</a> .	Aug. 19, 2024 ....	080101
Larimer .....	Unincorporated areas of Larimer County (22-08-0636P).	John Kefalas, Chair, Larimer County Board of Commissioners, P.O. Box 1190, Fort Collins, CO 80522.	Larimer County Engineering Department, 200 West Oak Street, Suite 3000, Fort Collins, CO 80521.	<a href="https://msc.fema.gov/portal/advanceSearch">https://msc.fema.gov/portal/advanceSearch</a> .	Jul. 24, 2024 .....	080101
Connecticut:						
New Haven ....	City of Meriden (23-01-0147P).	The Honorable Kevin Scarpati, Mayor, City of Meriden, 142 East Main Street, Meriden, CT 06450.	Public Works Department, 142 East Main Street, Meriden, CT 06450.	<a href="https://msc.fema.gov/portal/advanceSearch">https://msc.fema.gov/portal/advanceSearch</a> .	Aug. 8, 2024 .....	090081
New Haven ....	City of Meriden (24-01-0126P).	The Honorable Kevin Scarpati, Mayor, City of Meriden, 142 East Main Street, Meriden, CT 06450.	Public Works Department, 142 East Main Street, Meriden, CT 06450.	<a href="https://msc.fema.gov/portal/advanceSearch">https://msc.fema.gov/portal/advanceSearch</a> .	Aug. 28, 2024 ....	090081
Florida:						
Orange .....	City of Orlando (24-04-0053P).	The Honorable Buddy Dyer, Mayor, City of Orlando, 400 South Orange Avenue, Orlando, FL 32801.	Public Works Department, Engineering Division, 400 South Orange Avenue, 8th Floor, Orlando, FL 32801.	<a href="https://msc.fema.gov/portal/advanceSearch">https://msc.fema.gov/portal/advanceSearch</a> .	Sep. 9, 2024 .....	120186
Orange .....	Unincorporated areas of Orange County (23-04-5522P).	The Honorable Jerry L. Demings, Mayor, Orange County, 201 South Rosalind Avenue, 5th Floor, Orlando, FL 32801.	Orange County Stormwater Management Division, 4200 South John Young Parkway, Orlando, FL 32839.	<a href="https://msc.fema.gov/portal/advanceSearch">https://msc.fema.gov/portal/advanceSearch</a> .	Aug. 30, 2024 ....	120179
Volusia .....	City of Daytona Beach (23-04-5711P).	The Honorable Derrick Henry, Mayor, City of Daytona Beach, 301 South Ridgewood Avenue, Daytona Beach, FL 32114.	City Hall, 301 South Ridgewood Avenue, Daytona Beach, FL 32114.	<a href="https://msc.fema.gov/portal/advanceSearch">https://msc.fema.gov/portal/advanceSearch</a> .	Aug. 26, 2024 ....	125099
Walton .....	City of Freeport (23-04-5559P).	The Honorable Russ Barley, Mayor, City of Freeport, 112 Highway 20 West, Freeport, FL 32439.	City Hall, 112 Highway 20 West, Freeport, FL 32439.	<a href="https://msc.fema.gov/portal/advanceSearch">https://msc.fema.gov/portal/advanceSearch</a> .	Sep. 5, 2024 .....	120319
Kentucky: Fayette	Lexington-Fayette Urban, County Government, (23-04-5603P).	The Honorable Linda Gordon, Mayor, Lexington-Fayette Urban, County Government, 101 East Main Street, Lexington, KY 40507.	Engineering Department, 101 East Vine Street, Suite 400, Lexington, KY 40507.	<a href="https://msc.fema.gov/portal/advanceSearch">https://msc.fema.gov/portal/advanceSearch</a> .	Aug. 9, 2024 .....	210067
Maine: York .....	Town of Kennebunkport (24-01-0144P).	D. Michael Weston, Chair, Town of Kennebunkport Board of Selectmen, 6 Elm Street, Kennebunkport, ME 04046.	Planning and Code Enforcement Department, 6 Elm Street, Kennebunkport, ME 04046.	<a href="https://msc.fema.gov/portal/advanceSearch">https://msc.fema.gov/portal/advanceSearch</a> .	Jul. 18, 2024 .....	230170
North Carolina:						

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Date of modification	Community No.
Durham .....	Unincorporated areas of Durham County (23-04-6337P).	Nida Allam, Chair, Durham County Board of Commissioners, 200 East Main Street, Durham, NC 27701.	Durham City-County Planning Department, 101 City Hall Plaza, Durham, NC 27701.	<a href="https://msc.fema.gov/portal/advanceSearch">https://msc.fema.gov/portal/advanceSearch</a> .	Sept. 5, 2024 .....	370085
Watauga .....	Unincorporated areas of Watauga County (23-04-3107P).	Larry Turnbow, Chair, Watauga County Board of Commissioners, 814 West King Street, Suite 205, Boone, NC 28607.	Watauga County Planning and Inspections Department, 126 Poplar Grove Connector, Suite 201, Boone, NC 28607.	<a href="https://msc.fema.gov/portal/advanceSearch">https://msc.fema.gov/portal/advanceSearch</a> .	May 16, 2024 .....	370251
Pennsylvania: Dauphin .....	Township of Derry (23-03-0300P).	Chris Abruzzo, Chair, Township of Derry Board of Supervisors, 600 Clearwater Road, Hershey, PA 17033.	Department of Community Development, 600 Clearwater Road, Hershey, PA 17033.	<a href="https://msc.fema.gov/portal/advanceSearch">https://msc.fema.gov/portal/advanceSearch</a> .	Aug. 23, 2024 ....	420376
Philadelphia ...	City of Philadelphia (24-03-0065P).	The Honorable Cherelle L. Parker, Mayor, City of Philadelphia, 1 South Penn Square, Suite 215, Philadelphia, PA 19102.	Department of Licenses and Inspections, 1401 JFK Boulevard, Philadelphia, PA 19102.	<a href="https://msc.fema.gov/portal/advanceSearch">https://msc.fema.gov/portal/advanceSearch</a> .	Sep. 3, 2024 .....	420757
South Carolina: Berkeley .....	Unincorporated areas of Berkeley County (22-04-5275P).	Johnny Cribb, Berkeley County Supervisor, 1003 North Highway 52, Moncks Corner, SC 29461.	Berkeley County Flood Map Repository, 1003 North Highway 52, Moncks Corner, SC 29461.	<a href="https://msc.fema.gov/portal/advanceSearch">https://msc.fema.gov/portal/advanceSearch</a> .	Aug. 22, 2024 ....	450029
York .....	Unincorporated areas of York County (23-04-6210P).	David Hudspeth, York County Manager, 6 South Congress Street, York, SC 29745.	York County Planning and Development Services Department, 18 West Liberty Street, York, SC 29745.	<a href="https://msc.fema.gov/portal/advanceSearch">https://msc.fema.gov/portal/advanceSearch</a> .	Aug. 22, 2024 ....	450193
Texas: Atascosa .....	Unincorporated areas of Atascosa County (23-06-1680P).	The Honorable Weldon Cude, Atascosa County Judge, 1 Courthouse Circle Drive, Suite 206, Jourdanton, TX 78026.	Atascosa County Courthouse, 1 Courthouse Circle Drive, Jourdanton, TX 78026.	<a href="https://msc.fema.gov/portal/advanceSearch">https://msc.fema.gov/portal/advanceSearch</a> .	Aug. 8, 2024 .....	480014
Collin and Denton.	City of Celina (23-06-2493P).	The Honorable Ryan Tubbs, Mayor, City of Celina, 142 North Ohio Street, Celina, TX 75009.	City Hall, 142 North Ohio Street, Celina, TX 75009.	<a href="https://msc.fema.gov/portal/advanceSearch">https://msc.fema.gov/portal/advanceSearch</a> .	Aug. 27, 2024 ....	480133
Collin .....	Unincorporated areas of Collin County (23-06-2493P).	The Honorable Chris Hill, Collin County Judge, 2300 Bloomdale Road, McKinney, TX 75071.	Collin County Juvenile Justice Alternative Education Program Building, 4690 Community Avenue, Suite 200, McKinney, TX 75071.	<a href="https://msc.fema.gov/portal/advanceSearch">https://msc.fema.gov/portal/advanceSearch</a> .	Aug. 27, 2024 ....	480130
Denton .....	Unincorporated areas of Denton County (23-06-2493P).	The Honorable Andy Eads, Denton County Judge, 1 Courthouse Drive, Suite 3100, Denton, TX 76208.	Denton County Development Services Department, 3900 Morse Street, Denton, TX 76208.	<a href="https://msc.fema.gov/portal/advanceSearch">https://msc.fema.gov/portal/advanceSearch</a> .	Aug. 27, 2024 ....	480774
Harris .....	City of Houston (23-06-1337P).	The Honorable John Whitmire, Mayor, City of Houston, P.O. Box 1562, Houston, TX 77251.	Floodplain Management Department, 1002 Washington Avenue, Houston, TX 77002.	<a href="https://msc.fema.gov/portal/advanceSearch">https://msc.fema.gov/portal/advanceSearch</a> .	Jul. 29, 2024 .....	480296
Harris .....	Unincorporated areas of Harris County (23-06-1337P).	The Honorable Lina Hidalgo, Harris County Judge, 1001 Preston Street, Suite 911, Houston, TX 77002.	Harris County Permit Office, 1111 Fannin Street, 8th Floor, Houston, TX 77002.	<a href="https://msc.fema.gov/portal/advanceSearch">https://msc.fema.gov/portal/advanceSearch</a> .	Jul. 29, 2024 .....	480287
Smith .....	City of Tyler (23-06-2411P).	The Honorable Don Warren, Mayor, City of Tyler, P.O. Box 2039, Tyler, TX 75710.	Development Center, 423 West Ferguson Street, Tyler, TX 75702.	<a href="https://msc.fema.gov/portal/advanceSearch">https://msc.fema.gov/portal/advanceSearch</a> .	Sep. 3, 2024 .....	480571

[FR Doc. 2024-12006 Filed 5-30-24; 8:45 am]

BILLING CODE 9110-12-P

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

[Docket ID FEMA–2024–0002]

**Changes in Flood Hazard Determinations**

**AGENCY:** Federal Emergency Management Agency, Department of Homeland Security.

**ACTION:** Notice.

**SUMMARY:** New or modified Base (1-percent annual chance) Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, and/or regulatory floodways (hereinafter referred to as flood hazard determinations) as shown on the indicated Letter of Map Revision (LOMR) for each of the communities listed in the table below are finalized. Each LOMR revises the Flood Insurance Rate Maps (FIRMs), and in some cases the Flood Insurance Study (FIS) reports, currently in effect for the listed communities.

**DATES:** Each LOMR was finalized as in the table below.

**ADDRESSES:** Each LOMR is available for inspection at both the respective Community Map Repository address listed in the table below and online through the FEMA Map Service Center at <https://msc.fema.gov>.

**FOR FURTHER INFORMATION CONTACT:** Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646–7659, or (email) [patrick.sacbibit@fema.dhs.gov](mailto:patrick.sacbibit@fema.dhs.gov); or visit the FEMA Mapping and Insurance eXchange (FMIX) online at [https://www.floodmaps.fema.gov/fhm/fmx\\_main.html](https://www.floodmaps.fema.gov/fhm/fmx_main.html).

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA) makes the final flood hazard determinations as shown in the LOMRs for each community listed in the table below. Notice of these modified flood hazard determinations has been published in newspapers of local circulation and 90 days have elapsed since that publication. The Deputy Associate Administrator for Insurance and Mitigation has resolved any appeals resulting from this notification.

The modified flood hazard determinations are made pursuant to section 206 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and with 44 CFR part 65. The currently effective community number is shown and must be used for all new policies and renewals.

The new or modified flood hazard information is the basis for the floodplain management measures that the community is required either to adopt or to show evidence of being

already in effect in order to remain qualified for participation in the National Flood Insurance Program (NFIP).

This new or modified flood hazard information, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities.

This new or modified flood hazard determinations are used to meet the floodplain management requirements of the NFIP. The changes in flood hazard determinations are in accordance with 44 CFR 65.4.

Interested lessees and owners of real property are encouraged to review the final flood hazard information available at the address cited below for each community or online through the FEMA Map Service Center at <https://msc.fema.gov>.

(Catalog of Federal Domestic Assistance No. 97.022, “Flood Insurance.”)

**Nicholas A. Shufro,**

*Assistant Administrator (Acting) for Risk Management, Federal Emergency Management Agency, Department of Homeland Security.*

State and county	Location and case No.	Chief executive officer of community	Community map repository	Date of modification	Community No.
Arizona:					
Maricopa (FEMA Docket No.: B–2383).	City of Phoenix (22–09–1756P).	The Honorable Kate Gallego, Mayor, City of Phoenix, 200 West Washington Street, Phoenix, AZ 85003.	Street Transportation Department, 200 West Washington Street, 5th Floor, Phoenix, AZ 85003.	Feb. 2, 2024 ....	040051
Pima (FEMA Docket No.: B–2394).	Town of Marana (22–09–1156P).	The Honorable Ed Honea, Mayor, Town of Marana, 11555 West Civic Center Drive, Marana, AZ 85653.	Engineering Department, Marana Municipal Complex, 11555 West Civic Center Drive, Marana, AZ 85653.	Feb. 16, 2024 ..	040118
Pima (FEMA Docket No.: B–2383).	Unincorporated Areas of Pima County (23–09–0654P).	The Honorable Adelita S. Grijalva, Chair, Board of Supervisors, Pima County, 33 North Stone Avenue, 11th Floor, Tucson, AZ 85701.	Pima County Flood Control District, 201 North Stone Avenue, 9th Floor, Tucson, AZ 85701.	Feb. 5, 2024 ....	040073
Pinal (FEMA Docket No.: B–2394).	Town of Queen Creek (22–09–0772P).	The Honorable Julia Wheatley, Mayor, Town of Queen Creek, 22358 South Ellsworth Road, Queen Creek, AZ 85142.	Town Hall, 22358 South Ellsworth Road, Queen Creek, AZ 85142.	Feb. 16, 2024 ..	040132
Pinal (FEMA Docket No.: B–2394).	Unincorporated Areas of Pinal County (22–09–0772P).	The Honorable Jeff Serdy, Chair, Board of Supervisors, Pinal County, P.O. Box 827, Florence, AZ 85132.	Pinal County Engineering Division, 31 North Pinal Street, Building F, Florence, AZ 85132.	Feb. 16, 2024 ..	040077
Santa Cruz (FEMA Docket No.: B–2383).	City of Nogales (23–09–0258P).	The Honorable Jorge Maldonado, Mayor, City of Nogales, 777 North Grand Avenue, Nogales, AZ 85621.	Public Works Department, 1450 North Hohokam Drive, Nogales, AZ 85621.	Feb. 7, 2024 ....	040091
Yavapai (FEMA Docket No.: B–2405).	Unincorporated Areas of Yavapai County (23–09–1052P).	The Honorable James Gregory, Chair, Board of Supervisors, Yavapai County, 1015 Fair Street, 3rd Floor, Prescott, AZ 86305.	Yavapai County Flood Control District, 1120 Commerce Drive, Prescott, AZ 86305.	Mar. 6, 2024 ....	040093
California:					
Kern (FEMA Docket No.: B–2394).	City of Bakersfield (22–09–0517P).	The Honorable Karen K. Goh, Mayor, City of Bakersfield, 1501 Truxtun Avenue, Bakersfield, CA 93301.	Public Works Department, 1501 Truxtun Avenue, Bakersfield, CA 93301.	Mar. 7, 2024 ....	060077

State and county	Location and case No.	Chief executive officer of community	Community map repository	Date of modification	Community No.
Kern (FEMA Docket No.: B-2394).	Unincorporated Areas of Kern County (22-09-0517P).	The Honorable Jeff Flores, Chair, Board of Supervisors, Kern County, 1115 Truxtun Avenue, 5th Floor, Bakersfield, CA 93301.	Kern County Planning Department, 2700 M Street, Suite 100, Bakersfield, CA 93301.	Mar. 7, 2024 ...	060075
Monterey (FEMA Docket No.: B-2405).	City of Gonzales (23-09-1221P).	The Honorable Jose L. Rios, Mayor, City of Gonzales, P.O. Box 647, Gonzales, CA 93926.	City Hall, 147 4th Street, Gonzales, CA 93926.	Apr. 26, 2024 ..	060198
Monterey (FEMA Docket No.: B-2405).	City of Salinas (23-09-1219P).	The Honorable Kimbley Craig, Mayor, City of Salinas, 200 Lincoln Avenue, Salinas, CA 93901.	Permit Center, 65 West Alisal Street, Salinas, CA 93901.	Apr. 25, 2024 ..	060202
Monterey (FEMA Docket No.: B-2405).	Unincorporated Areas of Monterey County (23-09-1219P).	The Honorable Luis A. Alejo, Chair, Board of Supervisors, Monterey County, 168 West Alisal Street, 2nd Floor, Salinas, CA 93901.	Monterey County, Water Resources Agency, 1441 Schilling Place, North Building, Salinas, CA 93901.	Apr. 25, 2024 ..	060195
Monterey (FEMA Docket No.: B-2405).	Unincorporated Areas of Monterey County (23-09-1220P).	The Honorable Luis A. Alejo, Chair, Board of Supervisors, Monterey County, 168 West Alisal Street, 2nd Floor, Salinas, CA 93901.	Monterey County, Water Resources Agency, 1441 Schilling Place, North Building, Salinas, CA 93901.	Apr. 25, 2024 ..	060195
Monterey (FEMA Docket No.: B-2405).	Unincorporated Areas of Monterey County (23-09-1222P).	The Honorable Luis A. Alejo, Chair, Board of Supervisors, Monterey County, 168 West Alisal Street, 2nd Floor, Salinas, CA 93901.	Monterey County, Water Resources Agency, 1441 Schilling Place, North Building, Salinas, CA 93901.	Apr. 25, 2024 ..	060195
Monterey (FEMA Docket No.: B-2405).	Unincorporated Areas of Monterey County (23-09-1223P).	The Honorable Luis A. Alejo, Chair, Board of Supervisors, Monterey County, 168 West Alisal Street, 2nd Floor, Salinas, CA 93901.	Monterey County, Water Resources Agency, 1441 Schilling Place, North Building, Salinas, CA 93901.	May 6, 2024 ....	060195
Napa (FEMA Docket No.: B-2394).	City of Calistoga (22-09-1525P).	The Honorable Donald Williams, Mayor, City of Calistoga, City Hall, 1232 Washington Street, Calistoga, CA 94515.	Planning and Building Department, 1232 Washington Street, Calistoga, CA 94515.	Feb. 12, 2024 ..	060206
Napa (FEMA Docket No.: B-2394).	Unincorporated Areas of Napa County (22-09-1525P).	The Honorable Belia Ramos, Chair, Board of Supervisors, Napa County, 1195 3rd Street, Napa, CA 94559.	Napa County, Public Works Department, 1195 3rd Street, Suite 101, Napa, CA 94559.	Feb. 12, 2024 ..	060205
Riverside (FEMA Docket No.: B-2394).	City of Menifee (22-09-1366P).	The Honorable Bill Zimmerman, Mayor, City of Menifee, 29844 Haun Road, Menifee, CA 92586.	Public Works and Engineering Department, 29714 Haun Road, Menifee, CA 92586.	Feb. 26, 2024 ..	060176
Riverside (FEMA Docket No.: B-2394).	City of Perris (22-09-1366P).	The Honorable Michael Vargas, Mayor, City of Perris, 101 North D Street, Perris, CA 92570.	Engineering Department, 24 South D Street, Suite 100, Perris, CA 92570.	Feb. 26, 2024 ..	060258
Riverside (FEMA Docket No.: B-2394).	Unincorporated Areas of Riverside County (23-09-0988P).	The Honorable Kevin Jeffries, Chair, Board of Supervisors, Riverside County, 4080 Lemon Street, 5th Floor, Riverside, CA 92501.	Riverside County, Flood Control and Water Conservation District, 1995 Market Street, Riverside, CA 92501.	Mar. 13, 2024 ..	060245
San Diego (FEMA Docket No.: B-2394).	City of San Diego (23-09-0040P).	The Honorable Todd Gloria, Mayor, City of San Diego, 202 C Street, 11th Floor, San Diego, CA 92101.	Development Services Department, 1222 1st Avenue, MS 301, San Diego, CA 92101.	Apr. 2, 2024 ....	060295
San Joaquin (FEMA Docket No.: B-2394).	City of Lathrop (23-09-0600P).	The Honorable Sonny Dhalwal, Mayor, City of Lathrop, 390 Towne Centre Drive, Lathrop, CA 95330.	Community Development Department, Planning Division, 390 Towne Centre Drive, Lathrop, CA 95330.	Mar. 27, 2024 ..	060738
Tulare (FEMA Docket No.: B-2405).	City of Woodlake (23-09-1050P).	The Honorable Rudy Mendoza, Mayor, City of Woodlake, 350 North Valencia Boulevard, Woodlake, CA 93286.	City Hall, 350 North Valencia Boulevard, Woodlake, CA 93286.	May 2, 2024 ....	065071
Tulare (FEMA Docket No.: B-2405).	Unincorporated Areas of Tulare County (23-09-1050P).	The Honorable Dennis Townsend, Chair, Board of Supervisors, Tulare County, 2800 West Burrel Avenue, Visalia, CA 93291.	Tulare County Resource Management Agency, Government Plaza, 5961 South Mooney Boulevard, Visalia, CA 93277.	May 2, 2024 ....	065066
Ventura (FEMA Docket No.: B-2405).	City of Simi Valley (22-09-1262P).	The Honorable Fred D. Thomas, Mayor, City of Simi Valley, 2929 Tapo Canyon Road, Simi Valley, CA 93063.	Department of Public Works, 2929 Tapo Canyon Road, Simi Valley, CA 93063.	Apr. 12, 2024 ..	060421
Ventura (FEMA Docket No.: B-2394).	City of Simi Valley (22-09-1318P).	The Honorable Fred D. Thomas, Mayor, City of Simi Valley, 2929 Tapo Canyon Road, Simi Valley, CA 93063.	Department of Public Works, 2929 Tapo Canyon Road, Simi Valley, CA 93063.	Feb. 20, 2024 ..	060421
Florida:					
Clay (FEMA Docket No.: B-2405).	Unincorporated Areas of Clay County (23-04-0807P).	Howard Wanamaker, Manager, Clay County, P.O. Box 1366, Green Cove Springs, FL 32043.	Clay County, Public Works Department, 5 Esplanade Avenue, Green Cove Springs, FL 32043.	Mar. 21, 2024 ..	120064
Duval (FEMA Docket No.: B-2405).	City of Atlantic Beach (22-04-5573P).	The Honorable Curtis Ford, Mayor—Seat 1, City of Atlantic Beach, 800 Seminole Road, Atlantic Beach, FL 32233.	City Hall, 800 Seminole Road, Atlantic Beach, FL 32233.	Apr. 5, 2024 ....	120075
Duval (FEMA Docket No.: B-2394).	City of Jacksonville (22-04-5474P).	The Honorable Donna Deegan, Mayor, City of Jacksonville, 117 West Duval Street, Suite 400, Jacksonville, FL 32202.	Edward Ball Building Development Services, Room 2100, 214 North Hogan Street, Jacksonville, FL 32202.	Feb. 28, 2024 ..	120077

State and county	Location and case No.	Chief executive officer of community	Community map repository	Date of modification	Community No.
Duval (FEMA Docket No.: B-2405).	City of Jacksonville (22-04-5573P).	The Honorable Donna Deegan, Mayor, City of Jacksonville, 117 West Duval Street, Suite 400, Jacksonville, FL 32202.	Edward Ball Building Development Services, Room 2100, 214 North Hogan Street, Jacksonville, FL 32202.	Apr. 5, 2024 ....	120077
Duval (FEMA Docket No.: B-2383).	City of Jacksonville (23-04-0131P).	The Honorable Donna Deegan, Mayor, City of Jacksonville, 117 West Duval Street, Suite 400, Jacksonville, FL 32202.	Edward Ball Building Development Services, Room 2100, 214 North Hogan Street, Jacksonville, FL 32202.	Feb. 8, 2024 ....	120077
Duval (FEMA Docket No.: B-2405).	City of Jacksonville (23-04-1662P).	The Honorable Donna Deegan, Mayor, City of Jacksonville, 117 West Duval Street, Suite 400, Jacksonville, FL 32202.	Edward Ball Building Development Services, Room 2100, 214 North Hogan Street, Jacksonville, FL 32202.	Apr. 12, 2024 ..	120077
Duval (FEMA Docket No.: B-2405).	City of Jacksonville (23-04-3193P).	The Honorable Donna Deegan, Mayor, City of Jacksonville, 117 West Duval Street, Suite 400, Jacksonville, FL 32202.	Edward Ball Building Development Services, Room 2100, 214 North Hogan Street, Jacksonville, FL 32202.	Apr. 2, 2024 ....	120077
Nassau (FEMA Docket No.: B-2405).	Unincorporated Areas of Nassau County (23-04-1810P).	Klynt A. Farmer, Chair, Nassau County Board of Commissioners, 96135 Nassau Place, Suite 1, Yulee, FL 32097.	Nassau County Building Department, 96161 Nassau Place, Yulee, FL 32097.	Mar. 31, 2024 ..	120170
St. Johns (FEMA Docket No.: B-2405).	Unincorporated Areas of St. Johns County (22-04-4973P).	Christian Whitehurst, Chair, St. Johns County Board of Commissioners, 500 San Sebastian View, St. Augustine, FL 32084.	St. Johns County Permit Center, 4040 Lewis Speedway, St. Augustine, FL 32084.	Apr. 29, 2024 ..	125147
St. Johns (FEMA Docket No.: B-2394).	Unincorporated Areas of St. Johns County (23-04-1421P).	Christian Whitehurst, Chair, St. Johns County Board of County Commissioners, 500 San Sebastian View, St. Augustine, FL 32084.	St. Johns County Permit Center, 4040 Lewis Speedway, St. Augustine, FL 32084.	Mar. 4, 2024 ....	125147
Volusia (FEMA Docket No.: B-2383).	City of Daytona Beach (23-04-0482P).	The Honorable Derrick Henry, Mayor, City of Daytona Beach, City Hall, 301 South Ridgewood Avenue, Daytona Beach, FL 32114.	City Hall, 301 South Ridgewood Avenue, Daytona Beach, FL 32114.	Feb. 1, 2024 ....	125099
Idaho:					
Ada (FEMA Docket No.: B-2405).	Unincorporated Areas of Ada County (23-10-0153P).	Rod Beck, Chair, Ada County Board of Commissioners, Ada County Courthouse, 200 West Front Street, 3rd Floor, Boise, ID 83702.	Ada County Courthouse, 200 West Front Street, Boise, ID 83702.	Apr. 11, 2024 ..	160001
Bannock (FEMA Docket No.: B-2405).	City of Pocatello (22-10-0761P).	The Honorable Brian Blad, Mayor, City of Pocatello, P.O. Box 4169, Pocatello, ID 83201.	City Hall, 911 North 7th Avenue, Pocatello, ID 83201.	Mar. 21, 2024 ..	160012
Bannock (FEMA Docket No.: B-2405).	Unincorporated Areas of Bannock County (22-10-0761P).	Ernie Moser, Chair, Bannock County Board of Commissioners, 624 East Center, Room 101, Pocatello, ID 83201.	Bannock County Planning and Development, 5500 South 5th Avenue, Pocatello, ID 83201.	Mar. 21, 2024 ..	160009
Blaine (FEMA Docket No.: B-2383).	City of Bellevue (23-10-0247P).	The Honorable Kathryn Goldman, Mayor, City of Bellevue, 115 East Pine Street, Bellevue, ID 83313.	City Hall, 115 East Pine Street, Bellevue, ID 83313.	Jan. 11, 2024 ..	160021
Bonneville (FEMA Docket No.: B-2383).	Unincorporated Areas of Bonneville County (23-10-0340P).	Roger Christensen, Chair, Bonneville County Board of Commissioners, 605 North Capital Avenue, Idaho Falls, ID 83402.	Bonneville County Courthouse, 605 North Capital Avenue, Idaho Falls, ID 83402.	Jan. 31, 2024 ..	160027
Canyon (FEMA Docket No.: B-2405).	City of Notus (23-10-0461P).	The Honorable David Porterfield, Mayor, City of Notus, P.O. Box 257, Notus, ID 83656.	City Hall, 375 Notus Road, Notus, ID 83656.	Mar. 20, 2024 ..	160147
Canyon (FEMA Docket No.: B-2383).	Unincorporated Areas of Canyon County (22-10-0980P).	Brad Holton, Chair, Canyon County Board of Commissioners, 1115 Albany Street, Room 101, Caldwell, ID 83605.	Canyon County Administration Building, 111 North 11th Avenue, Room 101, Caldwell, ID 83605.	Jan. 12, 2024 ..	160208
Canyon (FEMA Docket No.: B-2405).	Unincorporated Areas of Canyon County (23-10-0461P).	Brad Holton, Chair, Canyon County Board of Commissioners, 1115 Albany Street, Room 101, Caldwell, ID 83605.	Canyon County Administration Building, 111 North 11th Avenue, Room 101, Caldwell, ID 83605.	Mar. 20, 2024 ..	160208
Elmore (FEMA Docket No.: B-2394).	Unincorporated Areas of Elmore County (23-10-0206P).	Al Hofer, Chair, Elmore County, 150 South 4th East Street, Mountain Home, ID 83647.	Elmore County Courthouse Planning and Zoning Department, 150 South 4th East Street, Mountain Home, ID 83647.	Feb. 29, 2024 ..	160212
Illinois:					
Cook (FEMA Docket No.: B-2394).	Village of Richton Park (23-05-2566P).	Rick Reinbold, Village President, Village of Richton Park, 4455 Sauk Trail, Richton Park, IL 60471.	Municipal Building, 4455 Sauk Trail, Richton Park, IL 60471.	Mar. 18, 2024 ..	170149
Kane (FEMA Docket No.: B-2405).	City of Elgin (22-05-2657P).	The Honorable David Kaptain, Mayor, City of Elgin, 150 Dexter Court, Elgin, IL 60120.	Public Works Department, Engineering Department, 150 Dexter Court, Elgin, IL 60120.	Apr. 4, 2024 ....	170087
Kane (FEMA Docket No.: B-2405).	Village of Campton Hills (22-05-2657P).	Barbara Wojnicki, Village President, Village of Campton Hills, 40W270 LaFox Road, Suite B, Campton Hills, IL 60175.	Village Hall, 40W270 LaFox Road, Suite B, Campton Hills, IL 60175.	Apr. 4, 2024 ....	171396
Kane (FEMA Docket No.: B-2394).	Village of Gilberts (23-05-1813P).	Guy Zambetti, Village President, Village of Gilberts, 87 Galligan Road, Gilberts, IL 60136.	Village Hall, 87 Galligan Road, Gilberts, IL 60136.	Mar. 28, 2024 ..	170326

State and county	Location and case No.	Chief executive officer of community	Community map repository	Date of modification	Community No.
La Salle (FEMA Docket No.: B-2394).	City of Peru (23-05-1547P).	The Honorable Ken Kolowski, Mayor, City of Peru, 1901 4th Street, Peru, IL 61354.	City Hall, 1901 4th Street, Peru, IL 61354.	Mar. 12, 2024 ..	170406
Will (FEMA Docket No.: B-2394).	Unincorporated Areas of Will County (22-05-2651P).	Jennifer Bertino-Tarrant, Will County Executive, Will County Office Building, 302 North Chicago Street, Joliet, IL 60432.	Will County Land Use Department, 58 East Clinton Street, Suite 100, Joliet, IL 60432.	Mar. 20, 2024 ..	170695
Will (FEMA Docket No.: B-2405).	Unincorporated Areas of Will County (22-05-3276P).	Jennifer Bertino-Tarrant, Will County Executive, Will County Office Building, 302 North Chicago Street, Joliet, IL 60432.	Will County Land Use Department, 58 East Clinton Street, Suite 100, Joliet, IL 60432.	Apr. 17, 2024 ..	170695
Will (FEMA Docket No.: B-2405).	Unincorporated Areas of Will County (24-05-0310P).	Jennifer Bertino-Tarrant, Will County Executive, Will County Office Building, 302 North Chicago Street, Joliet, IL 60432.	Will County Land Use Department, 58 East Clinton Street, Suite 100, Joliet, IL 60432.	Apr. 15, 2024 ..	170695
Will (FEMA Docket No.: B-2405).	Village of Plainfield (24-05-0310P).	John Argoudelis, Village President, Village of Plainfield, 24401 West Lockport Street, Plainfield, IL 60544.	Village Hall, 24401 West Lockport Street, Plainfield, IL 60544.	Apr. 15, 2024 ..	170771
Indiana: Marion (FEMA Docket No.: B-2405).	City of Indianapolis (22-05-2392P).	The Honorable Joe Hogsett, Mayor, City of Indianapolis, City-County Building, 200 East Washington Street, Suite 2501, Indianapolis, IN 46204.	City Hall, 200 East Washington Street, Suite 1842, Indianapolis, IN 46204.	Mar. 20, 2024 ..	180159
Kansas: Johnson (FEMA Docket No.: B-2394).	Unincorporated Areas of Johnson County (23-07-0167P).	Mike Kelly, Chair, Johnson County Board of Supervisors, County Courthouse, 111 South Cherry Street, Olathe, KS 66061.	Johnson County Courthouse, Planning Office, 111 South Cherry Street, Suite 3500, Olathe, KS 66061.	Mar. 7, 2024 ....	200159
Michigan: Genesee (FEMA Docket No.: B-2394).	City of Flint (22-05-2748P).	The Honorable Sheldon Neeley, Mayor, City of Flint, 1101 South Saginaw Street, Flint, MI 48502.	City Council, 1101 South Saginaw Street, Flint, MI 48502.	Feb. 19, 2024 ..	260076
Saginaw (FEMA Docket No.: B-2405).	Township of Kochville (23-05-1059P).	Alan Maleskey, Town Supervisor, Township of Kochville, Kochville Township Offices, 5851 Mackinaw Road, Saginaw, MI 48604.	Township Hall, 5851 Mackinaw Road, Saginaw, MI 48604.	Mar. 20, 2024 ..	260501
Minnesota: Anoka (FEMA Docket No.: B-2383).	City of Andover (23-05-1134P).	The Honorable Sheri Bukkila, Mayor, City of Andover, City Hall, 1685 Crosstown Boulevard Northwest, Andover, MN 55304.	City Hall, 1685 Crosstown Boulevard Northwest, Andover, MN 55304.	Jan. 29, 2024 ..	270689
Dakota (FEMA Docket No.: B-2405).	City of Hampton (23-05-1190P).	The Honorable John Knetter, Mayor, City of Hampton, P.O. Box 128, Hampton, MN 55031.	City Hall, 5265 238 Street East, Hampton, MN 55031.	Apr. 26, 2024 ..	270774
Dakota (FEMA Docket No.: B-2405).	Unincorporated Areas of Dakota County (23-05-1190P).	Matt Smith, County Manager, Dakota County, 1590 Highway 55, Hastings, MN 55033.	Dakota County Administration Center, 1590 Highway 55, Hastings, MN 55033.	Apr. 26, 2024 ..	270101
Mower (FEMA Docket No.: B-2383).	City of Austin (22-05-1096P).	The Honorable Steve King, Mayor, City of Austin, City Hall, 500 4th Avenue Northeast, Austin, MN 55912.	City Hall, 500 4th Avenue Northeast, Austin, MN 55912.	Feb. 1, 2024 ....	275228
Nevada: Carson City (FEMA Docket No.: B-2405).	City of Carson City (22-09-0582P).	The Honorable Lori Bagwell, Mayor, City of Carson City, City Hall, 201 North Carson Street, Suite 2, Carson City, NV 89701.	Building Division, Permit Center, 108 East Proctor Street, Carson City, NV 89701.	Apr. 4, 2024 ....	320001
Clark (FEMA Docket No.: B-2394).	City of Henderson (23-09-0113P).	The Honorable Michelle Romero, Mayor, City of Henderson, 240 South Water Street, Henderson, NV 89015.	Public Works Department, 240 South Water Street, Henderson, NV 89015.	Mar. 6, 2024 ....	320005
Douglas (FEMA Docket No.: B-2383).	Unincorporated Areas of Douglas County (22-09-0499P).	The Honorable Mark Gardner, Chair, Board of Commissioners, Douglas County, P.O. Box 218, Minden, NV 89423.	Douglas County, Community Development, 1594 Esmeralda Avenue, Minden, NV 89423.	Jan. 18, 2024 ..	320008
New York: Erie (FEMA Docket No.: B-2383 and 2394).	City of Tonawanda (23-02-0651X).	The Honorable John L. White, Mayor, City of Tonawanda, 200 Niagara Street, Tonawanda, NY 14150.	City Hall, 200 Niagara Street, Tonawanda, NY 14150.	Mar. 13, 2024 ..	360259
Erie (FEMA Docket No.: B-2383 and 2394).	Town of Grand Island (23-02-0651X).	John Whitney, P.E., Town Supervisor, Town of Grand Island, 2255 Baseline Road, 1st Floor, Grand Island, NY 14072.	Town Hall, 2255 Baseline Road, Grand Island, NY 14072.	Mar. 13, 2024 ..	360242
Onondaga (FEMA Docket No.: B-2383).	Town of Manlius (22-02-0141P).	Edmond J. Theobald, Supervisor, Town of Manlius, 301 Brooklea Drive, Fayetteville, NY 13066.	Village Centre, One Arkie Albanese Avenue, Manlius, NY 13104.	Mar. 27, 2024 ..	360584
Onondaga (FEMA Docket No.: B-2383).	Village of Fayetteville (22-02-0141P).	The Honorable Mark Olson, Mayor, Village of Fayetteville, 425 East Genesee Street, Fayetteville, NY 13066.	Village Hall, 425 East Genesee Street, Fayetteville, NY 13066.	Mar. 27, 2024 ..	360578

State and county	Location and case No.	Chief executive officer of community	Community map repository	Date of modification	Community No.
Rockland (FEMA Docket No.: B-2405).	Town of Clarkstown (23-02-0495P).	George Hoehmann, Supervisor, Town of Clarkstown, 10 Maple Avenue, New City, NY 10956.	Town Hall, 10 Maple Avenue, New City, NY 10956.	May 22, 2024 ..	360679
Suffolk (FEMA Docket No.: B-2383).	Town of Southold (23-02-0178P).	Scott A. Russell, Supervisor, Town of Southold, 53095 Main Road, Southold, NY 11971.	Town Hall, 53095 Route 25, Southold, NY 11971.	Feb. 8, 2024 ....	360813
Ohio:					
Licking (FEMA Docket No.: B-2405).	Unincorporated Areas of Licking County (23-05-2363P).	Timothy E. Bubb, President, Board of Licking County Commissioners, 20 South 2nd Street, Newark, OH 43055.	Licking County, Planning and Development Department, 20 South 2nd Street, Newark, OH 43055.	Apr. 12, 2024 ..	390328
Licking (FEMA Docket No.: B-2405).	Village of Hebron (23-05-2363P).	The Honorable James Layton, Mayor, Village of Hebron, 934 West Main Street, Hebron, OH 43025.	Municipal Complex, 934 West Main Street, Hebron, OH 43025.	Apr. 12, 2024 ..	390333
Logan (FEMA Docket No.: B-2405).	City of Bellefontaine (23-05-2635P).	The Honorable Ben Stahler, Mayor, City of Bellefontaine, 135 North Detroit Street, Bellefontaine, OH 43311.	City Hall, 135 North Detroit Street, Bellefontaine, OH 43311.	Apr. 17, 2024 ..	390340
Logan (FEMA Docket No.: B-2405).	Unincorporated Areas of Logan County (23-05-2635P).	The Honorable Joe Antram, President, Logan County Board of Commissioners, 117 East Columbus Avenue, Bellefontaine, OH 43311.	Logan County Commissioner's Office, 117 East Columbus Avenue, Bellefontaine, OH 43311.	Apr. 17, 2024 ..	390772
Summit (FEMA Docket No.: B-2383).	City of Akron (23-05-0885P).	The Honorable Dan Horrigan, Mayor, City of Akron, 166 South High Street, Suite 200, Akron, OH 44308.	Engineering Department, 576 West Park Avenue, Barberton, OH 44236.	Jan. 17, 2024 ..	390523
Summit (FEMA Docket No.: B-2383).	City of Barberton (23-05-0885P).	The Honorable William B. Judge, Mayor, City of Barberton, 576 West Park Avenue, Barberton, OH 44203.	Engineering Department, 576 West Park Avenue, Barberton, OH 44236.	Jan. 17, 2024 ..	390524
Oregon:					
Yamhill (FEMA Docket No.: B-2383).	City of Yamhill (22-10-1006P).	The Honorable Yvette Potter, Mayor, City of Yamhill, 205 South Maple, Yamhill, OR 97148.	City Hall, 205 South Maple Street, Yamhill, OR 97148.	Jan. 3, 2024 ....	410259
Yamhill (FEMA Docket No.: B-2383).	Unincorporated Areas of Yamhill County (22-10-1006P).	Lindsay Berschauer, Chair, Yamhill County Board of Commissioners, 535 Northeast 5th Street, McMinnville, OR 97128.	Yamhill County, Surveyor's Office, 2060 Lafayette Avenue, McMinnville, OR 97128.	Jan. 3, 2024 ....	410249
Pennsylvania:					
Chester (FEMA Docket No.: B-2383).	Borough of Phoenixville (22-03-1007P).	The Honorable Peter Urscheler, Mayor, Borough of Phoenixville, 351 Bridge Street, 2nd Floor, Phoenixville, PA 19460.	Borough Hall, 351 Bridge Street, 2nd Floor, Phoenixville, PA 19460.	Jan. 29, 2024 ..	420287
Texas: Collin (FEMA Docket No.: B-2383).	Unincorporated Areas of Collin County (23-06-0707P).	The Honorable Chris Hill, County Judge Precinct 3, Collin County Administration Building, 2300 Bloomdale Road, Suite 4192, McKinney, TX 75071.	Collin County Engineering Department, 4690 Community Avenue, Suite 200, McKinney, TX 75071.	Jan. 16, 2024 ..	480130
Washington: Spokane (FEMA Docket No.: B-2383).	Unincorporated Areas of Spokane County (23-10-0428P).	Mary Kuney, Chair, Spokane County Board of Commissioners, 1116 West Broadway Avenue, Spokane County, WA 99260.	Spokane County Public Works Building, 1026 West Broadway Avenue, Spokane, WA 99260.	Feb. 7, 2024 ....	530174
Wisconsin:					
Buffalo (FEMA Docket No.: B-2394).	City of Durand (22-05-1633P).	The Honorable Patrick Milliren, Mayor, City of Durand, 511 6th Avenue East, Durand, WI 54736.	City Hall, 104 East Main Street, Durand, WI 54736.	Feb. 9, 2024 ....	550320
Buffalo (FEMA Docket No.: B-2394).	Unincorporated Areas of Buffalo County (22-05-1633P).	Dennis Bork, Chair, Buffalo County Board of Supervisors, P.O. Box 58, Alma, WI 54610.	Buffalo County Courthouse, 407 South 2nd Street, Alma, WI 54610.	Feb. 9, 2024 ....	555547
Clark (FEMA Docket No.: B-2394).	Unincorporated Areas of Clark County (23-05-1325P).	Wayne Hendrickson, Chair, Clark County Board of Supervisors, Emergency Government Department, 517 Court Street, Neillsville, WI 54456.	Clark County, Emergency Government Department, 517 Court Street, Neillsville, WI 54456.	Feb. 29, 2024 ..	550048
Kenosha (FEMA Docket No.: B-2405).	City of Kenosha (23-05-2935P).	The Honorable John Antaramian, Mayor, City of Kenosha, 625 52nd Street, Room 300, Kenosha, WI 53140.	City Hall, 625 52nd Street, Kenosha, WI 53140.	Apr. 24, 2024 ..	550209
Kenosha (FEMA Docket No.: B-2405).	Village of Bristol (23-05-2935P).	Mike Farrell, President, Village of Bristol, Bristol Municipal Building, 19801 83rd Street, Bristol, WI 53104.	Village Hall, 19801 83rd Street, Bristol, WI 53104.	Apr. 24, 2024 ..	550595
Kenosha (FEMA Docket No.: B-2405).	Village of Pleasant Prairie (23-05-0948P).	John P. Steinbrink, President, Village of Pleasant Prairie, 9915 39th Avenue, Pleasant Prairie, WI 53158.	Village Hall, 9915 39th Avenue, Pleasant Prairie, WI 53158.	Mar. 26, 2024 ..	550613
Outagamie (FEMA Docket No.: B-2405).	Unincorporated Areas of Outagamie County (21-05-4195P).	Thomas M. Nelson, County Executive, Outagamie County, 320 South Walnut Street, Appleton, WI 54911.	Outagamie County Building, 410 South Walnut Street, Appleton, WI 54911.	Apr. 19, 2024 ..	550302
Pepin (FEMA Docket No.: B-2394).	Unincorporated Areas of Pepin County (22-05-1633P).	Tom Milliren, Chair, Pepin County Board of Supervisors, 740 7th Avenue West, Durand, WI 54736.	Pepin County Government Center, 740 7th Avenue West, Durand, WI 54736.	Feb. 9, 2024 ....	555570

State and county	Location and case No.	Chief executive officer of community	Community map repository	Date of modification	Community No.
Portage (FEMA Docket No.: B-2295).	Unincorporated Areas of Portage County (22-05-0525P).	Chair Al Haga, Jr., Portage County, 2140 Norway Pine Drive, Plover, WI 54467.	Portage County Courthouse, 1516 Church Street, Stevens Point, WI 54481.	Jan. 19, 2023 ..	550572
Sheboygan (FEMA Docket No.: B-2405).	City of Plymouth (22-05-1328P).	The Honorable Don Pohlman, Mayor, City of Plymouth, City Hall, 128 Smith Street, Plymouth, WI 53073.	City Hall, 128 Smith Street, Plymouth, WI 53073.	Apr. 8, 2024 ....	550428
Sheboygan (FEMA Docket No.: B-2405).	Unincorporated Areas of Sheboygan County (22-05-1328P).	Vernon C. Koch, Chair, Sheboygan County, Administration Building, 508 New York Avenue, Room 311, Sheboygan, WI 53081.	Sheboygan County, Administration Building, 508 New York Avenue, Sheboygan, WI 53081.	Apr. 8, 2024 ....	550424

[FR Doc. 2024-12005 Filed 5-30-24; 8:45 am]  
 BILLING CODE 9110-12-P

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

[Docket ID FEMA-2024-0002]

**Final Flood Hazard Determinations**

**AGENCY:** Federal Emergency Management Agency, Department of Homeland Security.

**ACTION:** Notice.

**SUMMARY:** Flood hazard determinations, which may include additions or modifications of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or regulatory floodways on the Flood Insurance Rate Maps (FIRMs) and where applicable, in the supporting Flood Insurance Study (FIS) reports have been made final for the communities listed in the table below. The FIRM and FIS report are the basis of the floodplain management measures that a community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the Federal

Emergency Management Agency’s (FEMA’s) National Flood Insurance Program (NFIP).

**DATES:** The date of October 10, 2024 has been established for the FIRM and, where applicable, the supporting FIS report showing the new or modified flood hazard information for each community.

**ADDRESSES:** The FIRM, and if applicable, the FIS report containing the final flood hazard information for each community is available for inspection at the respective Community Map Repository address listed in the tables below and will be available online through the FEMA Map Service Center at <https://msc.fema.gov> by the date indicated above.

**FOR FURTHER INFORMATION CONTACT:** Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646-7659, or (email) [patrick.sacbibit@fema.dhs.gov](mailto:patrick.sacbibit@fema.dhs.gov); or visit the FEMA Mapping and Insurance eXchange (FMIX) online at [https://www.floodmaps.fema.gov/fhm/fmx\\_main.html](https://www.floodmaps.fema.gov/fhm/fmx_main.html).

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA) makes the final determinations listed below for the new or modified

flood hazard information for each community listed. Notification of these changes has been published in newspapers of local circulation and 90 days have elapsed since that publication. The Deputy Associate Administrator for Insurance and Mitigation has resolved any appeals resulting from this notification.

This final notice is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR part 67. FEMA has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR part 60.

Interested lessees and owners of real property are encouraged to review the new or revised FIRM and FIS report available at the address cited below for each community or online through the FEMA Map Service Center at <https://msc.fema.gov>.

The flood hazard determinations are made final in the watersheds and/or communities listed in the table below. (Catalog of Federal Domestic Assistance No. 97.022, “Flood Insurance.”)

**Nicholas A. Shufro,**  
*Assistant Administrator (Acting) for Risk Management, Federal Emergency Management Agency, Department of Homeland Security.*

Community	Community map repository address
<b>Franklin County, Florida and Incorporated Areas</b> <b>Docket No.: FEMA-B-2344</b>	
City of Apalachicola .....	Planning and Community Development Department, 192 Coach Wagoner Boulevard, Apalachicola, FL 32320. Franklin County Emergency Management Department, 28 Airport Road, Apalachicola, FL 32320.
Unincorporated Areas of Franklin County .....	
<b>Goochland County, Virginia (All Jurisdictions)</b> <b>Docket No.: FEMA-B-2300</b>	
Unincorporated Areas of Goochland County .....	Goochland County Administration Building, 1800 Sandy Hook Road, Goochland, VA 23063.

[FR Doc. 2024-12009 Filed 5-30-24; 8:45 am]  
 BILLING CODE 9110-12-P



**DEPARTMENT OF THE INTERIOR****Bureau of Land Management**

[DOI-2023-0026; LLHQ500000, L18500000.YC0000, LIITADC10000, 245]

**Privacy Act of 1974; System of Records**

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of a modified system of records.

**SUMMARY:** Pursuant to the provisions of the Privacy Act of 1974, as amended, the Department of the Interior (DOI) is issuing a public notice of its intent to modify the Bureau of Land Management (BLM) Privacy Act system of records, INTERIOR/LLM-2, Range Management System. DOI is publishing this revised system of records notice (SORN) to change the system name to INTERIOR/BLM-02, Rangeland Management Program, to reflect the expanded scope of the system and update all sections of the notice in accordance with the Office of Management and Budget (OMB) policy. This modified system will be included in DOI's inventory of record systems.

**DATES:** This modified system will be effective upon publication. New or modified routine uses will be effective July 1, 2024. Submit comments on or before July 1, 2024.

**ADDRESSES:** You may send comments identified by docket number [DOI-2023-0026] by any of the following methods:

- *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for sending comments.

- *Email:* [DOI\\_Privacy@ios.doi.gov](mailto:DOI_Privacy@ios.doi.gov). Include docket number [DOI-2023-0026] in the subject line of the message.

- *U.S. mail or hand-delivery:* Teri Barnett, Departmental Privacy Officer, U.S. Department of the Interior, 1849 C Street NW, Room 7112, Washington, DC 20240.

*Instructions:* All submissions received must include the agency name and docket number [DOI-2023-0026]. All comments received will be posted without change to <https://www.regulations.gov>, including any personal information provided.

*Docket:* For access to the docket to read background documents or comments received, go to <https://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:**

Ashanti Murphy-Jones, Acting Associate Privacy Officer, Bureau of Land Management, 1849 C Street NW, Room No. 5644, Washington, DC 20240, [blm\\_wo\\_privacy@blm.gov](mailto:blm_wo_privacy@blm.gov) or (202) 365-1429.

**SUPPLEMENTARY INFORMATION:****I. Background**

The BLM maintains the INTERIOR/LLM-02, Range Management System, system of records to help the BLM manage approximately 245 million acres of public land in accordance with Federal laws. BLM currently administers the issuance of permits and leases for livestock grazing on public lands under its jurisdiction and for reindeer in Alaska. BLM also issues billing notices on an annual basis for the permits and leases administered. However, the processing of payments for these bills is not handled by the program.

BLM's Rangeland Management Program consists of multiple information systems and applications that assist BLM in its operations to ensure the health and productivity of public rangelands. DOI last published the INTERIOR/LLM-02, Range Management System, SORN in the **Federal Register** at 75 FR 82061 (December 29, 2010); modification published at 86 FR 50156 (September 7, 2021). In this notice, BLM is changing the system name from INTERIOR/LLM-2, Range Management System, to INTERIOR/BLM-02, Rangeland Management Program, to reflect the current bureau designation and expanded scope of the BLM Rangeland Management Program and updating all sections to provide greater transparency and clearly describe the records collected, used, and/or maintained as part of the overall BLM Rangeland Management Program activities.

BLM is updating the system manager information to provide a centralized point of contact for the entire rangeland program; updating authorities to cite the specific programmatic authorities for collecting, maintaining, using, and disseminating the information under the Rangeland Management Program; and updating the purposes to articulate the purposes more clearly for the program. BLM is expanding the categories of individuals and categories of records to more accurately reflect the types of individuals and program records contained within the system, and is updating the record source section to include cooperators. BLM is updating the storage, safeguards, and records retention schedules sections to reflect current safeguards and clarify the records retention schedules. BLM is updating the record access, contesting, and notification procedures sections to incorporate updated instructions on where to obtain Privacy Act access and consent forms and submit requests; and making general and administrative

updates to the remaining sections to accurately reflect the management of the system of records in accordance with OMB Circular A-108, *Federal Agency Responsibilities for Review, Reporting, and Publication under the Privacy Act*. The existing routine uses are being updated from a numeric to alphabetic list and are being modified to provide clarity and transparency and reflect updates consistent with standard DOI routine uses. Additionally, DOI is proposing new routine uses to facilitate the sharing of information with agencies and organizations to promote the integrity of the records in the system or carry out a statutory responsibility of the DOI or Federal government.

Routine use A was slightly modified to further clarify disclosures to the Department of Justice (DOJ) or other Federal agencies, when necessary, in relation to litigation or judicial hearings. Routine use B was modified to clarify disclosures to a congressional office to respond to or resolve an individual's request made to that office. Proposed routine use C facilitates the sharing of information with the Executive Office of the President to resolve issues concerning individuals' records. Routine use D was modified to include foreign law enforcement authorities to facilitate sharing of information when necessary in relation to potential violations of law. Routine use F was modified to include foreign agencies to facilitate sharing information when necessary in relation to the hiring, firing or retention of an individual, or issuance of a security clearance or other benefit. Routine use H was slightly modified to include sharing of information with territorial government agencies in response to court orders or for discovery purposes related to litigation. Routine use I was modified to include grantees and shared service providers to facilitate sharing of information when authorized and necessary to perform services on DOI's behalf. Modified routine use J allows DOI and BLM to share information with appropriate Federal agencies or entities when reasonably necessary to respond to a breach of PII and to prevent, minimize, or remedy the risk of harm to individuals or the Federal government resulting from a breach in accordance with OMB Memorandum M-17-12, *Preparing for and Responding to a Breach of Personally Identifiable Information*. Routine use N was modified to clarify the sharing of information with the news media and the public when it is necessary to preserve the confidence in the integrity of DOI; demonstrate the accountability

of its officers, employees, or individuals covered in the system; where there exists a legitimate public interest; or in support of a legitimate law enforcement or public safety function. Routine use Q was modified to add Federal and county agencies, businesses, organizations, and associations to facilitate the administration of duties that directly relate to livestock grazing permits on BLM administered public land.

The name and address of grazing permittees may be disclosed based on the decision in *Western Watersheds Project v. Bureau of Land Management*, No. CV 09–482–CWD, 2010 U.S. Dist. LEXIS 95379 (D. Idaho Sept. 13, 2010). In this case, the Court found that any privacy interest grazing permittees have in their names and addresses are minimal and the public interest in disclosing the names and addresses of permittees is substantial. Therefore, the Court held that the disclosure of the names and addresses of permittees would not constitute a clearly unwarranted invasion of personal privacy, and that the Department may not rely on Exemption 6 under the Freedom of Information Act (FOIA) to withhold this information. Therefore, the BLM makes the names and addresses of grazing permittees available to the public under the FOIA through reports published on the BLM official website and BLM FOIA Reading Room.

## II. Privacy Act

The Privacy Act of 1974, as amended, embodies fair information practice principles in a statutory framework governing the means by which Federal agencies collect, maintain, use, and disseminate individuals' records. The Privacy Act applies to records about individuals that are maintained in a "system of records." A "system of records" is a group of any 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. The Privacy Act defines an individual as a United States citizen or lawful permanent resident. Individuals may request access to their own records that are maintained in a system of records in the possession or under the control of DOI by complying with DOI Privacy Act regulations at 43 CFR part 2, subpart K, and following the procedures outlined in the Records Access, Contesting Record, and Notification Procedures sections of this notice.

The Privacy Act requires each agency to publish in the **Federal Register** a description denoting the existence and

character of each system of records that the agency maintains, and the routine uses of each system. The INTERIOR/BLM–02, Rangeland Management Program, SORN is published in its entirety below. In accordance with 5 U.S.C. 552a, DOI has provided a report of this system of records to OMB and Congress.

## III. Public Participation

You should be aware your entire comment including your personally identifiable information, such as your address, phone number, email address, or any other personal information in your comment, may be made publicly available at any time. While you may request to withhold your personally identifiable information from public review, we cannot guarantee we will be able to do so.

### SYSTEM NAME AND NUMBER:

INTERIOR/BLM–02, Rangeland Management Program.

### SECURITY CLASSIFICATION:

Unclassified.

### SYSTEM LOCATION:

Records are maintained at the National Operation Center, Denver Federal Center, Building 50, Bureau of Land Management, U.S. Department of the Interior, Denver, Colorado 80225, and BLM district and field offices, where grazing authorizations are issued and managed. A current listing of BLM district and field offices and contact information may be obtained by visiting the BLM website at <https://www.blm.gov> or by contacting the System Manager.

### SYSTEM MANAGER(S):

Senior Natural Resource Specialist, Office of Resources and Planning, Bureau of Land Management, U.S. Department of the Interior, 1387 South Vinnell Way, Boise, ID 83709.

### AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Taylor Grazing Act of 1934, 43 U.S.C. 315, as amended; Federal Land Policy Management Act of 1976, 43 U.S.C. 1701, as amended; Oregon & California Railroad Revested Lands Sustained Yield Management Act of 1937, 43 U.S.C. 2603, as amended; and Public Rangelands Improvement Act of 1978, 43 U.S.C. 1901, as amended.

### PURPOSE(S) OF THE SYSTEM:

The purposes of the Rangeland Management Program are to:

(1) Effectively administer and maintain an orderly record of grazing permits, case files, and associated activities on public lands managed by BLM; and

(2) Provide statistical information regarding activities on public lands to State, local and Tribal governments, other Federal agencies, businesses, and individuals.

### CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Records are maintained on individuals and businesses that are cooperating and coordinating improvement projects on lands administered by the BLM, applicants for grazing authorizations, grazing permittees, cooperators, base property owners, and lien holders that have notified the BLM.

This system contains records concerning corporations and other business entities, which are not subject to the Privacy Act. However, records pertaining to individuals acting on behalf of corporations and other business entities may reflect personal information that may be maintained in this system of records.

### CATEGORIES OF RECORDS IN THE SYSTEM:

The Rangeland Management Program system of records contains:

- **Grazing Case Files:** includes grazing applications, grazing preference summary and history; signed grazing authorizations with all terms and conditions (including permits, leases and exchange of use agreements); grazing fee and service charge billing statements; evidence of ownership or control of base property; notices from lien holders; corporate or partnership documentation; affiliate documentation; notices of authorized representative; livestock control agreements; copies of brand registration; closed unauthorized use case records; cooperative range improvement agreements; range improvement permits; assignments of range improvements; grazing decisions on actions subject to appeal including applications, permits, leases, or notices of unauthorized use; correspondence to, or received from, the grazing permittee; trespass investigative files; and correspondence and information related to the administration of grazing case files.

- **Allotment Files:** includes activity plans, allotment management plans, coordinated resource management plans, habitat management plans; allotment maps; allotment compliance; monitoring data such as actual use; and other information related to management of allotment files.

- **Hearings and Appeals Case Files:** includes proposed Decision(s) and any protests; final Decision(s) and any appeals; evidence of service or attempt at service of decisions; and copies of

pertinent applications, permits, leases, or notices of unauthorized use; and other information or correspondence related to hearings and appeals.

- **Unauthorized Grazing Use Case Files:** includes initial reports of unauthorized livestock including livestock count, field notes, and other evidential documents; unauthorized use notices including proof of service; notices of intent to impound unauthorized livestock; settlement documents including offer of settlement, acceptance of offer, billing notices, payment status, case closure letters or memos; and information and correspondence related to these case files.

- **Range Improvement Project Files:** includes historical records of range improvement projects; cooperative Range Improvement Agreements or Range Improvement Permits; inspections and maintenance records; and other information and correspondence related to project files.

These records may contain the individual's name, address, telephone number, email address, and group affiliation; BLM assigned case file number and operator number; lien holder's name and address; authorized representative's name, address and phone number; grazing authorization number; grazing bills and documentation of paid bills; allotment number; range improvement number, and information provided by individuals to BLM through correspondence and program activities. Information is provided by an applicant, grazing permittee, lien holder, and persons or businesses such as realtors or consultants, representing the grazing permittee. BLM personnel also collect information related to permit compliance, such as name, date, time, brand, address, and number of livestock. The records may also contain information, such as correspondence or signed authorization that is not stored in the electronic record.

#### **RECORD SOURCE CATEGORIES:**

Information is provided by the grazing permittee, applicant, cooperator, lien holder, business, or individual representing the grazing permittee. Some information, such as permit compliance, is collected by BLM personnel.

#### **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, all or a portion of the records or information

contained in this system may be disclosed outside DOI as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

A. To the Department of Justice (DOJ), including Offices of the U.S. Attorneys, or other Federal agency conducting litigation or in proceedings before any court, adjudicative, or administrative body when it is relevant or necessary to the litigation and one of the following is a party to the litigation or has an interest in such litigation:

- (1) DOI or any component of DOI;
- (2) Any other Federal agency appearing before the Office of Hearings and Appeals;
- (3) Any DOI employee or former employee acting in his or her official capacity;
- (4) Any DOI employee or former employee acting in his or her individual capacity if DOI or DOJ has agreed to represent that employee or pay for private representation of the employee; or
- (5) The U.S. Government or any agency thereof, when DOJ determines that DOI is likely to be affected by the proceeding.

B. To a congressional office when requesting information on behalf of, and at the request of, the individual who is the subject of the record.

C. To the Executive Office of the President in response to an inquiry from that office made at the request of the subject of a record or a third party on that person's behalf, or for a purpose compatible with the reason for which the records are collected or maintained.

D. To any criminal, civil, or regulatory law enforcement authority (whether Federal, State, territorial, local, Tribal, or foreign) when a record, either alone or in conjunction with other information, indicates a violation or potential violation of law—criminal, civil, or regulatory in nature, and the disclosure is compatible with the purpose for which the records were compiled.

E. To an official of another Federal agency to provide information needed in the performance of official duties related to reconciling or reconstructing data files or to enable that agency to respond to an inquiry by the individual to whom the record pertains.

F. To Federal, State, territorial, local, Tribal, or foreign agencies that have requested information relevant or necessary to the hiring, firing, or retention of an employee or contractor, or the issuance of a security clearance, license, contract, grant or other benefit, when the disclosure is compatible with the purpose for which the records were compiled.

G. To representatives of the National Archives and Records Administration (NARA) to conduct records management inspections under the authority of 44 U.S.C. 2904 and 2906.

H. To State, territorial, and local governments and Tribal organizations or their representatives to provide information needed in response to court order and/or discovery purposes related to litigation, when the disclosure is compatible with the purpose for which the records were compiled.

I. To an expert, consultant, grantee, shared service provider, or contractor (including employees of the contractor) of DOI that performs services requiring access to these records on DOI's behalf to carry out the purposes of the system.

J. To appropriate agencies, entities, and persons when:

(1) DOI suspects or has confirmed that there has been a breach of the system of records;

(2) DOI has determined that as a result of the suspected or confirmed breach, there is a risk of harm to individuals, DOI (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 DOI's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

K. To another Federal agency or Federal entity, when DOI 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.

L. To the Office of Management and Budget (OMB) during the coordination and clearance process in connection with legislative affairs as mandated by OMB Circular A-19.

M. To the Department of the Treasury to recover debts owed to the United States.

N. To the news media and the public, with the approval of the Public Affairs Officer in consultation with counsel and the Senior Agency Official for Privacy, where there exists a legitimate public interest in the disclosure of the information, except to the extent it is determined that release of the specific information in the context of a

particular case would constitute an unwarranted invasion of personal privacy.

O. To recipients of proposed grazing decisions as set forth in 43 CFR part 4160.1(a) and Final Grazing decisions in accordance with 43 CFR parts 4160.3(b) and 4.21(b)(3).

P. To commercial interests, such as hunting guides, outfitters, energy and minerals developers, and right-of-way applicants, or their representatives, whose activities are likely to affect the grazing permittee's management of livestock or maintenance or use of range improvements and who require the information in order to communicate, consult with or coordinate activities with the grazing permittee.

Q. To Federal, State and county agencies, Tribal and local governmental entities, businesses, organizations, and associations to administer duties that directly relate to livestock grazing permits on BLM administered public land.

**POLICIES AND PRACTICES FOR STORAGE OF RECORDS:**

Paper records are contained in file folders stored within locked file cabinets located in restricted access areas at BLM field offices. Electronic records are stored on disk, system hard drives, tape, or other appropriate media.

**POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:**

Records may be retrieved by the grazing authorization number, permittee, lessee or operator name, allotment number, range improvement number, or location.

**POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:**

The Department Records Schedule (DRS)/General Records Schedule (GRS)/BLM Records Retention Catalog (BRRC) is a combination of schedules developed and approved by the NARA, DOI and BLM. They constitute the only legal authority the BLM has to dispose of its records. Records contained in this system cover rangeland program management files and have both permanent and temporary dispositions. Retention periods vary according to the specific record and the needs of the agency. Therefore, multiple records schedules may apply to the Rangeland Program Management records:

- Grazing Allotment Files are retained according to the BLM 4, Item 11a. These records are permanent. The cutoff is the end of the Fiscal Year (EOFY) in which the effort is completed, at which point the records will be transferred to the Federal Records Center (FRC) 3 years after the cutoff.

The FRC will transfer to NARA 25 years after the cutoff.

- Grazing Authorization Files and Grazing Operator Case Files are retained according to the BLM 4, Item 14a(1), N1-49-90-1. These records are permanent. The cutoff is the EOFY in which the authorization terminates and appeal rights are exhausted, at which point the records will be transferred to the FRC 2 years after cutoff. The FRC will transfer the records to NARA 20 years after cutoff.

- Grazing Authorization Files and Grazing Appeal Case Files are retained according to BLM 4, Item 14a(2), N1-49-90-1. These records are permanent. Once the decision is issued and appeal rights are exhausted, these documents are then filed with the associated operator file—item 4/14a(1) or the related Unauthorized Use Casefile—item 18/31, and subsequently follow the disposition of the casefile into which it is placed.

- Land-Use Permits Approved Case Files are retained under BLM 4, Item 14b, N1-49-90-1. These records are temporary and the cutoff is the EOFY in which the permit terminates and appeal rights are exhausted. The disposition is 30 years after the cutoff.

- Grazing and Other Land-Use Applications Rejected or Withdrawn are retained under BLM 4, Item 14d, NC1-49-76-3, B/16. These records are temporary and the cutoff is the EOFY in which the application is rejected or withdrawn and appeal rights are exhausted. These records are transferred to the FRC 2 years after the cutoff and the FRC destroys 15 years after the cutoff.

- Rangeland Administration System (RAS), Master File is retained under BLM 4, Item 14a(3)(a), N1-049-09-7, 1a. These records are permanent. A copy of the master file will be transferred to NARA upon approval of this schedule, along with the technical documentation, in accordance with 36 CFR 1235.44-50. Thereafter, transfer a copy every 5 years, along with the current technical documentation.

- Rangeland Improvement Project System (RIPS), Master File, is retained under Schedule 17, Item 13d(1), N1-049-09-11, 1a. These records are permanent. A copy of the master file will be transferred to NARA upon approval of this schedule, along with the technical documentation, in accordance with 36 CFR 1235.44-50. Thereafter, transfer a copy every 5 years, along with the current technical documentation.

- Trespass Investigative Files are retained under BLM 18, Item 31, NC1-49-76-3, B/19. These records are

temporary and the cutoff is the EOFY in which the case is settled or abandoned. The disposition is 51 years after the cutoff.

Approved disposition methods include shredding or pulping for paper records, and degaussing or erasing for electronic records, in accordance with NARA guidelines and Departmental policy. Permanent records that are no longer active or needed for agency use are transferred to NARA for permanent retention in accordance with NARA guidelines.

**ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:**

The records contained in this system are safeguarded in accordance with 43 CFR 2.226 and other applicable security and privacy rules and policies. During normal hours of operation, paper records are maintained in secure cabinets and/or in secure file rooms under the control of authorized personnel.

Computerized records systems follow the National Institute of Standards and Technology privacy and security standards as developed to comply with the Privacy Act of 1974, as amended, 5 U.S.C. 552a; Paperwork Reduction Act of 1995, 44 U.S.C. 3501 *et seq.*; Federal Information Security Modernization Act of 2014, 44 U.S.C. 3551 *et seq.*; and the Federal Information Processing Standards 199: Standards for Security Categorization of Federal Information and Information Systems. Security controls include user identification, passwords, multi-factor authentication, database permissions, firewalls, audit logs, and network system security monitoring, and software controls.

Access to records in the system is limited to authorized personnel who have a need to access the records in the performance of their official duties, and each user's access is restricted to only the functions and data necessary to perform that person's job responsibilities. System administrators and authorized users are trained and required to follow established internal security protocols and must complete all security, privacy, and records management training and sign the DOI Rules of Behavior. A Privacy Impact Assessment was completed for the associated information systems under the BLM rangeland program to ensure that Privacy Act requirements are met, and appropriate privacy controls were implemented to safeguard the personally identifiable information contained in the systems.

**RECORD ACCESS PROCEDURES:**

An individual requesting access to their records should send a written inquiry to the applicable System Manager identified above. DOI forms and instructions for submitting a Privacy Act request may be obtained from the DOI Privacy Act Requests website at <https://www.doi.gov/privacy/privacy-act-requests>. The request must include a general description of the records sought and the requester's full name, current address, and sufficient identifying information such as date of birth or other information required for verification of the requester's identity. The request must be signed and dated and be either notarized or submitted under penalty of perjury in accordance with 28 U.S.C. 1746. Requests submitted by mail must be clearly marked "PRIVACY ACT REQUEST FOR ACCESS" on both the envelope and letter. A request for access must meet the requirements of 43 CFR 2.238.

**CONTESTING RECORD PROCEDURES:**

An individual requesting amendment of their records should send a written request to the applicable System Manager as identified above. DOI instructions for submitting a request for amendment of records are available on the DOI Privacy Act Requests website at <https://www.doi.gov/privacy/privacy-act-requests>. The request must clearly identify the records for which amendment is being sought, the reasons for requesting the amendment, and the proposed amendment to the record. The request must include the requester's full name, current address, and sufficient identifying information such as date of birth or other information required for verification of the requester's identity. The request must be signed and dated and be either notarized or submitted under penalty of perjury in accordance with 28 U.S.C. 1746. Requests submitted by mail must be clearly marked "PRIVACY ACT REQUEST FOR AMENDMENT" on both the envelope and letter. A request for amendment must meet the requirements of 43 CFR 2.246.

**NOTIFICATION PROCEDURES:**

An individual requesting notification of the existence of records about them should send a written inquiry to the applicable System Manager as identified above. DOI instructions for submitting a request for notification are available on the DOI Privacy Act Requests website at <https://www.doi.gov/privacy/privacy-act-requests>. The request must include a general description of the records and the requester's full name, current address, and sufficient identifying

information such as date of birth or other information required for verification of the requester's identity. The request must be signed and dated and be either notarized or submitted under penalty of perjury in accordance with 28 U.S.C. 1746. Requests submitted by mail must be clearly marked "PRIVACY ACT INQUIRY" on both the envelope and letter. A request for notification must meet the requirements of 43 CFR 2.235.

**EXEMPTIONS PROMULGATED FOR THE SYSTEM:**

None.

**HISTORY:**

75 FR 82061 (December 29, 2010); modification published at 86 FR 50156 (September 7, 2021).

**Teri Barnett,**

*Departmental Privacy Officer, U.S. Department of the Interior.*

[FR Doc. 2024-12008 Filed 5-30-24; 8:45 am]

**BILLING CODE 4130-84-P**

**DEPARTMENT OF THE INTERIOR****Bureau of Ocean Energy Management**

[Docket No. BOEM-2024-0018]

**Notice of Availability of a Final Environmental Impact Statement for Atlantic Shores Offshore Wind, LLC's Proposed Atlantic Shores Offshore Wind South Project Offshore New Jersey**

**AGENCY:** Bureau of Ocean Energy Management, Interior.

**ACTION:** Notice of availability; final environmental impact statement.

**SUMMARY:** The Bureau of Ocean Energy Management (BOEM) announces the availability of the Final Environmental Impact Statement (FEIS) on the Atlantic Shores Offshore Wind, LLC (Atlantic Shores) construction and operations plan (COP) for its proposed Atlantic Shores Offshore Wind South Project (Project) offshore New Jersey. The FEIS analyzes the potential environmental impacts of the Project as described in the COP (the Proposed Action) and the alternatives to the Proposed Action, including the No Action Alternative. The FEIS will inform BOEM's decision whether to approve, approve with modifications, or disapprove the COP.

**ADDRESSES:** The FEIS and detailed information about the Project, including the COP, can be found on BOEM's website at: <https://www.boem.gov/renewable-energy/state-activities/atlantic-shores-south>.

**FOR FURTHER INFORMATION CONTACT:** Kimberly Sullivan, BOEM Office of

Renewable Energy Programs, 45600 Woodland Road, Sterling, Virginia 20166, (702) 338-4766 or [kimberly.sullivan@boem.gov](mailto:kimberly.sullivan@boem.gov).

**SUPPLEMENTARY INFORMATION:**

**Proposed Action:** Atlantic Shores seeks approval to construct, operate, and maintain two wind energy facilities (Project 1 and Project 2) and their associated export cables on the Outer Continental Shelf (OCS) offshore New Jersey. The Project would be developed within the range of design parameters outlined in the Atlantic Shores COP, subject to the applicable mitigation measures.

The Project as proposed in the COP would include up to 200 total wind turbine generators (WTGs) (between 105 and 136 WTGs for Project 1 and between 64 and 95 WTGs for Project 2), up to 10 offshore substations (up to 5 in each Project), 1 permanent meteorological (met) tower, up to 4 temporary meteorological and oceanographic (metocean) buoys (up to 1 met tower and 3 metocean buoys in Project 1 and 1 metocean buoy in Project 2), interarray and interlink cables, up to 2 onshore substations, 2 points of interconnection, 1 operations and maintenance facility, and up to 8 transmission cables making landfall at 2 New Jersey locations.

The Atlantic Shores South Project is proposed to be located 8.7 miles (14 kilometers)<sup>1</sup> from the New Jersey shoreline at its closest point within the area covered by Renewable Energy Lease Number OCS-A 0499 (Lease Area).

**Alternatives:** BOEM considered 21 alternatives (including the No Action Alternative) when preparing the Draft Environmental Impact Statement and carried forward six alternatives for further analysis in the FEIS. These alternatives include five action alternatives and the No Action Alternative. Fifteen alternatives were not analyzed in detail because they did not meet the purpose and need for the Proposed Action or did not meet screening criteria, which are presented in the FEIS Chapter 2. The screening criteria included consistency with law and regulations, technical and economic feasibility, environmental impacts, and geographic considerations.

**Availability of the FEIS:** The FEIS, the Atlantic Shores COP, and associated information are available on BOEM's website at: <https://www.boem.gov/renewable-energy/state-activities/atlantic-shores-south>. BOEM has distributed digital copies of the FEIS to

<sup>1</sup> Equates to 7.6 nautical miles. 1 nautical mile = 1.1508 statute miles.

all parties listed in FEIS Appendix M. If you require a flash drive or paper copy, BOEM will provide one upon request, as long as supplies are available. You may request a flash drive or paper copy of the FEIS by contacting Kimberly Sullivan at (702) 338-4766 or [kimberly.sullivan@boem.gov](mailto:kimberly.sullivan@boem.gov).

**Cooperating Agencies:** The following Federal agencies and State governmental entities participated as cooperating agencies under the National Environmental Policy Act in the preparation of the FEIS: Bureau of Safety and Environmental Enforcement; National Marine Fisheries Service; U.S. Army Corps of Engineers; U.S. Coast Guard; National Park Service; U.S. Environmental Protection Agency; U.S. Fish and Wildlife Service; New Jersey Board of Public Utilities; New Jersey Department of Environmental Protection; and New York State Department of State.

**Authority:** 42 U.S.C. 4231 *et seq.* (NEPA, as amended) and 40 CFR 1506.6.

**Karen Baker,**

Chief, Office of Renewable Energy Programs,  
Bureau of Ocean Energy Management.

[FR Doc. 2024-11947 Filed 5-30-24; 8:45 am]

BILLING CODE 4340-98-P

## DEPARTMENT OF THE INTERIOR

### Bureau of Ocean Energy Management

[Docket No. BOEM-2023-0065]

#### Notice of Availability of a Draft Environmental Assessment for Commercial Wind Lease Issuance on the Pacific Outer Continental Shelf, Oregon; Extension of Comment Period

**AGENCY:** Bureau of Ocean Energy Management, Interior.

**ACTION:** Draft environmental assessment; extension of the comment period.

**SUMMARY:** The Bureau of Ocean Energy Management (BOEM) announces a two-week extension of the comment period for the availability of a draft environmental assessment (EA) to consider the potential environmental impacts associated with possible wind energy-related leasing and grant issuance, site assessment, and site characterization activities on the U.S. Pacific Outer Continental Shelf (OCS) offshore Oregon. This notice of extension of the comment period for the notice of availability (NOA) announces the end of the extended comment period, as well as the dates and times for public meetings on the draft EA. After BOEM holds public meetings and addresses public comments submitted

during the review period, BOEM will publish a final EA. The EA will inform BOEM's decision on whether to issue wind energy leases and grants in the Pacific wind energy areas (WEAs) offshore Oregon.

**DATES:** BOEM published the Notice of Availability (NOA) for the EA on May 1, 2024 at 89 FR 35220, and opened a public comment period through May 31, 2024. BOEM is extending this public comment period to June 14, 2024, 8:59 p.m., Pacific time or 11:59 p.m., eastern time.

BOEM's virtual public meeting will be held on the following date at the time indicated: Wednesday, June 5, 2024, 4 p.m., Pacific time.

Please go to <https://www.boem.gov/oregonea> for additional information and updates. Meetings are open to the public and free to attend.

**ADDRESSES:** The draft EA and detailed information about BOEM's actions related to offshore wind energy planning in Oregon can be found on BOEM's website at <https://www.boem.gov/oregon>. Comments can be submitted in any of the following ways:

- Through the *regulations.gov* web portal: Navigate to <http://www.regulations.gov> and search for docket no. BOEM-2023-0065. Click on the "Comment" button below the document link and follow online instructions. Enter your information and comment, then click "Submit Comment." A commenter's checklist is available on the comment web page;
- Orally during the public meetings identified in this announcement; or
- In written form by mail or any other delivery service, enclosed in an envelope labeled "Oregon Wind Leasing EA" and addressed to Chief, Environmental Analysis Section, Bureau of Ocean Energy Management, Camarillo, California Office, 760 Paseo Camarillo, Suite 102, Camarillo, CA 93010.

**FOR FURTHER INFORMATION CONTACT:** Lisa Gilbane, Chief, Environmental Analysis Section, Bureau of Ocean Energy Management, Camarillo, California Office, 760 Paseo Camarillo, Suite 102, Camarillo, CA 93010, (805) 384-6387 or [lisa.gilbane@boem.gov](mailto:lisa.gilbane@boem.gov).

**SUPPLEMENTARY INFORMATION:** Comments already submitted in response to the May 1, 2024, NOA do not need to be resubmitted. BOEM discourages the submittal of anonymous comments.

Please refer to the NOA published in the **Federal Register** (89 FR 35220) on May 1, 2024, for further information.

Please include your name and address as part of your comment. BOEM makes

all comments in their entirety, including the names and addresses of respondents, available for public review online and during regular business hours. You may request that BOEM withhold your name, address, or any other personal identifiable information (PII) included in your comment from the public record. However, BOEM cannot guarantee that it will be able to do so. If you wish your name, address, or other PII to be withheld, you must state your request prominently in a cover letter and explain the harm that you fear from its disclosure such as unwarranted privacy invasion, embarrassment, or injury. All submissions from organizations or businesses and from individuals identifying themselves as representatives or officials of organizations or businesses will be made available for public inspection in their entirety.

Even if BOEM withholds your PII in the context of this notice, your comment is subject to the Freedom of Information Act (FOIA) (5 U.S.C. 552). Your information will only be withheld if a determination is made that one of the FOIA exemptions to disclosure applies. Such a determination will be made in accordance with the Department's FOIA implementing regulations (43 CFR part 2) and applicable law.

BOEM protects business confidential information in accordance with the Freedom of Information Act (5 U.S.C. 552) and the Department of the Interior's implementing regulations (43 CFR part 2 and 30 CFR part 585).

**Authority:** 42 U.S.C. 4231 *et seq.* (NEPA, as amended) and 40 CFR 1506.6.

**Douglas Boren,**

Regional Director, Camarillo, California  
Office, Bureau of Ocean Energy Management.

[FR Doc. 2024-12022 Filed 5-30-24; 8:45 am]

BILLING CODE 4340-98-P

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 731-TA-860 (Fourth Review)]

### Tin- and Chromium-Coated Steel Sheet From Japan; Determination

On the basis of the record<sup>1</sup> developed in the subject five-year review, the United States International Trade Commission ("Commission") determines, pursuant to the Tariff Act of 1930 ("the Act"), that revocation of the antidumping duty order on tin- and

<sup>1</sup> The record is defined in § 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

chromium-coated steel sheet from Japan would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

**Background**

The Commission instituted this review on June 1, 2023 (88 FR 35920) and determined on September 5, 2023 that it would conduct a full review (88 FR 64464, September 19, 2023). Notice of the scheduling of the Commission's review and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** on October 30, 2023 (88 FR 74209). The Commission conducted its hearing on April 9, 2024. All persons who requested the opportunity were permitted to participate.

The Commission made this determination pursuant to section 751(c) of the Act (19 U.S.C. 1675(c)). It completed and filed its determination in this review on May 28, 2024. The views of the Commission are contained in USITC Publication 5507 (May 2024), entitled *Tin- and Chromium-Coated Steel Sheet from Japan: Investigation No. 731-TA-860 (Fourth Review)*.

By order of the Commission.  
Issued: May 28, 2024.

**Lisa Barton,**

*Secretary to the Commission.*

[FR Doc. 2024-12014 Filed 5-30-24; 8:45 am]

**BILLING CODE 7020-02-P**

**DEPARTMENT OF JUSTICE**

**Drug Enforcement Administration**

[Docket No. DEA-1365]

**Bulk Manufacturer of Controlled Substances Application: ANI Pharmaceuticals, Inc.**

**AGENCY:** Drug Enforcement Administration, Justice.

**ACTION:** Notice of application.

**SUMMARY:** ANI Pharmaceuticals, 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 July 30, 2024. Such persons

may also file a written request for a hearing on the application on or before July 30, 2024.

**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 April 9, 2024, ANI Pharmaceuticals, Inc., 70 Lake Drive, East Windsor, New Jersey 08520, applied to be registered as a bulk manufacturer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Psilocybin .....	7437	I
Levorphanol .....	9220	II

The company plans to bulk manufacture the listed controlled substances for the internal use or for sale to its customers. No other activities for these drug codes are authorized for this registration.

**Matthew J. Strait,**

*Deputy Assistant Administrator.*

[FR Doc. 2024-11879 Filed 5-30-24; 8:45 am]

**BILLING CODE P**

**DEPARTMENT OF JUSTICE**

**Drug Enforcement Administration**

[Docket No. DEA-1380]

**Importer of Controlled Substances Application: Royal Emerald Pharmaceuticals**

**AGENCY:** Drug Enforcement Administration, Justice.

**ACTION:** Notice of application.

**SUMMARY:** Royal Emerald Pharmaceuticals 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 July 1, 2024. Such persons may also file a written request for a hearing on the application on or before July 1, 2024.

**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 Morrisette Drive, Springfield, Virginia 22152; and (2) Drug Enforcement Administration, Attn: DEA Federal Register Representative/DPW, 8701 Morrisette Drive, Springfield, Virginia 22152. All requests for a hearing should also be sent to: Drug Enforcement Administration, Attn: Administrator, 8701 Morrisette Drive, Springfield, Virginia 22152.

**SUPPLEMENTARY INFORMATION:** In accordance with 21 CFR 1301.34(a), this is notice that on April 10, 2024, Royal Emerald Pharmaceuticals, 14011 Palm Drive, Building B, Desert Hot Spring, California 92240-6845, applied to be registered as an importer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Marihuana Extract ..	7350	I
Marihuana .....	7360	I
Tetrahydrocannabinols.	7370	I

The company plans to import Marihuana seeds and immature Marihuana plants in the form of Active Pharmaceutical Ingredients (API) and botanical raw materials for Drug Enforcement Administration-approved

legitimate scientific medical research and/or industrial purposes.

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.

**Matthew J. Strait,**

*Deputy Assistant Administrator.*

[FR Doc. 2024-11891 Filed 5-30-24; 8:45 am]

**BILLING CODE P**

**DEPARTMENT OF JUSTICE**

**Drug Enforcement Administration**

[Docket No. DEA-1379]

**Importer of Controlled Substances  
Application: United States  
Pharmacopeial Convention**

**AGENCY:** Drug Enforcement Administration, Justice.

**ACTION:** Notice of application.

**SUMMARY:** United States Pharmacopeial Convention 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 July 1, 2024. Such persons may also file a written request for a hearing on the application on or before July 1, 2024.

**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 Morrisette Drive, Springfield, Virginia 22152; and (2) Drug Enforcement Administration, Attn: DEA Federal Register Representative/DPW, 8701 Morrisette Drive, Springfield, Virginia 22152. All requests for a hearing should also be sent to: Drug Enforcement Administration, Attn: Administrator, 8701 Morrisette Drive, Springfield, Virginia 22152.

**SUPPLEMENTARY INFORMATION:** In accordance with 21 CFR 1301.34(a), this is notice that on April 5, 2024, United States Pharmacopeial Convention, 7135 English Muffin Way, Frederick, Maryland 21704, applied to be registered as an importer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Cathinone .....	1235	I
Methcathinone .....	1237	I
Methaqualone .....	2565	I
Lysergic acid diethylamide .....	7315	I
4-Methyl-2,5-dimethoxyamphetamine .....	7395	I
3,4-Methylenedioxyamphetamine .....	7400	I
4-Methoxyamphetamine .....	7411	I
Codeine-N-oxide .....	9053	I
Difenoxin .....	9168	I
Heroin .....	9200	I
Morphine-N-oxide .....	9307	I
Norlevorphanol .....	9634	I
Methamphetamine .....	1105	II
Lisdexamfetamine .....	1205	II
Phenmetrazine .....	1631	II
Methylphenidate .....	1724	II
Amobarbital .....	2125	II
Pentobarbital .....	2270	II
Secobarbital .....	2315	II
Glutethimide .....	2550	II
Phencyclidine .....	7471	II
4-Anilino-N-phenethyl-4-piperidine (ANPP) .....	8333	II
Phenylacetone .....	8501	II
Alphaprodine .....	9010	II
Anileridine .....	9020	II
Cocaine .....	9041	II
Dihydrocodeine .....	9120	II
Diphenoxylate .....	9170	II
Levomethorphan .....	9210	II
Levorphanol .....	9220	II
Meperidine .....	9230	II
Dextropropoxyphene, bulk (non-dosage forms) .....	9273	II
Thebaine .....	9333	II
Oxymorphone .....	9652	II
Noroxymorphone .....	9668	II
Alfentanil .....	9737	II
Sufentanil .....	9740	II



The company plans to import the above listed control substances for distribution as analytical reference standards to its customers for analytical testing of raw materials. No other activities for these drug codes are authorized for this registration.

Approval of permit applications will occur only when the registrant's business activity is consistent with what is authorized under 21 U.S.C. 952(a)(2). Authorization will not extend to the import of Food and Drug Administration-approved or non-approved finished dosage forms for commercial sale.

**Matthew J. Strait,**

*Deputy Assistant Administrator.*

[FR Doc. 2024-11890 Filed 5-30-24; 8:45 am]

**BILLING CODE P**

**DEPARTMENT OF JUSTICE**

**Notice of Lodging of Proposed Consent Decree Under the Clean Water Act**

On May 24, 2024, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the District of Alaska in the lawsuit entitled *United States v. PSF, Inc., Peter Pan Seafood Company, LLC, and Silver Bay Seafoods-Valdez, LLC*, Civil Action No. 3:24-cv-00112.

In the Complaint, the United States alleges that Defendants PSF, Inc., Peter Pan Seafood Company, LLC, and Silver Bay Seafoods-Valdez, LLC violated section 301(a) of the Clean Water Act, 33 U.S.C. 1311(a), by violating the permit conditions and limitations of the National Pollutant Discharge Elimination System (NPDES) permits issued to Defendants by the U.S. Environmental Protection Agency and the Alaska Department of Environmental Conservation under section 402(a) of the Clean Water Act, 33 U.S.C. 1342(a) at their respective facilities in Valdez and King Cove, Alaska. The proposed Consent Decree resolves the claims in the Complaint with covenants not to sue, in return for injunctive relief and \$750,000 in civil penalties.

The publication of this notice opens a period for public comment on the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. PSF, Inc., Peter Pan Seafood Company, LLC, and Silver Bay Seafoods-Valdez, LLC*, D.J. Ref. No. 90-5-1-1-12463. All comments must be submitted no later than thirty (30) days after the publication date of this notice.

Comments may be submitted either by email or by mail:

<i>To submit comments:</i>	<i>Send them to:</i>
By email .....	<i>pubcomment-ees.enrd@usdoj.gov.</i>
By mail .....	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

Any comments submitted in writing may be filed in whole or in part on the public court docket without notice to the commenter.

During the public comment period, the Consent Decree may be examined and downloaded at this Justice Department website: <https://www.justice.gov/enrd/consent-decrees>. If you require assistance accessing the Consent Decree, you may request assistance by email or by mail to the addresses provided above for submitting comments.

**Kathryn C. Macdonald,**

*Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*

[FR Doc. 2024-11975 Filed 5-30-24; 8:45 am]

**BILLING CODE 4410-15-P**

**DEPARTMENT OF JUSTICE**

**Notice of Lodging of Proposed Consent Decree Under the Clean Air Act**

On May 21, 2024, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the Eastern District of Texas in the lawsuit entitled *United States of America v. TPC Group LLC*, Civil Action No. 24-00187.

In this action, the United States, on behalf of the U.S. Environmental Protection Agency, filed a Complaint and proposed Consent Decree against TPC Group LLC (TPC Group) for violating the chemical accident prevention provisions of the Clean Air Act ("CAA") at TPC Group's petrochemical manufacturing facilities in Port Neches and Houston, Texas. This case stems in part from a November 27, 2019, explosion at TPC Group's Port Neches facility that resulted in the evacuations of thousands of residents from the City of Port Neches and surrounding areas, released more than 11 million pounds of extremely hazardous substances, caused more than \$130 million in offsite property damage, and resulted in other impacts to human health and the environment. In the Complaint, the United States alleges

numerous violations of section 112(r) of the CAA, 42 U.S.C. 7412(r), against TPC Group at its Port Neches facility, including those related to the 2019 explosion. The complaint also alleges numerous violations of Section 112(r) of the CAA, 42 U.S.C. 7412(r), at TPC Group's Houston facility, including failing to promptly take corrective actions for hundreds of pieces of process equipment and failing to address conditions similar to those that led to the Port Neches explosions. Under the proposed Consent Decree, TPC Group will pay \$12.1 million in civil penalties to be paid through TPC Group's bankruptcy proceedings. TPC Group will also spend approximately \$80 million to improve its risk management program and improve safety at both facilities.

The publication of this notice opens a period for public comment on the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States of America v. TPC Group LLC*, D.J. Ref. No. 90-5-2-1-12550. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

<i>To submit comments:</i>	<i>Send them to:</i>
By email .....	<i>pubcomment-ees.enrd@usdoj.gov.</i>
By mail .....	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

Any comments submitted in writing or at a public meeting may be filed in whole or in part on the public court docket without notice to the commenter.

During the public comment period, the proposed Consent Decree may be examined and downloaded at this Justice Department website: <http://www.justice.gov/enrd/consent-decrees>. If you require assistance accessing the proposed Consent Decree, you may request assistance by email or by mail to the addresses provided above for submitting comments.

**Thomas Carroll,**

*Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*

[FR Doc. 2024-11881 Filed 5-30-24; 8:45 am]

**BILLING CODE 4410-15-P**

**DEPARTMENT OF JUSTICE****Notice of Task Force on Research on Violence Against American Indian and Alaska Native Women Meeting**

**AGENCY:** Office on Violence Against Women, United States Department of Justice.

**ACTION:** Notice of meeting.

**SUMMARY:** The Office on Violence Against Women (OVW), U.S. Department of Justice has scheduled a meeting of the Task Force on Research on Violence Against American Indian and Alaska Native Women (hereinafter “the Task Force”).

**DATES:** The meeting will take place on June 17, 2024, from 1 p.m. to 5 p.m. (eastern standard time).

**ADDRESSES:** This meeting will be a virtual meeting.

**FOR FURTHER INFORMATION CONTACT:** Visit the OVW website at <https://www.justice.gov/ovw/section-904-task-force> or contact Sherriann C. Moore, Deputy Director, Tribal Affairs Division, Office on Violence Against Women, United States Department of Justice, at (202) 616-0039 or [ovw.tribalaffairs@usdoj.gov](mailto:ovw.tribalaffairs@usdoj.gov).

**SUPPLEMENTARY INFORMATION:** Notice of this meeting is required under section 10(a)(2) of the Federal Advisory Committee Act. Title IX of the Violence Against Women Act of 2005 (VAWA 2005), as amended, required the Attorney General to establish a task force to assist the National Institute of Justice (NIJ) in developing and implementing a program of research on violence against American Indian and Alaska Native women, to include studies on domestic violence, dating violence, sexual assault, stalking, murder, and sex trafficking experienced by American Indian and Alaska Native women living in Indian country and Alaska. NIJ’s program of research has supported studies on these crimes against American Indian and Alaska Native women and responses to these serious crimes. The Attorney General, acting through the Director of the Office on Violence Against Women, established the Task Force on March 31, 2008, and the charter has been renewed every two years since then.

More information on the Task Force may be found at <https://www.justice.gov/ovw/section-904-task-force> and about the NIJ program of research at: <https://nij.ojp.gov/topics/tribal-crime-and-justice>.

This meeting will include an update on NIJ’s research program and facilitated Task Force discussion and

recommendations addressing violence against American Indian and Alaska Native Women. In addition, the Task Force is also welcoming public oral comment at this meeting and has reserved 30 minutes for this. The meeting will take place on June 17, 2024, from 1 p.m. to 5 p.m. Time will be reserved for public comment from 4:15 p.m. to 4:45 p.m. See the section below for information on reserving time for public comment.

*Access:* The meeting will be available online via a video conferencing platform. Members of the public who wish to participate must register in advance of the meeting online, no later than June 12, 2024. Details about registration can be found on the OVW website: <https://www.justice.gov/ovw/section-904-task-force>. Should issues arise with online or email registration, the public should contact Sherriann C. Moore, Deputy Director, Tribal Affairs Division, Office on Violence Against Women, at (202) 616-0039 or [ovw.tribalaffairs@usdoj.gov](mailto:ovw.tribalaffairs@usdoj.gov).

*Written Comments:* Interested parties are invited to submit written comments by June 12, 2024, to Sherriann C. Moore, Deputy Director, Tribal Affairs Division, Office on Violence Against Women, at (202) 616-0039 or [ovw.tribalaffairs@usdoj.gov](mailto:ovw.tribalaffairs@usdoj.gov).

*Public Comment:* Persons interested in participating during the public comment period of the meeting are requested to reserve time on the agenda by contacting Sherriann C. Moore, Deputy Director, Tribal Affairs Division, Office on Violence Against Women, at (202) 616-0039 or [ovw.tribalaffairs@usdoj.gov](mailto:ovw.tribalaffairs@usdoj.gov). Requests must include the participant’s name, the organization represented, if appropriate, and a brief description of the subject of the comments. Each participant will be permitted approximately 3 to 5 minutes to present comments, depending on the number of individuals reserving time on the agenda. Participants are also encouraged to submit written copies of their comments at the meeting. Comments that are submitted to Sherriann C. Moore, Deputy Director, Tribal Affairs Division, Office on Violence Against Women, at (202) 616-0039 or [ovw.tribalaffairs@usdoj.gov](mailto:ovw.tribalaffairs@usdoj.gov) before June 12, 2024, will be circulated to Task Force members prior to the meeting.

Given the expected number of individuals interested in presenting

comments at the meeting, reservations should be made as soon as possible.

**Rosemarie Hidalgo,**

*Director, Office on Violence Against Women.*

[FR Doc. 2024-11993 Filed 5-30-24; 8:45 am]

**BILLING CODE 4410-FX-P**

**DEPARTMENT OF LABOR****Employment and Training Administration****Workforce Information Advisory Council**

**AGENCY:** Employment and Training Administration, Labor.

**ACTION:** Notice of a virtual WIAC meeting June 26 and 27, 2024.

**SUMMARY:** Notice is hereby given that the Workforce Information Advisory Council (WIAC or Advisory Council) will meet virtually June 26 and 27, 2024. Information for public attendance at the virtual meetings will be posted at [www.dol.gov/agencies/eta/wioa/wiac/meetings](http://www.dol.gov/agencies/eta/wioa/wiac/meetings) several days prior to each meeting date. The meetings will be open to the public.

**DATES:** The meeting will take place June 26 and 27, 2024. The meeting will begin at 12 p.m. EDT and conclude at approximately 2 p.m. EDT on each day. Public statements and requests for special accommodations or to address the Advisory Council must be received by June 17, 2024.

**ADDRESSES:** Information for public attendance at the virtual meetings will be posted at [www.dol.gov/agencies/eta/wioa/wiac/meetings](http://www.dol.gov/agencies/eta/wioa/wiac/meetings) several days prior to each meeting date. If problems arise accessing the meetings, please contact Donald Haughton, Unit Chief in the Division of National Programs, Tools, and Technical Assistance, Employment and Training Administration, U.S. Department of Labor, at 202-693-2784.

**FOR FURTHER INFORMATION CONTACT:** Steven Rietzke, Chief, Division of National Programs, Tools, and Technical Assistance, Employment and Training Administration, U.S. Department of Labor, Room C-4510, 200 Constitution Ave. NW, Washington, DC 20210; Telephone: 202-693-3912; Email: [WIAC@dol.gov](mailto:WIAC@dol.gov). Mr. Rietzke is the WIAC Designated Federal Officer.

**SUPPLEMENTARY INFORMATION:**

*Background:* This meeting is being held pursuant to sec. 308 of the Workforce Innovation and Opportunity Act of 2014 (WIOA) (Pub. L. 113-128), which amends sec. 15 of the Wagner-Peyser Act of 1933 (29 U.S.C. 491-2). The WIAC is an important component

of WIOA. The WIAC is a Federal advisory committee of workforce and labor market information experts representing a broad range of national, State, and local data and information users and producers. The WIAC was established in accordance with provisions of the Federal Advisory Committee Act (FACA), as amended (5 U.S.C. app.) and will act in accordance with the applicable provisions of FACA and its implementing regulation at 41 CFR 102-3. The purpose of the WIAC is to provide recommendations to the Secretary of Labor (Secretary), working jointly through the Assistant Secretary for Employment and Training and the Commissioner of Labor Statistics, to address: (1) the evaluation and improvement of the nationwide workforce and labor market information (WLMI) system and statewide systems that comprise the nationwide system; and (2) how the Department and the States will cooperate in the management of those systems. These systems include programs to produce employment-related statistics and State and local workforce and labor market information.

The Department of Labor anticipates the WIAC will accomplish its objectives by: (1) studying workforce and labor market information issues; (2) seeking and sharing information on innovative approaches, new technologies, and data to inform employment, skills training, and workforce and economic development decision making and policy; and (3) advising the Secretary on how the workforce and labor market information system can best support workforce development, planning, and program development. Additional information is available at [www.dol.gov/agencies/eta/wioa/wiac/meetings](http://www.dol.gov/agencies/eta/wioa/wiac/meetings).

**Purpose:** The WIAC is continually identifying and reviewing issues and aspects of the WLMI system and statewide systems that comprise the nationwide system and how the Department and the States will cooperate in the management of those systems. As part of this process, the Advisory Council meets to gather information and to engage in deliberative and planning activities to facilitate the development and provision of its recommendations to the Secretary in a timely manner.

**Agenda:** The agenda topics for the meeting are: (1) Using data more effectively to advance key policy goals; (2) Identifying opportunities for and overcoming barriers to increased data sharing; (3) Improving access to and presentation of data for customers; and (4) Expanding and improving the currency and relevance of data on skills. Additionally, sub-committees will

provide updates on progress toward developing recommendations for the Advisory Council's consideration, and the Advisory Council will discuss agenda items for a fall 2024 meeting. A detailed agenda will be available at [www.dol.gov/agencies/eta/wioa/wiac/meetings](http://www.dol.gov/agencies/eta/wioa/wiac/meetings) shortly before the meetings commence.

The Advisory Council will open the floor for public comment at approximately 1:15 p.m. EDT for approximately 10 minutes. However, that time may change at the WIAC chair's discretion.

**Attending the meetings:** Members of the public who require reasonable accommodations to attend any of the meetings may submit requests for accommodations via email to the email address indicated in the **FOR FURTHER INFORMATION CONTACT** section with the subject line "June 2024 WIAC Meeting Accommodations" by the date indicated in the **DATES** section. Please include a specific description of the accommodations requested and phone number or email address where you may be contacted if more information is needed to meet your request.

**Public statements:** Organizations or members of the public wishing to submit written statements may do so by mailing them to the person and address indicated in the **FOR FURTHER INFORMATION CONTACT** section by the date indicated in the **DATES** section or transmitting them as email attachments in PDF format to the email address indicated in the **FOR FURTHER INFORMATION CONTACT** section with the subject line "June 2024 WIAC Meeting Public Statements" by the date indicated in the **DATES** section. Submitters may include their name and contact information in a cover letter for mailed statements or in the body of the email for statements transmitted electronically. Relevant statements received before the date indicated in the **DATES** section will be included in the record of each meeting. No deletions, modifications, or redactions will be made to statements received, as they are public records. Please do not include personally identifiable information in your public statement.

**Requests to Address the Advisory Council:** Members of the public or representatives of organizations wishing to address the Advisory Council should forward their requests to the contact indicated in the **FOR FURTHER INFORMATION CONTACT** section, or contact the same by phone, by the date indicated in the **DATES** section. Oral presentations will be limited to 10 minutes, time permitting, and shall proceed at the discretion of the

Advisory Council chair. Individuals with disabilities, or others who need special accommodations, should indicate their needs along with their request.

**José Javier Rodríguez,**

*Assistant Secretary for Employment and Training, Labor.*

[FR Doc. 2024-11953 Filed 5-30-24; 8:45 am]

**BILLING CODE 4510-FN-P**

## DEPARTMENT OF LABOR

### Veterans' Employment and Training Service

[Docket No. VETS-2024-10772]

#### Advisory Committee on Veterans' Employment, Training and Employer Outreach (ACVETEO): Meeting

**AGENCY:** Veterans' Employment and Training Service (VETS), Department of Labor (DOL).

**ACTION:** Notice; correction.

**SUMMARY:** The Veterans' and Employment and Training Service (VETS) published a document in the **Federal Register** on May 16, 2024 giving notice of an ACVETEO meeting on June 11, 2024. The document contained an incorrect date for the Notice of Intent to Attend the Meeting. This notice corrects the error.

**DATES:** This correction is effective May 31, 2024.

**FOR FURTHER INFORMATION CONTACT:** Mr. Gregory Green, Designated Federal Official for the ACVETEO, [ACVETEO@dol.gov](mailto:ACVETEO@dol.gov), (202) 693-4734.

#### SUPPLEMENTARY INFORMATION:

##### Correction

In the **Federal Register** of May 16, 2024 (89 FR 42902), correct the paragraph as described below.

1. On page 42902 paragraph 6, titled Addresses, replace the date in the 5th line after notice of intent to read: Friday, May 31, 2024.

##### Authority and Signature

James D. Rodriguez, Assistant Secretary of Labor for Veterans' Employment and Training Service, directed the preparation of this notice. The authority for this notice is under Title 38, U.S. Code, section 4110. ACVETEO is a non-discretionary federal advisory committee and is subject to the Federal Advisory Committee Act (FACA), 5 U.S.C. 10.

Signed in Washington, DC, this 24th day of May 2024.

**James D. Rodriguez,**

*Assistant Secretary, Veterans' Employment and Training Service.*

[FR Doc. 2024-11933 Filed 5-30-24; 8:45 am]

**BILLING CODE 4510-79-P**

## NATIONAL SCIENCE FOUNDATION

### Notice of Intent To Seek Approval To Establish an Information Collection

**AGENCY:** National Science Foundation.

**ACTION:** Notice and request for comments.

**SUMMARY:** Under the Paperwork Reduction Act of 1995, and as part of its continuing effort to reduce paperwork and respondent burden, the National Science Foundation (NSF) is inviting the general public or other Federal agencies to comment on this proposed continuing information collection.

**DATES:** Written comments on this notice must be received by July 30, 2024, to be assured consideration. Comments received after that date will be considered to the extent practicable. Send comments to the address below.

**FOR FURTHER INFORMATION CONTACT:**

Suzanne H. Plimpton, Reports Clearance Officer, National Science Foundation, 2415 Eisenhower Avenue, Alexandria, Virginia 22314; telephone (703) 292-7556; or send email to [splimpto@nsf.gov](mailto:splimpto@nsf.gov). Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339, which is accessible 24 hours a day, 7 days a week, 365 days a year (including Federal holidays).

**SUPPLEMENTARY INFORMATION:**

*Comments:* Comments are invited on: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Foundation, including whether the information will have practical utility; (b) the accuracy of the Foundation's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of automated collection techniques or other forms of information technology.

*Title of Collection:* The Evaluation of the National Science Foundation's (NSF) Robert Noyce Teacher Scholarship Program.

*OMB Number:* 3145-NEW.

*Expiration Date of Approval:* Not applicable.

*Type of Request:* Intent to seek approval to establish an information collection for evaluating the NSF's Robert Noyce Teacher Scholarship Program.

*Abstract:* The National Science Foundation (NSF) has been committed to broadening participation of underrepresented groups and diverse institutions in science, technology, engineering, and math (STEM) through an array of means. One way that NSF supports this is through its Robert Noyce Teacher Scholarship Program (<https://www.nsfnoyce.org>) (Noyce Program), which was authorized in 2002 under the National Science Foundation Authorization Act of 2002 (Pub. L. 107-368) and reauthorized in 2007 under the America COMPETES Act ([http://www.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=110\\_cong\\_public\\_laws&docid=f:publ069.110.pdf](http://www.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=110_cong_public_laws&docid=f:publ069.110.pdf)) (Pub. L. 110-69). The program provides funding to higher education institutions via (a) scholarships, (b) stipends, and (c) other means of programmatic support to recruit and prepare science, technology, engineering, and mathematics (STEM) majors and other professionals to become K-12 STEM teachers.

The overall goal of the Noyce Program is to "increase the number of K-12 teachers with strong STEM content knowledge who teach in high-need school districts" (The Robert Noyce Teacher Scholarship Program ([nsfnoyce.org](https://www.nsfnoyce.org))). Specifically, the Noyce Program's goals include aiding in establishing and facilitating the awarding of scholarships, fellowships, funding, and programming that help to recruit, train, and retain K-12 STEM teachers for high-need school districts. Additional Noyce Program goals include supporting research on K-12 STEM teachers in high-need school districts to understand patterns of teacher retention and effectiveness in these settings. Program objectives for the Noyce Teacher Scholarship Program include increasing the (i) number and (ii) diversity of students from groups underrepresented in STEM fields who pursue careers in K-12 STEM teaching, especially in high-need school districts.

The NSF STEM Education (EDU) Directorate requests the Office of Management and Budget (OMB) approval of this clearance to initiate new data collections to be conducted as part of an external evaluation of the Robert Noyce Teacher Scholarship Program. These collections, to be conducted by the evaluation contractor, include:

*Demographic Questionnaire.* A one-time, web-based survey of selected individuals who have been involved in various aspects of NSF's Robert Noyce Teacher Scholarship Program from FY2014 to FY2024 (*i.e.*, PIs, program coordinators, faculty, scholars, fellows, alumni, K-12 school leaders, external evaluators) as well as representative individuals who are eligible for Noyce funding but have not received it. The purpose of this questionnaire is to (a) ensure that the participants recruited are diverse, and (b) support the qualitative data analytic approaches. Information about the respondents that will be captured within the questionnaire will include demographic data (*e.g.*, race/ethnicity, gender), length of time with the institution, and experience with the Noyce Program (as applicable). The survey data will enable NSF to supplement the information gleaned from the interviews and focus groups, encouraging further understanding of what is working well and growth opportunities for the Noyce Program.

*Interviews with Principal Investigators.* Interviews with a purposive sample of up to 50 PIs or Co-PIs who had NSF's Robert Noyce Teacher Scholarship Program funded between FY2014 and FY2024. The interviews will be conducted either in-person during the annual Noyce Summit (in 2025) or using a virtual meeting platform at a time convenient for the respondents. The interviews will elicit information about how the Noyce Program can support the STEM teacher preparation field, the impact of the award, barriers and facilitators to applying for Noyce funding, and how changes to the solicitation over the past 10 years have impacted the perception of the Noyce award, as well as perceptions of the merit review process. This information will be triangulated with the other data collected as well as information from the review of documents to provide a holistic understanding of the context of the Noyce Program, what is working well, and growth opportunities.

*Interviews with Eligible Individuals Who Have Not Received NSF's Robert Noyce Teacher Scholarship Program Funding.* Interviews with a purposive sample of up to 20 representatives who are eligible for Noyce funding but have not received it. This sample includes individuals who have never applied for Noyce funding and those who have applied for but not received Noyce funding. The interviews will be conducted using a virtual meeting platform at a time convenient for the respondents, and will elicit information

about how the Noyce Program can support the STEM teacher preparation field, the impact of the award, barriers and facilitators to applying for Noyce funding, and how changes to the solicitation over the past 10 years have impacted the perception of the Noyce award (as applicable to the representatives' roles).

*Focus groups.* A series of up to 115 focus groups are also planned, including program coordinators/program staff, faculty, scholars/fellows, alumni, high need K–12 school and district leaders, external evaluators, American Association for the Advancement of Science (AAAS) staff, and current and former NSF staff. This may include a total of up to 920 respondents. The focus groups will be conducted either in-person during the annual Noyce Summit (in 2025) or using a virtual meeting platform at a time convenient for the respondents, and will elicit information about how the Noyce Program can support the STEM teacher preparation field, the impact of the award, barriers and facilitators to applying for Noyce funding, and how changes to the solicitation over the past 10 years has impacted the perception of the Noyce award, as well as perceptions of the merit review process (as applicable to the representatives' roles).

This data collection is necessary to provide NSF with actionable information about the overall context of the Robert Noyce Teacher Scholarship Program, as well as to (a) understand overall perceptions of the Program from both Noyce and non-Noyce recipients, and (b) identify what is working well and opportunities for growth. This information will help support the overall goal of increasing the number and diversity of qualified teachers within the STEM education field. Further, the need is grounded in the importance and value of producing a diverse pool of STEM professionals who choose to pursue a career as a K–12 STEM teacher in a high-need school/school district.

*Use of the Information:* Aggregate results from the demographic questionnaire, interviews, and focus groups will be synthesized and summarized in reports developed by the

evaluation contractor that will be provided to NSF. Although questionnaire, interview, and focus group responses will be identifiable to the contractor, the reports provided to NSF will only include overall results. No individual-level responses will be attributable to an individual respondent. Additionally, no information about individuals participating in the data collection activities will be released to anyone outside the contractor's organization. The data collected and reported on will be used for planning, management, and evaluation purposes only. These data are needed for effective administration, program monitoring, evaluation, and for strategic reviews and measuring attainment of NSF's program and strategic goals, as identified by the President's Accountable Government Initiative, the Government Performance and Results Act Modernization Act of 2010, Evidence-Based Policymaking Act of 2018, and NSF's Strategic Plan.

*Expected Respondents:* The respondents are Principal Investigators (PIs), representatives who are eligible for NSF's Robert Noyce Teacher Scholarship Program funding but have not received it, program coordinators/program staff, faculty, scholars/fellows, alumni, high need K–12 school and district leaders, external evaluators, American Association for the Advancement of Science (AAAS) staff, and current and former NSF staff. The demographic questionnaire respondents will include up to 50 PIs with Noyce awards between FY2014 to FY2024, up to 20 representatives who are eligible for NSF's Robert Noyce Teacher Scholarship Program funding but have not received it, up to 120 program coordinators/program staff, up to 240 faculty, up to 160 scholars/fellows, up to 128 alumni, up to 160 high need K–12 school and district leaders, and up to 80 external evaluators (approximately 958 total respondents). The interviews will include up to 50 PIs with NSF's Robert Noyce Teacher Scholarship Program awards between FY2014 to FY2024 and up to 20 representatives who are eligible for funding but have not received it, all of whom will also have completed the questionnaire (approximately 70 total). The focus

groups will include up to 120 program coordinators/program staff, up to 240 faculty, up to 160 scholars/fellows, up to 128 alumni, up to 160 high need K–12 school and district leaders, and up to 80 external evaluators, all of whom will have also completed the questionnaire. Additionally, up to 3 AAAS staff and up to 24 current and former NSF staff are expected to participate in focus groups (approximately 985 total respondents).

#### **Estimate of Burden**

##### *Estimates of Annualized Cost to Respondents for the Hour Burdens*

The overall annualized cost to the respondents is estimated to be \$106,264.67. The hourly wage estimates for completing the interviews mentioned in the burden hours table are based on information from the Bureau of Labor Statistics website (<http://www.bls.gov>) and average GS–15-Step 5 for the current POs (Pay & Leave: Salaries & Wages—OPM.gov). Specifically, the “May 2023 National Occupational Employment and Wage Estimates” were used. For Principal Investigators, faculty, external evaluators, and former NSF staff, 25–1000 “Postsecondary Teachers” was used (for this, the average hourly rate was calculated for a 9-month contract because an hourly rate was unavailable). For program coordinators, 25–9031 “Instructional Coordinators” was used; for representatives who are eligible for NSF's Robert Noyce Teacher Scholarship Program funding but have not received it, 11–9033 “Education Administrators, Postsecondary” was used; for Scholars/Fellows and Alumni, 25–2000 “Preschool, Elementary, Middle, Secondary, and Special Education Teachers” was used (for this, the average hourly rate was calculated for a 9-month contract because an hourly rate was unavailable); for K–12 School Leaders, 11–9032 “Education Administrators, Kindergarten through Secondary” was used (for this, the average hourly rate was calculated for a 9-month contract because an hourly rate was unavailable); and for AAAS staff, 19–0000 “Life, Physical and Social Science Occupations” was used.

**BILLING CODE 7555-01-P**

Respondent Type	Collection Title	Total No. of Responden	Burden Hours Per Responden	Total Hours Burden	Average Hourly Rate	Estimated Annual Cost
<b>Demographic Questionnaire</b>						
PIs	Demographic Questionnaire	50	0.33	16.5	\$ 70.66	\$ 1,165.89
Representatives who are eligible for Noyce funding but have not received it		20	0.33	6.6	\$ 58.66	\$ 387.16
Program Coordinators		120	0.33	39.6	\$ 37.12	\$ 1,469.95
Faculty		240	0.33	79.2	\$ 70.66	\$ 5,596.25
External Evaluators		80	0.33	26.4	\$ 70.66	\$ 1,865.42
Scholars/ Fellows		160	0.33	52.8	\$ 47.84	\$ 2,525.97
Alumni		128	0.33	42.24	\$ 47.84	\$ 2,020.77
High Need K-12 School Leaders		160	0.33	52.8	\$ 77.10	\$ 4,070.73
<b>Interviews</b>						
PIs	Principal Investigator Interview Protocol	50	1	50	\$ 70.66	\$ 3,532.99
Representatives who are eligible for Noyce funding but have not received it	Representatives from Eligible, Non-Noyce Institutions Interview Protocol	20	1	20	\$ 58.66	\$ 1,173.20
<b>Focus Groups</b>						
Program Coordinators	Program Coordinator Focus Group Protocol	120	1.5	180	\$ 37.12	\$ 6,681.60
Faculty	Faculty Focus Group Protocol	240	1.5	360	\$ 70.66	\$ 25,437.50
External Evaluators	External Evaluators Focus Group Protocol	80	1.5	120	\$ 70.66	\$ 8,479.17
Scholars/ Fellows	Scholars and Fellows Focus Group Protocol	160	1.5	240	\$ 47.84	\$ 11,481.67
Alumni	Alumni Focus Group Protocol	128	1.5	192	\$ 47.84	\$ 9,185.33
High Need K-12 School Leaders	High Need K-12 School Leaders Focus Group Protocol	160	1.5	240	\$ 77.10	\$ 18,503.33
AAAS Staff	AAAS Staff Focus Group Protocol	3	1.5	4.5	\$ 42.24	\$ 190.08
Current NSF Staff	Current and Former NSF Staff Focus Group Protocol	8	1.5	12	\$ 66.82	\$ 801.84
Former NSF Staff	Current and Former NSF Staff Focus Group Protocol	16	1.5	24	\$ 70.66	\$ 1,695.83
	<b>Total</b>	<b>985</b>	<b>--</b>	<b>1758.64</b>	<b>--</b>	<b>\$106,264.67</b>

### Estimated Number of Responses per Report

It is estimated that there will be up to 1943 responses: Up to 958 from the questionnaire, up to 70 from the interviews, and up to 915 for the focus groups from those directly or indirectly affiliated with institutions eligible to receive Noyce funding.

Dated: May 28, 2024.

**Suzanne H. Plimpton,**  
Reports Clearance Officer, National Science Foundation.

[FR Doc. 2024-12021 Filed 5-30-24; 8:45 am]

BILLING CODE 7555-01-C

### NUCLEAR REGULATORY COMMISSION

[NRC-2024-0001]

#### Sunshine Act Meetings

**TIME AND DATE:** Weeks of June 3, 10, 17, 24, and July 1, 8, 2024. The schedule for Commission meetings is subject to change on short notice. The NRC Commission Meeting Schedule can be found on the internet at: <https://www.nrc.gov/public-involve/public-meetings/schedule.html>.

**PLACE:** The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings or need this meeting notice or the transcript or other information from the public meetings in another format (e.g., braille, large print), please notify Anne Silk, NRC Disability Program Specialist, at 301-287-0745, by videophone at 240-428-3217, or by email at [Anne.Silk@nrc.gov](mailto:Anne.Silk@nrc.gov). Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

**STATUS:** Public.

Members of the public may request to receive the information in these notices electronically. If you would like to be added to the distribution, please contact the Nuclear Regulatory Commission, Office of the Secretary, Washington, DC 20555, at 301-415-1969, or by email at [Betty.Thweatt@nrc.gov](mailto:Betty.Thweatt@nrc.gov) or [Samantha.Miklaszewski@nrc.gov](mailto:Samantha.Miklaszewski@nrc.gov).

**MATTERS TO BE CONSIDERED:**

#### Week of June 3, 2024

Tuesday, June 4, 2024

10:00 a.m. Briefing on Human Capital and Equal Employment Opportunity (Public Meeting) (Contact: Angie Randall: 301-415-6806).

*Additional Information:* The meeting will be held in the Commissioners'

Hearing Room, 11555 Rockville Pike, Rockville, Maryland. The public is invited to attend the Commission's meeting in person or watch live via webcast at the Web address—<https://video.nrc.gov/>.

Friday, June 7, 2024

10:00 a.m. Meeting with Advisory Committee on Reactor Safeguards (Public Meeting) (Contact: Robert Krsek: 301-415-1766).

*Additional Information:* The meeting will be held in the Commissioners' Hearing Room, 11555 Rockville Pike, Rockville, Maryland. The public is invited to attend the Commission's meeting in person or watch live via webcast at the Web address—<https://video.nrc.gov/>.

#### Week of June 10, 2024—Tentative

There are no meetings scheduled for the week of June 10, 2024.

#### Week of June 17, 2024—Tentative

There are no meetings scheduled for the week of June 17, 2024.

#### Week of June 24, 2024—Tentative

There are no meetings scheduled for the week of June 24, 2024.

#### Week of July 1, 2024—Tentative

There are no meetings scheduled for the week of July 1, 2024.

#### Week of July 8, 2024—Tentative

Thursday, July 11, 2024

10:00 a.m. Briefing on Results of the Agency Action Review Meeting (Public Meeting) (Contact: Greg Stock: 570-449-4306).

*Additional Information:* The meeting will be held in the Commissioners' Hearing Room, 11555 Rockville Pike, Rockville, Maryland. The public is invited to attend the Commission's meeting in person or watch live via webcast at the Web address—<https://video.nrc.gov/>.

#### CONTACT PERSON FOR MORE INFORMATION:

For more information or to verify the status of meetings, contact Wesley Held at 301-287-3591 or via email at [Wesley.Held@nrc.gov](mailto:Wesley.Held@nrc.gov).

The NRC is holding the meetings under the authority of the Government in the Sunshine Act, 5 U.S.C. 552b.

Dated: May 29, 2024.

For the Nuclear Regulatory Commission.

**Wesley W. Held,**

Policy Coordinator, Office of the Secretary.

[FR Doc. 2024-12102 Filed 5-29-24; 4:15 pm]

BILLING CODE 7590-01-P

### PEACE CORPS

#### Information Collection Request; Submission for OMB Review

**AGENCY:** Peace Corps.

**ACTION:** 30-Day notice and request for comments.

**SUMMARY:** The Peace Corps will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval. The purpose of this notice is to allow 30 days for public comment in the **Federal Register** preceding submission to OMB. We are conducting this process in accordance with the Paperwork Reduction Act of 1995.

**DATES:** Submit comments on or before July 1, 2024.

**ADDRESSES:** Comments should be addressed to James Olin, FOIA/Privacy Act Officer. James Olin can be contacted by telephone at 202-692-2507 or email at [pcfr@peacecorps.gov](mailto:pcfr@peacecorps.gov). Email comments must be made in text and not in attachments.

**FOR FURTHER INFORMATION CONTACT:** James Olin at Peace Corps address above or by phone at (202) 692-2507.

#### SUPPLEMENTARY INFORMATION:

*Title:* Campus Ambassadors Application.

*OMB Control Number:* 0420-0565.

*Type of Request:* Re-approve.

*Affected Public:* Individuals.

*Respondents Obligation to Reply:* Voluntary.

*Burden to the Public:*

*Estimated burden (hours) of the collection of information:*

a. *Number of respondents:* 1000.

b. *Frequency of response:* one time.

c. *Completion time:* 20 minutes.

d. *Annual burden hours:* 333 hours.

*General Description of Collection:* The information will be used by the Peace Corps Office of Recruitment and the Office of University Programs to select student campus ambassadors. The application includes questions related to relevant experience as well as requests that students upload a resume. The information requested—general information, questions related to the position and a student's resume—is a standard practice to determine the best candidates for the Campus Ambassador program.

*Request for Comment:* Peace Corps invites comments on whether the proposed collections of information are necessary for proper performance of the functions of the Peace Corps, including whether the information will have practical use; the accuracy of the

agency's estimate of the burden of the proposed collection of information, including the validity of the information to be collected; and, ways to minimize the burden of the collection of information on those who are to respond, including through the use of automated collection techniques, when appropriate, and other forms of information technology.

This notice is issued in Washington, DC on May 28, 2024.

**James Olin,**

*FOIA/Privacy Act Officer.*

[FR Doc. 2024-12017 Filed 5-30-24; 8:45 am]

**BILLING CODE 6051-01-P**

## PEACE CORPS

### Information Collection Request; Submission for OMB Review

**AGENCY:** Peace Corps.

**ACTION:** 30-Day notice and request for comments.

**SUMMARY:** The Peace Corps will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval. The purpose of this notice is to allow 30 days for public comment in the **Federal Register** preceding submission to OMB. We are conducting this process in accordance with the Paperwork Reduction Act of 1995.

**DATES:** Submit comments on or before July 1, 2024.

**ADDRESSES:** Comments should be addressed to James Olin, FOIA/Privacy Act Officer. James Olin can be contacted by telephone at 202-692-2507 or email at [pcfr@peacecorps.gov](mailto:pcfr@peacecorps.gov). Email comments must be made in text and not in attachments.

**FOR FURTHER INFORMATION CONTACT:** James Olin at Peace Corps address above or by phone at (202) 692-2507.

**SUPPLEMENTARY INFORMATION:**

*Title:* Campus Ambassadors Onboarding form.

*OMB Control Number:* 0420-0566.

*Type of Request:* Re-approve.

*Affected Public:* Individuals.

*Respondents Obligation to Reply:* Voluntary.

*Burden to the Public:*

*Estimated burden (hours) of the collection of information:*

a. *Number of respondents:* 1,000.

b. *Frequency of response:* one time.

c. *Completion time:* 5 minutes.

d. *Annual burden hours:* 83 hours.

*General Description of Collection:* The information will be used by the Office of University Programs to collect key

information including name, mailing address, school and t-shirt sizes to send out a promotional kit and resources to students that have accepted our offer to become a campus ambassador.

*Request for Comment:* Peace Corps invites comments on whether the proposed collections of information are necessary for proper performance of the functions of the Peace Corps, including whether the information will have practical use; the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the information to be collected; and, ways to minimize the burden of the collection of information on those who are to respond, including through the use of automated collection techniques, when appropriate, and other forms of information technology.

This notice is issued in Washington, DC on May 28, 2024.

**James Olin,**

*FOIA/Privacy Act Officer.*

[FR Doc. 2024-12018 Filed 5-30-24; 8:45 am]

**BILLING CODE 6051-01-P**

## POSTAL REGULATORY COMMISSION

**[Docket Nos. CP2024-49; MC2024-317 and CP2024-325; MC2024-318 and CP2024-326; MC2024-319 and CP2024-327; MC2024-320 and CP2024-328]**

### New Postal Products

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Notice.

**SUMMARY:** The Commission is noticing a recent Postal Service filing for the Commission's consideration concerning a negotiated service agreement. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

**DATES:** *Comments are due:* June 4, 2024.

**ADDRESSES:** Submit comments electronically via the Commission's Filing Online system at <http://www.prc.gov>. Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

**FOR FURTHER INFORMATION CONTACT:** David A. Trissell, General Counsel, at 202-789-6820.

**SUPPLEMENTARY INFORMATION:**

### Table of Contents

- I. Introduction
- II. Docketed Proceeding(s)

## I. Introduction

The Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to negotiated service agreement(s). The request(s) may propose the addition or removal of a negotiated service agreement from the Market Dominant or the Competitive product list, or the modification of an existing product currently appearing on the Market Dominant or the Competitive product list.

Section II identifies the docket number(s) associated with each Postal Service request, the title of each Postal Service request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 (Public Representative). Section II also establishes comment deadline(s) pertaining to each request.

The public portions of the Postal Service's request(s) can be accessed via the Commission's website (<http://www.prc.gov>). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3011.301.<sup>1</sup>

The Commission invites comments on whether the Postal Service's request(s) in the captioned docket(s) are consistent with the policies of title 39. For request(s) that the Postal Service states concern Market Dominant product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3622, 39 U.S.C. 3642, 39 CFR part 3030, and 39 CFR part 3040, subpart B. For request(s) that the Postal Service states concern Competitive product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3035, and 39 CFR part 3040, subpart B. Comment deadline(s) for each request appear in section II.

## II. Docketed Proceeding(s)

1. *Docket No(s):* CP2024-49; *Filing Title:* USPS Notice of Amendment to Priority Mail & USPS Ground Advantage Contract 103; *Filing Acceptance Date:* May 24, 2024; *Filing Authority:* 39 CFR 3035.105; *Public Representative:* Jennaca D. Upperman; *Comments Due:* June 4, 2024.

2. *Docket No(s):* MC2024-317 and CP2024-325; *Filing Title:* USPS Request

<sup>1</sup> See Docket No. RM2018-3, Order Adopting Final Rules Relating to Non-Public Information, June 27, 2018, Attachment A at 19-22 (Order No. 4679).



to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 77 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: May 24, 2024; *Filing Authority*: 39 U.S.C. 3642, 39 CFR 3040.130 through 3040.135, and 39 CFR 3035.105; *Public Representative*: Kenneth R. Moeller; *Comments Due*: June 4, 2024.

3. *Docket No(s)*: MC2024–318 and CP2024–326; *Filing Title*: USPS Request to Add Priority Mail & USPS Ground Advantage Contract 267 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: May 24, 2024; *Filing Authority*: 39 U.S.C. 3642, 39 CFR 3040.130 through 3040.135, and 39 CFR 3035.105; *Public Representative*: Kenneth R. Moeller; *Comments Due*: June 4, 2024.

4. *Docket No(s)*: MC2024–319 and CP2024–327; *Filing Title*: USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 78 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: May 24, 2024; *Filing Authority*: 39 U.S.C. 3642, 39 CFR 3040.130 through 3040.135, and 39 CFR 3035.105; *Public Representative*: Jennaca D. Upperman; *Comments Due*: June 4, 2024.

5. *Docket No(s)*: MC2024–320 and CP2024–328; *Filing Title*: USPS Request to Add Priority Mail & USPS Ground Advantage Contract 268 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: May 24, 2024; *Filing Authority*: 39 U.S.C. 3642, 39 CFR 3040.130 through 3040.135, and 39 CFR 3035.105; *Public Representative*: Jennaca D. Upperman; *Comments Due*: June 4, 2024.

This Notice will be published in the **Federal Register**.

**Erica A. Barker**,  
*Secretary*.

[FR Doc. 2024–11979 Filed 5–30–24; 8:45 am]  
**BILLING CODE 7710–FW–P**

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## POSTAL SERVICE

### Product Change—Priority Mail and USPS Ground Advantage® Negotiated Service Agreement

**AGENCY**: Postal Service™.  
**ACTION**: Notice.

**SUMMARY**: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

**DATES**: *Date of required notice*: May 31, 2024.

**FOR FURTHER INFORMATION CONTACT**: Sean Robinson, 202–268–8405.

**SUPPLEMENTARY INFORMATION**: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 24, 2024, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage® Contract 268 to Competitive Product List*. Documents are available at [www.prc.gov](http://www.prc.gov), Docket Nos. MC2024–320, CP2024–328.

**Sean Robinson**,  
*Attorney, Corporate and Postal Business Law*.  
[FR Doc. 2024–11922 Filed 5–30–24; 8:45 am]  
**BILLING CODE 7710–12–P**

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## POSTAL SERVICE

### Product Change—Priority Mail Express, Priority Mail, and USPS Ground Advantage® Negotiated Service Agreement

**AGENCY**: Postal Service™.  
**ACTION**: Notice.

**SUMMARY**: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

**DATES**: *Date of required notice*: May 31, 2024.

**FOR FURTHER INFORMATION CONTACT**: Sean C. Robinson, 202–268–8405.

**SUPPLEMENTARY INFORMATION**: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 21, 2024, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage® Contract 70 to Competitive Product List*. Documents are available at [www.prc.gov](http://www.prc.gov), Docket Nos. MC2024–309, CP2024–317.

**Sean C. Robinson**,  
*Attorney, Corporate and Postal Business Law*.  
[FR Doc. 2024–11924 Filed 5–30–24; 8:45 am]  
**BILLING CODE 7710–12–P**

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## POSTAL SERVICE

### Product Change—Priority Mail Express, Priority Mail, and USPS Ground Advantage® Negotiated Service Agreement

**AGENCY**: Postal Service™.

**ACTION**: Notice.

**SUMMARY**: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

**DATES**: *Date of required notice*: May 31, 2024.

**FOR FURTHER INFORMATION CONTACT**: Sean C. Robinson, 202–268–8405.

**SUPPLEMENTARY INFORMATION**: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 23, 2024, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage® Contract 73 to Competitive Product List*. Documents are available at [www.prc.gov](http://www.prc.gov), Docket Nos. MC2024–312, CP2024–320.

**Sean C. Robinson**,  
*Attorney, Corporate and Postal Business Law*.  
[FR Doc. 2024–11927 Filed 5–30–24; 8:45 am]  
**BILLING CODE 7710–12–P**

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## POSTAL SERVICE

### Product Change—Priority Mail Express, Priority Mail, and USPS Ground Advantage® Negotiated Service Agreement

**AGENCY**: Postal Service™.  
**ACTION**: Notice.

**SUMMARY**: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

**DATES**: *Date of required notice*: May 31, 2024.

**FOR FURTHER INFORMATION CONTACT**: Sean C. Robinson, 202–268–8405.

**SUPPLEMENTARY INFORMATION**: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 23, 2024, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage® Contract 75 to Competitive Product List*. Documents are available at [www.prc.gov](http://www.prc.gov), Docket Nos. MC2024–315, CP2024–323.

**Sean C. Robinson**,  
*Attorney, Corporate and Postal Business Law*.  
[FR Doc. 2024–11929 Filed 5–30–24; 8:45 am]  
**BILLING CODE 7710–12–P**

**POSTAL SERVICE****Product Change—Priority Mail Express, Priority Mail, and USPS Ground Advantage® Negotiated Service Agreement****AGENCY:** Postal Service™.**ACTION:** Notice.

**SUMMARY:** The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

**DATES:** *Date of required notice:* May 31, 2024.**FOR FURTHER INFORMATION CONTACT:**

Sean C. Robinson, 202-268-8405.

**SUPPLEMENTARY INFORMATION:** The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 23, 2024, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage® Contract 74 to Competitive Product List*. Documents are available at [www.prc.gov](http://www.prc.gov), Docket Nos. MC2024-314, CP2024-322.

**Sean C. Robinson,***Attorney, Corporate and Postal Business Law.*

[FR Doc. 2024-11928 Filed 5-30-24; 8:45 am]

**BILLING CODE 7710-12-P****POSTAL SERVICE****Product Change—Priority Mail and USPS Ground Advantage® Negotiated Service Agreement****AGENCY:** Postal Service™.**ACTION:** Notice.

**SUMMARY:** The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

**DATES:** *Date of required notice:* May 31, 2024.**FOR FURTHER INFORMATION CONTACT:**

Sean Robinson, 202-268-8405.

**SUPPLEMENTARY INFORMATION:** The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 20, 2024, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage® Contract 264 to Competitive Product List*. Documents

are available at [www.prc.gov](http://www.prc.gov), Docket Nos. MC2024-307, CP2024-315.

**Sean Robinson,***Attorney, Corporate and Postal Business Law.*

[FR Doc. 2024-11918 Filed 5-30-24; 8:45 am]

**BILLING CODE 7710-12-P****POSTAL SERVICE****Product Change—Priority Mail Express, Priority Mail, and USPS Ground Advantage® Negotiated Service Agreement****AGENCY:** Postal Service™.**ACTION:** Notice.

**SUMMARY:** The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

**DATES:** *Date of required notice:* May 31, 2024.**FOR FURTHER INFORMATION CONTACT:**

Sean C. Robinson, 202-268-8405.

**SUPPLEMENTARY INFORMATION:** The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 22, 2024, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage® Contract 71 to Competitive Product List*. Documents are available at [www.prc.gov](http://www.prc.gov), Docket Nos. MC2024-310, CP2024-318.

**Sean C. Robinson,***Attorney, Corporate and Postal Business Law.*

[FR Doc. 2024-11925 Filed 5-30-24; 8:45 am]

**BILLING CODE 7710-12-P****POSTAL SERVICE****Product Change—Priority Mail Express, Priority Mail, and USPS Ground Advantage® Negotiated Service Agreement****AGENCY:** Postal Service™.**ACTION:** Notice.

**SUMMARY:** The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

**DATES:** *Date of required notice:* May 31, 2024.**FOR FURTHER INFORMATION CONTACT:**

Sean C. Robinson, 202-268-8405.

**SUPPLEMENTARY INFORMATION:** The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 22, 2024, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage® Contract 72 to Competitive Product List*. Documents are available at [www.prc.gov](http://www.prc.gov), Docket Nos. MC2024-311, CP2024-319.

**Sean C. Robinson,***Attorney, Corporate and Postal Business Law.*

[FR Doc. 2024-11926 Filed 5-30-24; 8:45 am]

**BILLING CODE 7710-12-P****POSTAL SERVICE****Product Change—Priority Mail and USPS Ground Advantage® Negotiated Service Agreement****AGENCY:** Postal Service™.**ACTION:** Notice.

**SUMMARY:** The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

**DATES:** *Date of required notice:* May 31, 2024.**FOR FURTHER INFORMATION CONTACT:**

Sean Robinson, 202-268-8405.

**SUPPLEMENTARY INFORMATION:** The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 20, 2024, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage® Contract 265 to Competitive Product List*. Documents are available at [www.prc.gov](http://www.prc.gov), Docket Nos. MC2024-308, CP2024-316.

**Sean Robinson,***Attorney, Corporate and Postal Business Law.*

[FR Doc. 2024-11919 Filed 5-30-24; 8:45 am]

**BILLING CODE 7710-12-P****POSTAL SERVICE****Product Change—Priority Mail and USPS Ground Advantage® Negotiated Service Agreement****AGENCY:** Postal Service™.**ACTION:** Notice.

**SUMMARY:** The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service

Agreements in the Mail Classification Schedule's Competitive Products List.

**DATES:** *Date of required notice:* May 31, 2024.

**FOR FURTHER INFORMATION CONTACT:**  
Sean Robinson, 202-268-8405.

**SUPPLEMENTARY INFORMATION:** The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 23, 2024, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage® Contract 266 to Competitive Product List*. Documents are available at [www.prc.gov](http://www.prc.gov), Docket Nos. MC2024-313, CP2024-321.

**Sean Robinson,**  
*Attorney, Corporate and Postal Business Law.*  
[FR Doc. 2024-11920 Filed 5-30-24; 8:45 am]  
**BILLING CODE 7710-12-P**

## POSTAL SERVICE

### Product Change—Priority Mail Express, Priority Mail, and USPS Ground Advantage® Negotiated Service Agreement

**AGENCY:** Postal Service™.  
**ACTION:** Notice.

**SUMMARY:** The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

**DATES:** *Date of required notice:* May 31, 2024.

**FOR FURTHER INFORMATION CONTACT:**  
Sean C. Robinson, 202-268-8405.

**SUPPLEMENTARY INFORMATION:** The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 24, 2024, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage® Contract 78 to Competitive Product List*. Documents are available at [www.prc.gov](http://www.prc.gov), Docket Nos. MC2024-319, CP2024-327.

**Sean C. Robinson,**  
*Attorney, Corporate and Postal Business Law.*  
[FR Doc. 2024-11932 Filed 5-30-24; 8:45 am]  
**BILLING CODE 7710-12-P**

## POSTAL SERVICE

### Product Change—Priority Mail Express, Priority Mail, and USPS Ground Advantage® Negotiated Service Agreement

**AGENCY:** Postal Service™.  
**ACTION:** Notice.

**SUMMARY:** The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

**DATES:** *Date of required notice:* May 31, 2024.

**FOR FURTHER INFORMATION CONTACT:**  
Sean C. Robinson, 202-268-8405.

**SUPPLEMENTARY INFORMATION:** The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 24, 2024, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage® Contract 77 to Competitive Product List*. Documents are available at [www.prc.gov](http://www.prc.gov), Docket Nos. MC2024-317, CP2024-325.

**Sean C. Robinson,**  
*Attorney, Corporate and Postal Business Law.*  
[FR Doc. 2024-11931 Filed 5-30-24; 8:45 am]  
**BILLING CODE 7710-12-P**

## POSTAL SERVICE

### Product Change—Priority Mail Express, Priority Mail, and USPS Ground Advantage® Negotiated Service Agreement

**AGENCY:** Postal Service™.  
**ACTION:** Notice.

**SUMMARY:** The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

**DATES:** *Date of required notice:* May 31, 2024.

**FOR FURTHER INFORMATION CONTACT:**  
Sean C. Robinson, 202-268-8405.

**SUPPLEMENTARY INFORMATION:** The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 20, 2024, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage® Contract 69 to Competitive Product List*. Documents

are available at [www.prc.gov](http://www.prc.gov), Docket Nos. MC2024-306, CP2024-314.

**Sean C. Robinson,**  
*Attorney, Corporate and Postal Business Law.*  
[FR Doc. 2024-11923 Filed 5-30-24; 8:45 am]  
**BILLING CODE 7710-12-P**

## POSTAL SERVICE

### Product Change—Priority Mail Express, Priority Mail, and USPS Ground Advantage® Negotiated Service Agreement

**AGENCY:** Postal Service™.  
**ACTION:** Notice.

**SUMMARY:** The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

**DATES:** *Date of required notice:* May 31, 2024.

**FOR FURTHER INFORMATION CONTACT:**  
Sean C. Robinson, 202-268-8405.

**SUPPLEMENTARY INFORMATION:** The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 23, 2024, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage® Contract 76 to Competitive Product List*. Documents are available at [www.prc.gov](http://www.prc.gov), Docket Nos. MC2024-316, CP2024-324.

**Sean C. Robinson,**  
*Attorney, Corporate and Postal Business Law.*  
[FR Doc. 2024-11930 Filed 5-30-24; 8:45 am]  
**BILLING CODE 7710-12-P**

## POSTAL SERVICE

### Product Change—Priority Mail and USPS Ground Advantage® Negotiated Service Agreement

**AGENCY:** Postal Service™.  
**ACTION:** Notice.

**SUMMARY:** The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

**DATES:** *Date of required notice:* May 31, 2024.

**FOR FURTHER INFORMATION CONTACT:**  
Sean Robinson, 202-268-8405.

**SUPPLEMENTARY INFORMATION:** The United States Postal Service® hereby

gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 24, 2024, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage® Contract 267 to Competitive Product List*. Documents are available at [www.prc.gov](http://www.prc.gov), Docket Nos. MC2024–318, CP2024–326.

**Sean Robinson,**

*Attorney, Corporate and Postal Business Law.*

[FR Doc. 2024–11921 Filed 5–30–24; 8:45 am]

**BILLING CODE 7710–12–P**

## SCIENCE AND TECHNOLOGY POLICY OFFICE

### Federal Flood Standard Support Website and Tool Beta Version; Extension of Comment Period

**AGENCY:** White House Office of Science and Technology Policy (OSTP)

**ACTION:** Notice of extension of comment period.

**SUMMARY:** On April 11, 2024, the Office of Science and Technology Policy (OSTP) published in the **Federal Register** a document entitled “Notice of Availability and Request for Comments; Federal Flood Standard Support Website and Tool Beta Version.” This Notice of Availability and Request for Comments invited comments to OSTP on the beta version of the Federal Flood Standard Support website (available at <http://floodstandard.climate.gov>) and the Federal Flood Standard Support Tool (available at <http://floodstandard.climate.gov/tool>) to assist Federal agencies and applicants or recipients of Federal financial assistance in the implementation of the Federal Flood Risk Management Standard (FFRMS). In response to requests by prospective commenters that they would benefit from additional time to adequately consider and respond to the Request for Comments, OSTP has determined that an extension of the comment period until June 18, 2024 is appropriate.

**DATES:** The end of the comment period for the document entitled “Notice of Availability and Request for Comments; Federal Flood Standard Support Website and Tool Beta Version,” published on April 11, 2024 (89 FR 25674), is extended from May 28, 2024 to June 18, 2024.

**ADDRESSES:** Interested individuals and organizations should submit comments electronically via to <https://www.regulations.gov>. Due to time constraints, mailed paper submissions will not be accepted, and electronic submissions received after the deadline

may not be incorporated or taken into consideration.

**Instructions: Federal eRulemaking Portal:** Go to <https://www.regulations.gov> to submit your comments electronically. Information on how to use *Regulations.gov*, including instructions for accessing agency documents, submitting comments, and viewing the docket, is available on the site under “FAQ” (<https://www.regulations.gov/faq>).

**Privacy Note:** OSTP’s policy is to make all appropriate comments received from members of the public available for public viewing in their entirety on the Federal eRulemaking Portal at <https://www.regulations.gov/>. Therefore, commenters should be careful to include in their comments only information that they wish to make publicly available. OSTP requests that no proprietary information, copyrighted information, or personally identifiable information be submitted in response to this notice of availability and request for comments.

Information obtained from this Request for Comments (89 FR 25674) may be used by the Government on a non-attribution basis for planning and strategy development. OSTP will not respond to individual submissions. A response to this Request for Comments (89 FR 25674) will not be viewed as a binding commitment to develop or pursue the project or ideas discussed. This Request for Comments (89 FR 25674) is not accepting applications for financial assistance or financial incentives.

Responses containing references, studies, research, and other empirical data that are not widely published should include copies of or electronic links to the referenced materials. Responses from minors, or responses containing profanity, vulgarity, threats, or other inappropriate language or content will not be considered.

Comments submitted in response to this notice are subject to the Freedom of Information Act (FOIA). Responses to this Request for Comments (89 FR 25674) may be posted without change online. Please note that the United States Government will not pay for response preparation, or for the use of any information contained in a response.

**FOR FURTHER INFORMATION CONTACT:** For additional information, please direct questions to Dr. Kristin Ludwig, OSTP Assistant Director for Resilience Science and Technology, at [FederalFloodStandardTool@ostp.eop.gov](mailto:FederalFloodStandardTool@ostp.eop.gov) or (202) 881–7711.

**SUPPLEMENTARY INFORMATION:** The Federal Government is developing multiple resources to support Federal agencies and applicants or recipients of Federal financial assistance in the implementation of the Federal Flood Risk Management Standard (FFRMS, established by Executive Order 13690 and reinstated by Executive Order 14030). These resources include the Federal Flood Standard Support website and the Federal Flood Standard Support Tool. On April 11, 2024, OSTP published in the **Federal Register** a document (89 FR 25674) inviting comments on the beta version of the Federal Flood Standard Support website (available at <http://floodstandard.climate.gov>) and the Federal Flood Standard Support Tool (available at <http://floodstandard.climate.gov/tool>). The Request for Comments was issued to seek input on these resources, in particular (a) feedback on the functionality of the Federal Flood Standard Support Tool in providing a user-friendly visual representation and actionable information on FFRMS approaches for federally funded projects; (b) insights on potential training and/or technical assistance needs associated with use of the Federal Flood Standard Support Tool; and (c) suggestions for clarifying the communication of the flood mapping data development methodology. The document stated that the comment period would close on May 28, 2024. OSTP has received requests to extend the comment period. An extension of the comment period will provide additional opportunity for the public to consider the Request for Comments and prepare comments to address the topics listed therein. Therefore, OSTP is extending the end of the comment period for the Request for Comments from May 28, 2024 to June 18, 2024.

Dated: May 28, 2024.

**Stacy Murphy,**

*Deputy Chief Operations Officer/Security Officer.*

[FR Doc. 2024–11940 Filed 5–30–24; 8:45 am]

**BILLING CODE 3270–F1–P**

## SECURITIES AND EXCHANGE COMMISSION

[SEC File No. 270–669, OMB Control No. 3235–0749]

**Submission for OMB Review; Comment Request; Extension: Rule 18a–7**

*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 ("PRA") (44 U.S.C. 3501 et seq.), the Securities and Exchange Commission ("Commission") has submitted to the Office of Management and Budget ("OMB") a request for approval of extension of the previously approved collection of information provided for in Rule 18a-7, under the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.).

Rule 18a-7 establishes reporting requirements applicable to stand-alone security-based swap dealers ("SBSBs"), stand-alone major security-based swap participants ("MSBSPs"), bank SBSBs, and bank MSBSPs. Rule 18a-7 is modeled on Exchange Act Rule 17a-5, which applies to broker-dealers, but Rule 18a-7 does not include a parallel requirement for every requirement in Rule 17a-5 because some of the requirements in Rule 17a-5 relate to activities that are not expected or permitted of SBSBs and MSBSPs.

Under Rule 18a-7, stand-alone SBSBs and stand-alone MSBSPs are required to file the FOCUS Report Part II and the annual reports, while bank SBSBs and bank MSBSPs are required to file the FOCUS Report Part IIC. Stand-alone SBSBs and stand-alone MSBSPs are required to file the FOCUS Report Part II on a monthly basis, whereas bank SBSBs and bank MSBSPs are required to file FOCUS Report Part IIC on a quarterly basis. Moreover, under Rule 18a-7 stand-alone SBSBs and stand-alone MSBSPs are required to make available to customers an audited statement of financial condition with appropriate notes on their public website.

The Commission estimates that the total hour burden under Rule 18a-7 is approximately 2,796 hours per year, and the total cost burden is approximately \$2,424,016 per year.

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.

The public may view background documentation for this information collection at the following website: www.reginfo.gov. Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function. Written comments and recommendations for the proposed information collection should be sent by July 1, 2024 to (i) www.reginfo.gov/public/do/PRAMain and (ii) David

Bottom, Director/Chief Information Officer, Securities and Exchange Commission, c/o John Pezzullo, 100 F Street NE, Washington, DC 20549, or by sending an email to: PRA\_Mailbox@sec.gov.

Dated: May 28, 2024.

Sherry R. Haywood, Assistant Secretary.

[FR Doc. 2024-11958 Filed 5-30-24; 8:45 am]

BILLING CODE 8011-01-P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #20358 and #20359; Texas Disaster Number TX-20013]

Presidential Declaration of a Major Disaster for Public Assistance Only for the State of Texas

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a Notice of the Presidential declaration of a major disaster for Public Assistance Only for the State of Texas (FEMA-4781-DR), dated 05/23/2024.

Incident: Severe Storms, Straight-line Winds, Tornadoes, and Flooding.

Incident Period: 04/26/2024 and continuing.

DATES: Issued on 05/23/2024.

Physical Loan Application Deadline Date: 07/22/2024.

Economic Injury (EIDL) Loan Application Deadline Date: 02/24/2025.

ADDRESSES: Visit the MySBA Loan Portal at https://lending.sba.gov to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Alan Escobar, Office of Disaster Recovery & Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205-6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the President's major disaster declaration on 05/23/2024, Private Non-Profit organizations that provide essential services of a governmental nature may file disaster loan applications online using the MySBA Loan Portal https://lending.sba.gov or other locally announced locations. Please contact the SBA disaster assistance customer service center by email at disastercustomerservice@sba.gov or by phone at 1-800-659-2955 for further assistance.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties: Harris, Liberty, Montgomery, Polk, San Jacinto, Trinity, Walker

The Interest Rates are:

Table with 2 columns: Description and Percent. Rows include For Physical Damage: Non-Profit Organizations with Credit Available Elsewhere ... (3.250) and For Economic Injury: Non-Profit Organizations without Credit Available Elsewhere ... (3.250).

The number assigned to this disaster for physical damage is 203586 and for economic injury is 203590.

(Catalog of Federal Domestic Assistance Number 59008)

Francisco Sánchez, Jr., Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2024-11941 Filed 5-30-24; 8:45 am]

BILLING CODE 8026-09-P

SMALL BUSINESS ADMINISTRATION

Data Collection Available for Public Comments

ACTION: 60-Day notice and request for comments.

SUMMARY: The Small Business Administration (SBA) intends to request approval, from the Office of Management and Budget (OMB) for the collection of information described below. The Paperwork Reduction Act (PRA) requires Federal agencies to publish a notice in the Federal Register concerning each proposed collection of information before submission to OMB, and to allow 60 days for public comment in response to the notice. This notice complies with that requirement.

DATES: Submit comments on or before July 30, 2024.

ADDRESSES: Send all comments to Donna Fudge, donna.fudge@sba.gov, (202) 205-6363, Office of Policy Planning and Liaison, Small Business Administration.

FOR FURTHER INFORMATION CONTACT: Donna Fudge, donna.fudge@sba.gov, (202) 205-6363, Office of Policy Planning and Liaison, Small Business Administration. Curtis B. Rich, Agency Clearance Officer curtis.rich@sba.gov 202-205-7030.

SUPPLEMENTARY INFORMATION: SBA is considering revising its information collections for various certification programs to streamline the certification

process for those programs. In particular, SBA seeks to make the programs more uniform so that small businesses applying for multiple certifications face a common standard of review where possible. The certification programs affected are the 8(a) Business Development (BD) program, the women-owned small business program, the veteran-owned small business program, and the HUBZone program.

#### Solicitation of Public Comments

SBA is requesting comments on (a) Whether the collection of information is necessary for the agency to properly perform its functions; (b) whether the burden estimates are accurate; (c) whether there are ways to minimize the burden, including through the use of automated techniques or other forms of information technology; and (d) whether there are ways to enhance the quality, utility, and clarity of the information.

#### Summary of Information Collection

*PRA Number:* 3245–0320.

(1) *Title:* HUBZone Program Electronic Application, Re certification and Program Examination.

*Description of Respondents:* The SBA is required by statute to administer the “Historically Underutilized Business Zone” (HUBZone) Program. To do this, it must certify eligible applicants as “qualified HUBZone small business concerns”; publish a listing of such certified firms; process periodic recertification of previously certified firms; and conduct program examinations of certified firms to ensure continuing compliance with program eligibility requirements. The HUBZone Electronic Application is used in execution of these requirements.

*Form Number:* SBA Form 2103, HUBZone3Tribal, HUBZone 3ANCCDC, HUBZone 3AGCOP.

*Total Estimated Annual Responses:* 6,951.

*Total Estimated Annual Hour Burden:* 11,426.

**Curtis B. Rich,**

*Agency Clearance Officer.*

[FR Doc. 2024–11969 Filed 5–30–24; 8:45 am]

**BILLING CODE 8026–09–P**

#### SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #20303 and #20304; OKLAHOMA Disaster Number OK–20001]

#### Presidential Declaration Amendment of a Major Disaster for the State of Oklahoma

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Amendment 6.

**SUMMARY:** This is an amendment of the Presidential declaration of a major disaster for the State of Oklahoma (FEMA–4776–DR), dated 04/30/2024.

*Incident:* Severe Storms, Straight-line Winds, Tornadoes, and Flooding.

*Incident Period:* 04/25/2024 through 05/09/2024.

**DATES:** Issued on 05/22/3202.

*Physical Loan Application Deadline Date:* 07/01/2024.

*Economic Injury (EIDL) Loan Application Deadline Date:* 01/30/2025.

**ADDRESSES:** Visit the MySBA Loan Portal at <https://lending.sba.gov> to apply for a disaster assistance loan.

#### FOR FURTHER INFORMATION CONTACT:

Alan Escobar, Office of Disaster Recovery & Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

**SUPPLEMENTARY INFORMATION:** The notice of the President’s major disaster declaration for the State of Oklahoma, dated 04/30/2024, is hereby amended to include the following areas as adversely affected by the disaster:

*Primary Counties (Physical Damage and Economic Injury Loans):* Kay, Lincoln, Okfuskee, Pottawatomie, Washington.

*Contiguous Counties (Economic Injury Loans Only):*

Oklahoma: Cleveland, Garfield, Grant, Logan, Nowata, Oklahoma, Payne, Rogers

Kansas: Montgomery, Sumner

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Number 59008)

**Francisco Sánchez, Jr.,**

*Associate Administrator, Office of Disaster Recovery & Resilience.*

[FR Doc. 2024–11937 Filed 5–30–24; 8:45 am]

**BILLING CODE 8026–09–P**

#### SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #20320 and #20321; Texas Disaster Number TX–20010]

#### Presidential Declaration Amendment of a Major Disaster for the State of Texas

**AGENCY:** Small Business Administration.

**ACTION:** Amendment 2.

**SUMMARY:** This is an amendment of the Presidential declaration of a major disaster for the State of Texas (FEMA–4781–DR), dated 05/17/2024.

*Incident:* Severe Storms, Straight-line Winds, Tornadoes, and Flooding.

*Incident Period:* 04/26/2024 and continuing.

**DATES:** Issued on 05/22/2024.

*Physical Loan Application Deadline Date:* 07/16/2024.

*Economic Injury (EIDL) Loan Application Deadline Date:* 02/18/2025.

**ADDRESSES:** Visit the MySBA Loan Portal at <https://lending.sba.gov> to apply for a disaster assistance loan.

#### FOR FURTHER INFORMATION CONTACT:

Alan Escobar, Office of Disaster Recovery & Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

**SUPPLEMENTARY INFORMATION:** The notice of the President’s major disaster declaration for the State of Texas, dated 05/17/2024, is hereby amended to include the following areas as adversely affected by the disaster:

*Primary Counties (Physical Damage and Economic Injury Loans):* Calhoun, Guadalupe.

*Contiguous Counties (Economic Injury Loans Only):*

Texas: Aransas, Bexar, Caldwell, Comal, Gonzales, Hays, Jackson, Matagorda, Refugio, Victoria, Wilson

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Number 59008)

**Francisco Sánchez, Jr.,**

*Associate Administrator, Office of Disaster Recovery & Resilience.*

[FR Doc. 2024–11936 Filed 5–30–24; 8:45 am]

**BILLING CODE 8026–09–P**

#### SMALL BUSINESS ADMINISTRATION

#### Data Collection Available for Public Comments

**ACTION:** 60-Day notice and request for comments.

**SUMMARY:** The Small Business Administration (SBA) intends to request approval, from the Office of Management and Budget (OMB) for the collection of information described below. The Paperwork Reduction Act (PRA) requires Federal agencies to publish a notice in the **Federal Register** concerning each proposed collection of information before submission to OMB, and to allow 60 days for public comment in response to the notice. This notice complies with that requirement.

**DATES:** Submit comments on or before July 30, 2024.

**ADDRESSES:** Send all comments to Donna Fudge, [donna.fudge@sba.gov](mailto:donna.fudge@sba.gov),

(202) 205-6363, Office of Policy Planning and Liaison, Small Business Administration.

**FOR FURTHER INFORMATION CONTACT:**

Donna Fudge, *donna.fudge@sba.gov*, (202) 205-6363, Office of Policy Planning and Liaison, Small Business Administration. Curtis B. Rich, Agency Clearance Officer *curtis.rich@sba.gov* 202-205-7030.

**SUPPLEMENTARY INFORMATION:** SBA is considering revising its information collections for various certification programs to streamline the certification process for those programs. In particular, SBA seeks to make the programs more uniform so that small businesses applying for multiple certifications face a common standard of review where possible. The certification programs affected are the 8(a) Business Development (BD) program, the women-owned small business program, the veteran small business certification program, and the HUBZone program. This form has been transferred from the Department of Veterans Affairs (VA) to the Small Business Administration (SBA). The former VA Control Number was 2900-0675. The former VA Form number was VA Form 0877.

**Solicitation of Public Comments**

SBA is requesting comments on (a) Whether the collection of information is necessary for the agency to properly perform its functions; (b) whether the burden estimates are accurate; (c) whether there are ways to minimize the burden, including through the use of automated techniques or other forms of information technology; and (d) whether there are ways to enhance the quality, utility, and clarity of the information.

**Summary of Information Collection**

*PRA Number:* 3245-0426.

(1) *Title:* VETERANS CERTIFICATION PROGRAM.

*Description of Respondents:* This information is collected from firms that are seeking to be certified for the Veteran Certification Program as a Veteran Owned Small Business (VOSB) or Service-Disabled Veteran Owned Small Business (SDVOSB).

*Form Number:* SBA Form 2537.

*Total Estimated Annual Responses:* 20,000.

*Total Estimated Annual Hour Burden:* 10,000.

**Curtis B. Rich,**  
*Agency Clearance Officer.*

[FR Doc. 2024-11952 Filed 5-30-24; 8:45 am]

**BILLING CODE 8026-09-P**

**SMALL BUSINESS ADMINISTRATION**

**[Disaster Declaration #20360 and #20361; IOWA Disaster Number IA-20003]**

**Presidential Declaration of a Major Disaster for the State of Iowa**

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Notice.

**SUMMARY:** This is a Notice of the Presidential declaration of a major disaster for the State of IOWA (FEMA-4784-DR), dated 05/24/2024.  
*Incident:* Severe Storms, Tornadoes, and Flooding.  
*Incident Period:* 05/20/2024 through 05/21/2024.

**DATES:** Issued on 05/24/2024.  
*Physical Loan Application Deadline Date:* 07/23/2024.  
*Economic Injury (EIDL) Loan Application Deadline Date:* 02/24/2025.

**ADDRESSES:** Visit the MySBA Loan Portal at <https://lending.sba.gov> to apply for a disaster assistance loan.

**FOR FURTHER INFORMATION CONTACT:** Vanessa Morgan, Office of Disaster Recovery & Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205-6734.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that as a result of the President's major disaster declaration on 05/24/2024, applications for disaster loans may be submitted online using the MySBA Loan Portal <https://lending.sba.gov> or other locally announced locations. Please contact the SBA disaster assistance customer service center by email at [disastercustomerservice@sba.gov](mailto:disastercustomerservice@sba.gov) or by phone at 1-800-659-2955 for further assistance.

The following areas have been determined to be adversely affected by the disaster:

*Primary Counties (Physical Damage and Economic Injury Loans):* Adair, Montgomery, Polk, Story.  
*Contiguous Counties (Economic Injury Loans Only):*

IOWA: Adams, Audubon, Boone, Cass, Dallas, Fremont, Guthrie, Hamilton, Hardin, Jasper, Madison, Marion, Marshall, Mills, Page, Pottawattamie, Taylor, Union, Warren  
The Interest Rates are:

	Percent
<i>For Physical Damage:</i>	
Homeowners with Credit Available Elsewhere .....	5.375
Homeowners without Credit Available Elsewhere .....	2.688

	Percent
Businesses with Credit Available Elsewhere .....	8.000
Businesses without Credit Available Elsewhere .....	4.000
Non-Profit Organizations with Credit Available Elsewhere ...	3.250
Non-Profit Organizations without Credit Available Elsewhere .....	3.250
<i>For Economic Injury:</i>	
Business and Small Agricultural Cooperatives without Credit Available Elsewhere .....	4.000
Non-Profit Organizations without Credit Available Elsewhere .....	3.250

The number assigned to this disaster for physical damage is 20360C and for economic injury is 203610.

(Catalog of Federal Domestic Assistance Number 59008)

**Francisco Sánchez, Jr.,**  
*Associate Administrator, Office of Disaster Recovery & Resilience.*

[FR Doc. 2024-11948 Filed 5-30-24; 8:45 am]

**BILLING CODE 8026-09-P**

**SMALL BUSINESS ADMINISTRATION**

**[Disaster Declaration #20351 and #20352; Kentucky Disaster Number KY-20002]**

**Presidential Declaration of a Major Disaster for the State of Kentucky**

**AGENCY:** Small Business Administration.  
**ACTION:** Notice.

**SUMMARY:** This is a Notice of the Presidential declaration of a major disaster for the State of Kentucky (FEMA-4782-DR), dated 05/22/2024.  
*Incident:* Severe Storms, Straight-line Wind, Tornadoes, Landslides, and Mudslides.  
*Incident Period:* 04/02/2024.

**DATES:** Issued on 05/22/2024.  
*Physical Loan Application Deadline Date:* 07/22/2024.  
*Economic Injury (EIDL) Loan Application Deadline Date:* 02/24/2025.

**ADDRESSES:** Visit the MySBA Loan Portal at <https://lending.sba.gov> to apply for a disaster assistance loan.

**FOR FURTHER INFORMATION CONTACT:** Alan Escobar, Office of Disaster Recovery & Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205-6734.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that as a result of the President's major disaster declaration on 05/22/2024, applications for disaster loans may be submitted online using the MySBA Loan Portal <https://lending.sba.gov>

lending.sba.gov or other locally announced locations. Please contact the SBA disaster assistance customer service center by email at [disastercustomerservice@sba.gov](mailto:disastercustomerservice@sba.gov) or by phone at 1-800-659-2955 for further assistance.

The following areas have been determined to be adversely affected by the disaster:

**Primary Counties (Physical Damage and Economic Injury Loans):** Boyd, Carter, Fayette, Greenup, Henry, Jefferson, Jessamine, Mason, Oldham, Union, Whitley.

**Contiguous Counties (Economic Injury Loans Only):**

Kentucky: Bell, Bourbon, Bracken, Bullitt, Carroll, Clark, Crittenden, Elliott, Fleming, Franklin, Garrard, Hardin, Henderson, Knox, Laurel, Lawrence, Lewis, Madison, McCreary, Mercer, Owen, Robertson, Rowan, Scott, Shelby, Spencer, Trimble, Webster, Woodford

Illinois: Gallatin, Hardin

Indiana: Harrison, Posey, Floyd, Clark

Ohio: Lawrence, Scioto, Adams, Brown

Tennessee: Claiborne, Campbell

West Virginia: Wayne

The Interest Rates are:

	Percent
<b>For Physical Damage:</b>	
Homeowners with Credit Available Elsewhere .....	5.375
Homeowners without Credit Available Elsewhere .....	2.688
Businesses with Credit Available Elsewhere .....	8.000
Businesses without Credit Available Elsewhere .....	4.000
Non-Profit Organizations with Credit Available Elsewhere ...	3.250
Non-Profit Organizations without Credit Available Elsewhere .....	3.250
<b>For Economic Injury:</b>	
Business and Small Agricultural Cooperatives without Credit Available Elsewhere .....	4.000
Non-Profit Organizations without Credit Available Elsewhere .....	3.250

The number assigned to this disaster for physical damage is 20351B and for economic injury is 203520.

(Catalog of Federal Domestic Assistance Number 59008)

**Francisco Sánchez, Jr.,**

Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2024-11939 Filed 5-30-24; 8:45 am]

BILLING CODE 8026-09-P

**SMALL BUSINESS ADMINISTRATION**

**Data Collection Available for Public Comments**

**ACTION:** 60-Day notice and request for comments.

**SUMMARY:** The Small Business Administration (SBA) intends to request approval, from the Office of Management and Budget (OMB) for the collection of information described below. The Paperwork Reduction Act (PRA) requires federal agencies to publish a notice in the **Federal Register** concerning each proposed collection of information before submission to OMB, and to allow 60 days for public comment in response to the notice. This notice complies with that requirement.

**DATES:** Submit comments on or before July 30, 2024.

**ADDRESSES:** Send all comments to Donna Fudge, [donna.fudge@sba.gov](mailto:donna.fudge@sba.gov), (202) 205-6363, Office of Policy Planning and Liaison, Small Business Administration.

**FOR FURTHER INFORMATION CONTACT:** Donna Fudge, [donna.fudge@sba.gov](mailto:donna.fudge@sba.gov), (202) 205-6363, Office of Policy Planning and Liaison, Small Business Administration. Curtis B. Rich, Agency Clearance Officer [curtis.rich@sba.gov](mailto:curtis.rich@sba.gov) 202-205-7030.

**SUPPLEMENTARY INFORMATION:** SBA is considering revising its information collections for various certification programs to streamline the certification process for those programs. In particular, SBA seeks to make the programs more uniform so that small businesses applying for multiple certifications face a common standard of review where possible. The certification programs affected are the 8(a) Business Development (BD) program, the women-owned small business program, the veteran-owned small business program, and the HUBZone program.

**Solicitation of Public Comments**

SBA is requesting comments on (a) Whether the collection of information is necessary for the agency to properly perform its functions; (b) whether the burden estimates are accurate; (c) whether there are ways to minimize the burden, including through the use of automated techniques or other forms of information technology; and (d) whether there are ways to enhance the quality, utility, and clarity of the information.

**Summary of Information Collection**

**PRA Number:** 3245-0374.

(1) **Title:** Certification for the Women-Owned Small Business Federal Contract Program.

**Description of Respondents:** This information is collected from firms that are seeking to be certified for the Women-Owned Small Business (WOSB) Contracting Program and from Third-Party Certifiers that are approved to provide certifications acceptable to SBA. SBA will use the information to certify firms. Third-party certifiers will use the information to assess applicants' eligibility and make determinations regarding certification.

**Form Number:** SBA Form 2413—Women-Owned Small Business (WOSB) Certification—WOSBs, SBA Form 2414—Women-Owned Small Business (WOSB) Certification—EDWOSBs.

**Total Estimated Annual Responses:** 12,347.

**Total Estimated Annual Hour Burden:** 37,041.

**Curtis B. Rich,**

Agency Clearance Officer.

[FR Doc. 2024-11961 Filed 5-30-24; 8:45 am]

BILLING CODE 8026-09-P

**SMALL BUSINESS ADMINISTRATION**

**Data Collection Available for Public Comments**

**ACTION:** 60-Day notice and request for comments.

**SUMMARY:** The Small Business Administration (SBA) intends to request approval, from the Office of Management and Budget (OMB) for the collection of information described below. The Paperwork Reduction Act (PRA) requires Federal agencies to publish a notice in the **Federal Register** concerning each proposed collection of information before submission to OMB, and to allow 60 days for public comment in response to the notice. This notice complies with that requirement.

**DATES:** Submit comments on or before July 30, 2024

**ADDRESSES:** Send all comments to Donna Fudge, [donna.fudge@sba.gov](mailto:donna.fudge@sba.gov), (202) 205-6363, Office of Policy Planning and Liaison, Small Business Administration.

**FOR FURTHER INFORMATION CONTACT:** Donna Fudge, [donna.fudge@sba.gov](mailto:donna.fudge@sba.gov), (202) 205-6363, Office of Policy Planning and Liaison, Small Business Administration. Curtis B. Rich, Agency Clearance Officer [curtis.rich@sba.gov](mailto:curtis.rich@sba.gov) 202-205-7030.

**SUPPLEMENTARY INFORMATION:** SBA is considering revising its information collections for various certification programs to streamline the certification process for those programs. In particular, SBA seeks to make the



programs more uniform so that small businesses applying for multiple certifications face a common standard of review where possible. The certification programs affected are the 8(a) Business Development (BD) program, the women-owned small business program, the veteran-owned small business program, and the HUBZone program.

### Solicitation of Public Comments

SBA is requesting comments on (a) Whether the collection of information is necessary for the agency to properly perform its functions; (b) whether the burden estimates are accurate; (c) whether there are ways to minimize the burden, including through the use of automated techniques or other forms of information technology; and (d) whether there are ways to enhance the quality, utility, and clarity of the information.

### Summary of Information Collection

*PRA Number:* 3245–0393.

*(1) Title:* Mentor Protégé Program.

*Description of Respondents:* Based on authorities provided in the Small Business Jobs Act of 2010 and the National Defense Authorization Act for Fiscal Year 2013, the Small Business Administration operated a Government-wide mentor-protégé program for small business concerns, including concerns in SBA's socioeconomic contracting programs. This information collection will facilitate implementation and administration of the mentor-protégé program.

*Form Number:* SBA Form 2459—Mentor Protégé Agreement, SBA Form 2460—Mentor Protégé Benefits Report.

*Total Estimated Annual Responses:* 8,000.

*Total Estimated Annual Hour Burden:* 8,000.

**Curtis B. Rich,**

*Agency Clearance Officer.*

[FR Doc. 2024–11954 Filed 5–30–24; 8:45 am]

**BILLING CODE 8026–09–P**

## SMALL BUSINESS ADMINISTRATION

### Reporting and Recordkeeping Requirements Under OMB Review

**AGENCY:** Small Business Administration.

**ACTION:** 30-Day notice.

**SUMMARY:** The Small Business Administration (SBA) is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act and OMB procedures, SBA is publishing this notice to allow all interested member of the public an

additional 30 days to provide comments on the proposed collection of information.

**DATES:** Submit comments on or before July 1, 2024.

**ADDRESSES:** Written comments and recommendations for this information collection request should be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection request by selecting “Small Business Administration”; “Currently Under Review,” then select the “Only Show ICR for Public Comment” checkbox. This information collection can be identified by title and/or OMB Control Number.

**FOR FURTHER INFORMATION CONTACT:** You may obtain a copy of the information collection and supporting documents from the Agency Clearance Office at [Curtis.Rich@sba.gov](mailto:Curtis.Rich@sba.gov); (202) 205–7030, or from [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain).

**SUPPLEMENTARY INFORMATION:** This is a request for the extension with changes to a currently approved collection (previous OMB number: 3245–0392). Through the RIC Initiative, the SBA is investing in regional clusters—geographic concentrations of interconnected companies, specialized suppliers, academic institutions, service providers, and associated organizations with a specific industry focus—throughout the United States that span a variety of industries. The three primary goals of the initiative are to (1) increase opportunities for small business participation within clusters, (2) promote innovation in the industries on which the clusters are focused, and (3) enhance economic development and growth in cluster regions. To achieve these goals, the clusters provide a host of services to the target population of small and emerging businesses within their regional and industry focuses. Services include direct business advising and support and sponsoring events, such as networking opportunities with investors, partner organizations, ESOs, and other stakeholders in the regions. This information collection is necessary for the SBA to understand the progress of the RIC Initiative towards achieving its goals.

The evaluation consists of two key components: an implementation evaluation and an outcome evaluation. The implementation evaluation focuses on how the Initiative is implemented across the fourteen clusters and on the services that each cluster provides to its small businesses. The outcome

evaluation focuses on short and intermediate-term outcomes linked directly to the cluster services, as well as on long-term business outcomes that can be reasonably expected to result from the short- and intermediate-term outcomes. The short-term outcomes include the satisfaction and the perceived effectiveness of the program for business management and growth. The intermediate-term outcomes include development of new products, commercialization of new technologies, marketing and export services, improved access to capital, and industry integration. Long-term outcomes include increased revenue and employment. Over the previous years, evaluation results have helped to track the program performance outcomes and provide suggestions for program improvements to better facilitate innovation and small business growth. Furthermore, the evaluation survey data helped the SBA to better focus cluster activities on local contexts, particularly for rural and agricultural small businesses. This data will not be used to evaluate the effectiveness of an individual cluster.

The data collection effort involves three types of RIC Initiative stakeholders: small businesses, partner organizations, and cluster administrators. Small businesses participating in the cluster will be sent an online survey to provide data about their cluster participation experiences, satisfaction with the program and its components, the performance of their firms with respect to a variety of outcomes, and the role of cluster participation in the achievement of these outcomes. Similarly, partner organizations will be asked to complete an online survey to provide data about their experiences with the RIC Initiative. The questions include reasons for the RIC participation, collaboration with and support for small businesses, and the role of cluster participation on key organizational outcomes associated with the RIC Initiative participation. Small businesses and partner organizations will also be interviewed once a year to obtain information on barriers, facilitators, and other local influences on cluster and ecosystem engagement, best practices to facilitate innovation, and suggestions for potential cluster improvements (among other topics). The cluster administrators will be asked to provide participant rosters, which provide the framework for the surveys that the small businesses and partner organizations are sent. The administrator survey requests information about the services they

provided to these two groups of stakeholders, and their operations in general. Cluster administrators will also be interviewed once a year to obtain information about how their operations have evolved, the adjustments they made, best practices, issues encountered, and the lessons learned.

*Small Business Web Survey.* Estimated Number of Respondents: 180. Frequency of Response: Once per year. Estimated Average Minutes per Respondent: 114.7. Estimated Total Annual Hour Burden: 344. *Small Business Interview.* Estimated Total Number of Respondents: 12. Frequency of Response: Once per year. Estimated Average Minutes per Response: 43. Estimated Total Annual Hour Burden: 8.6. *Partner Organization Web Survey.* Estimated Number of Respondents: 150. Frequency of Response: Once per year. Estimated Average Minutes per Respondent: 71. Estimated Annual Hour Burden: 177.5. *Partner organization Interview.* Estimated Total Number of Respondents: 12. Frequency of Response: Once per year. Estimated Average Minutes per Response: 37. Estimated Total Annual Hour Burden: 7.4. *Cluster Administrator Interview.* Estimated Number of Respondents: 20. Frequency of Response: Once per year. Estimated Average Minutes per Response: 87. Estimated Annual Hour Burden: 29. *Cluster Administrator Web Survey.* Estimated Number of Respondents: 20. Frequency of Response: Once per year. Estimated Average Minutes per Response: 35.3. Estimated Annual Hour Burden: 11.8 (including the time needed for administrators to prepare their rosters). *Administrative data request.* Estimated Number of Respondents: 20. Frequency of Response: Once per year. Estimated Average Minutes per Response: 30. Estimated Annual Hour Burden: 10.

**Solicitation of Public Comments**

Comments may be submitted on (a) whether the collection of information is necessary for the agency to properly perform its functions; (b) whether the burden estimates are accurate; (c) whether there are ways to minimize the burden, including through the use of automated techniques or other forms of information technology; and (d) whether there are ways to enhance the quality, utility, and clarity of the information.

OMB Control: 3245-0392.

Title: Evaluation of the Regional Innovation Cluster (RIC) Initiative.

Description of Respondents: Small businesses concerns and partner organizations involved in Regional Innovation Clusters and cluster administrators.

SBA Form Number: N/A.  
Form Number: N/A.  
Total Estimated Annual Responses: 350.  
Total Estimated Annual Hour Burden: 531.5.

Curtis Rich,  
Agency Clearance Officer.  
[FR Doc. 2024-11967 Filed 5-30-24; 8:45 am]  
BILLING CODE 8026-09-P

**SMALL BUSINESS ADMINISTRATION**

[Disaster Declaration #20347 and #20348; NORTH CAROLINA Disaster Number NC-20003]

**Administrative Declaration of a Disaster for the State of North Carolina**

AGENCY: U.S. Small Business Administration.  
ACTION: Notice.

SUMMARY: This is a notice of an Administrative declaration of a disaster for the State of North Carolina dated 05/24/2024.

Incident: Severe Storms and Tornadoes.

Incident Period: 05/08/2024.

DATES: Issued on 05/24/2024.

Physical Loan Application Deadline Date: 07/23/2024.

Economic Injury (EIDL) Loan Application Deadline Date: 02/24/2025.

ADDRESSES: Visit the MySBA Loan Portal at <https://lending.sba.gov> to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Alan Escobar, Office of Disaster Recovery & Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205-6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the Administrator's disaster declaration, applications for disaster loans may be submitted online using the MySBA Loan Portal <https://lending.sba.gov> or other locally announced locations. Please contact the SBA disaster assistance customer service center by email at [disastercustomerservice@sba.gov](mailto:disastercustomerservice@sba.gov) or by phone at 1-800-659-2955 for further assistance.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties: Gaston

Contiguous Counties:

North Carolina: Cleveland, Lincoln, Mecklenburg

South Carolina: York

The Interest Rates are:

	Percent
<i>For Physical Damage:</i>	
Homeowners with Credit Available Elsewhere .....	5.375
Homeowners without Credit Available Elsewhere .....	2.688
Businesses with Credit Available Elsewhere .....	8.000
Businesses without Credit Available Elsewhere .....	4.000
Non-Profit Organizations with Credit Available Elsewhere ...	3.250
Non-Profit Organizations without Credit Available Elsewhere .....	3.250
<i>For Economic Injury:</i>	
Business and Small Agricultural Cooperatives without Credit Available Elsewhere .....	4.000
Non-Profit Organizations without Credit Available Elsewhere .....	3.250

The number assigned to this disaster for physical damage is 20347C and for economic injury is 203480.

The States which received an EIDL Declaration are North Carolina, South Carolina.

(Catalog of Federal Domestic Assistance Number 59008)

Isabella Guzman,  
Administrator.

[FR Doc. 2024-11943 Filed 5-30-24; 8:45 am]  
BILLING CODE 8026-09-P

**SMALL BUSINESS ADMINISTRATION**

[Disaster Declaration #20316 and #20317; Nebraska Disaster Number NE-20000]

**Presidential Declaration Amendment of a Major Disaster for the State of Nebraska**

AGENCY: U.S. Small Business Administration.

ACTION: Amendment 1.

SUMMARY: This is an amendment of the Presidential declaration of a major disaster for the State of Nebraska (FEMA-4778-DR), dated 05/03/2024.

Incident: Severe Storms, Straight-line Winds, and Tornadoes.

Incident Period: 04/25/2024 through 04/27/2024.

DATES: Issued on 05/23/2024.

Physical Loan Application Deadline Date: 07/15/2024.

Economic Injury (EIDL) Loan Application Deadline Date: 02/03/2025.

ADDRESSES: Visit the MySBA Loan Portal at <https://lending.sba.gov> to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Alan Escobar, Office of Disaster Recovery & Resilience, U.S. Small Business Administration, 409 3rd Street

SW, Suite 6050, Washington, DC 20416, (202) 205-6734.

**SUPPLEMENTARY INFORMATION:** The notice of the President's major disaster declaration for the State of Nebraska, dated 05/03/2024, is hereby amended to extend the deadline for filing applications for physical damages as a result of this disaster to 07/15/2024.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Number 59008)

**Francisco Sánchez, Jr.,**

*Associate Administrator, Office of Disaster Recovery & Resilience.*

[FR Doc. 2024-11942 Filed 5-30-24; 8:45 am]

**BILLING CODE 8026-09-P**

## SMALL BUSINESS ADMINISTRATION

### Reporting and Recordkeeping Requirements Under OMB Review

**AGENCY:** Small Business Administration.

**ACTION:** 30-Day notice.

**SUMMARY:** The Small Business Administration (SBA) is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act and OMB procedures, SBA is publishing this notice to allow all interested member of the public an additional 30 days to provide comments on the proposed collection of information.

**DATES:** Submit comments on or before July 1, 2024.

**ADDRESSES:** Written comments and recommendations for this information collection request should be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection request by selecting "Small Business Administration"; "Currently Under Review," then select the "Only Show ICR for Public Comment" checkbox. This information collection can be identified by title and/or OMB Control Number.

**FOR FURTHER INFORMATION CONTACT:** You may obtain a copy of the information collection and supporting documents from the Agency Clearance Office at [Curtis.Rich@sba.gov](mailto:Curtis.Rich@sba.gov); (202) 205-7030, or from [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain).

**SUPPLEMENTARY INFORMATION:** Only changes made are to SBA form 994. Changes to SBA form 994, Part V modify the following: replacing all individual criminal history questions with "Are

you currently incarcerated, serving a sentence of imprisonment imposed upon an adjudication of guilty? If an individual's answer is "Yes" to question 2, the applicant is not eligible for SBA assistance."

### Solicitation of Public Comments

Comments may be submitted on (a) whether the collection of information is necessary for the agency to properly perform its functions; (b) whether the burden estimates are accurate; (c) whether there are ways to minimize the burden, including through the use of automated techniques or other forms of information technology; and (d) whether there are ways to enhance the quality, utility, and clarity of the information.

*OMB Control Number:* 3245-0007.

*Title:* Surety Bond Guarantee

Assistance.

*Description of Respondents:* Small businesses, surety bond companies, and contract owners.

*SBA Form Number:* SBA Forms 994, 990, 994H, 994F, 994B, 991.

*Estimated Number of Respondents:* 3,160.

*Estimated Annual Responses:* 31,160.

*Estimated Annual Hour Burden:* 6,854.

**Curtis Rich,**

*Agency Clearance Officer.*

[FR Doc. 2024-11955 Filed 5-30-24; 8:45 am]

**BILLING CODE 8026-09-P**

## SMALL BUSINESS ADMINISTRATION

**[Disaster Declaration #20270 and #20271; Oregon Disaster Number OR-20003]**

### Presidential Declaration Amendment of a Major Disaster for Public Assistance Only for the State of Oregon

**AGENCY:** Small Business Administration.

**ACTION:** Amendment 1.

**SUMMARY:** This is an amendment of the Presidential declaration of a major disaster for Public Assistance Only for the State of Oregon (FEMA-4768-DR), dated 04/13/2024.

*Incident:* Severe Winter Storms, Straight-line Winds, Landslides, and Mudslides.

*Incident Period:* 01/10/2024 through 01/22/2024.

**DATES:** Issued on 05/23/2024.

*Physical Loan Application Deadline Date:* 06/12/2024.

*Economic Injury (EIDL) Loan Application Deadline Date:* 01/13/2025.

**ADDRESSES:** Visit the MySBA Loan Portal at <https://lending.sba.gov> to apply for a disaster assistance loan.

**FOR FURTHER INFORMATION CONTACT:** Alan Escobar, Office of Disaster

Recovery & Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205-6734.

**SUPPLEMENTARY INFORMATION:** The notice of the President's major disaster declaration for Private Non-Profit organizations in the State of Oregon, dated 04/13/2024, is hereby amended to include the following area as adversely affected by the disaster.

*Primary County:* Yamhill.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Number 59008)

**Francisco Sánchez, Jr.,**

*Associate Administrator, Office of Disaster Recovery & Resilience.*

[FR Doc. 2024-11938 Filed 5-30-24; 8:45 am]

**BILLING CODE 8026-09-P**

## SMALL BUSINESS ADMINISTRATION

**[Disaster Declaration #20339 and #20340; Oklahoma Disaster Number OK-20003]**

### Presidential Declaration Amendment of a Major Disaster for Public Assistance Only for the State of Oklahoma

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Amendment 2.

**SUMMARY:** This is an amendment of the Presidential declaration of a major disaster for Public Assistance Only for the State of Oklahoma (FEMA-4776-DR), dated 05/16/2024.

*Incident:* Severe Storms, Straight-line Winds, Tornadoes, and Flooding.

*Incident Period:* 04/25/2024 through 05/09/2024.

**DATES:** Issued on 05/22/2024.

*Physical Loan Application Deadline Date:* 07/15/2024.

*Economic Injury (EIDL) Loan Application Deadline Date:* 02/18/2025.

**ADDRESSES:** Visit the MySBA Loan Portal at <https://lending.sba.gov> to apply for a disaster assistance loan.

**FOR FURTHER INFORMATION CONTACT:**

Alan Escobar, Office of Disaster Recovery & Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205-6734.

**SUPPLEMENTARY INFORMATION:** The notice of the President's major disaster declaration for Private Non-Profit organizations in the State of Oklahoma, dated 05/16/2024, is hereby amended to include the following areas as adversely affected by the disaster.

*Primary Counties:* Osage.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Number 59008)

**Francisco Sánchez, Jr.,**

*Associate Administrator, Office of Disaster Recovery & Resilience.*

[FR Doc. 2024-11935 Filed 5-30-24; 8:45 am]

**BILLING CODE 8026-09-P**

## SMALL BUSINESS ADMINISTRATION

### Data Collection Available for Public Comments

**ACTION:** 60-Day notice and request for comments

**SUMMARY:** The Small Business Administration (SBA) intends to request approval, from the Office of Management and Budget (OMB) for the collection of information described below. The Paperwork Reduction Act (PRA) requires Federal agencies to publish a notice in the **Federal Register** concerning each proposed collection of information before submission to OMB, and to allow 60 days for public comment in response to the notice. This notice complies with that requirement.

**DATES:** Submit comments on or before July 30, 2024.

**ADDRESSES:** Send all comments to Donna Fudge, [donna.fudge@sba.gov](mailto:donna.fudge@sba.gov), (202) 205-6363, Office of Policy Planning and Liaison, Small Business Administration.

#### FOR FURTHER INFORMATION CONTACT:

Donna Fudge, [donna.fudge@sba.gov](mailto:donna.fudge@sba.gov), (202) 205-6363, Office of Policy Planning and Liaison, Small Business Administration. Curtis B. Rich, Agency Clearance Officer [curtis.rich@sba.gov](mailto:curtis.rich@sba.gov) 202-205-7030.

**SUPPLEMENTARY INFORMATION:** SBA is considering revising its information collections for various certification programs to streamline the certification process for those programs. In particular, SBA seeks to make the programs more uniform so that small businesses applying for multiple certifications face a common standard of review where possible. The certification programs affected are the 8(a) Business Development (BD) program, the women-owned small business program, the veteran-owned small business program, and the HUBZone program.

#### Solicitation of Public Comments

SBA is requesting comments on (a) Whether the collection of information is necessary for the agency to properly perform its functions; (b) whether the burden estimates are accurate; (c)

whether there are ways to minimize the burden, including through the use of automated techniques or other forms of information technology; and (d) whether there are ways to enhance the quality, utility, and clarity of the information.

#### Summary of Information Collection

*PRA Number:* 3245-0331

(1) *Title:* 8(A) BD Paper and Electronic Application

*Description of Respondents:* Small Business Administration collects this information to determine an applicant's eligibility for admission into the 8(a) BD Program and for continued eligibility to participate in the Program. SBA also uses some of the information for reporting to Congress on the 8(a) BD Program. Respondents can be individuals and firms making application to the 8(a) BD Program, or those who are already Participants in the program.

*Form Number:* SBA Form 1010-NHO, SBA Form 1010-Business, SBA Form 1010-CDC, SBA Form 1010 ANC, SBA Form 1010 AIT, SBA Form 1010-Individual, SBA Form 1010 Questionnaire; SBA 1010C; 1010AIT, 1010-ANC, 1010-NHO, 1010-IND.

*Total Estimated Annual Responses:* 13,621.

*Total Estimated Annual Hour Burden:* 60,070.

**Curtis B. Rich,**

*Agency Clearance Officer.*

[FR Doc. 2024-11949 Filed 5-30-24; 8:45 am]

**BILLING CODE 8026-09-P**

## SURFACE TRANSPORTATION BOARD

[Docket No. FD 36765]

### San Joaquin Valley Railroad Co.— Lease and Operation Exemption Including Interchange Commitment— BNSF Railway Company

San Joaquin Valley Railroad Co. (SJVR), a Class III railroad, has filed a verified notice of exemption pursuant to 49 CFR 1150.41 to enter into a lease amendment to extend the term of, and to make other minor changes to, its lease of the Landco spur between the Porterville Subdivision, MP 111 + 4029 feet, near Oil Junction, Cal., and milepost 113 + 3717 feet, at or near Bakersfield, Cal., a distance of approximately 2.0 miles (the Line).

According to the verified notice, the original lease for the Line was part of a broader agreement between SJVR's predecessor and the predecessor of BNSF Railway Company (BNSF). *See Tulare Valley R.R.—Acquis. & Operation Exemption—the Atchison,*

*Topeka & Santa Fe Ry.*, FD 32215 (ICC served Jan. 13, 1993). SJVR states that it is currently operating the Line pursuant to that lease, which has been renewed and amended numerous times, most recently in 2015. *See San Joaquin Valley R.R.—Lease Amendment & Operation Exemption Including Interchange Commitment—BNSF Ry.*, FD 35772 (STB served May 15, 2015). The verified notice indicates that SJVR and BNSF have reached an agreement to amend the agreement and further extend the term of the lease, pursuant to which SJVR will continue to operate the Line.

SJVR certifies that its projected annual revenues as a result of this transaction will not exceed those that would qualify it as a Class III rail carrier and that its annual revenues currently exceed \$5,000,000. Pursuant to 49 CFR 1150.42(e), if a carrier's projected annual revenues will exceed \$5 million, it must, at least 60 days before the exemption becomes effective, post a notice of its intent to undertake the proposed transaction at the workplace of the employees on the affected lines, serve a copy of the notice on the national offices of the labor unions with employees on the affected lines, and certify to the Board that it has done so. However, SJVR has filed a request for waiver of the 60-day advance labor notice requirements to allow the exemption to take effect 30 days after the filing of SJVR's verified notice of exemption. SJVR's waiver request will be addressed in a separate decision. The Board will establish the effective date of the exemption in its separate decision on the waiver request.

According to the verified notice, the lease contains an existing interchange commitment. SJVR has provided additional information regarding the interchange commitment, as required by 49 CFR 1150.43(h).<sup>1</sup>

If the verified notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions for stay must be filed no later than June 7, 2024.

All pleadings, referring to Docket No. FD 36765, 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 SJVR's representative, Eric M. Hocky, Clark Hill PLC, Two

<sup>1</sup> SJVR filed a copy of the agreement under seal with the verified notice. *See* 49 CFR 1150.43(h)(1).

Commerce Square, 2001 Market Street, Suite 2620, Philadelphia, PA 19103.

According to SJVR, this action is categorically excluded from environmental review under 49 CFR 1105.6(c) and from historic preservation reporting requirements under 49 CFR 1105.8(b).

Board decisions and notices are available at [www.stb.gov](http://www.stb.gov).

Decided: May 24, 2024.

By the Board, Mai T. Dinh, Director, Office of Proceedings.

**Stefan Rice,**

*Clearance Clerk.*

[FR Doc. 2024-11912 Filed 5-30-24; 8:45 am]

BILLING CODE 4915-01-P

## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket Number USTR-2024-0008]

### Agency Information Collection Activities; Request for Comments— Reinstatement of the Collection of Information, 301 Exclusion Requests

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Office of the United States Trade Representative (USTR) is submitting a request to the Office of Management and Budget (OMB) to reinstate an information collection request (ICR) entitled *301 Exclusion Requests* for three years under the Paperwork Reduction Act of 1995 (PRA) and its implementing regulations.

**DATES:** Submit comments no later than July 30, 2024.

**ADDRESSES:** USTR strongly prefers electronic submissions made through the Federal eRulemaking Portal: <http://www.regulations.gov>. See the submission instructions below. The Docket Number is USTR-2024-0008. For alternatives to on-line submissions, please contact the Section 301 hotline at (202) 395-5725 before transmitting a comment and in advance of the deadline.

**FOR FURTHER INFORMATION CONTACT:** Assistant General Counsel Rachel Hasandras at (202) 395-5725, or by email at [mbx.ustr.301exclusions@ustr.eop.gov](mailto:mbx.ustr.301exclusions@ustr.eop.gov).

#### SUPPLEMENTARY INFORMATION:

##### A. Comments

Submit written comments and suggestions addressing one or more of the following:

(1) Whether the ICR is necessary for the proper performance of USTR's

functions, including whether the information will have practical utility.

(2) The accuracy of USTR's estimate of the burden of the ICR, including the validity of the methodology and assumptions used.

(3) Ways to enhance the quality, utility and clarity of the ICR.

(4) Ways to minimize the burden of the ICR 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.

#### B. Overview of This Information Collection

*Title:* 301 Exclusion Requests.

*OMB Control Number:* 0350-0015, which expired on January 31, 2023.

*Form Number(s):* 301 Exclusion Request/Response/Reply Form.

*Description:* Following a comprehensive review of the July 6, 2018 and the August 23, 2018 actions, as modified, in the Section 301 Investigation of China's Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation, the U.S. Trade Representative determined, among other findings, to establish an exclusion process limited to machinery used in domestic manufacturing and under certain 8-digit tariff lines in Chapters 84 and 85 of the Harmonized Tariff Schedule of the United States (HTSUS). See 89 FR 46252 (May 28, 2024). A mockup of the 301 Exclusion Request/Response/Reply Form is attached as an annex to this notice.

OMB initially approved an information collection request for Section 301 Exclusion Requests on June 20, 2019, and assigned Control Number 0350-0015, which expired on December 31, 2019.

OMB approved a prior extension for this collection that expired in January 2023. USTR now is seeking to reinstate the expired collection and to extend the approval for three years.

*Affected Public:* U.S. stakeholders who want to request that certain enumerated subheadings under Chapters 84 and 85 of the HTSUS for machinery used in domestic manufacturing be excluded from the additional duties on products of China.

*Frequency of Submission:* One submission per request.

*Respondent Universe:* U.S. stakeholders.

*Reporting Burden:*

*Total Estimated Responses:* 5,000 requests to exclude a particular product. 1,000 responses in support or

opposition to exclude a particular product.

*Total Estimated Annual Burden:* USTR estimates that preparing and submitting a request to exclude a particular product will take approximately 60 minutes, and the total time burden for the public to submit requests is 5,000 hours. USTR estimates that preparing and submitting a response to a product exclusion request will take approximately 30 minutes, and the total time burden for responses is approximately 500 hours.

USTR estimates that the cost to the Federal government to evaluate each request is 1.0 hours, for a total time burden of 5,300 hours and will cost about \$150 per submission. The estimated total cost is \$813,000. The total cost estimate includes the average annual salary plus benefits, for the federal employees and contractors expected to work on the exclusion process. The process is expected to continue on a rolling basis.

*Status:* After reviewing comments received in response to this notice, under the PRA and its implementing regulations, USTR plans to submit a request to OMB to reinstate the ICR for three years.

#### C. Requirements for Submissions

You must submit written comments by the deadline set forth in this notice. You must make all submissions in English via <http://www.regulations.gov>, using Docket Number USTR-2024-0008. USTR will not accept hand-delivered submissions. To make a submission using <http://www.regulations.gov>, enter the appropriate docket number in the 'search for' field on the home page and click 'search.' The site will provide a search-results page listing all documents associated with this docket. Find a reference to this notice by selecting 'notice' under 'document type' in the 'filter results by' section on the left side of the screen and click on the link entitled 'comment now.' The [www.regulations.gov](http://www.regulations.gov) website offers the option of providing comments by filling in a 'type comment' field or by attaching a document using the 'upload file(s)' field. USTR prefers that you provide submissions in an attached document and note 'see attached' in the 'type comment' field on the online submission form. Include any data attachments to the submission in the same file as the submission itself, and not as separate files.

You will receive a tracking number upon completion of the submission procedure at <http://www.regulations.gov>. The tracking

number is confirmation that *regulations.gov* received the submission. Keep the confirmation for your records. USTR is not able to provide technical assistance for the website. USTR may not consider documents you do not submit in accordance with these

instructions. If you are unable to provide submissions as requested, please contact the Section 301 hotline at (202) 395-5725 before transmitting a comment and in advance of the deadline. General information

concerning USTR is available at [www.ustr.gov](http://www.ustr.gov).

**Juan Millan,**

*Acting General Counsel, Office of the United States Trade Representative.*

**BILLING CODE 3390-F4-P**

## ANNEX

**Exclusion Request Form****1. Requesting Organization Information**

Full Requesting Organization Legal Name \*(Public)  
Requesting Organization Mailing Address  
Street Address Line 1 \*(BCI)  
Street Address Line 2 \*(BCI)  
City \*(BCI)  
State \*(BCI)  
Zip Code \*(BCI)  
Country \*(BCI)  
Point of Contact First Name \*(BCI)  
Point of Contact Last Name \*(BCI)  
Point of Contact Email Address \*(BCI)  
Point of Contact Phone Number \*(BCI)  
Website \*(Public)

**Does the requesting organization meet the size standards for a U.S. small business as established by the Small Business Administration? \*(Public)**  
YES/NO/Not Sure

**Are you an authorized representative/agent submitting on behalf of the requesting organization? \*(Public) YES/NO**

Authorized Representative/Agent Name \*(Public)  
Authorized Representative/Agent Mailing Address  
Street Address Line 1 \*(BCI)  
Street Address Line 2 \*(BCI)  
City \*(BCI)  
State \*(BCI)  
Zip Code \*(BCI)  
Country \*(BCI)  
Point of Contact First Name \*(BCI)  
Point of Contact Last Name \*(BCI)  
Point of Contact Email Address \*(BCI)  
Point of Contact Phone Number \*(BCI)  
Website \*(Public)

**Who will be the primary point of contact? (Select One)**

- a. Requesting Organization
- b. Authorized Representative/Agent
- c. Requesting Organization and Authorized Representative/Agent

**2. Manufacturing Equipment Description**

**Please select from the following pull down menu the 8-digit HTSUS item number for the Chinese-origin manufacturing equipment that you wish to address in this exclusion request.**

**Please provide the 10-digit HTSUS item number for the Chinese-origin manufacturing equipment you wish to address in this exclusion request. A 10-digit HTSUS number is required. \*(Public)**

Use numerical characters only with no special characters (Example: 1023456789). For help with finding the HTSUS item number associated with your product, see <https://hts.usitc.gov/>. If the unique piece of manufacturing equipment of concern can be imported under multiple 10-digit HTSUS item numbers, please provide all applicable 10-digit HTSUS item numbers.

**Please provide a complete and detailed description of the particular Chinese-origin manufacturing equipment of concern. \*(Public)** A detailed description of the manufacturing equipment includes, but is not limited to, its physical characteristics (e.g., dimensions, weight, material composition, etc.), whether the manufacturing equipment is designed to function in or with a particular machine (application), the unit value of the manufacturing equipment (please provide a range if necessary), and any unique physical features that distinguish it from other manufacturing equipment within the covered 10-digit HTSUS subheading. If needed, please attach images and specification sheets, CBP rulings, court decisions, and previous import documentation below. **Please also describe the manufacturing equipment's principal use.**

Note: USTR will not consider requests that identify the manufacturing equipment using criteria that cannot be made available to the public. USTR will not consider requests in which more than one unique piece of equipment is identified.

- a. **Manufacturing Equipment Name and Description (e.g., dimensions, weight, material composition, etc.): \*(Public)**
  - b. **Manufacturing Equipment Function, Application, and Principal Use: \*(Public)**
  - c. **Please upload any relevant attachments that will help identify and distinguish the requesting organization's manufacturing equipment (e.g., CBP rulings, photos and specification sheets, and previous import documentation). \*(Public)**
3. **Is the Chinese-origin manufacturing equipment of concern subject to an antidumping or countervailing duty order issued by the U.S. Department of Commerce? \*(Public)**
  4. **Will the Chinese-origin manufacturing equipment of concern be used for domestic manufacturing? \*(Public) YES/NO. If you indicate "YES", please describe how the Chinese-origin manufacturing equipment of concern will be used for domestic manufacturing, as well as indicate the manufacturing sector.**
  5. **If applicable, please submit documents showing grant funding from, or grant application to, a federal investment program related to the domestic manufacturing at issue, such as the IRA, CHIPS Act, Build America Buy America (BABA), Rural Energy for America Program (REAP). \*(BCI)**



6. Please address whether the manufacturing equipment of concern, or comparable manufacturing equipment, is available from sources in the United States?  
\*(Public)
7. Please address whether the manufacturing equipment of concern, or comparable manufacturing equipment, is available from sources in third countries?  
\*(Public)
8. Please discuss any attempts of the requesting organization to source the manufacturing equipment of concern from the United States or third countries.  
\*(Public)
9. Has the requesting organization purchased the manufacturing equipment of concern from a source in the United States or in a third country in the past five years? If so, please describe why the manufacturing equipment of concern is no longer available from this source. \*(Public)
10. Please comment on whether granting the exclusion request for the particular manufacturing equipment of concern would support domestic manufacturing. You must explain why you believe granting the exclusion request would or would not support domestic manufacturing. \*(Public)
11. Please comment on whether the manufacturing equipment of concern is strategically important or related to “Made in China 2025” or other Chinese industrial programs. You must explain why you believe the manufacturing equipment of concern is or is not strategically important or related to “Made in China 2025” or other Chinese industrial programs. \*(Public)
12. Include any additional attachments that should be considered along with this exclusion request (e.g., customs rulings, court decisions, previous import documentation, etc.). Please do not include attachments that contain your written argument. \*(Submitter Determines BCI or Public).

### Objection to Exclusion Request Form

#### 1. Objecting Organization Information

Full Objecting Organization Legal Name \*(Public)

Objecting Organization Mailing Address

Street Address Line 1 \*(BCI)

Street Address Line 2 \*(BCI)

City \*(BCI)

State \*(BCI)

Zip Code \*(BCI)

Country \*(BCI)

Point of Contact First Name \*(BCI)

Point of Contact Last Name \*(BCI)

Point of Contact Email Address \*(BCI)

Point of Contact Phone Number \*(BCI)

Website \*(Public)

**Are you an authorized representative/agent submitting on behalf of the objecting organization? \*(Public) YES/NO**

Authorized Representative/Agent Name \*(Public)

Authorized Representative/Agent Mailing Address

Street Address Line 1 \*(BCI)

Street Address Line 2 \*(BCI)

City \*(BCI)

State \*(BCI)

Zip Code \*(BCI)

Country \*(BCI)

Point of Contact First Name \*(BCI)

Point of Contact Last Name \*(BCI)

Point of Contact Email Address \*(BCI)

Point of Contact Phone Number \*(BCI)

Website \*(Public)

**Who will be the primary point of contact? (Select One)**

- a. Objecting Organization
- b. Authorized Representative/Agent
- c. Objecting Organization and Authorized Representative/Agent

**2. What is the objecting organization's relationship to the manufacturing equipment identified in the exclusion request (select all that apply):**

- a. U.S. manufacturer of equipment identified in the exclusion request, or comparable manufacturing equipment
- b. Third-country manufacturer or importer of equipment identified in the exclusion request, or comparable manufacturing equipment
- c. Industry Association
- d. Other

**3. Please identify the reasons you object to the exclusion request. \*(Public)**

Organizations filing objections should identify any factual problems in the exclusion request (*e.g.*, product description).

**4. Is the manufacturing equipment identified in the exclusion request, or comparable manufacturing equipment, currently manufactured in the United States? (\*Public) YES/NO**

If you indicate "YES", identify the name(s) and location(s) of the production facilities in the United States. \*(Submitter Determines BCI or Public)

**5. Is the manufacturing equipment identified in the exclusion request, or comparable manufacturing equipment, currently manufactured or able to be imported in/from third country sources? (\*Public) YES/NO**

If you indicate "YES", identify the name(s) and location(s) of the production facilities in third-countries. \*(Submitter Determines BCI or Public)

**6. Please discuss the substitutability of the manufacturing equipment from the United States or third country sources as compared to the Chinese-origin manufacturing equipment identified in the exclusion request. \*(Public)**

7. **Please provide a complete and detailed description of the manufacturing equipment from the United States or third country sources relative to the description cited in the exclusion request. \*(Public)**
  - a. **Manufacturing Equipment Name and Description (e.g., dimensions, weight, material composition, etc.): \*(Public)**
  - b. **Manufacturing Equipment Function, Application, and Principal Use: \*(Public)**
  - c. **Please upload any relevant attachments that will help identify and distinguish the manufacturing equipment from the United States or third country sources (e.g., CBP rulings, photos and specification sheets, and previous import documentation). \*(Public)**
8. **Has the objecting organization within the last two years attempted to sell, or successfully sold, the manufacturing equipment described in the exclusion request, or comparable manufacturing equipment, to the organization requesting the exclusion? \*(Public) YES/NO. If you indicate "YES", please provide supporting documentation. \*(Submitter Determines BCI or Public).**
9. **Include any additional attachments that should be considered along with this objection to the exclusion request (e.g., customs rulings, court decisions, previous import documentation, etc.). Please do not include attachments that contain your written argument. \*(Submitter Determines BCI or Public).**

### **Rebuttal to Objection Form**

#### **1. Rebutting Organization Information**

Full Rebutting Organization Legal Name \*(Public)  
 Rebutting Organization Mailing Address  
     Street Address Line 1 \*(BCI)  
     Street Address Line 2 \*(BCI)  
     City \*(BCI)  
     State \*(BCI)  
     Zip Code \*(BCI)  
     Country \*(BCI)  
 Point of Contact First Name \*(BCI)  
 Point of Contact Last Name \*(BCI)  
 Point of Contact Email Address \*(BCI)  
 Point of Contact Phone Number \*(BCI)  
 Website \*(Public)

**Are you an authorized representative/agent submitting on behalf of the rebutting organization? \*(Public) YES/NO**

Authorized Representative/Agent Name \*(Public)  
 Authorized Representative/Agent Mailing Address  
     Street Address Line 1 \*(BCI)  
     Street Address Line 2 \*(BCI)  
     City \*(BCI)

State \*(BCI)  
Zip Code \*(BCI)  
Country \*(BCI)  
Point of Contact First Name \*(BCI)  
Point of Contact Last Name \*(BCI)  
Point of Contact Email Address \*(BCI)  
Point of Contact Phone Number \*(BCI)  
Website \*(Public)

**Who will be the primary point of contact? (Select One)**

- a. Rebutting Organization
- b. Authorized Representative/Agent
- c. Rebutting Organization and Authorized Representative/Agent

2. **Please identify the reasons you are rebutting the objection to an exclusion request. \*(Public)**
3. **Include any additional attachments that should be considered along with this rebuttal (e.g., customs rulings, court decisions, previous import documentation, etc.). Please do not include attachments that contain your written argument. \*(Submitter Determines BCI or Public).**

**Support of Exclusion Request Form**

**2. Supporting Organization Information**

Full Supporting Organization Legal Name \*(Public)  
Supporting Organization Mailing Address  
Street Address Line 1 \*(BCI)  
Street Address Line 2 \*(BCI)  
City \*(BCI)  
State \*(BCI)  
Zip Code \*(BCI)  
Country \*(BCI)  
Point of Contact First Name \*(BCI)  
Point of Contact Last Name \*(BCI)  
Point of Contact Email Address \*(BCI)  
Point of Contact Phone Number \*(BCI)  
Website \*(Public)

**Are you an authorized representative/agent submitting on behalf of the supporting organization? \*(Public) YES/NO**

Authorized Representative/Agent Name \*(Public)  
Authorized Representative/Agent Mailing Address  
Street Address Line 1 \*(BCI)  
Street Address Line 2 \*(BCI)  
City \*(BCI)  
State \*(BCI)  
Zip Code \*(BCI)  
Country \*(BCI)  
Point of Contact First Name \*(BCI)  
Point of Contact Last Name \*(BCI)

Point of Contact Email Address \*(BCI)  
 Point of Contact Phone Number \*(BCI)  
 Website \*(Public)

**Who will be the primary point of contact? (Select One)**

- d. Supporting Organization
- e. Authorized Representative/Agent
- f. Supporting Organization and Authorized Representative/Agent

**4. Please identify the reasons you support the exclusion request being granted. \*(Public)**

**5. Include any additional attachments that should be considered along with this support of the exclusion request (e.g., customs rulings, court decisions, previous import documentation, etc.). Please do not include attachments that contain your written argument. \*(Submitter Determines BCI or Public).**

[FR Doc. 2024–12003 Filed 5–30–24; 8:45 am]

BILLING CODE 3390–F4–C

**DEPARTMENT OF TRANSPORTATION**

**Federal Motor Carrier Safety Administration**

[Docket No. FMCSA–2024–0124]

**Transparency in Fees Commercial Motor Vehicle Operators are Charged for Towing and Recovery Services**

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

**ACTION:** Notice of public meeting.

**SUMMARY:** FMCSA announces a public meeting to engage stakeholders, which includes motor carriers, towing and recovery services for commercial motor vehicle (CMV) operations, and other interested parties, to get their perspective on current industry practices regarding the disclosure of towing fees to the CMV owners and whether the owner is made aware of costs and fees prior to the tow.

**DATES:** The meeting will be held on June 21, 2024, from 9 a.m. to 12 p.m. eastern standard time (EST). A copy of the agenda will be available in advance of the meeting at <https://www.fmcsa.dot.gov/towingfees/fmcsa-towing-fees-public-meeting>. Individuals unable to participate in the public meeting may submit written comments to the docket listed at the beginning of this notice. Written comments concerning the disclosure of towing fees to CMV owners should be submitted by July 1, 2024.

**ADDRESSES:** The meeting will be held at the DOT Headquarters Building, 1200 New Jersey Avenue SE, Washington, DC 20590–0001. Those interested in attending this public meeting in person should register at <https://www.fmcsa.dot.gov/towingfees/fmcsa-towing-fees-public-meeting> by 11:59 p.m. EST, on June 11, 2024. There will be room for 50 persons and there will be a virtual option. Attendees should arrive at the DOT Headquarters Building by 8:30 a.m. to allow sufficient time to clear security.

Interested parties may submit comments identified by Docket Number FMCSA–2024–0124 using any of the following methods:

- *Federal eRulemaking Portal:* Go to <https://www.regulations.gov/docket/FMCSA-2023-0124/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, Washington, DC 20590–0001.

- *Hand Delivery or Courier:* Dockets Operations, U.S. Department of Transportation, West Building, Ground Floor, 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- *Fax:* (202) 493–2251.

- *Submissions Containing Confidential Business Information (CBI):* Brian Dahlin, Chief, Regulatory Evaluation Division, FMCSA, 1200 New Jersey Avenue SE, Washington, DC 20590.

To avoid duplication, please use only one of these four methods. See the “Confidential Business Information”

portion of the **SUPPLEMENTARY INFORMATION** section for instructions on submitting comments.

**FOR FURTHER INFORMATION CONTACT:**

Larry W. Minor, Associate Administrator for Policy, FMCSA, 1200 New Jersey Avenue SE, Washington, DC 20590–0001; (202) 366–4012; [larry.minor@dot.gov](mailto:larry.minor@dot.gov).

*Services for individuals with disabilities:* For information on facilities or services for individuals with disabilities or to request special assistance at the meeting, contact Larry W. Minor using one of the above means by 11:59 p.m. EST, on June 7, 2024.

**SUPPLEMENTARY INFORMATION:**

**A. Submitting Comments**

If you want to submit a comment on this subject, please include the docket number for this notice (FMCSA–2024–0124). 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-2024-0124/document>, click on this notice, 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. 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 this notice contain commercial or financial information that is customarily treated as private, that you actually treat as private, 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 for this meeting. Submissions containing CBI should be sent to Brian Dahlin, Chief, Regulatory Analysis Division, Office of Policy, FMCSA, 1200 New Jersey Avenue SE, Washington, DC 20590-0001. Any comments FMCSA receives not specifically designated as CBI will be placed in the public docket.

### B. Viewing Comments and Documents

To view comments, as well as notes from this public meeting, go to <https://www.regulations.gov/docket/FMCSA-2024-0124/document> and choose the document to review. To view comments, click this notice, and click "Browse Comments." If you do not have access to the internet, you may view the docket online by visiting Dockets Operations on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC 20590, between 9 a.m. and 5 p.m. EST, 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.

### C. Privacy Act

DOT posts comments received, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at [www.transportation.gov/privacy](http://www.transportation.gov/privacy). The comments are posted without edit and are searchable by the name of the submitter.

### D. Background

On November 9, 2023, the Federal Trade Commission published a notice of proposed rulemaking (NPRM), "Rule on Unfair or Deceptive Fees," which would prohibit unfair or deceptive practices relating to fees for goods or services, specifically, misrepresenting the total costs of goods and services by omitting

mandatory fees from advertised prices and misrepresenting the nature and purpose of fees (88 FR 77420). On February 7, 2024, FMCSA submitted comments in response to the NPRM. A copy of the FMCSA comments is included in the public docket identified above.

FMCSA believes FTC's proposed regulation may significantly benefit the Agency's regulated community, specifically as it relates to the predatory towing practices that have a substantial financial impact on CMV owners and operators. There are two contexts in which predatory towing of CMVs may take place: consensual or nonconsensual. The consensual context usually occurs following a vehicle accident or malfunction where the CMV owner or operator has requested towing service and given permission for the towing company to tow the vehicle. The nonconsensual context most often occurs when an unlawfully parked vehicle is removed from public or private property at the request of a law enforcement officer or a property owner and the CMV owner or operator has not given permission for the towing.

Once towed, CMV owners and operators are in a very vulnerable position and highly susceptible to predation. Predatory towing companies can use their possession of the vehicle as leverage to price gouge and otherwise prey upon CMV owners and operators who are in no position to push back. The nature of the business means that when CMV owners' and operators' vehicles are towed, they are typically not dealing with companies with which they have established business relationships. Many CMV owners and operators drive long distances and travel interstate, and, accordingly, may find their vehicles in need of towing without a familiar towing company nearby. The Agency believes these circumstances set the stage for predatory towing incidents.

FMCSA also notes that towing companies have taken issue with this characterization of the fees towing companies charge. Their lead trade association for the towing and recovery industry acknowledges that there are towing companies that engage in predatory behavior but that some of the fees identified by FMCSA are valid and necessary for towing companies to operate and keep the roads clear of disabled vehicles. The towing industry does not believe that the fees charged by towing companies are of the nature that the FTC should regulate in its rulemaking.

### Public Meeting Information

This meeting is intended for interested parties, including motor carriers and representatives of towing and recovery service providers to discuss common trends in invoicing in commercial towing circumstances, with the aim of learning about trends in particular regions or in particular types of tows (e.g., commercial vehicle tows in response to traffic incidents, non-emergency tows). FMCSA believes predatory towing negatively impacts CMV drivers and trucking companies and that this practice is detrimental to the overall health of the trucking industry. To the extent that tow truck companies are charging legitimate fees, those fees should be transparent and well-communicated. Therefore, consistent with the Agency's safety mission, FMCSA encourages interested parties to participate in this dialogue and to share information on current practices and the impact these hidden fees have on small businesses' ability to operate safely. FMCSA intends for this meeting to serve as a forum for diverse stakeholders to interact and identify fees and practices that are legitimate and necessary to keep the roads clear of disabled vehicles, while establishing best practices to prevent rogue industry participants from engaging in predatory behavior by charging unfair or deceptive fees.

The full meeting agenda will be available on the registration site (see **ADDRESSES** above for instructions on meeting registration) in advance of the meeting.

**Sue Lawless,**

*Acting Deputy Administrator.*

[FR Doc. 2024-11957 Filed 5-30-24; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2024-0019]

### Qualification of Drivers; Exemption Applications; Epilepsy and Seizure Disorders

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

**ACTION:** Notice of final disposition.

**SUMMARY:** FMCSA announces its decision to exempt 14 individuals from the requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) that interstate commercial motor vehicle (CMV) drivers have "no established

medical history or clinical diagnosis of epilepsy or any other condition which is likely to cause loss of consciousness or any loss of ability to control a CMV.” The exemptions enable these individuals who have had one or more seizures and are taking anti-seizure medication to operate CMVs in interstate commerce.

**DATES:** The exemptions were applicable on May 22, 2024. The exemptions expire on May 22, 2026.

**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](mailto:fmcsamedical@dot.gov). Office hours are from 8:30 a.m. to 5 p.m. ET Monday through Friday, except Federal holidays. If you have questions regarding viewing or submitting material to the docket, contact Dockets Operations, (202) 366-9826.

#### SUPPLEMENTARY INFORMATION:

### I. Public Participation

#### A. Viewing Comments

To view comments go to [www.regulations.gov](http://www.regulations.gov). Insert the docket number, (FMCSA-2024-0019) in the keyword box and click “Search.” Next, sort the results by “Posted (Older-Newer),” 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 on the ground floor 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. To be sure someone is there to help you, please call (202) 366-9317 or (202) 366-9826 before visiting Dockets Operations.

#### B. 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, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov). As described in the system of records notice DOT/ALL 14 (Federal Docket Management System), which can be reviewed at <https://www.transportation.gov/individuals/privacy/privacy-act-system-records-notices>, the comments are searchable by the name of the submitter.

### II. Background

On April 17, 2024, FMCSA published a notice announcing receipt of applications from 14 individuals requesting an exemption from the

epilepsy and seizure disorders prohibition in 49 CFR 391.41(b)(8) and requested comments from the public (89 FR 27475). The public comment period ended on May 17, 2024, and no comments were received.

FMCSA has evaluated the eligibility of these applicants and determined that granting exemptions to these individuals would likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved by complying with § 391.41(b)(8).

The physical qualification standard for drivers regarding epilepsy found in § 391.41(b)(8) states that a person is physically qualified to drive a CMV if that person has no established medical history or clinical diagnosis of epilepsy or any other condition which is likely to cause the loss of consciousness or any loss of ability to control a CMV.

In addition to the regulations, FMCSA has published advisory criteria<sup>1</sup> to assist medical examiners (MEs) in determining whether drivers with certain medical conditions are qualified to operate a CMV in interstate commerce.

### III. Discussion of Comments

FMCSA received no comments in this proceeding.

### IV. Basis for Exemption Determination

Under 49 U.S.C. 31136(e) and 31315(b), FMCSA may grant an exemption from the FMCSRs for no longer than a 5-year period if it finds such exemption would likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved absent such exemption. The statutes allow the Agency to renew exemptions at the end of the 5-year period. However, FMCSA grants medical exemptions from the FMCSRs for a 2-year period to align with the maximum duration of a driver’s medical certification.

The Agency’s decision regarding these exemption applications is based on the 2007 recommendations of the Agency’s Medical Expert Panel. The Agency conducted an individualized assessment of each applicant’s medical information, including the root cause of the respective seizure(s) and medical information about the applicant’s seizure history, the length of time that has elapsed since the individual’s last seizure, the stability of each individual’s treatment regimen and the duration of

time on or off of anti-seizure medication. In addition, the Agency reviewed the treating clinician’s medical opinion related to the ability of the driver to safely operate a CMV with a history of seizure and each applicant’s driving record found in the Commercial Driver’s License Information System for commercial driver’s license (CDL) holders, and interstate and intrastate inspections recorded in the Motor Carrier Management Information System. For non-CDL holders, the Agency reviewed the driving records from the State Driver’s Licensing Agency. A summary of each applicant’s seizure history was discussed in the April 16, 2024, **Federal Register** notice (89 FR 27475) and will not be repeated in this notice.

These 14 applicants have been seizure-free over a range of 24 years while taking anti-seizure medication and maintained a stable medication treatment regimen for the last 2 years. In each case, the applicant’s treating physician verified his or her seizure history and supports the ability to drive commercially.

The Agency acknowledges the potential consequences of a driver experiencing a seizure while operating a CMV. However, the Agency believes the drivers granted this exemption have demonstrated that they are unlikely to have a seizure and their medical condition does not pose a risk to public safety.

Consequently, FMCSA finds further that in each case exempting these applicants from the epilepsy and seizure disorder prohibition in § 391.41(b)(8) would likely achieve a level of safety equal to that existing without the exemption, consistent with the applicable standard in 49 U.S.C. 31315(b)(1).

### V. Conditions and Requirements

The terms and conditions of the exemption are provided to the applicants in the exemption document and include the following: (1) each driver must remain seizure-free and maintain a stable treatment during the 2-year exemption period; (2) each driver must submit annual reports from their treating physicians attesting to the stability of treatment and that the driver has remained seizure-free; (3) each driver must undergo an annual medical examination by a certified ME, as defined by § 390.5T; and (4) each driver must provide a copy of the annual medical certification to the employer for retention in the driver’s qualification file, or keep a copy of his/her driver’s qualification file if he/she is self-employed. The driver must also have a

<sup>1</sup> These criteria may be found in APPENDIX A TO PART 391—MEDICAL ADVISORY CRITERIA, section H. Epilepsy: § 391.41(b)(8), paragraphs 3, 4, and 5, which is available on the internet at <https://www.gpo.gov/fdsys/pkg/CFR-2015-title49-vol5/pdf/CFR-2015-title49-vol5-part391-appA.pdf>.

copy of the exemption when driving, for presentation to a duly authorized Federal, State, or local enforcement official.

## VI. 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.

## VII. Conclusion

Based upon its evaluation of the 14 exemption applications, FMCSA exempts the following drivers from the epilepsy and seizure disorder prohibition in § 391.41(b)(8), subject to the requirements cited above:

Kodi Bull (WI)  
Dean Burkholder (PA)  
Daniel Einstein (IN)  
Adam Herr (NY)  
Ryan Jackson (NC)  
Bradley Kurtz (VA)  
David Layfield (GA)  
Chad Redenius (FL)  
Greg Reninger (IL)  
Martin Sena (NM)  
Nicholas Steele (TN)  
Tyler Stull (PA)  
April Wacaster (AL)  
Paul Wheeler (IN)

In accordance with 49 U.S.C. 31315(b), 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 49 U.S.C. 31136, 49 U.S.C. chapter 313, or the FMCSRs.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2024-11959 Filed 5-30-24; 8:45 am]

BILLING CODE 4910-EX-P

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2024-0009]

### Qualification of Drivers; Exemption Applications; Hearing

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

**ACTION:** Notice of final disposition.

**SUMMARY:** FMCSA announces its decision to exempt 11 individuals from

the hearing requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) to operate a commercial motor vehicle (CMV) in interstate commerce. The exemptions enable these hard of hearing and deaf individuals to operate CMVs in interstate commerce.

**DATES:** The exemptions are applicable on May 22, 2024. The exemptions expire on May 22, 2026.

**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, [fmcamedical@dot.gov](mailto:fmcamedical@dot.gov). Office hours are from 8:30 a.m. to 5 p.m. ET Monday through Friday, except Federal holidays. If you have questions regarding viewing or submitting material to the docket, contact Dockets Operations, (202) 366-9826.

### SUPPLEMENTARY INFORMATION:

#### I. Public Participation

##### A. Viewing Comments

To view comments go to [www.regulations.gov](http://www.regulations.gov). Insert the docket number (FMCSA-2024-0009) in the keyword box and click "Search." Next, sort the results by "Posted (Older-Newer)," 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 on the ground floor 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. To be sure someone is there to help you, please call (202) 366-9317 or (202) 366-9826 before visiting Dockets Operations.

##### B. 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, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov). As described in the system of records notice DOT/ALL 14 (Federal Docket Management System), which can be reviewed at <https://www.transportation.gov/individuals/privacy/privacy-act-system-records-notices>, the comments are searchable by the name of the submitter.

#### II. Background

On April 16, 2024, FMCSA published a notice announcing receipt of applications from 11 individuals requesting an exemption from the hearing requirement in 49 CFR 391.41(b)(11) to operate a CMV in

interstate commerce and requested comments from the public (89 FR 27484). The public comment period ended on May 17, 2024, and no comments were received.

FMCSA has evaluated the eligibility of these applicants and determined that granting exemptions to these individuals would likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved by complying with § 391.41(b)(11).

The physical qualification standard for drivers regarding hearing found in § 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), respectively).

#### III. Discussion of Comments

FMCSA received no comments in this proceeding.

#### IV. Basis for Exemption Determination

Under 49 U.S.C. 31136(e) and 31315(b), FMCSA may grant an exemption from the FMCSRs for no longer than a 5-year period if it finds such exemption would likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved absent such exemption. The statutes also allow the Agency to renew exemptions at the end of the 5-year period. However, FMCSA grants medical exemptions from the FMCSRs for a 2-year period to align with the maximum duration of a driver's medical certification.

The Agency's decision regarding these exemption applications is based on relevant scientific information and literature, and the 2008 Evidence Report, "Executive Summary on Hearing, Vestibular Function and Commercial Motor Driving Safety." The evidence report reached two conclusions regarding the matter of hearing loss and CMV driver safety: (1) no studies that examined the relationship between hearing loss and crash risk exclusively among CMV drivers were identified; 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. In addition, the Agency reviewed each applicant's driving record found in the Commercial Driver's License Information System, for commercial driver's license (CDL) holders, and inspections recorded in the Motor Carrier Management Information System. For non-CDL holders, the Agency reviewed the driving records from the State Driver's Licensing Agency. Each applicant's record demonstrated a safe driving history. Based on an individual assessment of each applicant that focused on whether an equal or greater level of safety would likely be achieved by permitting each of these drivers to drive in interstate commerce, the Agency finds the drivers granted this exemption have demonstrated that they do not pose a risk to public safety.

Consequently, FMCSA finds further that in each case exempting these applicants from the hearing standard in § 391.41(b)(11) would likely achieve a level of safety equal to that existing without the exemption, consistent with the applicable standard in 49 U.S.C. 31315(b)(1).

#### V. Conditions and Requirements

The terms and conditions of the exemption are provided to the applicants in the exemption document and include the following: (1) each driver must report any crashes or accidents as defined in § 390.5T; (2) each driver must report all citations and convictions for disqualifying offenses under 49 CFR parts 383 and 391 to FMCSA; and (3) each driver 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 enforcement official. In addition, the exemption does not exempt the individual from meeting the applicable CDL testing requirements.

#### VI. 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.

#### VII. Conclusion

Based upon its evaluation of the 11 exemption applications, FMCSA exempts the following drivers from the hearing standard; in § 391.41(b)(11), subject to the requirements cited above:

Luis Aguilar (WA)  
 Donna Ayala (NV)  
 Sabrina Baltenbach-Lankenau (OH)  
 Danielle Franks (DE)  
 Arnold Hatton (DE)  
 Alton Hunnicut (NC)  
 Sam Jawdat (AZ)  
 James Newton (FL)  
 Michael Olsen (CA)  
 Beau Robinson (TX)  
 Richard Sawyer (VA)

In accordance with 49 U.S.C. 31315(b), 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 49 U.S.C. 31136, 49 U.S.C. chapter 313, or the FMCSRs.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2024-11956 Filed 5-30-24; 8:45 am]

**BILLING CODE 4910-EX-P**

### DEPARTMENT OF TRANSPORTATION

#### Federal Railroad Administration

[Docket Number: FRA-2010-0032]

#### Metro-North Railroad's Request To Amend Its Positive Train Control Safety Plan and Positive Train Control System

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).

**ACTION:** Notice of availability and request for comments.

**SUMMARY:** This document provides the public with notice that, on May 17, 2024, Metro-North Railroad (MNR) submitted a request for amendment (RFA) to its FRA-approved Positive Train Control Safety Plan (PTCSP) in order to update its positive train control (PTC) Onboard Computer (OBC) to System Release 5.04.002. As this RFA may involve a request for FRA's approval of proposed material modifications to an FRA-certified PTC system, FRA is publishing this notice and inviting public comment on MNR's RFA to its PTCSP.

**DATES:** FRA will consider comments received by June 20, 2024. FRA may consider comments received after that date to the extent practicable and without delaying implementation of valuable or necessary modifications to a PTC system.

#### ADDRESSES:

*Comments:* Comments may be submitted by going to <https://www.regulations.gov> and following the online instructions for submitting comments.

*Instructions:* All submissions must include the agency name and the applicable docket number. The relevant PTC docket number for this host railroad is Docket No. FRA-2010-0032. For convenience, all active PTC dockets are hyperlinked on FRA's website at <https://railroads.dot.gov/research-development/program-areas/train-control/ptc/railroads-ptc-dockets>. All comments received will be posted without change to <https://www.regulations.gov>; this includes any personal information.

#### FOR FURTHER INFORMATION CONTACT:

Gabe Neal, Staff Director, Signal, Train Control, and Crossings Division, telephone: 816-516-7168, email: [Gabe.Neal@dot.gov](mailto:Gabe.Neal@dot.gov).

**SUPPLEMENTARY INFORMATION:** In general, title 49 United States Code (U.S.C.) 20157(h) requires FRA to certify that a host railroad's PTC system complies with title 49 Code of Federal Regulations (CFR) part 236, subpart I, before the technology may be operated in revenue service. Before making certain changes to an FRA-certified PTC system or the associated FRA-approved PTCSP, a host railroad must submit, and obtain FRA's approval of, an RFA to its PTCSP under 49 CFR 236.1021.

Under 49 CFR 236.1021(e), FRA's regulations provide that FRA will publish a notice in the **Federal Register** and invite public comment in accordance with 49 CFR part 211, if an RFA includes a request for approval of a material modification of a signal or train control system. Accordingly, this notice informs the public that, on May 17, 2024, MNR submitted an RFA to its PTCSP for its Advanced Civil Speed Enforcement System (ACES), which seeks FRA's approval for an update to its PTC system OBC to System Release 5.04.002. That RFA is available in Docket No. FRA-2010-0032.

Interested parties are invited to comment on MNR's RFA to its PTCSP by submitting written comments or data. During FRA's review of MNR's RFA, FRA will consider any comments or data submitted within the timeline specified in this notice and to the extent practicable, without delaying implementation of valuable or necessary modifications to a PTC system. See 49 CFR 236.1021; see also 49 CFR 236.1011(e). Under 49 CFR 236.1021, FRA maintains the authority to approve, approve with conditions, or deny a

railroad's RFA to its PTCSF at FRA's sole discretion.

### Privacy Act Notice

In accordance with 49 CFR 211.3, FRA solicits comments from the public to better inform its decisions. DOT posts these comments, without edit, including any personal information the commenter provides, to <https://www.regulations.gov>, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <https://www.transportation.gov/privacy>. See <https://www.regulations.gov/privacy-notice> for the privacy notice of [regulations.gov](https://www.regulations.gov). To facilitate comment tracking, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. If you wish to provide comments containing proprietary or confidential information, please contact FRA for alternate submission instructions.

Issued in Washington, DC.

**John Karl Alexy,**

*Associate Administrator for Railroad Safety,  
Chief Safety Officer.*

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**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

#### FTA Fiscal Year 2024 Apportionments, Allocations, and Program Information

**AGENCY:** Federal Transit Administration (FTA), Department of Transportation (DOT).

**ACTION:** Notice.

**SUMMARY:** This notice provides program updates in Fiscal Year (FY) 2024, announces the Consolidated Appropriations Act, 2024, and full-year apportionments and allocations for grant programs, provides contract authority, and describes plans for several competitive programs.

**FOR FURTHER INFORMATION CONTACT:** For general information about this notice, contact John Bodnar, Director of Transit Programs, Office of Program Management, at (202) 366-2053. Please contact the appropriate FTA Regional Office for any specific requests for information or technical assistance. FTA Regional Office contact information is available on FTA's website: <https://www.transit.dot.gov/about/regional-offices/regional-offices>. An FTA headquarters contact for each major program area is included in the discussion of that program in the text of this notice. FTA recommends

stakeholders subscribe via: [https://public.govdelivery.com/accounts/USDOTFTA/subscriber/new?category\\_id=USDOTFTA\\_C22](https://public.govdelivery.com/accounts/USDOTFTA/subscriber/new?category_id=USDOTFTA_C22), to receive email notifications when new information is available.

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### I. Overview

This notice provides updates for the Federal Transit Administration's (FTA) programs in Fiscal Year (FY) 2024, announces the Consolidated Appropriations Act, 2024, (Pub. L. 118-42) and full-year apportionments and allocations for grant programs, provides contract authority, and describes plans for several competitive programs.

It also contains information on how FTA plans to administer its transit programs in FY 2024 and how funds appropriated and allocated prior to FY 2024 will be treated.

This notice highlights FTA programs and provides specific information about FTA's statutory programs.

For each FTA program appropriated funds in the Consolidated Appropriations Act, 2024, FTA also provides information on the Infrastructure Investment and Jobs Act (IIJA, Pub. L. 117-58) authorized funding levels for FY 2024, the basis for apportionment or allocation of funds, requirements specific to the program, period of availability of funds, and other program information. A separate section provides information on pre-award authority and other requirements and guidance applicable to FTA programs and grant administration. Finally, the notice includes references to tables on FTA's website that show amounts apportioned under the FY 2024 appropriations act and approximately \$8.7 billion in unobligated or carryover funding available in FY 2024 under certain discretionary and Congressionally directed programs carried out in accordance with prior and current authorization and appropriations acts.

Information in this document includes references to existing FTA program guidance and circulars. Some information in guidance and circulars may have been superseded by provisions in IIJA, but these guidance documents and circulars remain a resource for program management in most areas. FTA is revising guidance and circulars, as appropriate, with an opportunity for public comment when necessary. FTA intends to release final versions of updated circulars covering the Section 5307, 5310, 5311, 5337, and 5339 programs in the fourth quarter of FY 2024.

### II. FY 2024 Funding for FTA Programs

#### A. Funding Available Under the Consolidated Appropriations Act, 2024

A total of \$20,855,886,844 was appropriated for FY 2024 including

funding from the Consolidated Appropriations Act, 2024, as amended by the Further Consolidated Appropriations Act, 2024 (Pub. L. 118–47), and funding from advance appropriations.

Division F, Title I of the Consolidated Appropriations Act, 2024, appropriated \$16,604,886,844 for FY 2024, providing the authorized \$13.99 billion from the Mass Transit Account; \$252.39 million in Transit Infrastructure Grants, including \$20 million for the Urbanized Area Passenger Ferry program with \$5 million set aside for low or no emission ferries and related infrastructure, \$1.5 million for the Bus Testing program, \$3.6 million for several research programs, \$0.5 million to assist tribal governments under the National Rural Transportation Assistance Program, \$20 million to the ferry service for rural communities program, and \$206.8 million for Community Project/Congressionally Directed funding. The Consolidated Appropriations Act, 2024, also appropriated an additional \$7.5 million for technical assistance, workforce development and training funding, \$150 million for the Washington Metropolitan Area Transit Authority and \$2.2 billion for the Capital Investment Grant Program. The Further Consolidated Appropriations Act, 2024, amended the Consolidated Appropriations Act, 2024, adding an additional \$1 million for the Urbanized Area Passenger Ferry program.

In addition, IIJA provided \$4.25 billion in advance appropriations for FY 2024, including \$1.6 billion for Capital Investment Grants; \$950 million for the State of Good Repair program, \$1.05 billion for the Low or No Emission program, \$50 million for the Enhanced Mobility of Seniors and Individuals with Disabilities Program, \$350 million for the All Stations Accessibility Program; \$50 million for the Electric or Low-Emitting Ferry Program; and \$200 million for Ferry Service for Rural Communities.

Current funding availability for each grant program is identified in Section IV of this notice and in Table 1 located on FTA's FY 2024 Apportionment web page: <https://www.transit.dot.gov/funding/apportionments/current-apportionments>.

### B. Oversight Takedown

As authorized by 49 U.S.C. 5338(c), the following oversight takedowns of FTA programs will be applied: 0.5 percent of Metropolitan and Statewide Planning funds, 0.75 percent of Urbanized Area Formula funds, 1 percent of Fixed Guideway Capital Investment Grants funds, 0.5 percent of

Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities, 0.5 percent of Formula Grants for Rural Areas, 1 percent of State of Good Repair Formula funds, 0.75 percent for Grants for Buses and Bus Facilities, and 1 percent of Capital and Preventive Maintenance Projects for Washington Metropolitan Area Transit Authority funds. The funds are used to provide necessary oversight activities, such as oversight of the construction of any major capital project receiving Federal transit assistance; to conduct State Safety Oversight, drug and alcohol, civil rights, procurement systems, management, planning certification, and financial reviews and audits, as well as evaluations and analyses of recipient-specific problems and issues; to generally provide technical assistance and correct deficiencies identified in compliance reviews and audits; and to support FTA's administrative expenses.

Additionally, there remains a 2 percent administrative/oversight takedown from each of the advance appropriations provided under Division J, Title VIII of IIJA, except for the Capital Investment Grant takedown, which remains at 1 percent. One-half percent of the 2 percent is to be transferred to the U.S. DOT Office of the Inspector General (OIG).

### C. Formula Apportionment Data and Methodology

#### 1. Apportionment Tables

FTA published apportionment tables on its website for each program that reflect the full-year appropriations less oversight takedowns, as applicable. Tables displaying the funds available to eligible states, tribes, and urbanized areas have been posted to <https://www.transit.dot.gov/funding/apportionments/current-apportionments>. This website contains a page listing the apportionment and allocation tables for FY 2024, as well as links to prior year formula apportionment notices and tables and the National Transit Database and Census data used to calculate the FY 2024 apportionments.

#### 2. National Transit Database and Census Data Used in the FY 2024 Apportionments

The calculations for Sections 5307, 5311, including 5311(j) (Tribal Transit), 5329, 5337, and 5339 programs rely on the most-recent transit service data reported to the National Transit Database (NTD), which at the time of apportionment was the 2022 report year. For the FY 2024 apportionments, FTA is

reverting back to its prior pattern last used for the FY 2021 apportionments of utilizing the most recently validated transit service data available from the NTD, which in the case of FY 2024 apportionments is 2022 NTD data. Due to the impacts of the COVID–19 pandemic, for the FYs 2022 and 2023 apportionments, FTA allowed agencies to use either 2019 NTD data or 2020 NTD data (for the FY 2022 apportionments) and 2019 NTD or 2021 NTD data (for the FY 2023 apportionments), defaulting to the year with the higher vehicle revenue miles unless instructed otherwise by the reporting agency. In some cases where an apportionment is based on the age of the system, the age is calculated as of September 30, 2023, which was the last day before FY 2024 began. Any recipient or subrecipient of either Section 5307 or Section 5311 program funds is required to report to the NTD. All FTA grant recipients that own, operate, or manage transit capital assets must report their asset data to the NTD. Additionally, a number of transit operators report to the NTD on a voluntary basis. For the 2022 report year, the NTD collected data from 3,018 reporters. This count is comprised of 972 urban reporters (947 of which operated transit service and 331 of which also provided both urban and rural service), 1,308 rural transit providers, 138 Tribes (with 16 providing both rural and urban service), and 600 asset reporters. IIJA made a number of changes to NTD reporting requirements. FTA finalized the proposals in two **Federal Register** notices published on February 23, 2023 (88 FR 11506) and March 3, 2023 (88 FR 13497). Some of the changes took effect beginning in NTD Report Year (RY) 2023 or 2024, which corresponds to an agency's fiscal year, while others took effect in calendar year (CY) 2023.

The 2020 Census data was used to determine population and population density for Sections 5303, 5304, 5305, 5307 and 5339 as well as rural population and rural land area for Section 5311. The formulas for Sections 5307, 5311, and 5311(j) include tiers where funding is allocated on the basis of the number of persons living in poverty, and the Section 5310 formula program allocates funding on the basis of the population of older adults and people with disabilities. The Census Bureau no longer publishes decennial Census data on persons living in poverty and persons with disabilities. As a result, since FY 2013, FTA has been using the data for these populations available via the Census'

American Community Survey (ACS). The NTD and Census data that FTA used to calculate the apportionments associated with this notice can be found on FTA's web page: <https://www.transit.dot.gov/funding/apportionments/formula-apportionments-data>.

The FY 2024 apportionments use data on low-income persons, persons with disabilities, and older adults from the most recent ACS data set, which was published in December 2023. As was the case in prior years, data on low-income persons comes from ACS Table B17024, "Age by Ratio of Income to Poverty Level in the Last Twelve Months," and data on people with disabilities under 65 years old comes from ACS Table B18101, "Sex by Age by Disability Status."

### III. FY 2024 Highlights and Updates

#### A. Highlights

##### 1. Safety—PTASP and Safety Committees

IIJA amended FTA's safety program at 49 U.S.C. 5329(d) by adding to the Public Transportation Agency Safety Plans (PTASP) requirements. These changes apply to transit agencies that must have an Agency Safety Plan (ASP) under the PTASP regulation, 49 CFR part 673. The changes require a transit agency that receives Section 5307 funding and serves a large urbanized area (an urbanized area with a population of 200,000 or more) to establish a Safety Committee consistent with 49 U.S.C. 5329(d)(5). The transit agency must certify, through its Certifications and Assurances, that its Safety Committee approved the ASP or any updates to the ASP prior to approval by the Board of Directors or equivalent entity. FTA updated 49 CFR part 673 with new requirements that implement the statutory changes. The final rule was published on April 11, 2024 (88 FR 25694) and is effective May 13, 2024.

The Safety Committee also is responsible for, at a minimum: (1) identifying and recommending risk-based mitigations or strategies necessary to reduce the likelihood and severity of consequences identified through the agency's safety risk assessment; (2) identifying mitigations or strategies that may be ineffective, inappropriate, or were not implemented as intended; and (3) identifying safety deficiencies for purposes of continuous improvement.

IIJA also amended 49 U.S.C. 5329(d)(1)(B) to require a transit agency serving a small urbanized area (an urbanized area with a population of fewer than 200,000) to review and

update its ASP in cooperation with frontline employee representatives. Transit agencies serving a small urbanized area are required to certify, through their Certifications and Assurances, that their ASP was developed or updated in cooperation with frontline worker representatives prior to approval by the Board of Directors or equivalent entity.

FTA monitors these certifications in its Transit Award Management System (TrAMS). FTA integrated the IIJA changes to PTASP requirements into the Triennial and State Management Review processes in 2023. Failure to comply with a requirement of the regulation subjects a grantee to a range of FTA enforcement options depending upon the circumstances, including, but not limited to, actions authorized by the Public Transportation Safety Program (Section 5329) and the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR 200.339–200.340). Enforcement actions may include a recipient being ineligible to receive certain FTA grant funds until the recipient satisfies the requirements of the regulation, or FTA imposing more frequent reporting requirements until the recipient achieves compliance. FTA has additional resources and information available on its PTASP landing page: <https://www.transit.dot.gov/PTASP>.

Some FTA grant programs, including FTA's Urbanized Area Formula Program, the Formula Grants for Rural Areas Program, State of Good Repair Program, and Bus and Bus Facilities Program, can support safety and security projects, including mitigations to address assaults on transit workers, and cybersecurity activities. Additional information is available on FTA's landing pages:

- Using SMS to Protect Transit Workers from Assaults <https://www.transit.dot.gov/regulations-and-programs/safety/using-your-safety-management-system-sms-protect-transit-workers>.
- Enhanced Transit Safety and Crime Prevention Initiative <https://www.transit.dot.gov/regulations-and-programs/safety/enhanced-transit-safety-and-crime-prevention-initiative>.
- Cybersecurity Resources for Transit Agencies <https://www.transit.dot.gov/regulations-and-programs/safety/cybersecurity-resources-transit-agencies>.

##### 2. Census Urbanized Areas Designations

On December 29, 2022, the Census Bureau announced final urban area designations based on the 2020 Census (87 FR 80114). FTA program eligibility

and funding distribution is determined in part by service provision and demographics in both urbanized and non-urbanized areas. The 2020 Census delineations are now being used for FTA formula and discretionary apportionments beginning in FY 2024. FTA has additional resources and information available on its Census landing page, <https://transit.dot.gov/census>.

##### 3. Flexible Funding

The upcoming Federal Highway Administration's (FHWA) August Redistribution is an opportunity for States to flex funds from FHWA to FTA to support transit projects. During the August Redistribution that starts in July 2024, FHWA provides States with the opportunity to fund additional projects, including flexible funding for transit projects. State Departments of Transportation (State DOTs) and Metropolitan Planning Organizations should consider discussing current transit needs and flex funding opportunities to support transit capital activities.

For examples of prior year uses of flex funding for transit projects, see Table 25 of the Statistical Summaries at <https://www.transit.dot.gov/funding/grants/fy-2021-statistical-summary>. Other FTA flexible funding resources can be found at the following sites: <https://www.planning.dot.gov/flex.aspx> and <https://www.transit.dot.gov/funding/grants/grant-programs/flexible-funding-transit-and-highway-improvements>.

#### B. Updates

##### 1. Expanded Pre-Award Authority for Small Starts Projects

FTA is expanding automatic pre-award authority for Small Starts projects. Upon completion of the environmental review process and confirmation from FTA that the overall project rating is at least a Medium, in addition to pre-award authority for vehicle purchases, FTA now also will extend pre-award authority for any remaining engineering and design, demolition, and procurement of long lead items for which market conditions play a significant role in the acquisition price. The long lead items include, but are not limited to, procurement of rails, ties, and other specialized equipment, and commodities. See Section V.A.4 Pre-Award Authority for the Fixed Guideway Capital Investment Grants Program.

2. FY 2024 Competitive Program Updates  
 FTA’s competitive grant programs and the FY 2024 appropriated funding levels

are identified in the chart below. FTA selects projects for funding after issuance of a Notice of Funding Opportunity (NOFO).

Program/competitive grant title	Statute 49 U.S.C.	FY 2024 funding appropriated	Proposed or actual NOFO publication	Application due date and comments
Transit-Oriented Development Planning Pilot Program	MAP–21 Section 20005(b), IJJA Section 30009.	\$13,782,778 .....	Summer 2024 .....	TBA.
Buses & Bus Facilities Competitive Program and Low or No Emission Program.	Section 5339(b) and (c) .....	\$390,045,823 (Bus) .....	February 8, 2024 ...	April 25, 2024.
Tribal Transit Grants .....	Section 5311(c)(2)(A) .....	\$1,103,963,762 (Low/No) .....	Summer 2024 .....	TBA.
Passenger Ferry Grants, Electric or Low-Emitting Ferry Program, Ferry Service for Rural Communities.	Section 5307 and IJJA Sections 71102 and 71103.	\$9,169,076 .....	April 17, 2024 .....	June 17, 2024.
Innovative Coordinated Access & Mobility .....	FAST Act Section 3006(b) .....	\$316,000,000 .....	November 15, 2023	February 13, 2024.
All Stations Accessibility Program .....	IJJA Division J .....	\$9,525,190 .....	November 30, 2023	January 30, 2024.
Competitive Grants for Rail Vehicle Replacement .....	Section 5337 .....	\$343,000,000 .....	Project selections were announced for remaining FY24 funding, all of FY25 funding, and part of FY26 funding in February 2024.	
		\$196,906,663 (FY24) .....		
		\$300,000,000 (FY25) .....		
		\$133,949,678 (FY26) .....		

**IV. Program Information**

*A. Metropolitan Planning Program (49 U.S.C. 5303 and 5305(d))*

Section 5305(d) makes available Federal funding to support a cooperative, continuous, and comprehensive planning program for transportation investment decision-making at the metropolitan area level. The specific requirements of metropolitan transportation planning are set forth in 49 U.S.C. 5303 and in 23 CFR part 450, as incorporated by reference in 49 CFR part 613, Metropolitan and Statewide and Nonmetropolitan Planning. State Departments of Transportation (DOTs) are direct recipients of planning funds allocated by FTA, and the funds are then sub-allocated to Metropolitan Planning Organizations (MPOs) for planning activities that enhance the integration and connectivity of the transportation system, across and between modes and support the economic vitality of the metropolitan area.

The metropolitan transportation planning process must establish a performance-based approach in which the MPO will develop specific performance targets that address transportation system performance measures (issued by U.S. DOT), where applicable, to use in tracking progress towards attaining critical outcomes. These performance targets will be established by MPOs in coordination with States and transit providers. MPOs will provide a system performance report that evaluates the progress of the MPO in meeting the performance targets in comparison with the system performance identified in prior reports.

This funding must support work elements and activities resulting in comprehensive intermodal transportation planning for the movement of people and goods in the metropolitan area. Comprehensive transportation planning is not limited to transit planning or surface transportation planning but also encompasses the relationships among land use and all transportation modes, without regard to the programmatic source of Federal assistance. A representative list of eligible work elements or activities is provided in FTA Circular 8100.1D, “Program Guidance for Metropolitan Planning and State Planning and Research Program Grants,” dated September 10, 2018.

IJJA amended 49 U.S.C. 5305(f) to require a Federal share of not less than 90 percent for certain activities under the Metropolitan Planning Program (MPP) and the State Planning and Research Program (SPRP). Eligible recipients seeking an increased Federal share under 49 U.S.C. 5305(f)(2) must demonstrate that planning activities support increased mobility through expanded access to public transportation in areas with a lower population density or a lower average income in relationship to surrounding areas. In addition, on March 13, 2023, pursuant to 49 U.S.C. 5305(f)(1)(A), FTA approved a waiver of the non-Federal match for the MPP and the SPRP funds for Complete Streets planning activities conducted by States and MPOs in their transportation planning processes. The non-Federal match waiver for MPP and SPRP funds is limited to Complete Streets planning activities as identified in IJJA, section 11206(c). The waiver of the non-Federal share for Complete

Streets planning activities will end once a State or MPO receives approval from FHWA to opt out of meeting the requirements described in IJJA, section 11206(c). Once a State or MPO opts out, they must notify FTA.

For more about the Metropolitan Planning Program, contact Ryan Long, Office of Planning and Environment at (202) 366–6466 or [ryan.long@dot.gov](mailto:ryan.long@dot.gov).

1. Authorized Amounts

IJJA authorized \$799 million over five years to provide financial assistance for metropolitan planning needs under Section 5303.

2. FY 2024 Funding Availability

Under the Consolidated Appropriations Act, 2024, \$160,002,736 is available to the Metropolitan Planning Program (Section 5305(d) and (f)) to support metropolitan transportation planning activities set forth in Section 5303. The total amount apportioned for the Metropolitan Planning Program to States for use by MPOs is \$159,203,874 as shown in the table below, after the deduction for oversight and the addition of reapportioned funds.

<b>Metropolitan Planning Program—FY2024</b>	
Total FY 2024 Appropriation Available .....	\$160,002,736
Oversight Deduction .....	(800,013)
Reapportioned Funds .....	1,151
<b>Total Apportioned .....</b>	<b>159,203,874</b>

3. Basis for Formula Apportionment

Of the amounts authorized in Section 5305, 82.72 percent is made available to the Metropolitan Planning Program. Eighty percent of those funds are apportioned on a statutory basis to the States based on the most recent decennial Census for each State's UZA population. The remaining 20 percent is provided to the States based on an FTA administrative formula to address planning needs in larger, more complex UZAs. The amount published for each State includes this supplemental allocation.

#### 4. Requirements

The State allocates Metropolitan Planning funds to MPOs in UZAs or portions thereof to provide funds for planning projects included in a one- or two-year program of planning work activities (the Unified Planning Work Program, or UPWP) that includes multimodal systems planning activities spanning both highway and transit planning topics. Each State has either reaffirmed or developed, in consultation with their MPOs, an allocation formula among MPOs within the State, based on the 2020 Census. The allocation formula among MPOs in each State may be changed annually, but any change requires approval by the FTA Regional Office before grant approval. Program guidance for the Metropolitan Planning Program is found in FTA Circular 8100.1D.

#### 5. Period of Availability

The Metropolitan Planning Program funds apportioned in this notice are available for obligation during FY 2024 plus three additional fiscal years. Accordingly, funds apportioned in FY 2024 must be obligated in grants by September 30, 2027. Any FY 2024 apportioned funds that remain unobligated at the close of business on September 30, 2027, will revert to FTA for reapportionment under the Metropolitan Planning Program.

#### *B. State Planning and Research Program (49 U.S.C. 5304 and 5305(e))*

This program provides financial assistance to States for statewide transportation planning and other technical assistance activities, including supplementing the technical assistance program provided through the Metropolitan Planning Program. State Departments of Transportation (DOTs) are direct recipients of State Planning and Research Program (SPRP) funds allocated by FTA, for planning activities that enhance the integration and connectivity of the transportation system, across and between modes throughout the State and support the

economic vitality of the nonmetropolitan and metropolitan area. The specific requirements of Statewide transportation planning are set forth in 49 U.S.C. 5304 and in 23 CFR part 450, as incorporated by reference in 49 CFR part 613, Metropolitan and Statewide and Nonmetropolitan Planning. State DOTs are required to reference performance measures and performance targets within the Statewide Planning process. SPRP funding must support work elements and activities resulting in comprehensive intermodal transportation planning for the movement of people and goods and has the same eligibilities as metropolitan planning funds. Comprehensive transportation planning is not limited to transit planning or surface transportation planning but also encompasses the relationships among land use and all transportation modes, without regard to the programmatic source of Federal assistance.

The IIJA amended 49 U.S.C. 5305(f) to require a Federal share of not less than 90 percent for certain activities under the Metropolitan Planning Program (MPP) and the SPRP. Eligible recipients seeking an increased Federal share under 49 U.S.C. 5305(f)(2) must demonstrate that planning activities support increased mobility through expanded access to public transportation in areas with a lower population density or a lower average income in relationship to surrounding areas. In addition, on March 13, 2023, pursuant to 49 U.S.C. 5305(f)(1)(A), FTA approved a waiver of the non-Federal match for the MPP and the SPRP funds for Complete Streets planning activities conducted by States and MPOs in their transportation planning processes. The non-Federal match waiver for MPP and SPRP funds is limited to Complete Streets planning activities as identified in IIJA, section 11206(c). The waiver of the non-Federal share for Complete Streets planning activities will end once a State or MPO receives approval from FHWA to opt out of meeting the requirements described in IIJA, section 11206(c). Once a State or MPO opts out, they must notify FTA.

For more information, contact Ryan Long, Office of Planning and Environment at (202) 366-6466 or [ryan.long@dot.gov](mailto:ryan.long@dot.gov).

#### 1. Authorized Amounts

IIJA authorized \$167 million over five years to provide financial assistance for statewide planning and other technical assistance activities under Section 5304.

#### 2. FY 2024 Funding Availability

In FY 2024, \$33,424,169 is available to the SPRP (Section 5305(e) and (f)). The total amount apportioned for the SPRP is \$33,257,048 as shown in the table below, after the deduction for oversight.

<b>Statewide Planning Program—FY 2024</b>	
Total Appropriation .....	\$33,424,169
Oversight Deductions .....	(167,121)
<b>Total Apportioned ....</b>	<b>33,257,048</b>

States' apportionments for this program are displayed in Table 2 on the apportionments page on FTA's website: <https://www.transit.dot.gov/funding/apportionments/current-apportionments>.

#### 3. Basis for Formula Apportionment

Of the amount authorized in Section 5305, 17.28 percent is allocated to the SPRP. FTA apportions these funds to States by a statutory formula that is based on the most recent decennial Census data available, and the State's UZA population as compared to the UZA population of all States.

#### 4. Requirements

Funds are provided to States for Statewide transportation planning programs. These funds may be used for a variety of statewide and nonmetropolitan transportation planning purposes such as developing transportation plans and programs, planning and evaluating public transportation projects, and conducting technical studies as documented in a statewide planning work program. In addition, a State may authorize a portion of these funds to be used to supplement Metropolitan Planning funds allocated by the State to its UZAs, as the State deems appropriate. Program guidance for the State Planning and Research program is found in FTA Circular 8100.1D.

#### 5. Period of Availability

The SPRP funds apportioned in this notice are available for obligation during FY 2024 plus three additional fiscal years. Accordingly, funds apportioned in FY 2024 must be obligated in grants by September 30, 2027. Any FY 2024 apportioned funds that remain unobligated at the close of business on September 30, 2027, will revert to FTA for reapportionment under the SPRP.

#### *C. Urbanized Area Formula Program (49 U.S.C. 5307)*

The Urbanized Area Formula Program provides Federal assistance for capital,

planning, job access and reverse commute projects, and, in some cases, operating assistance for public transportation in urbanized areas. In accordance with 49 U.S.C. 5302, an urbanized area (UZA) is an Urban Area, as defined and designated as such by the U.S. Census Bureau, with a population of 50,000 or more. Program funds are apportioned to urbanized areas through a statutory formula. In addition, \$30 million is authorized each year under this program to passenger ferry projects through a discretionary funding competition.

For more information about the Urbanized Area Formula Program, contact Bret Martin with the Office of Transit Programs, at (202) 366-0870 or [bret.martin@dot.gov](mailto:bret.martin@dot.gov).

1. Authorized Amounts

IIJA authorized \$33.5 billion over five years to provide financial assistance for urbanized areas under Section 5307. Of the amounts authorized for Section 5307 in each year, \$30 million is set aside for the competitive discretionary Passenger Ferry Grant Program, 0.75 percent is apportioned to eligible States for State Safety Oversight (SSO), and 0.75 percent is set aside for oversight.

2. FY 2024 Funding Availability

Under the Consolidated Appropriations Act, 2024, \$6,712,987,840 is available for the Urbanized Area Formula program. The total amount apportioned is \$7,245,004,560 after deductions for the State Safety Oversight Program, Passenger Ferry Program, and oversight and the addition of Section 5340 and reapportioned funds as shown in the table below.

Total Appropriation .....	\$6,712,987,840
Oversight Deductions .....	(50,347,409)
State Safety Oversight Program .....	(50,347,409)
Passenger Ferry Program .....	(30,000,000)
Section 5340 High Density States .....	364,850,518
Section 5340 Growing States .....	293,849,520
Reapportioned Funds .....	4,011,500
<b>Total Apportioned ....</b>	<b>7,245,004,560</b>

3. Basis for Formula Apportionment

FTA apportions Urbanized Area Formula Program funds based on statutory formulas. Congress established four separate formulas that are used to apportion the available funding: the Section 5307 Urbanized Area Formula

Program formula, the Small Transit Intensive Cities (STIC) formula, the Growing States and High-Density States formulas (Section 5340), and a formula based on low-income population.

a. Section 5307—Urbanized Area Formula

For UZAs between 50,000 and 199,999 in population, the Section 5307 formula is based on population and population density. For UZAs with populations of 200,000 and more, the formula is based on a combination of bus vehicle revenue miles, bus passenger miles, bus operating costs, fixed guideway vehicle revenue miles, fixed guideway directional route miles, and fixed guideway operating costs, as well as population and population density. The Urbanized Area Formula is defined in 49 U.S.C. 5336.

To calculate a UZA's FY 2024 apportionment, FTA used population and population density statistics from the 2020 Census and validated mileage and transit service data from transit providers' 2022 National Transit Database (NTD) Report Year. Consistent with Section 5336(b), FTA has included 27 percent of the fixed guideway directional route miles and vehicle revenue miles from eligible urbanized area transit systems, but which were attributable to rural areas outside of the urbanized areas from which the system receives funds. FTA has calculated dollar unit values for the formula factors used in the Urbanized Area Formula Program apportionment calculations. These values represent the amount of money each unit of a factor is worth in this year's apportionment. The unit values change each year based on all of the data used to calculate the apportionments, the amount appropriated by Congress for the apportionment, as well as the amount of prior-year funds to be reapportioned. The dollar unit values for FY 2024 are displayed in Table 5 of the apportionments page on FTA's website, <https://www.transit.dot.gov/funding/apportionments/current-apportionments>. To replicate the basic formula component of a UZA's apportionment, multiply the dollar unit value by the appropriate formula factor (i.e., the population, population x population density), and when applicable, data from the NTD (i.e., directional route miles, vehicle revenue miles, passenger miles, and operating cost).

b. Small Transit Intensive Cities Formula (STIC)

Under the STIC formula, FTA apportions 3 percent of the funds made

available for Section 5307 to UZAs that are under 200,000 in population and have public transportation service that operates at a level equal to or above the industry average for UZAs with a population of at least 200,000, but not more than 999,999. STIC funds are apportioned on the basis of one or more of six performance categories: passenger miles traveled per vehicle revenue mile, passenger miles traveled per vehicle revenue hour, vehicle revenue miles per capita, vehicle revenue hours per capita, passenger miles traveled per capita, and passengers per capita.

The data used to determine a UZA's eligibility under the STIC formula and to calculate the STIC apportionments was obtained from the NTD. Because performance data change with each year's NTD reports, the UZAs eligible for STIC funds and the amount each receives may vary each year. UZAs that received funding through the STIC formula for FY 2024 are listed in Table 6 of the apportionments page on FTA's website, <https://www.transit.dot.gov/funding/apportionments/current-apportionments>.

c. Section 5340—Growing States and High-Density States Formula

FTA also apportions funds to qualifying UZAs and States according to the Section 5340 Growing States and High-Density States formula, as shown in Table 3 of the apportionments page on FTA's website, <https://www.transit.dot.gov/funding/apportionments/current-apportionments>. More information on this program and its formula is found in Section IV.P. of this notice.

d. Low-Income Population

Of the amount authorized and appropriated for the Urbanized Area Formula Program in each year, 3.07 percent is apportioned on the basis of low-income population.

As specified in statute, FTA apportions 75 percent of the available funds to UZAs with a population of 200,000 or more. Funds are apportioned based on the ratio of the number of low-income individuals in each UZA to the total number of low-income individuals in all urbanized areas of that size. FTA apportions the remainder of the funds (25 percent) to UZAs with populations of less than 200,000, according to an equivalent formula. The low-income populations used for this calculation were based on the American Community Survey (ACS) data set for 2018–2022. This information is updated by the Census Bureau annually.

#### 4. Eligible Expenses

Eligible activities include planning, engineering, design and evaluation of transit projects and other technical transportation-related studies; capital investments in bus and bus-related activities such as replacement, overhaul and rebuilding of buses; crime prevention and security equipment; construction of maintenance and passenger facilities; and capital investments in new and existing fixed guideway systems, including rolling stock, overhaul and rebuilding of vehicles, track, signals, communications, and computer hardware and software. All preventive maintenance and some Americans with Disabilities Act complementary paratransit service costs are considered capital costs. For urbanized areas with populations less than 200,000, operating assistance is an eligible expense. In areas with a population of 200,000 or more, operating assistance is an eligible expense for an applicant that operates a maximum of 100 buses during peak service hours, per 49 U.S.C. 5307(a)(2) (the “100-bus rule”). Job access and reverse commute activities remain eligible under the program.

In addition, recipients may use up to one-half of one percent of their Section 5307 funds to support workforce development activities, including supportive services, at an 80 percent Federal share; the eligible workforce development activities are defined in Section 5314; see Section IV.K. of this notice for more information. This provision is in addition to the one-half of one percent that a recipient may use for training activities with the National Transit Institute.

#### 5. Requirements

Program guidance for the Urbanized Area Formula Program is found in FTA Circular 9030.1E, “Urbanized Area Formula Program: Program Guidance and Application Instructions,” dated January 16, 2014, and is supplemented by additional information and changes provided in this notice and that may be posted to the FTA’s Section 5307 web page.

#### 6. Period of Availability

Funds made available under Section 5307 are available for obligation during the year of apportionment plus five additional years. Accordingly, funds apportioned in FY 2024 must be obligated in grants by September 30, 2029. Any FY 2024 apportioned funds that remain unobligated at the close of business on September 30, 2029, will revert to FTA for reapportionment

under the Urbanized Area Formula Program.

#### D. Fixed Guideway Capital Investment Grants Program (49 U.S.C. 5309)

The Capital Investment Grants (CIG) Program includes three types of eligible projects—New Starts projects, Small Starts projects, and Core Capacity Improvement projects. Funding is provided for construction of: (1) new fixed guideway systems or extensions to existing fixed guideway systems such as rapid rail (heavy rail), commuter rail, light rail, trolleybus (using overhead catenary), cable car, passenger ferries, and bus rapid transit operating on an exclusive transit lane for the majority of the corridor length that also includes features that emulate the services provided by rail fixed guideway including defined stations, traffic signal priority for public transit vehicles, and short headway bi-directional service for a substantial part of weekdays and weekends; (2) corridor-based bus rapid transit service that does not operate on an exclusive transit lane but includes features that emulate the services provided by rail fixed guideway including defined stations, traffic signal priority for public transit vehicles, and short headway bi-directional services for a substantial part of weekdays; and (3) projects that expand the capacity by at least 10 percent of an existing fixed guideway corridor that is at capacity today or will be in 10 years.

Projects become candidates for funding under the Capital Investment Grants program by successfully completing steps in the multi-year process defined in Section 5309 and obtaining a satisfactory rating under the statutorily defined criteria. For New Starts and Core Capacity Improvement projects, the steps in the process include project development, engineering, and construction. For Small Starts projects the steps in the process include project development and construction. New Starts and Core Capacity Improvement projects receive construction funds from the program through a full funding grant agreement (FFGA) that defines the scope of the project and specifies the total multi-year Federal commitment to the project. Small Starts projects receive construction funds through a single year grant or an expedited grant agreement that defines the scope of the project and specifies the Federal commitment to the project.

Bundles of CIG projects, comprised of multiple New Starts, Core Capacity, or Small Starts projects being pursued by the same project sponsor, are also allowed. Bundles must enhance or increase the capacity of the

transportation system and streamline procurements or enable time or cost savings for the projects.

For more information about the Capital Investment Grants program contact Susan Eddy, Office of Capital Project Development, at (202) 366–5499 or [susan.eddy@dot.gov](mailto:susan.eddy@dot.gov). For information about published allocations contact Elizabeth Day, Office of Planning and Environment, at (202) 366–5159 or [Elizabeth.day@dot.gov](mailto:Elizabeth.day@dot.gov).

#### 1. Authorized Amounts

IJA authorized \$15 billion to be appropriated over five years for the CIG program and the Expedited Project Delivery Pilot Program (EPD), with an additional \$8 billion in advance appropriations.

#### 2. FY 2024 Funding Availability

For FY 2024, \$3,805,000,000 is available for the Capital Investment Grants (CIG) Program and the FAST Act Section 3005(b) Expedited Project Delivery Pilot Program under the Consolidated Appropriations Act, 2024 and the IJA advance appropriations. The total amount available for projects is \$3,766,950,000 as shown in the table below, after the deduction for oversight.

#### Capital Investment Grant Program—FY 2024

Total Appropriation .....	\$3,805,000,000
Oversight Deduction .....	(38,050,000)
Total Apportioned .....	3,766,950,000

#### 3. Basis for Allocation

CIG Funds are allocated on a discretionary basis and subject to program evaluation.

#### 4. Eligible Expenses

See beginning of Section D above.

#### 5. Requirements

Project sponsors should reference the FTA website at <https://www.transit.dot.gov/funding/grant-programs/capital-investments/final-capital-investment-grant-program-interim-policy> for the most current Capital Investment Grants program policy guidance to learn what is required to enter and advance through the program. Grant-related guidance is found in FTA Circular 9300.1B, “Capital Investment Grant Program Guidance and Application Instructions,” dated November 1, 2008; and C5200.1A, “Full Funding Grant Agreement Guidance,” dated December 5, 2002.

#### 6. Period of Availability

Funding is available for four years, which is the fiscal year in which the



amount is allocated to a project plus three additional years. Therefore, funds for a project allocated funding in FY 2024 must be obligated for the project by September 30, 2027. Section 5309 funds that remain unobligated after four fiscal years to the projects for which they were originally designated may be made available for other Section 5309 projects.

*E. Enhanced Mobility of Seniors and Individuals With Disabilities Program (49 U.S.C. 5310)*

The Enhanced Mobility of Seniors and Individuals with Disabilities Program provides formula funding apportioned to direct recipients: States for rural (population under 50,000) and small urbanized areas (population from 50,000 to 199,999); and designated recipients chosen by the Governor of the State for large urbanized areas (populations of 200,000 or more); or a State or local governmental entity that operates a public transportation service. The Section 5310 program provides capital and operating assistance to improve mobility for older adults and people with disabilities by removing barriers to transportation service and expanding transportation mobility options. This program supports transportation services planned, designed, and carried out to meet the transportation needs of older adults and people with disabilities.

This program provides funds for capital and operating assistance for: (1) public transportation to meet the needs of older adults and people with disabilities when public transportation is insufficient, inappropriate, or unavailable; (2) public transportation projects that exceed the requirements of the Americans with Disabilities Act (ADA); (3) public transportation projects that improve access to fixed-route service and decrease reliance on complementary paratransit; and (4) alternatives to public transportation that meet the transportation needs of older adults and people with disabilities.

Section 5310 funds are available for capital and operating expenses to support the provision of transportation services to meet the specific needs of older adults and people with disabilities. Additional information on eligible expenses can be found in FTA Circular 9070.1G, “Enhanced Mobility of Seniors and Individuals with Disabilities Program Guidance and Application Instructions,” dated July 7, 2014.

For more information about the Section 5310 program, contact Destiny Buchanan, Office of Transit Programs, at

(202) 493–8018 or *destiny.buchanan@dot.gov*.

1. Authorized Amounts

IIJA authorized \$1.9 billion over five years for the Enhanced Mobility of Seniors and Individuals with Disabilities formula program, with an additional \$250 million provided in advance appropriations.

2. FY 2024 Funding Availability

In FY 2024, \$438,899,052 is appropriated for the program. A total of \$438,190,064 is available for allocation after the oversight and administrative deduction, transfer to the U.S. DOT Office of Inspector General, and addition of reapportioned funds as shown in the table below.

<b>Section 5310 Formula Program—FY 2024</b>	
Total Appropriation .....	\$438,899,052
Oversight and Administrative .....	(2,939,495)
Transfer to OIG .....	(5,000)
Reapportioned to Large UZA .....	1,881,680
Reapportioned to Small UZA .....	287,337
Reapportioned to Rural Areas .....	66,490
<b>Total Apportioned ....</b>	<b>438,190,064</b>

3. Basis for Formula Apportionment

Sixty percent of the funds are apportioned among designated recipients for urbanized areas with a population of 200,000 or more individuals. Twenty percent of the funds are apportioned among the States for their urbanized areas with a population of at least 50,000 but less than 200,000. Twenty percent of the funds are apportioned among the States for rural areas with a population of less than 50,000. Census Data on Older Adults and People with Disabilities is used for the Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Apportionments. Table 8, which displays the amounts apportioned under the Enhanced Mobility of Seniors and Individuals with Disabilities Program can be viewed at <https://www.transit.dot.gov/funding/apportionments/table-8-fy-2024-section-5310-enhanced-mobility-seniors-and-individuals-0>.

Under the Section 5310 formula, funds are allocated using Census data on seniors (*i.e.*, persons 65 and older) and people with disabilities. However, beginning in 2010, the Census Bureau stopped collecting this demographic information as part of its decennial census. Data on seniors and people with disabilities is now only available from

the American Community Survey (ACS), which is conducted and published on a rolling basis. FTA’s FY 2024 Section 5310 apportionments incorporate ACS data published in December 2023, which is the most-recent data available. Data on seniors and persons with disabilities comes from the ACS 2018–2022 five-year data set, Table B18101, “Sex by Age by Disability Status.”

4. Requirements

Eligible direct recipients include States for rural and small urbanized areas and designated recipients chosen by the Governor of the State for large urbanized areas. Federally recognized Indian tribes and State or local governmental entities that operate a public transportation service are also eligible direct recipients.

Eligible subrecipients include private nonprofit organizations, and State or local governmental authorities approved by a State to coordinate services for older adults and people with disabilities, or State or local governmental authorities which certify to the Governor that no nonprofit organizations or associations are readily available in an area to provide the service, or an operator of public transportation.

Of the amounts apportioned to States and designated recipients, not less than 55 percent of funds must be used for “traditional” Section 5310 projects—those public transportation capital projects planned, designed, and carried out to meet the specific needs of seniors and individuals with disabilities when public transportation is insufficient, unavailable, or inappropriate. Up to 45 percent of an area’s apportionment may be used for additional public transportation projects that: are planned, designed, and carried out to meet the needs of seniors and individuals with disabilities when public transportation is insufficient, unavailable, or inappropriate; exceed the Americans with Disabilities Act minimum requirements; improve access to fixed-route service and decrease reliance by individuals with disabilities on ADA complementary paratransit service; or provide alternatives to public transportation that assist seniors and individuals with disabilities with transportation.

All projects funded under this program must be included in a locally developed, coordinated public transit-human service transportation plan.

5. Period of Availability

For Enhanced Mobility of Seniors and Individuals with Disabilities Program

funds apportioned under this notice, the period of availability is the year of apportionment plus two additional years. Accordingly, funds apportioned in FY 2024 must be obligated in grants by September 30, 2026. Any FY 2024 apportioned funds that remain unobligated at the close of business on September 30, 2026, will revert to FTA for reapportionment among the States and urbanized areas.

6. Other Program Highlights

Recipients may use a competitive selection process to select projects, but it is not required. A State may transfer funds apportioned to small urbanized areas and rural areas to other parts of the State if it can certify that the needs are being met in the area to which the funds were originally apportioned. Funds may not be transferred out of a large urbanized area. Funds apportioned to large urbanized areas may not be used outside the urbanized area to which they were apportioned.

Transit service providers receiving Section 5310 funds may coordinate and assist in providing meal delivery services on a regular basis as long as this does not conflict with the provision of transit services.

Additional information about the requirements for the Section 5310 program can be found in FTA Circular 9070.1G, “Enhanced Mobility of Seniors and Individuals with Disabilities Program Guidance and Application Instructions,” dated July 7, 2014.

F. Formula Grants for Rural Areas Program (49 U.S.C. 5311)

The Rural Areas Program provides formula funding to States and federally recognized Indian tribes for the purpose of supporting public transportation in areas with a population of less than 50,000. Funding may be used for capital, operating, planning, job access and reverse commute projects, and State administration expenses. Eligible subrecipients include State and local governmental authorities, Indian Tribes, private non-profit organizations, and private operators of public transportation services, including intercity bus companies. Indian Tribes are eligible direct recipients under Section 5311, both for funds apportioned to the States and for projects apportioned or selected to be funded with funds set aside for a separate Tribal Transit Program.

For more information about the Formula Grants for Rural Areas program, contact Matt Lange, Office of Transit Programs, at (312) 353-4118 or [matthew.lange@dot.gov](mailto:matthew.lange@dot.gov).

1. Authorized Amounts

IIJA authorized \$4.6 billion over five years to provide financial assistance by formula for rural areas under Section 5311 and three other programs: the Rural Transit Assistance Program (RTAP); the Appalachian Development Public Transportation Assistance Program; and the Tribal Transit Program. These separate programs are described in the Sections that follow.

2. FY 2024 Funding Availability

Under the Consolidated Appropriations Act, 2024, \$825,216,831 is available for formula grants within the Rural Area Formula Program. The total amount apportioned to the program is \$938,673,323 as shown in the table below, after the addition of Section 5340 Growing States, reapportioned funds and the oversight deduction.

Total FY 2024 Appropriation .....	\$825,216,831
Oversight Deduction .....	(4,584,538)
Section 5340 Growing States .....	117,577,660
Reapportioned Funds .....	463,370
<b>Total Apportioned ....</b>	<b>938,673,323</b>

3. Basis for Formula Apportionment

FTA apportions Section 5311 funds to the States by a statutory formula. The majority of rural formula funds (83.15 percent) are apportioned based on land area and population factors. In this first tier, no state may receive more than 5 percent of the amount apportioned on the basis of land area. The remaining rural formula funds (16.85 percent) are apportioned based on land area, vehicle revenue miles, and low-income population factors. In this second tier, no State may receive more than 5 percent of the amount apportioned on the basis of land area, or more than 5 percent of the amounts apportioned for vehicle revenue miles. In addition to funds made available under Section 5311, FTA adds amounts apportioned based on rural population according to the Growing States formula factors of 49 U.S.C. 5340 to the amounts apportioned to the States under the Section 5311 formula. Before FTA apportions Section 5311 funds to the States, FTA subtracts funding from the total available amounts for the Appalachian Development Transportation Assistance Program, the Tribal Transit Program, the Rural Transportation Assistance Program (RTAP), and FTA oversight activities.

Data from the Rural Module of the National Transit Database (NTD) was used for this apportionment, including data from directly reporting Indian tribes. Data from public transportation systems that reported to the Annual (Urbanized Area) Module, and not attributable to an urbanized area, was also included.

4. Requirements

The Section 5311 program provides funding for capital, operating, planning, job access and reverse commute projects, and administration expenses for public transit service in rural areas under 50,000 in population. The planning activities undertaken with Section 5311 funds are in addition to those awarded to the State under Section 5305 and must be used specifically for rural areas’ needs.

a. Intercity Bus Transportation

Each State must spend no less than 15 percent of its annual Rural Areas Formula apportionment for the development and support of intercity bus transportation, unless it can certify, after consultation with affected intercity bus service providers, that the intercity bus service needs of the State are adequately being met.

b. State Administration

States may elect to use up to 10 percent of their apportionment at 100 percent Federal share to administer the Section 5311 program and provide technical assistance to subrecipients.

c. Eligibility for Safety Certification Training

Recipients of Section 5311 funds are permitted to use not more than 0.5 percent of their formula funds under the Rural Areas program to pay not more than 80 percent of the cost of participation for an employee who is directly responsible for safety oversight to participate in public transportation safety certification training. Safety certification training program requirements are established in accordance with Section 5329.

The Federal share for capital assistance is 80 percent and for operating assistance is 50 percent, except that States eligible for the sliding scale match under FHWA programs may use that match ratio for Section 5311 capital projects and 62.5 percent of the sliding scale capital match ratio for operating projects.

Each State prepares an annual program of projects, which must provide for fair and equitable distribution of funds within the States, including Indian reservations, and must

provide for maximum feasible coordination with transportation services assisted by other Federal sources.

Additional program guidance for the Rural Areas Program is found in FTA Circular 9040.1G, “Formula Grants for Rural Areas: Program Guidance and Application Instructions,” dated October 24, 2014, and is supplemented by additional information and changes provided in this notice and that may be posted to FTA’s Section 5311 web page (<https://www.transit.dot.gov/rural-formula-grants-5311>).

5. Period of Availability

The Rural Areas program funds apportioned in this notice are available for obligation during FY 2024 plus two additional years. Any FY 2024 apportioned funds that remain unobligated at the close of business on September 30, 2026, will revert to FTA for reapportionment under the Rural Areas program.

G. Rural Transportation Assistance Program (49 U.S.C. 5311(b)(3))

The Rural Transportation Assistance Program (RTAP) provides funding to states to assist in the design and implementation of training and technical assistance projects, research, and other support services tailored to meet the needs of transit operators in rural areas.

The National Rural Transit Assistance Program (NRTAP) is administered through a cooperative agreement and re-competed at five-year intervals. In 2019, FTA awarded a cooperative agreement to Neponset Valley Transportation Management Association to administer NRTAP. NRTAP addresses the training and technical assistance needs of rural and tribal transit operators across the Nation and supports State RTAP programs. NRTAP’s comprehensive set of free technical assistance programs and resources includes training materials, webinars, newsletters and technical briefs, peer resources, research, and innovative technology initiatives.

For more information about the Rural Transportation Assistance Program (RTAP) contact Matt Lange, Office of Transit Programs, at (312) 353–4118 or [matthew.lange@dot.gov](mailto:matthew.lange@dot.gov). For more information about the National Rural Transit Assistance Program (NRTAP) contact Heather Edmonds, Office of Transit Programs, at (202) 366–3748 or [heather.edmonds@dot.gov](mailto:heather.edmonds@dot.gov).

1. Authorized Amounts

IJA authorizes \$91.6 million over five years to carry out this program. Of this

amount, 15 percent is reserved for the National RTAP program.

2. FY 2024 Funding Availability

Under the Consolidated Appropriations Act, 2024, \$18,338,152 is available for the RTAP. In FY 2024, besides the \$2.75 million takedown for National RTAP, an additional \$500,000 was appropriated for technical assistance to Tribes through National RTAP. The total amount apportioned for RTAP is \$15,587,429 as shown in the table below, after the deduction for NRTAP.

Rural Transportation Assistance Program—FY 2024	
Total Appropriation .....	\$18,338,152
National RTAP .....	(2,750,723)
<b>Total Apportioned ....</b>	<b>15,587,429</b>

State allocations are shown in Table 9 posted on FTA’s website under the FY 2024 Apportionments page.

3. Basis for Formula Apportionment

FTA allocates funds to the States by an administrative formula. First, FTA allocates \$65,000 to each State and Puerto Rico (\$10,000 to territories), and then allocates the balance based on rural population.

4. Requirements

Eligible expenses include the design and implementation of training and technical assistance projects, research, and other support services tailored to meet the needs of transit operators in rural areas.

States may use the funds to undertake research, training, technical assistance, and other support services to meet the needs of transit operators in rural areas. These funds should be used in conjunction with a State’s administration of the Rural Areas Formula Program and may also support the rural components of the Section 5310 program.

5. Period of Availability

The Section 5311 RTAP funds apportioned in this notice are available for obligation in FY 2024 plus two additional years, consistent with the Section 5311 program. Any FY 2024 apportioned funds that remain unobligated at the close of business on September 30, 2026, will revert to FTA for reapportionment under the Rural Areas program.

H. Appalachian Development Public Transportation Assistance Program (49 U.S.C. 5311(c)(3))

This program provides additional funding to support public transportation in the Appalachian region. There are 13 eligible States that receive an allocation under this provision. The States and their allocation are shown in Table 9 posted on FTA’s website under the FY 2024 Apportionments page at <https://www.transit.dot.gov/funding/apportionments>.

For more information about the Appalachian Development Public Transportation Assistance (ADTAP) Program, contact Matt Lange, Office of Transit Programs, at (312) 353–4118 or [matthew.lange@dot.gov](mailto:matthew.lange@dot.gov).

1. Authorized Amounts

A total of \$137.4 million is authorized over five years by the IJA to support public transportation in the Appalachian region.

2. FY 2024 Funding Availability

Under the Consolidated Appropriations Act, 2024, \$27,507,228 million is available. The total amount apportioned to the program is \$27,549,026 as shown in the table below, after the addition of reapportioned funds.

Appalachian Development Public Transportation Assistance Program—FY 2024	
Total FY 2024 Available	\$27,507,228
Reapportioned Funds .....	41,798
<b>Total Apportioned ....</b>	<b>27,549,026</b>

3. Basis for Formula Apportionment

FTA apportions the funds using percentages established under section 9.5(b) of the Appalachian Regional Commission (ARC) Code (subtitle IV of title 40 U.S.C.). Allocations are based in general on each State’s remaining estimated need to complete eligible Sections of the Appalachian Development Highway System as determined from the latest percentages of available cost estimates for completion of the System. Allocations contain upper and lower limits in amounts determined by the Commission and are made in accordance with legislative instructions. On October 3, 2023, section 9.5 (b) of the ARC Code was updated to reflect 2021 Cost-to-Complete Estimates. FTA’s ADTAP allocations to States reflect the new basis of allocation and are reflected in the FY 2024 Apportionments.

4. Requirements

Funds apportioned under this program can be used for purposes consistent with Section 5311 to support public transportation in the Appalachian region. Funds can be applied for in the State’s annual Section 5311 grant. States that are eligible for the ADTAP may use amounts that cannot be used for operating expenses for a highway project if the governor approves the use in writing after appropriate notice and an opportunity for comment and appeal are provided to affected public transportation providers in the Appalachian region. In order for FTA to consider the transfer to FHWA, a State must provide documentation to the FTA regional office that includes a description of the consultation used and certification by the local providers that all local operating needs are met. Additional information about the requirements for this Section can be found in Chapter VII of FTA Circular 9040.1G, “Formula Grants for Rural Areas: Program Guidance and Application Instructions,” dated October 24, 2014.

5. Period of Availability

Section 5311 Appalachian program funds are available the year of apportionment plus two additional years, consistent with the Section 5311 program. Any FY 2024 apportioned funds that remain unobligated at the close of business on September 30, 2026, will revert to FTA for reapportionment under the Rural Areas program.

*I. Formula Grants for Public Transportation on Indian Reservations Program (49 U.S.C. 5311(j))*

The Public Transportation on Indian Reservations Program or Tribal Transit Program (TTP) is funded as a takedown from the Section 5311 program. Eligible direct recipients are federally recognized American Indian Tribes and Alaskan Native Villages, groups and communities providing public transportation in rural areas. The TTP funds are allocated for grants to eligible recipients for any purpose eligible under Section 5311, which includes capital, operating, planning, and job access and reverse commute projects. No local match is required for TTP formula funds.

For more information about the Tribal Transit Program contact Elan Flippin-Jones, Office of Transit Programs at (202) 366–3800 or *TribalTransit@dot.gov*.

1. Authorized Funding

A total of \$229 million is authorized over five years, of which \$183.25 million is for a formula program and \$45.8 million is for a competitive grant program.

2. FY 2024 Funding Availability

Under the Consolidated Appropriations Act, 2024, \$36,676,304 is available for the Tribal Transit formula program. The total apportioned for the formula program is \$37,952,037 after the addition of reapportioned funds.

**Public Transportation on Indian Reservations Program Formula Grants—FY 2024**

Total FY 2024 Appropriation Available .....	\$36,676,304
Reapportioned Funds .....	1,275,733
<b>Total Apportioned .....</b>	<b>37,952,037</b>

3. Basis for Formula Apportionment

Funding is allocated by formula to eligible Indian tribes providing public transportation on tribal lands in rural areas. The formula apportionment shown in Table 10 is based on a statutory formula which includes three tiers. Tiers 1 and 2 are based on data reported to NTD by Indian tribes; Tier 3 is based on 2018–2022 American Community Survey data. The three tiers for the formula are: Tier 1—50 percent based on vehicle revenue miles reported to the NTD; Tier 2—25 percent provided in equal shares to Indian Tribes reporting at least 200,000 vehicle revenue miles to the NTD; Tier 3—25 percent based on Indian tribes providing public transportation on tribal lands (American Indian Areas, Alaska Native Areas, and Hawaiian Home Lands) on which more than 1,000 low income individuals reside. If more than one Tribe provides public transportation services on tribal lands in a single tribal statistical area, and the tribes cannot determine how to allocate Tier 3 funds, FTA will allocate the funds based on the relative portion of transit service (as defined by unlinked passenger trips) operated by each tribe, as reported to the National Transit Database.

4. Requirements

Formula funds apportioned under this program can be used for purposes consistent with Section 5311 to support public transportation on Indian reservations in rural areas.

Section 5335 requires NTD reporting for all direct recipients and subrecipients of Section 5311 funds. This reporting requirement has and

continues to apply to the Tribal Transit Program. Tribes that provide public transportation in rural areas are reminded to report annually so they are included in the TTP formula apportionments. Tribes needing assistance with reporting to the NTD should contact the NTD Helpdesk: *NTDHelp@dot.gov* or the Appian NTD Reporting Application Support line: (877) 561–7466.

Additional program guidance for the TTP is found in FTA Circular 9040.1G, “Formula Grants for Rural Areas: Program Guidance and Application Instructions,” dated October 24, 2014, and is supplemented by additional information and changes provided in this notice and that may be posted to FTA’s Tribal Transit web page.

5. Period of Availability

Funding under the TTP is available for the year of apportionment or allocation plus two additional years, consistent with the Section 5311 program. Any FY 2024 formula funds that remain unobligated at the close of business on September 30, 2026, will revert to FTA for reapportionment under the TTP.

6. Other Program Highlights

The funds set aside for the TTP are not meant to replace or reduce funds that Indian tribes receive from States through the Section 5311 program but are to be used to enhance public transportation on Indian reservations and transit serving Tribal communities. Funds allocated to Indian tribes by a State may be included in the State’s Section 5311 application or awarded by FTA in a grant directly to the Indian tribe. FTA encourages Indian tribes intending to apply to FTA as direct recipients to contact the appropriate FTA Regional Office at the earliest opportunity.

TTP recipients must comply with all applicable Federal statutes, regulations, executive orders, FTA circulars, and other Federal requirements in carrying out the project supported by the FTA grant. FTA assists tribes with understanding these requirements through Tribal Transit Technical Assistance Workshops, and the Tribal Transit Technical Assistance Assessments initiative. Through these assessments, FTA collaborates with Tribal Transit recipients to review processes and identify areas in need of improvement and then assist with solutions to address these needs—all in a supportive and mutually beneficial manner. Information about upcoming workshops and other technical assistance opportunities will be posted

on the FTA website. FTA’s Regional Tribal Transit Liaisons are available to assist Tribes with applying for and managing FTA grants. A list of Regional Tribal Transit Liaisons can be found on FTA’s website at <https://www.transit.dot.gov/funding/grants/federal-transit-administrations-regional-tribal-liaisons>.

The Tribal Transportation Self-Governance Program (TTSGP) was authorized by the FAST Act and is codified at 23 U.S.C. 207. Grant funding made available through the FTA formula or competitive TTP may be included in a Tribal Transportation Self-Governance funding agreement if there is an existing Self-Governance compact in place between the tribe and the Department of Transportation. If funds are transferred to a Tribal Self-Governance funding agreement, the funds will be subject to the requirements and provisions of the Tribal Transportation Self-Governance Program regulation at 49 CFR part 29 and may be used only for the purpose for which they were awarded.

For more information about the Tribal Transit Program, please contact Elan Flippin-Jones at [TribalTransit@dot.gov](mailto:TribalTransit@dot.gov) or (202) 366–3800.

*J. Public Transportation Innovation (49 U.S.C. 5312)*

FTA’s innovative research program includes three distinct programs: (a) a Research, Development, Demonstration, Deployment, and Evaluation program (49 U.S.C. 5312(b)–(e)); (b) a Low or No Emission Vehicle Component Assessment Program (LoNo CAP) (49 U.S.C. 5312(h)); and (c) a Transit Cooperative Research Program (TCRP) (49 U.S.C. 5312(i)).

For more information about the Public Transportation Innovation program, contact Mary Leary, Office of Research, Demonstration and Innovation at (202) 366–4052 or [mary.leary@dot.gov](mailto:mary.leary@dot.gov).

1. Authorized Funding

IJA authorizes \$192.8 million over five years.

2. FY 2024 Funding Availability

Under the Consolidated Appropriations Act, 2024, \$42,160,647 is available for the Public Transportation Innovation program. The total amounts apportioned to each subcomponent of the program is shown below in the table.

Public Transportation Innovation—FY 2024	
Research, Development, Demonstration, Deployment, and Evaluation .....	\$30,031,519
Low or No Emission Vehicle Component Testing .....	\$5,237,739
Transit Cooperative Research Program (TCRP) .....	\$6,891,389
Total Apportioned .....	\$42,160,647

3. Basis for Allocation of Funds

Section 5312 funds are allocated according to the authorized purposes and amounts described above, and then remaining amounts are subject to discretionary allocations where not specifically authorized. For FY 2024, FTA intends to fund projects and activities in support of the FTA FY 2024 action plan in five major areas: safety, climate and resiliency, equity, economic strength, and transformation. In addition to the amounts authorized for Section 5312 by IJA, the Consolidated Appropriations Act, 2024, provided \$3,568,868 to support technical assistance, research, demonstration, or deployment activities or projects to accelerate the adoption of zero emission buses in public transit, as authorized under Section 5312. Projects may be selected through competitive Notices of Funding Opportunity (NOFO), noncompetitive awards, and partnerships with other Federal entities through interagency agreements. Potential recipients can register to receive information on NOFOs that are released under this program on [GRANTS.GOV](https://www.grants.gov).

4. Eligible Expenses

Eligible expenses include activities involving research; innovation and development; demonstration, deployment, and evaluation; accelerated implementation and deployment of advanced digital construction management systems; evaluation; low or no emission vehicle component testing and research; and the Transit Cooperative Research Program.

5. Requirements

Generally, the Government share of the cost of a project carried out under Section 5312 shall not exceed 80 percent, except if there is substantial public interest or benefit, FTA may approve a greater Federal share. The non-Government share of the cost of a project carried out under Section 5312 may be derived from in-kind contributions. If FTA determines that

there would be a clear and direct financial benefit to an entity under a grant, contract, cooperative agreement, or other agreement under Section 5312, FTA shall establish a Government share of the costs of the project to be carried out under the grant, contract, cooperative agreement, or other agreement that is consistent with the benefit. However, for the Lo-No Component Testing Program, the Government share is 50 percent; the remaining 50 percent of the costs will be paid by amounts recovered through the fees established by the testing facilities. There is no match requirement for the TCRP.

Application instructions and program management guidelines are set forth in FTA Circular 6100.1E, “Research, Technical Assistance and Training Program: Application Instructions and Program Management Guidelines” dated April 10, 2015. All research recipients are required to work with FTA to develop approved Statements of Work.

Pursuant to the Small Business Innovation Development Act, a portion of the Section 5312 funds must be set aside for the Department’s Small Business Innovation Research program to address high priority research that will demonstrate innovative, economic, accurate, and durable technologies, devices, applications, or solutions to significantly improve current transit-related service including transit vehicle operation, safety, infrastructure and environmental sustainability, mobility, rider experience, or broadband communication.

6. Period of Availability

FTA establishes the period in which the funds must be obligated to the project. If the funds are not obligated within that period of time, they revert to FTA for reallocation under the program.

*K. Technical Assistance and Workforce Development (49 U.S.C. 5314)*

The Technical Assistance and Workforce Development program, 49 U.S.C. 5314, provides assistance to: (1) carry out technical assistance activities that enable more effective and efficient delivery of transportation services, foster compliance with Federal laws, and improve public transportation service; (2) develop standards and best practices for the transit industry; and (3) address public transportation workforce needs through research, outreach, training and the implementation of a frontline workforce grant program, and conduct training and educational programs in support of the public transportation industry.

For more information about the Technical Assistance and Workforce Development program, contact Mary Leary, Office of Research, Demonstration, and Innovation at 202–366–4052 or [mary.leary@dot.gov](mailto:mary.leary@dot.gov).

#### 1. Authorized Amounts

IJA authorizes \$61.98 million over five years for technical assistance. Of this amount, \$34.4 million is authorized for the National Transit Institute under Section 5314(c).

#### 2. FY 2024 Funding Availability

The IJA authorized \$12,404,500 for FY 2024 for the Technical Assistance and Workforce Development program, as shown in the table below. The total apportioned for the program is \$13,013,111 after the deduction of for National Transit Institute and the inclusion of \$7,500,000 in additional appropriations under the Consolidated Appropriations Act, 2024.

<b>Technical Assistance and Workforce Development—FY 2024</b>	
Technical Assistance, Standards Development & Human Resource Training .....	\$12,404,500 (6,891,389)
National Transit Institute Additional FY 2024 Appropriation .....	7,500,000
<b>Total Appropriated ...</b>	<b>13,013,111</b>

#### 3. Basis for Allocation of Funds

Under the appropriated amounts for Section 5314, \$6.89 million is available for the National Transit Institute (NTI) in FY 2024. The remaining \$13 million of appropriated funds will be allocated in support of both FTA and USDOT strategic goals for technical assistance, standards development, and workforce development. Projects may be selected through Notices of Funding Opportunity (NOFO) or sole source cooperative agreements. Potential recipients can register to receive notification of NOFOs under this program on *GRANTS.GOV*.

Once selected, FTA enters into cooperative agreements, contracts, or other agreements to award funds and manage the projects carried out under Section 5314.

#### 4. Eligible Expenses

Eligible expenses include activities involving (a) technical assistance; (b) standards development; and (c) human resources and training, which includes workforce development programs and activities as well as supportive services. Supportive services are wraparound services that help individuals, and especially those from underrepresented

and underserved groups, enroll in and successfully complete training. More information on supportive services can be found at <https://www.transit.dot.gov/funding/grants/federal-transit-administration-faqs-supportive-services>.

Eligible technical assistance activities may include activities to support: (a) compliance with the Americans with Disabilities Act (ADA); (b) compliance with coordinating planning and human services transportation; (c) meeting the transportation needs of elderly individuals; (d) increasing transit ridership in coordination with MPOs and other entities, particularly around transit-oriented development; (e) addressing transportation equity with regard to the effect that transportation planning, investment, and operations have for low-income and minority individuals; (f) facilitating best practices to promote bus driver safety; (g) compliance with Buy America and pre- and post-award audits; (h) assisting with the development and deployment of low and no emission vehicles or components for vehicles; (i) and other technical assistance activities that are necessary to advance the interests of public transportation.

Eligible standards activities include the development of voluntary and consensus-based standards and best practices by the industry to include those needed for safety, fare collection, intelligent transportation systems, accessibility, procurement, security, asset management, operations, maintenance, vehicle propulsion, communications, and vehicle electronics.

Eligible human resources and training activities include (a) employment training programs; (b) outreach programs to increase employment for veterans, females, individuals with disabilities, and minorities in public transportation activities; (c) research on public transportation personnel and training needs; (d) training and assistance for veteran and minority business opportunities; and (e) consensus-based national training standards and certifications in partnership with industry stakeholders. FTA funding directly allocated for these eligible purposes must be done through a competitive frontline workforce development program as required in the authorization. Should FTA allocate funds for these purposes, it will advertise the available funding in a Notice of Funding Opportunity (NOFO) on *GRANTS.GOV* and on its website.

#### 5. Requirements

Generally, the Government's share of the cost of a project carried out using a

grant under Section 5314 shall not exceed 80 percent. However, for the human resources and training, including the Innovative Public Transportation Frontline Workforce Development Program, the Government's share cannot exceed 50 percent. The Federal share for other types of awards will be stated in the agreement. In some cases, FTA may require a higher non-Federal share if FTA determines a recipient would obtain a clear and direct financial benefit from the project, or if the non-Federal share is an evaluation factor under a competitive selection process. There is no match requirement for the National Transit Institute.

Application instructions and program management guidelines are set forth in FTA Circular 6100.1E, "Research, Technical Assistance and Training Program: Application Instructions and Program Management Guidelines," dated April 10, 2015.

Under 49 U.S.C. 5314(b)(4), recipients may use no more than 0.5 percent of their Section 5307, 5337 and 5339 funds to support workforce development activities. In addition, 49 U.S.C. 5314(c)(4) allows recipients to use no more than 0.5 percent of their 5307, 5337, and 5339 funds to attend NTI training. Both provisions allow recipients to use these funds to pay up to 80 percent of the cost of training.

#### 6. Period of Availability

FTA establishes the period in which the funds must be obligated to the project. If the funds are not obligated within that period of time, they revert to FTA for reallocation under the program.

#### 7. Other Program Highlights

For more information about the NTI, contact Lisa Colbert, at the FTA Office of Research, Demonstration, and Innovation (TRI): [lisa.colbert@dot.gov](mailto:lisa.colbert@dot.gov) or call 202–366–9261.

#### *L. Public Transportation Emergency Relief Program (49 U.S.C. 5324)*

FTA's Emergency Relief (ER) Program is authorized to provide funding for public transportation expenses incurred as a result of an emergency or major disaster. Congress appropriates funding for the ER Program periodically as needed. In the event of a publicly declared emergency or disaster, eligible expenses will include emergency operating expenses, such as evacuations, rescue operations, and expenses incurred to protect assets in advance of a disaster, as well as capital projects to protect, repair, reconstruct, or replace equipment and facilities of a

public transportation system in the United States or on an Indian reservation that the Secretary determines is in danger of suffering serious damage or has suffered serious damage as a result of an emergency. Additional information on eligible expenses and the process for applying for ER Program funding can be found in FTA’s “Emergency Relief Manual: A Reference Manual for States & Transit Agencies on Response and Recovery from Declared Disasters and FTA’s Emergency Relief Program (49 U.S.C. 5324),” dated March 27, 2023.

Recipients of FTA funding affected by a declared emergency or disaster are authorized to use funds apportioned under Sections 5307 and 5311 for emergency purposes. Recipients are advised that formula funds used for emergency purposes will not be replaced or restored with funding available through FTA under the ER Program or by the Federal Emergency Management Agency (FEMA).

In the event of a disaster affecting a public transportation system, the affected recipient should contact its FTA Regional Office as soon as practicable to determine whether Emergency Relief funds are available, and to notify FTA that it plans to seek reimbursement for emergency operations or repairs that have already taken place or are in process. If Emergency Relief funds are unavailable the recipient may seek reimbursement from FEMA. Properly documented costs for which the recipient has not received reimbursement from FEMA may later be reimbursed by grants made either from Section 5324 funding (if appropriated) or Sections 5307 and 5311 program funding, once the eligible recipient formally applies to FTA for reimbursement and FTA determines that the expenses are eligible for emergency relief.

In addition, before receiving a grant under this Section following an emergency, the recipient shall: (1) submit documentation demonstrating proof of insurance required under Federal law for all structures related to the grant application; and (2) certify that the recipient has insurance required under State law for all structures related to the grant application.

Additional information about the Emergency Relief program is available on the FTA website at <https://www.transit.dot.gov/funding/grant-programs/emergency-relief-program>.

For more information, contact Tom Wilson, Office of Program Management, at 202–366–5279 or [XXXhomas.wilson@dot.gov](mailto:XXXhomas.wilson@dot.gov).

*M. Public Transportation Safety Program (49 U.S.C. 5329)*

Section 5329(e)(6) provides funding to support States with rail fixed guideway public transportation systems (rail transit systems) to develop and carry out State Safety Oversight (SSO) programs consistent with the requirements of 49 U.S.C. 5329. For more information, contact Maria Wright, Office of Safety Review at (202) 366–5922 or [maria1.wright@dot.gov](mailto:maria1.wright@dot.gov).

1. Authorized Amounts

A total of \$251.6 million is authorized over five years for the State Safety Oversight Program.

2. FY 2024 Funding Availability

Under the Consolidated Appropriations Act, 2024, \$50,347,409 is available for the State Safety Oversight (SSO) formula program for FY 2024, which is 0.75 percent of the amount made available for section 5307 grants. The total apportioned for the formula program is \$51,122,059 after the addition of reapportioned funds, as shown in the table below.

Public Transportation Safety Program—FY 2024	
Total Appropriation .....	\$50,347,409
Reapportioned Funds .....	774,650
<b>Total Apportioned ....</b>	<b>51,122,059</b>

3. Basis for Formula Apportionment

FTA will continue to allocate funds to the States by an administrative formula, which is detailed in the **Federal Register** notice which apportioned the initial SSO Formula Grant Program funds (79 FR 13380). Grant funds for the SSO program are apportioned to eligible States using a three-tier formula based on statutory requirements, which apportion 60 percent of available funds based on rail transit system vehicle passenger miles (PMT), vehicle revenue miles (VRM), and directional route miles (DRM), 20 percent of available funds equally to each eligible State, and 20 percent based on the number of rail transit systems in each eligible State.

4. Requirements

FTA requires each applicant to demonstrate in its grant application that its proposed grant activities will develop, lead to, or carry out a State Safety Oversight program that meets the requirements under 49 U.S.C. 5329(e). Grant funds may be used for program operational and administrative expenses, including employee training activities. Please see the **Federal**

**Register** notice (79 FR 13380) for more information.

IJA enhanced State safety oversight programs by strengthening rail inspection practices by providing State safety oversight agencies authority to collect and analyze data and conduct risk-based inspections of rail fixed guideway transportation systems. Recipients may also use funds in support of the development and implementation of transmission-based train control systems that enforce train speed regulation and ensure train separation and collision avoidance. FTA continues to be authorized to take action to address unsafe conditions or practices which could include issuing restrictions and prohibitions or withholding funds for non-compliance with safety requirements.

5. Period of Availability

SSO Formula Grant Program funds are available for the year of apportionment plus two additional years. Any FY 2024 funds that remain unobligated as of September 30, 2026, will revert to FTA for reapportionment under the SSO Formula Grant Program.

*N. State of Good Repair Program (49 U.S.C. 5337)*

The State of Good Repair (SGR) Program provides capital assistance for maintenance, replacement, and rehabilitation projects of existing high intensity fixed guideway and high intensity motorbus systems to maintain a state of good repair. Additionally, SGR grants are eligible for developing and implementing Transit Asset Management plans. This program provides funding for the following fixed guideway transit modes: rapid rail (heavy rail), commuter rail, light rail, hybrid rail, monorail, automated guideway, trolleybus (using overhead catenary), aerial tramway, cable car, inclined plane (funicular), passenger ferry, and bus rapid transit. Fixed-route bus capital projects for services operating on high-occupancy-vehicle (HOV) facilities are also funded through the High Intensity Motorbus tier of this program. Of the amount authorized for Section 5337 each year, \$300 million is set aside for the competitive Rail Vehicle Replacement Program.

FTA published the State of Good Repair Program guidance, FTA Circular 5300.1, “State of Good Repair Grants Program: Guidance and Application Instructions,” dated January 28, 2015.

For more information about the SGR program, contact Bret Martin, Office of Transit Programs, at (202) 366–0870 or [bret.martin@dot.gov](mailto:bret.martin@dot.gov).

1. Authorized Amounts

IJA authorized \$18.39 billion over five years for the State of Good Repair Program, including \$1.5 billion for the Rail Vehicle Replacement Program, and provided an additional \$4.75 billion in advance appropriations.

2. FY 2024 Funding Availability

For FY 2024, \$4,630,934,484 is available for the State of Good Repair Program under the Consolidated Appropriations Act, 2024, and the IJA advance appropriations. The total amount apportioned is \$4,275,256,577 after the deductions for oversight and transfers to OIG, the set-aside for the Rail Vehicle Replacement Program, and the addition of reapportioned funds as shown in the table below. Of the total amount apportioned, \$4,153,415,511 is available for the High Intensity Fixed Guideway Formula and \$121,841,066 for the High Intensity Motorbus Formula.

State of Good Repair Formula Program— FY 2024	
Total Appropriation .....	\$4,630,934,484
Oversight Deductions .....	(55,714,345)
Transfer to OIG .....	(95,000)
Reapportioned Funds .....	131,438
FY 2024 Rail Replacement Competitive Grant .....	(300,000,000)
<b>Total Available to Apportion .....</b>	<b>4,275,256,577</b>
<b>Total Available to High Intensity Fixed Guideway Formula .....</b>	<b>4,153,415,511</b>
<b>Total Available to High Intensity Motorbus Formula .....</b>	<b>121,841,066</b>

3. Basis for Formula Apportionment

FTA allocates State of Good Repair Program funds according to a statutory formula. Funds are apportioned to urbanized areas with high intensity fixed guideway and high intensity motorbus systems that have been in operation for at least seven Federal fiscal years. This means that only segments of high intensity fixed guideway and motorbus systems that entered into revenue service on or before September 30, 2016, are included in the formula, as identified in the NTD. The law requires that 97.15 percent of the total amount authorized for the State of Good Repair Program be apportioned to urbanized areas with “High Intensity Fixed Guideway” systems. The apportionments to urbanized areas with “High Intensity Fixed Guideway” systems are determined by two equal elements: (1) the proportion of the

amount an urbanized area would have received in FY 2011 to the total amount apportioned to all urbanized areas in FY 2011 using new fixed guideway definition; and (2) the proportion of vehicle revenue miles of an urbanized area to the total vehicle revenue miles of all urbanized areas and the proportion of directional route miles of an urbanized area to the total directional route miles of all urbanized areas. High Intensity Motorbus systems will receive the remaining 2.85 percent of the total amount authorized for the State of Good Repair Program, and the apportionments to urbanized areas are based on vehicle revenue miles and directional route miles.

Vehicle revenue miles and directional route miles attributable to an urbanized area must be placed in revenue service at least seven years before the first day of the fiscal year. FTA will apportion funds to designated recipients in the UZAs (see Section IV.C. of this notice for more information about designated recipients) with high intensity fixed guideway and/or high intensity motorbus systems operating at least seven years. The designated recipients will then allocate funds as appropriate to recipients that are public entities in the urbanized areas and provide split letters to FTA. FTA can make grants to direct recipients after sub-allocation of funds.

4. Eligible Expenses

Eligible activities include projects that maintain, rehabilitate, and replace transit assets, as well as projects that implement Transit Asset Management plans. Additionally, training and workforce activities, including supportive services, authorized under 49 U.S.C. 5314(b) and (c) are eligible for the State of Good Repair Program funds; funds for such activities are limited to 1 percent of the total amount apportioned to the recipient (0.5 percent for each of the authorized activities). See Section IV.K. of this notice for more information on workforce development activities.

5. Requirements

In addition to the program guidance found in the Circular, all recipients must certify that they will comply with the rule issued under Section 5326 for the Transit Asset Management plan, 49 CFR part 625, and SGR projects must be included in recipients’ Transit Asset Management plans.

6. Period of Availability

The State of Good Repair Program funds apportioned in this notice are available for obligation during FY 2024

plus three additional years. Accordingly, funds apportioned in FY 2024 must be obligated in grants by September 30, 2027. Any FY 2024 apportioned funds that remain unobligated at the close of business on September 30, 2027, will revert to FTA for reapportionment under the State of Good Repair Program.

*O. Grants for Buses and Bus Facilities Program (49 U.S.C. 5339)*

The Section 5339 program provides funding to replace, rehabilitate, and purchase buses and related equipment as well as construct bus-related facilities.

Additional guidance on the Section 5339(a) Buses and Bus Facilities Formula Program can be found in FTA Circular 5100.1, “Bus and Bus Facilities Program: Guidance and Application Instructions,” published on May 18, 2015. Information on the Section 5339(b) Buses and Bus Facilities Competitive Program and the Section 5339(c) Low or No Emission Program can be found each year in the Notice of Funding Opportunity.

For more information about the Buses and Bus Facilities Formula and Competitive Programs and the Low or No Emission Program, contact Kirsten Wiard-Bauer, Office of Transit Programs at (202) 366-7052 or [kirsten.wiard-bauer@dot.gov](mailto:kirsten.wiard-bauer@dot.gov).

1. Authorized Amounts

IJA authorized a total of \$5.5 billion over five years for the Section 5339 Program. IJA provided an additional \$5.25 billion over five years in advance appropriations for the Section 5339(c) Low or No Emission Program.

2. FY 2024 Funding Availability

For FY 2024, \$2,151,234,651 is available for Grants for Buses and Bus Facilities under the Consolidated Appropriations Act, 2024, and the IJA advance appropriations. Of this amount: \$630,276,840 is available for the Buses and Bus Facilities Formula Program after the deduction for oversight and the addition of reapportioned funds; \$390,045,823 is available for the Buses and Bus Facilities Competitive Program after the takedowns for oversight and the Low or No Emission Program; and \$1,103,963,762 (including advance appropriations) is available for the Low or No Emission Program after the takedowns for oversight and transfer to the OIG. These amounts are detailed in the table below.



**5339(a) Formula Grants for Buses and Bus Facilities**

Total FY 2024 Appropriation Available .....	\$632,711,140
Oversight Deduction .....	(4,745,334)
Reapportioned Funds .....	2,311,034
<b>Total Apportioned ....</b>	<b>630,276,840</b>

**Section 5339(b) Competitive Grants for Buses and Bus Facilities**

Total FY 2024 Appropriation Available .....	468,523,511
Oversight Deduction .....	(3,513,926)
Less Section 5339(c) Low or No Emission Grants (Competitive) ...	(74,963,762)
<b>Total Apportioned ....</b>	<b>390,045,823</b>

**Section 5339(c) Low or No Emission Grants (Competitive)**

Total FY 2024 Available	1,124,963,762
Less FY 2024 Oversight and Admin .....	(20,895,000)
Less FY 2024 Transfer to OIG .....	(105,000)
<b>Total Available for Allocation .....</b>	<b>1,103,963,762</b>

**3. Basis for Allocation**

Section 5339(a) Buses and Bus Facilities Formula Program funds are apportioned to States, territories, and designated recipients based on a statutory formula. Under the national distribution, each State is allocated \$4 million, and each territory is allocated \$1 million, for use anywhere in the State or territory. The remainder of the available funding is then apportioned for UZAs based on population, population density, vehicle revenue miles and passenger miles using the same apportionment formula and allocation process as Section 5307. Funds for UZAs under 200,000 in population are apportioned to the State through a Section 5339(a) Governor’s apportionment for allocation to eligible recipients within such areas of the State at the Governor’s discretion. Funds for UZAs with populations of 200,000 or more are apportioned directly to one or more designated recipients within each UZA for allocation to eligible projects and recipients within the UZA.

**4. Eligible Expenses**

Eligible capital projects under the Buses and Bus Facilities Formula Program (Section 5339(a)) continue to include projects to replace, rehabilitate, and purchase buses and related equipment, and projects to construct bus-related facilities. Recipients may use up to one-half of one percent of their Section 5339 funds to support

workforce development activities, including supportive services, at an 80 percent Federal share. Eligible workforce development activities are defined in Section 5314; see Section IV.K. of this notice for more information. This provision is in addition to the one-half of one percent that recipients may use for training activities with the National Transit Institute.

**5. Requirements**

Eligible recipients of the Buses and Bus Facilities Formula Program (Section 5339(a)) include designated recipients that operate fixed route bus service or that allocate funding to fixed route bus operators; and State or local governmental entities that operate fixed route bus service that are eligible to receive direct grants under the Urbanized Area Formula (Section 5307) and Rural Formula (Section 5311) programs. Eligible subrecipients continue to include public agencies or private nonprofit organizations engaged in public transportation, including those providing services open to a segment of the general public, as defined by age, disability, or low income.

The requirements of Section 5307 apply to recipients of Section 5339 funds within urbanized areas. The requirements of Section 5311 apply to recipients of Section 5339 funds within rural areas. For additional program requirements, refer to FTA Circular 5100.1, “Bus and Bus Facilities Program: Guidance and Application Instructions.”

**6. Period of Availability**

The Buses and Bus Facilities Formula Program funds apportioned in this notice are available for obligation during FY 2024 plus three additional years. Accordingly, funds apportioned in FY 2024 must be obligated in grants by September 30, 2027. Any FY 2024 apportioned funds that remain unobligated at the close of business on September 30, 2027, will revert to FTA for reapportionment under the Buses and Bus Facilities Formula Program.

Discretionary program funds authorized under Section 5339(b) and (c) (Bus Competitive and Low-No, respectively) follow the same period of availability: year of allocation to a project plus three additional years.

*P. Growing States and High-Density States Formula Factors (49 U.S.C. 5340)*

IIJA continues the use of formula factors to distribute additional funds to the Section 5307 and Section 5311 programs for Growing States and High-Density States. FTA will continue to

publish single urbanized area and rural apportionments that show the total amount for Section 5307 and 5311 programs that includes Section 5340 apportionments for these programs.

**1. Authorized Amounts**

IIJA authorized \$3.879 billion over five years for the Growing States and High-Density States Formula factors.

**2. FY 2024 Funding Availability**

In FY 2024, \$776,277,698 is authorized and appropriated for apportionment in accordance with the formula factors prescribed for Growing States and High-Density States set forth in Section 5340 for FY 2024.

**Growing States and High-Density States Formula Factors—FY 2024**

5340 High Density States	\$364,850,518
5340 Growing States .....	411,427,180
<b>Total Apportioned ....</b>	<b>776,277,698</b>

**3. Basis for Formula Apportionment**

Under the Growing States portion of the Section 5340 formula, FTA projects each State’s 2035 population by comparing each State’s apportionment year population (as determined by the Census Bureau) to the State’s 2020 Census population and extrapolating to 2035 based on each State’s rate of population growth between 2020 and the apportionment year. Each State receives a share of Growing States funds on the basis of its projected 2035 population relative to the nationwide projected 2035 population.

Once each State’s share is calculated, funds attributable to that State are divided into an urbanized area allocation and a non-urbanized area allocation on the basis of the percentage of each State’s 2020 Census population that resides in urbanized and non-urbanized areas. Urbanized areas receive portions of their State’s urbanized area allocation on the basis of the 2020 Census population in that urbanized area relative to the total 2020 Census population in all urbanized areas in the State. These amounts are added to the Urbanized Area’s Section 5307 apportionment. The States’ rural area allocation is added to the allocation that each State receives under the Section 5311 Formula Grants for Rural Areas program.

The High-Density States portion of the Section 5340 formula is allocated to urbanized areas in States with a population density greater than 370 persons per square mile. Based on this threshold and 2020 Census data, the States that qualify in FY 2024 are

Maryland, Delaware, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, and Florida. The amount of funds provided to each of these eight States is allocated based on a formula that subtracts an urbanized area land factor from the total population of each qualifying State. The urbanized area land factor is based on the total land area and urbanized area population as a proportion of total population of each individual qualifying State. Once funds are allocated to each State, funds are then allocated to urbanized areas within the States on the basis of an individual urbanized area's population relative to the population of all urbanized areas in that State.

**Q. Washington Metropolitan Area Transit Authority Grants**

**1. Authorized Amounts**

Section 601(f) of the Passenger Rail Investment and Improvement Act of 2008 (Pub. L. 110-432, div. B), as amended by IJA, authorized \$150 million per year for each of fiscal years of 2022 through 2030 for capital and preventive maintenance grants to the Washington Metropolitan Area Transit Authority (WMATA).

**2. FY 2024 Funding Availability**

Under the Consolidated Appropriations Act, 2024, \$150,000,000 is available. The total amount available is \$148,500,000 after the deduction for oversight as shown in the table below.

Washington Metropolitan Area Transit Authority Grants—FY 2024	
Total Appropriation .....	\$150,000,000
Oversight Deduction .....	(1,500,000)
<b>Total Apportioned ....</b>	<b>148,500,000</b>

**3. Period of Availability**

Funds appropriated for WMATA under the Consolidated Appropriations Act, 2024, shall remain available until expended.

For more information about WMATA grants, contact Bret Martin, Office of Transit Programs, at (202) 366-0870 or [bret.martin@dot.gov](mailto:bret.martin@dot.gov).

**R. Transit Infrastructure Grants—Community Project Funding/Congressionally Directed Spending**

**1. Appropriated Amounts**

The Consolidated Appropriations Act, 2024, appropriated \$206,817,976 for Community Project Funding/Congressionally Directed Spending for 141 projects in 31 States, identified in the accompanying Joint Explanatory Statement. Table 20 identifies the

recipient, project, amount, and a project ID that will be used to identify the project in TrAMS.

**Community Project Funding/Congressionally Directed Spending—FY 2024**

Total Appropriated .....	\$206,817,976
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**2. Period of Availability**

Funds remain available until expended. Recipients are, however, encouraged to apply for these funds by the end of FY 2027. First time grant recipients should contact the relevant Regional Office for assistance to initiate steps to become an FTA recipient.

**3. Requirements**

As the Consolidated Appropriations Act, 2024 specifies that funds are available for projects and activities eligible under Chapter 53, generally applicable Chapter 53 requirements apply to these funds, including the planning requirements of Sections 5303 and 5304; bus testing requirements of Section 5318; general provision requirements of Section 5323 (such as Buy America compliance); contract requirements of Section 5325; project management requirements of Section 5327; nondiscrimination requirements of Section 5332; disposition requirements of Section 5334; and applicability of FTA oversight of Section 5338, as well as the National Environmental Policy Act (NEPA) and related requirements.

Community Project Funding/Congressionally Directed Spending projects funded by the Consolidated Appropriations Act, 2024 will receive a maximum Federal share of 80 percent of the net costs of the project. Non-federal match of 20 percent is required for these funds.

Upon written request by the recipient named in Table 20 and a proposed pass-through recipient, FTA may approve another entity to act as the direct recipient of the funding and the named recipient may serve as a subrecipient. Pre-award authority is provided consistent with the requirements for FTA's formula funds as of the date all necessary requirements were met (see Section V, below.) However, before incurring costs, recipients are strongly encouraged to consult with the appropriate FTA Regional Office regarding the eligibility of the project for future FTA funds and for questions on environmental requirements, or any other Federal requirements that must be met before incurring pre-award costs.

For more information about Community Project Funding grants, contact Bret Martin, Office of Transit

Programs, at (202) 366-0870 or [bret.martin@dot.gov](mailto:bret.martin@dot.gov).

**V. FTA Policy and Procedures for FY 2024 Grants**

**A. Automatic Pre-Award Authority To Incur Project Costs**

**1. Caution to New Recipients**

While FTA provides pre-award authority to incur expenses before grant award for formula programs, it recommends that first-time grant recipients not utilize this automatic pre-award authority without verifying with the appropriate FTA Regional Office that all pre-requisite requirements have been met. Commonly, a new recipient may misunderstand pre-award authority conditions and be unaware of all the applicable FTA requirements that must be met in order to be reimbursed for project expenditures incurred in advance of grant award. FTA programs have specific statutory requirements that are often different from those for other Federal grant programs with which a new recipient may be familiar. If costs are incurred for an ineligible project or activity, or for an eligible activity but at an inappropriate time (e.g., prior to NEPA completion), FTA will be unable to reimburse the project sponsor, and, in certain cases, the entire project may be rendered ineligible for FTA assistance.

**2. Policy**

FTA provides pre-award authority to incur expenses before grant award for certain program areas described below. This pre-award authority allows recipients to incur certain project costs before grant approval and retain the eligibility of those costs for subsequent reimbursement after grant approval. The recipient assumes all risk and is responsible for ensuring that all conditions are met to retain eligibility. This pre-award spending authority permits an eligible recipient to incur costs on an eligible transit capital, operating, planning, or administrative project without prejudice to possible future Federal participation in the cost of the project. In this notice, FTA continues to provide pre-award authority through the authorization period of IJA (October 1, 2022, through September 30, 2026) for capital assistance under all formula programs, so long as the conditions described below are met. Pre-award authority is indicated in the application. The actual items of cost associated with the use of pre-award authority are documented in the initial Federal Financial Report (FFR) that is required to be completed prior to the recipient executing the

award. FTA provides pre-award authority for planning and operating assistance under the formula programs without regard to the period of the authorization. For projects funded by competitive programs, pre-award authority may be granted at the time of project selection unless otherwise noted. All pre-award authority is subject to conditions and triggers stated below:

a. Operating, Planning, or Administrative Assistance

FTA does not impose additional conditions on pre-award authority for operating, planning, or administrative assistance under the formula grant programs. Recipients may be reimbursed for expenses incurred before grant award so long as funds have been expended in accordance with all Federal requirements, costs would have been allowable if incurred after the date of award, and the recipient is otherwise eligible to receive the funding. In addition to cross-cutting Federal grant requirements, program specific requirements must be met.

b. Transit Capital Projects

For transit capital projects, the date that costs may be incurred varies depending on the type of activity and its potential to have a significant impact on the human and natural environment as described in Section 3., *Conditions*, below.

c. Public Transportation Innovation, Technical Assistance and Workforce Development

Unless provided for in an announcement of project selections, pre-award authority does not apply to Section 5312 Public Transportation Innovation projects or Section 5314 Technical Assistance and Workforce Development projects. Before an applicant may incur costs for activities under these programs, it must first obtain a written Letter of No Prejudice (LONP) from FTA.

For more information, contact Lisa Colbert, at the FTA Office of Research, Demonstration, and Innovation (TRI): [lisa.colbert@dot.gov](mailto:lisa.colbert@dot.gov) or call 202-366-9261.

3. Conditions

The conditions under which pre-award authority may be utilized are specified below:

i. Pre-award authority is not a legal or implied commitment that the subject project will be approved for FTA assistance or that FTA will obligate Federal funds. Furthermore, it is not a legal or implied commitment that all

items undertaken by the applicant will be eligible for inclusion in the project.

ii. All FTA statutory, procedural, and contractual requirements must be met.

iii. No action will be taken by the recipient that prejudices the legal and administrative findings that FTA must make in order to approve a project.

iv. Local funds expended by the recipient after the date of the pre-award authority will be eligible for credit toward local match or reimbursement if FTA later makes a grant or grant amendment for the project. Local funds expended by the recipient before the date of the pre-award authority will not be eligible for credit toward local match or reimbursement. Furthermore, the expenditure of local funds or the undertaking of certain activities that would compromise FTA's ability to comply with Federal environmental laws (e.g., project implementation activities such as land acquisition, demolition, or construction before the date of pre-award authority) may render the project ineligible for FTA funding.

v. The Federal amount of any future FTA assistance awarded to the recipient for the project will be determined on the basis of the overall scope of activities and the prevailing statutory provisions with respect to the Federal/local match ratio at the time the funds are obligated.

vi. For funds to which the pre-award authority applies, the authority expires with the lapsing of the fiscal year funds.

vii. When a grant for the project is subsequently awarded, the grant and the Federal Financial Report in TrAMS must indicate the use of pre-award authority and an initial Federal Financial Report must be submitted in TrAMS to associate those costs with the award.

viii. Environmental Requirements—All Federal grant requirements must be met at the appropriate time for the project to remain eligible for Federal funding. Designated recipients may incur costs for design and environmental review activities for all formula funded projects from the date of the authorization of the formula funds or for discretionary funded projects other than those funded by the Capital Investment Grants (CIG) program from the date of the announcement of the competitive allocation of funds for the project.

For projects that qualify for a categorical exclusion (CE) pursuant to 23 CFR 771.118(c), designated recipients may start activities and incur costs under pre-award authority for property acquisition, demolition, construction, and acquisition of vehicles, equipment, or construction materials from the date of the

authorization of formula funds or the date of the announcement of competitive allocations for the project.

FTA recommends that a grant applicant considering a CE pursuant to 23 CFR 771.118(c) contact the appropriate FTA Regional Office for assistance in determining the proper environmental review process, including other applicable environmental laws, and level of documentation necessary before incurring the above-mentioned costs. This applies especially when the grant applicant believes a c-list CE with construction activities, such as 23 CFR 771.118(c)(8), (9), (10), (12), or (13), applies to its project or if a grant applicant intends to acquire property through the use of pre-award authority. If FTA subsequently finds that a project does not qualify for a CE under 23 CFR 771.118(c) and the sponsor has already undertaken activities under pre-award authority that are only allowable for projects that qualify for a CE under 23 CFR 771.118(c), the project will be ineligible for FTA assistance.

For all other non-CIG projects that do not qualify for a CE under 23 CFR 771.118(c), grant applicants may take action and incur costs for property acquisition, demolition, construction, and acquisition of vehicles, equipment, or construction materials from the date that FTA completes the environmental review process required by NEPA and its implementing regulations, 23 U.S.C. 139, and other environmental laws, by its issuance of a 23 CFR 771.118(d) CE determination, a finding of no significant impact (FONSI), a combined final environmental impact statement (FEIS)/record of decision (ROD), or a ROD.

ix. Planning and other requirements—Formula funds must be authorized, or appropriated, and competitive project allocations published or announced before pre-award authority can be considered.

The requirements that a capital project be included in a locally adopted Metropolitan Transportation Plan, the Metropolitan Transportation Improvement Program, and the federally approved Statewide Transportation Improvement Program (23 CFR part 450) must be satisfied before the recipient may advance the project beyond planning and preliminary design with non-federal funds under pre-award authority. If the project is located within an EPA-designated non-attainment or maintenance area for air quality, the conformity requirements of the Clean Air Act, 40 CFR part 93, must also be met before the project may be advanced into implementation-related activities

under pre-award authority triggered by the completion of the NEPA process. For a planning project to have pre-award authority, the planning project must be included in an MPO-approved UPWP that has been coordinated with the State.

x. Federal procurement procedures, as well as the whole range of applicable Federal requirements (e.g., Buy America and the Build America Buy America Act, Davis-Bacon Act, and Disadvantaged Business Enterprise), must be followed for projects in which Federal funding will be sought in the future. Failure to follow any such requirements could make the project ineligible for Federal funding. In short, the administrative flexibility requires a recipient to make certain that no Federal requirements are circumvented.

xi. All program specific requirements must be met. For example, projects under Section 5310 must comply with specific program requirements, including coordinated planning.

Before incurring costs, recipients are strongly encouraged to consult with the appropriate FTA Regional Office regarding the eligibility of the project for future FTA funds and for questions on environmental requirements, or any other Federal requirements that must be met.

#### 4. Pre-Award Authority for the Fixed Guideway Capital Investment Grants Program

Projects proposed for Section 5309 Capital Investment Grant (CIG) program funds are required to follow a multi-step, multi-year process defined in law. For New Starts and Core Capacity projects, this process includes three phases: project development (PD), engineering, and construction. For Small Starts projects, this process includes two phases: PD and construction. After receiving a letter from the project sponsor requesting entry into the PD phase, FTA must respond in writing within 45 days whether the information was sufficient for entry. If FTA's correspondence indicates the information was sufficient and the New Starts, Small Starts or Core Capacity project enters PD, FTA extends pre-award authority at that time to the project sponsor to incur costs for PD activities. PD activities include the work necessary to complete the environmental review process and as much engineering and design activities as the project sponsor believes are necessary to support the environmental review process. Upon completion of the environmental review process with a Record of Decision (ROD), Finding of No Significant Impact (FONSI), or

Categorical Exclusion (CE) determination by FTA for a New Starts, Small Starts, or Core Capacity Improvement project, FTA extends pre-award authority to project sponsors to incur costs for as much engineering and design as needed to develop a reasonable cost estimate and financial plan for the project, utility relocation, and real property acquisition and associated relocations for any property acquisitions not already accomplished as a separate project for hardship or protective purposes or right-of-way under 49 U.S.C. 5323(q).

For Small Starts projects, upon completion of the environmental review process and confirmation from FTA that the overall project rating is at least a Medium, FTA extends pre-award authority for vehicle purchases as well as any remaining engineering and design, demolition, and procurement of long lead items for which market conditions play a significant role in the acquisition price. The long lead items include, but are not limited to, procurement of rails, ties, and other specialized equipment, and commodities.

Upon receipt of a letter notifying a New Starts or Core Capacity project sponsor of the project's approval into the engineering phase, FTA extends pre-award authority for vehicle purchases as well as any remaining engineering and design, demolition, and procurement of long lead items for which market conditions play a significant role in the acquisition price. The long lead items include, but are not limited to, procurement of rails, ties, and other specialized equipment, and commodities.

Please contact the appropriate FTA Regional Office for a determination of activities not listed here, but which meet the intent described above. FTA provides this pre-award authority in recognition of the long-lead time and complexity involved with purchasing vehicles as well as their relationship to the "critical path" project schedule. FTA cautions recipients that do not currently operate the type of vehicle proposed in the project about exercising this pre-award authority. FTA encourages these sponsors to wait until later in the process when project plans are more fully developed. FTA reminds project sponsors that the procurement of vehicles must comply with all Federal requirements including, but not limited to, competitive procurement practices, the Americans with Disabilities Act, and Buy America. FTA encourages project sponsors to discuss the procurement of vehicles with FTA in regard to Federal

requirements before exercising pre-award authority.

#### a. Real Property Acquisition

FTA extends pre-award authority for the acquisition of real property and real property rights for CIG projects (New or Small Starts or Core Capacity) upon completion of the environmental review process for that project. The environmental review process is completed when FTA signs a combined FEIS/ROD, ROD, FONSI or makes a CE determination. With the limitations and caveats described below, real estate acquisition may commence, at the project sponsor's risk. To maintain eligibility for a possible future FTA grant award, any acquisition of real property or real property rights must be conducted in accordance with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA) and its implementing regulations, 49 CFR part 24. This pre-award authority is strictly limited to costs incurred: (i) to acquire real property and real property rights in accordance with the URA regulation, and (ii) to provide relocation assistance in accordance with the URA regulation. This pre-award authority is limited to the acquisition of real property and real property rights that are explicitly documented in the draft environmental impact statement (DEIS), FEIS, environmental assessment (EA), or CE document, as needed for the selected alternative that is the subject of the FTA-signed ROD or FONSI, or CE determination. This pre-award authority regarding property acquisition that is granted at the completion of the environmental review process does not cover site preparation, demolition, or any other activity that is not strictly necessary to comply with the URA, with one exception—namely when a building that has been acquired, has been vacated and awaits demolition poses a potential fire safety hazard or other hazard to the community in which it is located or is susceptible to reoccupation by unauthorized occupants. Demolition of the building is also covered by this pre-award authority upon FTA's written agreement that the adverse condition exists. Pre-award authority for property acquisition is also provided when FTA makes a CE determination for a protective buy or hardship acquisition in accordance with 23 CFR 771.118(d)(3). Pre-award authority for property acquisition is also provided when FTA completes the environmental review process for the acquisition of right-of-way as a separate project in accordance with 49 U.S.C. 5323(q). When a tiered environmental review in

accordance with 23 CFR 771.111(g) is used, pre-award authority is not provided upon completion of the first-tier environmental document except when the Tier-1 ROD or FONSI signed by FTA explicitly provides such pre-award authority for a particular identified acquisition. Project sponsors should use pre-award authority for real property acquisition relocation assistance with a clear understanding that it does not constitute a funding commitment by FTA. FTA provides pre-award authority upon completion of the environmental review process for real property acquisition and relocation assistance for displaced persons and businesses in accordance with the requirements of the URA.

**b. Reimbursement of Costs Incurred Under Pre-Award Authority**

Although FTA provides pre-award authority for property acquisition, long lead items, and vehicle purchases upon completion of the environmental review process, FTA does not generally award Federal funding for these activities conducted under pre-award authority until the project receives a CIG program construction grant. This is to ensure that Federal funds are not risked on a project whose advancement into construction is not yet assured.

**c. National Environmental Policy Act (NEPA) Activities**

NEPA requires that major projects proposed for FTA funding assistance be subjected to a public and interagency review of the need for the project, its environmental and community impacts, and alternatives to avoid and reduce adverse impacts. Projects of more limited scope also need a level of environmental review, to determine whether there are significant environmental impacts or confirmation that a CE applies. FTA's regulation titled "Environmental Impact and Related Procedures," at 23 CFR part 771 states that the costs incurred by a grant applicant for the preparation of environmental documents requested by FTA are eligible for FTA financial assistance (23 CFR 771.105(f)). Accordingly, FTA extends pre-award authority for costs incurred to comply with NEPA regulations and to conduct NEPA-related activities, effective as of the earlier of the following two dates: (1) the date of the Federal approval of the relevant STIP or STIP amendment that includes the project or any phase of the project, or that includes a project grouping under 23 CFR 450.216(j) that includes the project; or (2) the date that FTA approves the project into the project development phase of the CIG

program. The grant applicant must notify the appropriate FTA Regional Office upon initiation of the Federal environmental review process consistent with 23 CFR 771.111. NEPA-related activities include, but are not limited to, public involvement activities, historic preservation reviews, Section 4(f) evaluations, wetlands evaluations, and endangered species consultations. This pre-award authority is strictly limited to costs incurred to conduct the NEPA process and associated engineering, and to prepare environmental, historic preservation and related documents. When a New Starts, Small Starts, or Core Capacity project is granted pre-award authority for the environmental review process, the reimbursement for NEPA activities conducted under pre-award authority may be sought at any time through Section 5307 (Urbanized Area Formula Program) or the flexible highway programs (e.g., Surface Transportation Program or Congestion Mitigation and Air Quality Improvement Program). Reimbursement from the Section 5309 CIG program for NEPA activities conducted under pre-award authority is provided only for expenses incurred after entry into the project development phase and only once a construction grant agreement is signed. FTA reimbursement for costs incurred is not guaranteed and recipients may not start activities and incur costs under pre-award authority for property acquisition, demolition, construction, and acquisition of vehicles, equipment, or construction materials until the environmental review process is complete.

For more information about FTA's National Environmental Policy Act (NEPA) activities, contact Megan Blum, Office of Environmental Policy and Programs, at (202) 366-0463 or [megan.blum@dot.gov](mailto:megan.blum@dot.gov).

**d. Other CIG Project Activities Requiring Letter of No Prejudice (LONP)**

Except as discussed in paragraphs i through iii above, a CIG project sponsor must obtain a written LONP from FTA before incurring costs for any activity not covered by pre-award authority. To obtain an LONP, an applicant must submit a written request accompanied by adequate information and justification to the appropriate FTA Regional Office, as described in Section V.C.'s Letter of No Prejudice (LONP) Policy, below.

For more information about the Fixed Guideway Capital Investment Grants program, including LONP policy, real property acquisition, and reimbursement of costs incurred under

Pre-Award Authority, contact Susan Eddy, Office of Capital Project Development, at (202) 366-5499 or [susan.eddy@dot.gov](mailto:susan.eddy@dot.gov).

**e. Pre-Award Authority for the Expedited Project Delivery (EPD) Pilot Program**

The EPD Pilot Program, as authorized by Section 3005(b) of the Fixing America's Surface Transportation Act (FAST Act), is aimed at expediting delivery of new fixed guideway capital projects, small starts projects, or core capacity improvement projects. Section 3005(b) requires FTA to notify Congress and the applicant, in writing, within 120 days after the receipt of a complete application, on the decision of project selection. FTA will extend pre-award authority for all eligible project costs at the time it is announced that a project has been selected. There is no pre-award authority provided until a project selection announcement is made, and costs incurred prior to project selection are not eligible. Letters of No Prejudice will not be provided for the EPD Pilot Program, as all eligible costs are covered by pre-award authority at the time of project selection.

Although FTA provides pre-award authority for eligible project costs, FTA does not award Federal funding for activities conducted under pre-award authority until the project receives an EPD Pilot Program construction grant. This is to ensure that Federal funds are not risked on a project whose advancement into construction is not yet assured. To maintain eligibility for a possible future FTA grant award, any acquisition of real property or real property rights must be conducted in accordance with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA) and its implementing regulations, 49 CFR part 24.

For more information about the Expedited Project Delivery Pilot Program, contact Susan Eddy, Office of Capital Project Development, at (202) 366-5499 or [susan.eddy@dot.gov](mailto:susan.eddy@dot.gov).

**B. FY 2024 Annual List of Certifications and Assurances**

Section 5323(n) requires FTA to publish annually a list of all certifications required under Chapter 53 concurrently with the publication of this annual apportionment notice. The FY 2024 version of FTA's Certifications and Assurances is available on FTA's website at <https://www.transit.dot.gov/sites/fta.dot.gov/files/2024-03/FY24-certifications.pdf>.

FTA cannot make an award or an amendment to an award unless the

recipient has executed the latest version of FTA's Certifications and Assurances. FTA encourages recipients of formula funding to execute the FY 2024 Certifications and Assurances electronically in TrAMS within 90 days of this notice, to prevent delays.

### C. Letter of No Prejudice (LONP) Policy

#### 1. Policy

LONP authority allows an applicant to incur costs on a project utilizing non-Federal resources, with the understanding that the costs incurred subsequent to the issuance of the LONP may be reimbursable as eligible expenses or eligible for credit toward the local match should FTA approve the project at a later date. LONPs are applicable to projects and project activities not covered by automatic pre-award authority. The majority of LONPs will be for Section 5309 CIG program projects undertaking activities not covered under automatic pre-award authority. LONPs may be issued for formula funds beyond the life of the current authorization or FTA's extension of automatic pre-award authority; however, the LONP is limited to a five-year period, unless otherwise authorized in the LONP, or otherwise extended. Receipt of Federal funding under any program is not implied or guaranteed by an LONP.

#### 2. Conditions and Federal Requirements

The conditions and requirements for pre-award authority specified in Section V.4.ii and V.4.iii above apply to all LONPs for the CIG program. Because project implementation activities may not be initiated before completion of the environmental review process, FTA will not issue an LONP for such activities until the environmental review process has been completed with a combined FEIS/ROD, ROD, FONSI, or CE determination.

#### 3. Request for LONP

Before incurring costs for project activities not covered by automatic pre-award authority, the project sponsor must first submit a written request for an LONP, accompanied by adequate information and justification, to the appropriate Regional Office and obtain written approval from FTA. FTA approval of an LONP is determined on a case-by-case basis. Federal funding under the CIG program is not implied or guaranteed by an LONP. Specifically, when requesting an LONP, the applicant shall provide the following items:

- a. Description of the activities to be covered by the LONP.
- b. Justification for advancing the identified activities. The justification

should include an accurate assessment of the consequences to the project scope, schedule, and budget should the LONP not be approved.

- c. Allocated level of risk and contingency for the activity requested.

#### D. Civil Rights Requirements

Recipients must ensure their programs and services operate in a nondiscriminatory manner and fulfill reporting requirements to document their civil rights compliance as a condition to receiving Federal funds.

*Americans with Disabilities Act (ADA) of 1990:* Recipients must carry out provisions of the ADA, related provisions in Section 504 of the Rehabilitation Act of 1973, as amended, and the Department of Transportation's implementing regulations at 49 CFR parts 27, 37, 38, and 39. FTA's ADA Circular 4710.1, "Americans with Disabilities Act (ADA): Guidance," provides guidance for implementing the regulatory requirements of the ADA. As public entities, recipients may also be subject to Department of Justice regulations implementing Title II of the ADA (28 CFR part 35); in addition, as employers, recipients may be subject to Equal Employment Opportunity Commission regulations implementing the employment titles of the ADA (29 CFR part 1630).

In addition, recipients must regularly prepare and submit in TrAMS civil rights program plans and reports to establish and demonstrate compliance and document policies and practices in the following areas:

*Title VI of the Civil Rights Act of 1964:* The Department of Transportation's Title VI implementing regulations are found in 49 CFR part 21. FTA's Title VI Circular 4702.1B, "Title VI Requirements and Guidelines for Federal Transit Administration Recipients," provides guidance for carrying out the regulatory requirements and outlines the Title VI program requirements and timeline for submitting updates.

*Disadvantaged Business Enterprise (DBE) program:* The Department of Transportation's DBE implementing regulations are found in 49 CFR part 26 and set forth requirements for implementing the DBE program in good faith and developing and reporting on the triennial DBE goal.

Recipients should be aware that the DBE program regulations were recently revised, and a Final Rule was published in the **Federal Register** on April 9, 2024 (89 FR 24898). More information is available at <https://www.transportation.gov/DBEFinalRule>. Some changes took effect on May 9,

2024, and recipients should read the **Federal Register** notice in detail. Beginning in FY 2025, FTA will move to a tiered system, and essentially all FTA recipients of planning, capital, or operating assistance that procure goods or services with FTA funds will be subject to some DBE program requirements.

*Title VII of the Civil Rights Act of 1964, Equal Employment Opportunity (EEO):* The Department of Transportation's EEO implementing regulations are found in 49 CFR part 21. FTA's EEO Circular 4704.1A, *Equal Employment Opportunity (EEO) Requirements and Guidelines*, provides guidance for carrying out the regulatory requirements and outlines the EEO program submission process.

Recipients are expected to maintain current civil rights program plans and submit required reports in TrAMS. Recipients with past due or expired programs are ineligible for new funding awards and may be subject to other remedies or sanctions at FTA's discretion.

While not new requirements, recipients are specifically reminded of the following:

- Recipients in urbanized areas of 200,000 or more in population and with 50 or more fixed-route vehicles in peak service must conduct a service equity analysis for all service changes that meet the recipient's definition of "major service change" prior to implementing the service change. Those recipients also must conduct a fare equity analysis for all fare increases or decreases prior to implementing a fare change. Furthermore, an environmental justice analysis is not a substitute for a Title VI service equity analysis triggered by a major service change or fare change. When a full equity analysis is not required due to the size of the recipient or duration of a change, FTA expects agencies to take steps to ensure changes are equitable and nondiscriminatory.
- Recipients are encouraged to reach out to FTA's Office of Civil Rights when contemplating new projects, new services, or new service models for technical assistance and guidance, to support recipients in achieving their equity and accessibility goals and complying with Federal civil rights requirements.

For more information about civil rights requirements, contact Nicole Payne, Office of Civil Rights, at (202) 366-6293 or [nicole.payne@dot.gov](mailto:nicole.payne@dot.gov).

#### E. Consolidated Planning Grants

The Consolidated Planning Grants (CPG) Program allows States and Metropolitan Planning Organizations

(MPOs) to merge funds from the FTA Metropolitan Planning Program (MPP) and State Planning and Research Program (SPRP) with FHWA Metropolitan Planning (PL) and State Planning and Research (SPR) funds into a single consolidated planning grant. Transferred planning funds can be awarded and administered by either FTA or FHWA. The CPG eliminates the duplication of two separate grants funding the same planning activity, by streamlining monitoring and ensuring that the oldest funds will always be used first.

Under the CPG, States can report MPP expenditures to comply with the Uniform Administrative Requirements, 2 CFR part 200, subpart E, for both FTA and FHWA under the Catalogue of Federal Domestic Assistance number for FTA's Metropolitan Planning Program (20.505). Additionally, for States with an FHWA Metropolitan Planning fund-matching ratio greater than 80 percent, the State can waive the 20 percent local share requirement, with FTA's concurrence, to allow FTA funds used for metropolitan planning in a CPG to be granted at the higher FHWA sliding scale rate. For some States, this Federal match rate can exceed 90 percent.

States interested in transferring planning funds between FTA and FHWA should contact the FTA Regional Office or FHWA Division Office for more detailed procedures. FHWA Order 4551.1 dated August 12, 2013, titled "Fund Transfers to Other Agencies and Among Title 23 Programs," provides guidance and more detailed information. (See: <https://www.fhwa.dot.gov/legregs/directives/orders/45511.cfm>.)

For further information on CPGs, contact Ann Souvandara, Office of Budget and Policy, FTA, at (202) 366-0649 or [ann.souvandara@dot.gov](mailto:ann.souvandara@dot.gov), or Ryan Long, Office of Planning and Environment at (202) 366-6466 or [ryan.long@dot.gov](mailto:ryan.long@dot.gov).

#### F. Grant Application Procedures

All applications are filed electronically. FTA continues to award and manage grants and cooperative agreements using the Transit Award Management System (TrAMS). To access TrAMS, contact your FTA Regional Office. Resources on using TrAMS can be found on FTA's website at <https://www.transit.dot.gov/TrAMS>.

FTA regional staff are responsible for working with potential recipients to review and process grant applications. Recipients are strongly encouraged to submit draft applications that must be obligated before the end of the Federal Fiscal Year and require Department of

Labor certification to Regional Offices no later than the end of June in order to ensure obligation prior to September 30.

In order for an application to be considered complete and for FTA to assign a Federal Award Identification Number (FAIN), enabling submission in TrAMS, and submission to the Department of Labor (when applicable), the following requirements must be met:

i. Applicants must be registered and have an "active status" in the System for Award Management (SAM) and its registration is current. To register an entity or check the status and renew registration, visit the *SAM.GOV* website at <https://www.sam.gov/SAM>.

ii. Applicant's contact information is correct and up to date.

iii. Applicant has properly submitted its annual certifications and assurances.

iv. Applicant's Civil Rights submissions are current and approved.

v. Recipient has a Transit Asset Management plan in place that meets the requirements of 49 CFR part 625 or is covered by a compliant Group Plan.

vi. Documentation is on file to support status as either a designated recipient (for the program and area) or a direct recipient.

vii. Funding is available, including any flexible funds included in the budget, and split letters or suballocation letters on file, where applicable, to support amount being applied for in grant application.

viii. The activity is listed in a currently approved Transportation Improvement Program (TIP); Statewide Transportation Improvement Program (STIP), or Unified Planning Work Program (UPWP) unless such requirements have been waived for the specific funding and activity type to facilitate response and recovery from the COVID-19 public health emergency.

ix. All eligibility issues are resolved.

x. Required environmental findings are made.

xi. The application contains a well-defined scope of work including at least one project with accompanying project narratives, budget that includes scope codes and activity line-item information, Federal and non-Federal funding amounts, and milestones.

xii. Major Capital Projects as defined by 49 CFR part 633 Project Management Oversight must document that FTA has reviewed the project management plan and provided approval.

xiii. Milestone information is complete. FTA will also review status of other open grant reports to confirm financial and milestone information is current on other open awards.

xiv. Applicant has ensured that it has registered to report to the National Transit Database, and that any subrecipients that provide public transportation service have also registered to report to the National Transit Database.

Other important issues that impact FTA grant processing activities are discussed below.

#### A. Award Budgets—Scope Codes and Activity Line Items (ALI) Codes; Financial Purpose Codes

FTA uses the Scope and Activity Line Item (ALI) Codes in the award budgets to track program trends, to report to Congress, and to respond to requests from the Inspector General and the Government Accountability Office (GAO), as well as to manage grants. The accuracy of the data is dependent on the careful and correct use of codes. ALI codes should contain information on quantities (e.g., the number of vehicles) related only to the funding identified for that ALI code.

#### B. Designated and Direct Recipients Documentation

For its formula programs, FTA primarily apportions funds to the Designated Recipient in the large UZAs (areas over 200,000), or for areas under 200,000 (small UZAs and rural areas), it apportions the funds to the Governor, or the Governor's designee (e.g., State DOT). The 2020 Census urban area delineations may have impacts to FTA designated and direct recipients. The effects of the new Census boundaries are reflected in FTA's FY 2024 apportionments. FTA has additional resources and information available on its Census web page at <https://www.transit.dot.gov/census>. Depending on the program and as described in the individual program Sections found in Section IV of this notice, further suballocation of funds may be permitted to eligible recipients who may then apply directly to FTA for the funding as direct recipients.

For the programs in which FTA can make grants to eligible direct recipients, other than the designated recipients, recipients are reminded that documentation must be on file to support the (1) status of the recipient either as a designated recipient or direct recipient; and (2) the allocation of funds to the direct recipient.

Documentation to support existing designated recipients for the UZA must also be on file at the time of the first application in FY 2024. Suballocation letters (also called split letters or governor's apportionment letters) must also be on file to support grant

applications from direct recipients. Once suballocation letters for FY 2024 funding are finalized they should also be uploaded as part of the application into TrAMS.

The Direct Recipient is required to upload to TrAMS a copy of the suballocation letter indicating the allocation of funding for the appropriate fund program when the applicant transmits its application for initial review. The suballocation letter must be signed by the Designated Recipient, or as applicable in accordance with local planning requirements. If there are two Designated Recipients, both entities must sign the suballocation letter. The suballocation letter must: (1) specify the allocations to the respective Direct Recipients listed in the letter; (2) incorporate language above the signatories to reflect this agreement; and (3) make clear that the Direct Recipient will assume all responsibility associated with the award for the funds. When drafting the suballocation letter, Designated Recipients may use the template language below:

As identified in this Letter, the Designated Recipient(s) authorize(s) the reassignment/reallocation of [enter fund source, *e.g.*, Section 5307 funds] to the Direct Recipient(s) named herein. The undersigned agree to the amounts allocated/reassigned to each Direct Recipient. Each Direct Recipient is responsible for its application to the Federal Transit Administration to receive such funds and assumes the responsibilities associated with any award for these funds.

### C. Changes to Suballocations

Should the Governor (or Governor's designee) or designated recipient desire to change any amount of apportioned funds that was previously suballocated and documented in a suballocation letter, such changes must be incorporated into an updated suballocation letter. These changes may also require modifications to any applicable programs of projects and metropolitan and/or statewide planning documents (*e.g.*, TIP/STIP).

#### 1. Payments

Once a grant has been awarded and executed, requests for payment can be processed. To process payments FTA uses ECHO-Web, an internet accessible system that provides recipients the capability to submit payment requests on-line, as well as receive user-IDs and passwords via email. New applicants should contact the appropriate FTA Regional Office to obtain and submit the registration package necessary for set-up under ECHO-Web.

#### 2. Oversight

FTA is responsible for conducting oversight activities to help ensure that grant recipients use FTA Federal financial assistance in a manner consistent with their intended purpose and in compliance with regulatory and statutory requirements. Each Urbanized Area Formula Program recipient is reviewed every three years, (FTA's Triennial Review); and States and statewide public transportation agencies are reviewed periodically to assess the management practices and program implementation of FTA state-wide programs (*e.g.*, Planning, Rural Areas, Enhanced Mobility of Seniors and Individuals with Disabilities Programs). Other more detailed reviews are scheduled based on an annual recipient oversight assessment. Important objectives of FTA's oversight program include but are not limited to: determining recipient compliance with Federal requirements; identifying technical assistance needs and delivering technical assistance to meet those needs; spotting emerging issues with recipients in a forward-looking fashion; recognizing when there is a need for more in-depth reviews in the areas of procurement, financial management, and civil rights; and identifying recipients with recurring or systemic issues.

#### 3. Technical Assistance

As noted throughout the notice, FTA continues to rely on several of the existing program circulars for general program guidance. FTA is continuing to update the program circulars, with an opportunity for notice and comment where warranted, to reflect amendments to chapter 53 of title 49, U.S.C. made by IJJA and other Federal laws. In the meantime, if you have any questions, please do not hesitate to contact FTA. FTA headquarters and regional staff will be pleased to answer your questions and provide any technical assistance you may need to apply for FTA program funds and manage the grants you receive. At its discretion, FTA may also use program oversight consultants to provide technical assistance to recipients on a case-by-case basis. This notice and the program guidance circulars previously identified in this document may be accessed via the FTA website at <https://www.transit.dot.gov/>.

### G. Grant Management

#### 1. Grant Reporting

Recipients of FTA funds are reminded that all FTA recipients are required to report on their grants and that it is critical to ensure reports demonstrate

that reasonable progress is being made on the project. At a minimum, all awards require a Federal Financial Report (FFR) and a Milestone Progress Report (MPR) on an annual basis, with some reports required quarterly depending on the recipient and the type of projects funded under the grant. The requirements for these reports and other reporting requirements can be found in FTA Circular 5010.1E, "Grant Management Requirements," dated July 16, 2018. FTA staff, auditors, and contractors rely on the information provided in the FFR and MPR to review and report on the status of both financial and project-level activities contained in the grant. It is critical that recipients provide accurate and complete information in these reports and submit them by the required due date. Failure to report or demonstrate reasonable progress on projects can result in suspension or premature close-out of a grant.

#### 2. Inactive Grants and Grant Closeout

In FY 2024, FTA will continue to focus on inactive grants and grants that do not comply with reporting requirements. If appropriate, FTA will take action to close out and deobligate funds from these grants if reasonable progress is not being made. The efficient use of funds will further FTA's fulfillment of its mission to provide efficient and effective public transportation systems for the nation.

At the end of Federal Fiscal Year 2024, FTA will identify the list of grants that were awarded on or prior to September 30, 2021, have had no funds disbursed or have not had a disbursement since September 30, 2023. FTA Regional Offices will contact grant recipients with grants that meet these criteria to notify them that FTA intends to close the grant and deobligate any remaining funds unless the recipient can provide information that demonstrates that the projects funded by the grant remain active and the recipient has a realistic schedule to expedite completion of the projects funded in the grant.

#### 3. Transportation Investments Generating Economic Recovery (TIGER), Better Utilizing Investments To Leverage Development (BUILD) and Rebuilding American Infrastructure With Sustainability and Equity (RAISE) Discretionary Grants

Recipients of open TIGER, BUILD and RAISE grants should be aware that, as a matter of law, all remaining TIGER funds must be disbursed from grants by the end of the fifth fiscal year after the Expiration of Obligation Authority. (See,



31 U.S.C. 1552.) For FTA TIGER VIII projects, that deadline is the end of FY 2024. Accordingly, once ECHO closes for disbursements in late September 2024, all undisbursed funds within FTA TIGER VIII-funded grants will no longer be available to the recipient. These undisbursed funds will be deobligated from the grant. Even if a recipient has incurred costs or disbursed funds prior to the close of ECHO, and the recipient has not drawn down the funds by the time ECHO closes, FTA will be unable to reimburse the recipient. Therefore, recipients with open TIGER VIII grants must ensure project activities are completed and all funds are drawn down before ECHO closes by late September 2024.

Section 109D of the Consolidated Appropriations Act, 2024 includes an administrative provision for the RAISE program. This provision extends the obligation deadline from September 20, 2024, to September 30, 2027, for FY 2021 RAISE funds that are unobligated on September 30, 2024.

For more information about the Transportation Investments Generating Economic Recovery (TIGER), Better Utilizing Investments to Leverage Development (BUILD) and Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Discretionary Grants program, contact Victor Waldron, Office of Transit Programs at (202) 366-5183 or [victor.waldron@dot.gov](mailto:victor.waldron@dot.gov).

The contents of this document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies. Recipients should refer to applicable regulations and statutes referenced in this document.

**Veronica Vanterpool,**  
Acting Administrator.

[FR Doc. 2024-11934 Filed 5-30-24; 8:45 am]

**BILLING CODE 4910-57-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2018-0104, Notice 2]

#### Spartan Motors USA, Inc., Denial of Petition for Decision of Inconsequential Noncompliance

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Denial of petition.

**SUMMARY:** Spartan Motors USA, Inc. (Spartan), has determined that certain model year (MY) 2017–2019 Spartan Emergency Response Gladiator and Metro Star chassis cabs do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 121, *Air Brake Systems*. Spartan filed a noncompliance report dated October 12, 2018, and amended the report on December 26, 2018. Spartan petitioned NHTSA on November 12, 2018, and amended the petition on July 31, 2019, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety. This document announces and explains the denial of Spartan’s petition.

**FOR FURTHER INFORMATION CONTACT:** Ahmad Barnes, Office of Vehicle Safety Compliance, the National Highway Traffic Safety Administration (NHTSA), telephone (202) 366-7236, facsimile (202) 366-3081.

#### SUPPLEMENTARY INFORMATION:

##### I. Overview

Spartan has determined that certain MY 2017–2019 Spartan Emergency Response Gladiator and Metro Star chassis cabs do not fully comply with paragraph S5.3.3.1(a) of FMVSS No. 121, *Air Brake Systems* (49 CFR 571.121). Spartan filed a noncompliance report dated October 12, 2018, and amended the report on December 26, 2018, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports*. Spartan petitioned NHTSA on November 12, 2018, and amended the petition on July 31, 2019, for an exemption from the notification and remedy requirements of 49 U.S.C. chapter 301 on the basis that this noncompliance is inconsequential as it relates to motor vehicle safety, pursuant to 49 U.S.C. 30118(d) and 30120(h) and 49 CFR part 556, *Exemption for Inconsequential Defect or Noncompliance*.

Notice of receipt of Spartan’s petition was published with a 30-day public comment period, on December 10, 2019, in the **Federal Register** (84 FR 67509). No comments were received. To view the petition and all supporting documents log onto the Federal Docket Management System (FDMS) website at <https://www.regulations.gov/>. Then follow the online search instructions to locate docket number “NHTSA-2018-0104.”

##### II. Chassis Cabs Involved

Approximately 15 MY 2017–2019 Spartan Emergency Response Gladiator and Metro Star chassis cabs manufactured between November 16,

2016, and October 30, 2018, are potentially involved.

##### III. Noncompliance

Spartan described the noncompliance as the service brake application timing exceeding the 0.45 timing requirement as specified in paragraph S5.3.3.1(a) of FMVSS No. 121.

##### IV. Rule Requirements

Paragraph S5.3.3 of FMVSS No. 121 includes the requirements relevant to this petition. Each service brake system must meet the requirements of paragraph S5.3.3.1(a). With an initial service reservoir system air pressure of 100 psi, the air pressure in each brake chamber must, when measured from the first movement of the service brake control, reach 60 psi in not more than 0.45 seconds in the case of trucks and buses.

##### V. Summary of Spartan’s Petition

The following views and arguments presented in this section, “V. Summary of Spartan’s petition,” are the views and arguments provided by Spartan and do not reflect the views of the Agency. Spartan describes the subject noncompliance and contends that the noncompliance is inconsequential as it relates to motor vehicle safety.

Spartan states that paragraph S5.3.3.1 of FMVSS No. 121 provides that 60 psi is required, in this case, for the front brake chambers and Spartan notes that it requires the pressure in the brake chamber to be achieved in no more than 0.45 seconds. According to Spartan, this part of the requirement “is not interpreted to mean brakes are to be applied at 60 psi but rather a certain pressure at the brake chamber will be achieved.”

Spartan says that it “conducted three tests on a sample chassis cab of similar brake system configuration to those subject to the identified noncompliance.” Spartan found that, on average, the air pressure at the chamber of the sample chassis cab reached 60 psi 0.04 to 0.05 seconds after the required time of 0.45 seconds. Spartan further notes that even when the timing requirement is not being met “the brakes are still being applied irrespective of achieving the 60-psi pressure at the front brake chambers.” Spartan claims that exceeding the required time by the 0.044 to 0.05 seconds observed in its testing “would not impede the capability of the vehicle being able to stop.” It stated that the impact of being 0.044 to 0.05 seconds above the requirement of 0.45 seconds would have very little impact

(approximately 4 feet at 60 mph) to stopping distance of the vehicle.

Spartan then refers to the Driver's License Manual as stating that "stopping distance is impacted by driver perception distance and reaction distance," as well as other factors including speed and gross weight of the vehicle. Spartan argues that those factors "would appear to have a more significant impact on overall stopping distance, than 0.05 seconds of timing, for the air pressure to reach 60 psi at the front brake chambers."

Finally, Spartan explains that at 60 mph, the subject vehicles are required by FMVSS No. 121 to achieve a complete stop in 310 feet. A vehicle meeting this requirement would take approximately 3.52 seconds to stop from a speed of 60 mph. Spartan contends that the subject vehicles are capable of stopping within 310 feet at 60 mph, and, therefore, "would still be able to stop within the required stopping distance."

Presumably because any time delay or degradation in performance resulting from not meeting the timing requirement is small in relation to the time involved in a full stop from 60 mph, Spartan concludes by again contending that the subject noncompliance is inconsequential as it relates to motor vehicle safety and that its petition to be exempted from providing notification of the noncompliance, as required by 49 U.S.C. 30118, and a remedy for the noncompliance, as required by 49 U.S.C. 30120, should be granted.

## VI. NHTSA's Analysis

In determining inconsequentiality of a noncompliance, NHTSA focuses on the safety risk to individuals who experience the type of event against which a recall would otherwise protect.<sup>1</sup> In general, NHTSA does not consider the absence of complaints or injuries when determining if a noncompliance is inconsequential to safety. The absence of complaints does not mean vehicle occupants have not experienced a safety issue, nor does it mean that there will not be safety issues in the future.<sup>2</sup> Further, because each

<sup>1</sup> See *Gen. Motors, LLC; Grant of Petition for Decision of Inconsequential Noncompliance*, 78 FR 35355 (June 12, 2013) (finding noncompliance had no effect on occupant safety because it had no effect on the proper operation of the occupant classification system and the correct deployment of an air bag); *Osram Sylvania Prods. Inc.; Grant of Petition for Decision of Inconsequential Noncompliance*, 78 FR 46000 (July 30, 2013) (finding occupant using noncompliant light source would not be exposed to significantly greater risk than occupant using similar compliant light source).

<sup>2</sup> See *Morgan 3 Wheeler Limited; Denial of Petition for Decision of Inconsequential*

inconsequential noncompliance petition must be evaluated on its own facts and determinations are highly fact-dependent, NHTSA does not consider prior determinations as binding precedent. Petitioners are reminded that they have the burden of persuading NHTSA that the noncompliance is inconsequential to safety.

Arguments that only a small number of vehicles or items of motor vehicle equipment are affected have also not justified granting an inconsequentiality petition.<sup>3</sup> Similarly, NHTSA has rejected petitions based on the assertion that only a small percentage of vehicles or items of equipment are likely to exhibit a noncompliance. The percentage of potential occupants that could be adversely affected by a noncompliance does not determine the question of inconsequentiality. Rather, the issue to consider is the consequence to an occupant who is exposed to the consequence of that noncompliance.<sup>4</sup> These considerations are also relevant when considering whether a defect is inconsequential to motor vehicle safety.

The purpose of standard No. 121, as is the case with all FMVSS, is to establish minimum levels of safety performance. The standard ensures safe braking performance under normal and emergency conditions for trucks, buses, and trailers equipped with air brake systems. One means of establishing that braking performance meets normal and emergency conditions is by requiring air pressure to be available at each service brake chamber within a safe time interval after the service brake control is activated. Section 5.3.3.1 of FMVSS 121 defines the amount of pressure (60 psi)

*Noncompliance*, 81 FR 21663, 21666 (Apr. 12, 2016); see also *United States v. Gen. Motors Corp.*, 565 F.2d 754, 759 (D.C. Cir. 1977) (finding defect poses an unreasonable risk when it "results in hazards as potentially dangerous as sudden engine fire, and where there is no dispute that at least some such hazards, in this case fires, can definitely be expected to occur in the future").

<sup>3</sup> See *Mercedes-Benz, U.S.A., L.L.C.; Denial of Application for Decision of Inconsequential Noncompliance*, 66 FR 38342 (July 23, 2001) (rejecting argument that noncompliance was inconsequential because of the small number of vehicles affected); *Aston Martin Lagonda Ltd.; Denial of Petition for Decision of Inconsequential Noncompliance*, 81 FR 41370 (June 24, 2016) (noting that situations involving individuals trapped in motor vehicles—while infrequent—are consequential to safety); *Morgan 3 Wheeler Ltd.; Denial of Petition for Decision of Inconsequential Noncompliance*, 81 FR 21663, 21664 (Apr. 12, 2016) (rejecting argument that petition should be granted because the vehicle was produced in very low numbers and likely to be operated on a limited basis).

<sup>4</sup> See *Gen. Motors Corp.; Ruling on Petition for Determination of Inconsequential Noncompliance*, 69 FR 19897, 19900 (Apr. 14, 2004); *Cosco Inc.; Denial of Application for Decision of Inconsequential Noncompliance*, 64 FR 29408, 29409 (June 1, 1999).

for, in this case, the front brake chambers of the affected vehicles to ensure the proper braking performance. Further, it also defines a "not to exceed" time (0.45 seconds) in which that pressure at the brake chamber must be achieved. In agreement to Spartan's views, this is not interpreted to mean brakes are required to be applied at 60 psi but rather the time in which the air pressure must be achieved at each brake chamber. Brakes must be applied nearly instantaneously after actuation of the treadle valve. Consequently, the relevant metric is the amount of time required for the pressure at each chamber to reach 60 psi after brake activation.

FMVSS No. 121 requires vehicles to achieve a complete stop in 310 feet from 60 mph. According to Spartan, it would take approximately 3.52 seconds for vehicles to decelerate from this rate of speed to a complete stop. While vehicles affected by the subject noncompliance are capable of stopping within the distance of 310 feet as prescribed by FMVSS No. 121 and the brakes are still being applied irrespective of achieving the 60-psi pressure at the front brake chambers, NHTSA does not concur with Spartan's reasoning that the noncompliance does not impede the capability of all of the manufacturer's vehicles being able to stop within a safe distance.

In determining whether a noncompliance is inconsequential to safety, comparable levels of safety must exist between compliant vehicles and noncompliant vehicles, and in this case, the impact of being 0.044 to 0.05 seconds above the requirement of 0.45 seconds would increase stopping distance by approximately 4 feet. In addition, meeting the minimum required "not to exceed time" of (0.45 seconds) will in most cases, result in a reduction in impact velocity, and hence the severity of a crash. Furthermore, the "not to exceed" time (0.45 seconds) stated in section 5.3.3.1 of FMVSS 121 is intended to assure a minimum level of safety in all circumstances, including emergency or excessive braking events (e.g., driving in congested traffic). In the agency's view, exceeding the 0.45 seconds time interval, particularly given the consequences of impacts between heavy and light vehicles, creates risks with potentially serious safety implications. Moreover, brake responsiveness may also impact vehicle maneuverability in conditions that are less than ideal.

## VII. NHTSA's Decision

In consideration of the foregoing, NHTSA has determined that Spartan

has not met its burden of persuasion that the subject FMVSS No. 121 noncompliance is inconsequential to motor vehicle safety. Accordingly, Spartan's petition is hereby denied, and Spartan is consequently obligated to provide notification of and free remedy for that noncompliance under 49 U.S.C. 30118 and 30120.

(Authority: 49 U.S.C. 30118, 30120; 49 CFR part 556; delegations of authority at 49 CFR 1.95 and 501.8)

**Eileen Sullivan,**

*Associate Administrator for Enforcement.*

[FR Doc. 2024-11972 Filed 5-30-24; 8:45 am]

BILLING CODE 4910-59-P

## DEPARTMENT OF THE TREASURY

### Office of the Comptroller of the Currency

#### Agency Information Collection Activities: Information Collection Renewal; Comment Request; Bank Appeals Follow-Up Questionnaire

**AGENCY:** Office of the Comptroller of the Currency (OCC), Treasury.

**ACTION:** Notice and request for comment.

**SUMMARY:** The OCC, as part of its continuing effort to reduce paperwork and respondent burden, invites comment on a continuing information collection as required by the Paperwork Reduction Act of 1995 (PRA). In accordance with the requirements of the PRA, the OCC may not conduct or sponsor, and the respondent is not required to respond to, an information collection unless it displays a currently valid Office of Management and Budget (OMB) control number. The OCC is soliciting comment concerning the renewal of its information collection titled, "Bank Appeals Follow-Up Questionnaire."

**DATES:** Comments must be received by July 30, 2024.

**ADDRESSES:** Commenters are encouraged to submit comments by email, if possible. You may submit comments by any of the following methods:

- *Email:* [prainfo@occ.treas.gov](mailto:prainfo@occ.treas.gov).
- *Mail:* Chief Counsel's Office, Attention: Comment Processing, Office of the Comptroller of the Currency, Attention: 1557-0332, 400 7th Street SW, Suite 3E-218, Washington, DC 20219.
- *Hand Delivery/Courier:* 400 7th Street SW, Suite 3E-218, Washington, DC 20219.
- *Fax:* (571) 293-4835.

**Instructions:** You must include "OCC" as the agency name and "1557-0332" in your comment. In general, the OCC will publish comments on [www.reginfo.gov](http://www.reginfo.gov) without change, including any business or personal information provided, such as name and address information, email addresses, or phone numbers. Comments received, including attachments and other supporting materials, are part of the public record and subject to public disclosure. Do not include any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure.

Following the close of this notice's 60-day comment period, the OCC will publish a second notice with a 30-day comment period. You may review comments and other related materials that pertain to this information collection beginning on the date of publication of the second notice for this collection by the method set forth in the next bullet.

- **Viewing Comments Electronically:** Go to [www.reginfo.gov](http://www.reginfo.gov). Hover over the "Information Collection Review" tab and click on "Information Collection Review" from the drop-down menu. From the "Currently under Review" drop-down menu, select "Department of Treasury" and then click "submit." This information collection can be located by searching OMB control number "1557-0332" or "Bank Appeals Follow-Up Questionnaire." Upon finding the appropriate information collection, click on the related "ICR Reference Number." On the next screen, select "View Supporting Statement and Other Documents" and then click on the link to any comment listed at the bottom of the screen.

- For assistance in navigating [www.reginfo.gov](http://www.reginfo.gov), please contact the Regulatory Information Service Center at (202) 482-7340.

**FOR FURTHER INFORMATION CONTACT:**

Shaquita Merritt, Clearance Officer, (202) 649-5490, Chief Counsel's Office, Office of the Comptroller of the Currency, 400 7th Street SW, Washington, DC 20219. If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services.

**SUPPLEMENTARY INFORMATION:** Under the PRA (44 U.S.C. 3501 *et seq.*), Federal agencies must obtain approval from the OMB for each collection of information that they conduct or sponsor. "Collection of information" is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) to include agency requests or

requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of title 44 generally requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, the OCC is publishing notice of the renewal/revision of this collection.

**Title:** Bank Appeals Follow-Up Questionnaire.

**OMB Control No.:** 1557-0332.

**Type of Review:** Regular.

**Affected Public:** Businesses or other for-profit.

**Description:** The OCC's Office of the Ombudsman (Ombudsman) is committed to assessing its efforts to provide a fair and expeditious appeal process to institutions under OCC supervision. To perform this assessment, it is necessary to obtain feedback from individual appellant institutions on the effectiveness of the Ombudsman's efforts to provide a fair and expeditious appeals process and suggestions on ways to enhance the bank appeals process. For each Bank Appeals Follow-Up Questionnaire submitted, the Ombudsman uses the information gathered to assess the OCC's adherence to OCC Bulletin 2013-15, "Bank Appeals Process," dated June 7, 2013, and to enhance its bank appeals program.

**Estimated Burden:**

**Estimated Frequency of Response:** On occasion.

**Estimated Number of Respondents:** 5.

**Estimated Total Annual Burden:** 85.

Comments submitted in response to this notice will be summarized and included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the OCC, including whether the information has practical utility; (b) The accuracy of the OCC's estimate of the burden of the collection of information; (c) Ways to enhance the quality, utility, and clarity of the information to be collected; (d) Ways to minimize the burden of the collection on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) Estimates of capital or start-up costs and costs of operation,

maintenance, and purchase of services to provide information.

**Patrick T. Tierney,**

*Assistant Director, Office of the Comptroller of the Currency.*

[FR Doc. 2024-11984 Filed 5-30-24; 8:45 am]

**BILLING CODE 4810-33-P**

## DEPARTMENT OF THE TREASURY

### Office of the Comptroller of the Currency

#### Agency Information Collection Activities: Revision of an Approved Information Collection; Comment Request; Customer Complaint Form

**AGENCY:** Office of the Comptroller of the Currency (OCC), Treasury.

**ACTION:** Notice and request for comment.

**SUMMARY:** The OCC, as part of its continuing effort to reduce paperwork and respondent burden, invites comment on a continuing information collection as required by the Paperwork Reduction Act of 1995 (PRA). In accordance with the requirements of the PRA, the OCC may not conduct or sponsor, and the respondent is not required to respond to, an information collection unless it displays a currently valid Office of Management and Budget (OMB) control number. The OCC is soliciting comment concerning a revision to its information collection titled, "Customer Complaint Form."

**DATES:** Comments must be received by July 30, 2024.

**ADDRESSES:** Commenters are encouraged to submit comments by email, if possible. You may submit comments by any of the following methods:

- *Email:* [prainfo@occ.treas.gov](mailto:prainfo@occ.treas.gov).
- *Mail:* Chief Counsel's Office,

Attention: Comment Processing, Office of the Comptroller of the Currency, Attention: 1557-0232, 400 7th Street SW, Suite 3E-218, Washington, DC 20219.

- *Hand Delivery/Courier:* 400 7th Street SW, Suite 3E-218, Washington, DC 20219.

- *Fax:* (571) 293-4835.

**Instructions:** You must include "OCC" as the agency name and "1557-0232" in your comment. In general, the OCC will publish comments on [www.reginfo.gov](http://www.reginfo.gov) without change, including any business or personal information provided, such as name and address information, email addresses, or phone numbers. Comments received, including attachments and other supporting materials, are part of the public record and subject to public disclosure. Do not include any

information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure.

Following the close of this notice's 60-day comment period, the OCC will publish a second notice with a 30-day comment period. You may review comments and other related materials that pertain to this information collection beginning on the date of publication of the second notice for this collection by the method set forth in the next bullet.

- *Viewing Comments Electronically:* Go to [www.reginfo.gov](http://www.reginfo.gov). Hover over the "Information Collection Review" tab and click on "Information Collection Review" from the drop-down menu. From the "Currently under Review" drop-down menu, select "Department of Treasury" and then click "submit." This information collection can be located by searching OMB control number "1557-0232" or "Customer Complaint Form." Upon finding the appropriate information collection, click on the related "ICR Reference Number." On the next screen, select "View Supporting Statement and Other Documents" and then click on the link to any comment listed at the bottom of the screen.

- For assistance in navigating [www.reginfo.gov](http://www.reginfo.gov), please contact the Regulatory Information Service Center at (202) 482-7340.

#### FOR FURTHER INFORMATION CONTACT:

Shaquita Merritt, Clearance Officer, (202) 649-5490, Chief Counsel's Office, Office of the Comptroller of the Currency, 400 7th Street SW, Washington, DC 20219. If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services.

**SUPPLEMENTARY INFORMATION:** Under the PRA (44 U.S.C. 3501 *et seq.*), Federal agencies must obtain approval from the OMB for each collection of information that they conduct or sponsor. "Collection of information" is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) to include agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of title 44 generally requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, the OCC is publishing notice of the renewal/revision of this collection.

*Title:* Customer Complaint Form.

*OMB Control No.:* 1557-0232.

*Type of Review:* Regular.

*Affected Public:* Individuals.

**Description:** The customer complaint form was developed as a courtesy for customers who contact the OCC's Consumer Assistance Group (CAG) and wish to file a formal written complaint. The form offers a template for consumers to use to focus their issues and identify the information necessary to provide a complete picture of their concerns. Use of the form is entirely voluntary; however, use of the form does help avoid the processing delays associated with incomplete complaints and allows CAG to process complaints more efficiently.

CAG uses the information included in a completed form to create a record of the consumer's contact, capture information that can be used to resolve the consumer's issues, and provide a database of information that is incorporated into the OCC's supervisory process.

*Estimated Burden:*

*Estimated Frequency of Response:* On occasion.

*Estimated Number of Respondents:* 10,000.

*Total Annual Responses:* 10,000.

*Estimated Total Annual Burden:* 3,300.

Comments submitted in response to this notice will be summarized and included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on:

(a) Whether the collection of information is necessary for the proper performance of the functions of the OCC, including whether the information has practical utility;

(b) The accuracy of the OCC's estimate of the burden of the collection of information;

(c) Ways to enhance the quality, utility, and clarity of the information to be collected;

(d) Ways to minimize the burden of the collection on respondents, including through the use of automated collection techniques or other forms of information technology; and

(e) Estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

**Patrick T. Tierney,**

*Assistant Director, Office of the Comptroller of the Currency.*

[FR Doc. 2024-11985 Filed 5-30-24; 8:45 am]

**BILLING CODE 4810-33-P**

**DEPARTMENT OF THE TREASURY****Internal Revenue Service****Superfund Tax on Chemical Substances; Modification to List of Taxable Substances; Notice of Determination for Polyoxymethylene**

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Notice of determination.

**SUMMARY:** This notice of determination announces that the list of taxable substances is modified to include polyoxymethylene.

**DATES:** The effective date of this modification for tax purposes is October 1, 2024. The effective date of this modification for purposes of refund claims under section 4662(e) of the Internal Revenue Code (Code) is July 1, 2022.

**FOR FURTHER INFORMATION CONTACT:** Camille Edwards Bennehoff at (202) 317-6855 (not a toll-free number).

**SUPPLEMENTARY INFORMATION:****Background**

Section 4671(a) of the Code imposes an excise tax on the sale or use of a taxable substance by the importer thereof. Section 4672(a)(1) of the Code defines the term *taxable substance* as any substance which, at the time of sale or use by the importer, is listed as a taxable substance by the Secretary of the Treasury or her delegate (Secretary) on the list of taxable substances under section 4672(a) (List).

Under section 4672(a)(2), the importer or exporter of any substance may request that the Secretary determine whether such substance should be added to the List as a taxable substance or should be removed from the List. Under section 4672(a)(2)(B) and (b)(2), the Secretary is authorized to add a substance to the List if the Secretary determines that any taxable chemicals that are listed in section 4661(b) of the Code constitute more than 20 percent of the weight, or more than 20 percent of the value, of the materials used to produce such substance. Section 4672(a)(4) authorizes the Secretary to remove a substance from the List only if such substance meets neither the weight nor the value test of section 4672(a)(2)(B). Under section 4672(a)(2)(B) and (a)(4), the Secretary's determination to modify the List is made based on the substance's predominant method of production.

Rev. Proc. 2022-26 (2022-29 I.R.B. 90), *as modified* by Rev. Proc. 2023-20 (2023-15 I.R.B. 636), provides the exclusive process by which an importer,

exporter, or interested person may request a determination that a particular substance be added to or removed from the List.

Section 4671(b)(3) authorizes the Secretary to prescribe a tax rate for taxable substances in lieu of the tax rate specified in section 4671(b)(2). The tax rate prescribed by the Secretary for a substance added to the List is calculated by multiplying the conversion factor for each taxable chemical used in the production of the substance by the corresponding tax rate for such taxable chemical under section 4661(b). Conversion factors are determined on the basis of the predominant method of production of the substance. See sections 8 and 10.04(8) of Rev. Proc. 2022-26. Importers are not required to use the prescribed tax rate for a taxable substance and may calculate their own rate under section 4671(b)(1).

**Request To Add Polyoxymethylene to the List**

Celanese Ltd. (Petitioner) is an exporter of polyoxymethylene. Petitioner submitted a petition to the IRS in accordance with Rev. Proc. 2022-26 requesting a determination under section 4672(a)(2) to add polyoxymethylene to the List. According to the petition, the taxable chemical methane constitutes 50.08 percent, by weight, of the materials used to produce polyoxymethylene.

**Explanation of Determination**

The Secretary's determination with regard to polyoxymethylene is in paragraph (a) of the "Modification to the List of Taxable Substances" section of this notice. The Secretary made the determination to add polyoxymethylene to the List in accordance with the requirements of section 4672(a)(2) and (4), and pursuant to the procedures set forth in Rev. Proc. 2022-26, *as modified* by Rev. Proc. 2023-20.

The tax rate for polyoxymethylene, as prescribed by the Secretary, is provided in paragraph (a)(6) of the "Modification to the List of Taxable Substances" section of this notice.

Classification numbers for polyoxymethylene are provided in paragraph (b) of the "Modification to the List of Taxable Substances" section of this notice. The classification numbers provided with respect to polyoxymethylene are not part of the determination of whether polyoxymethylene is added to the List and do not impact whether polyoxymethylene is a taxable substance. The classification numbers are provided solely as a matter of convenience, and taxpayers may not

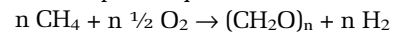
rely on them. The classification numbers may change over time. The Department of the Treasury (Treasury Department) and the IRS do not anticipate updating this document to reflect any such changes.

**Modification to the List of Taxable Substances**

(a) *Determination.* Polyoxymethylene is added to the list of taxable substances under section 4672(a). Other pertinent information is as follows:

(1) *Predominant method of production:* There is a reaction of aqueous formaldehyde with an alcohol to create a hemiformal. The hemiformal/water mixture is dehydrated (either by extraction or vacuum distillation). The hemiformal is heated to release the formaldehyde. The formaldehyde is then polymerized by anionic catalysis, and the resulting polymer stabilized by reaction with acetic anhydride.

(2) *Stoichiometric material consumption equation:*



(3) *Reasons for the determination:* The polyoxymethylene petition submitted by Petitioner was filed on December 20, 2022. The notice of filing summarizing the petition and requesting comments was published in the **Federal Register** (87 FR 79938) on December 28, 2022. The Treasury Department and the IRS received no written comments in response to the notice of filing. A public hearing was neither requested nor held.

The Secretary followed the process in section 4672(a)(2)(B) in making this determination. A review of the stoichiometric material consumption equation and other information in the petition shows that methane, a taxable chemical, constitutes more than 20 percent by weight of the materials used in the production of polyoxymethylene, based on the predominant method of production. Therefore, the test in section 4672(a)(2)(B) is satisfied.

(4) *Date of determination:* May 30, 2024. Pursuant to section 10.02 of Rev. Proc. 2022-26, Petitioner and the IRS agreed to extend the 180-day determination period.

(5) *Effective dates for addition of polyoxymethylene to the List:*

(i) *Effective date for purposes of the section 4671 tax (see section 11.01 of Rev. Proc. 2022-26):* October 1, 2024.

(ii) *Effective date for purposes of refund claims under section 4662(e) (see sections 11.02 and 11.03 of Rev. Proc. 2022-26, as modified by section 3 of Rev. Proc. 2023-20):* July 1, 2022.

(6) *Tax rate prescribed by the Secretary:* \$3.65 per ton. The conversion factor for the methane used in the

production of polyoxymethylene is 0.53. The tax rate is calculated by multiplying the conversion factor by the tax rate for methane ( $0.53 \times \$6.88 = \$3.65$ ).

(b) *Classification numbers.*

(1) *The Secretary has no basis to object to the following classification numbers proposed by Petitioner:*

(i) *HTSUS number:* 3907.10.0000.

(ii) *Schedule B number:* 3907.10.0000.

(iii) *CAS number:* 9002-81-7.

(2) *The Secretary is unable to confirm the following classification numbers proposed by Petitioner:* Not applicable.

**Krishna P. Vallabhaneni,**

*Tax Legislative Counsel.*

[FR Doc. 2024-11976 Filed 5-30-24; 8:45 am]

BILLING CODE 4830-01-P

## DEPARTMENT OF THE TREASURY

### Agency Information Collection Activities; Submission for OMB Review; Comment Request; Multiple Financial Crimes Enforcement Network Information Collection Requests

**AGENCY:** Departmental Offices, Department of the Treasury.

**ACTION:** Notice of information collection; request for comment.

**SUMMARY:** The Department of the Treasury will submit the following information collection requests to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. The public is invited to submit comments on these requests.

**DATES:** Comments should be received on or before July 1, 2024 to be assured of consideration.

**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](http://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:** Copies of the submissions may be obtained from Spencer W. Clark by emailing [PRA@treasury.gov](mailto:PRA@treasury.gov), calling (202) 927-5331, or viewing the entire information collection request at [www.reginfo.gov](http://www.reginfo.gov).

#### SUPPLEMENTARY INFORMATION:

#### Financial Crimes Enforcement Network (FinCEN)

1. *Title:* Reports by Financial Institutions of Suspicious Transactions

and FinCEN Form 111—Suspicious Activity Report (SAR).

*OMB Control Numbers:* 1506-0001, 1506-0006, 1506-0015, 1506-0019, 1506-0029, 1506-0061, and 1506-0065.

*Type of Review:* Extension without change of a currently approved collection.

*Description:* The legislative framework generally referred to as the Bank Secrecy Act (BSA) consists of the Currency and Foreign Transactions Reporting Act of 1970, as amended by the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act) and other legislation, including the Anti-Money Laundering Act of 2020 (AML Act). The BSA is codified at 12 U.S.C. 1829b and 1951-1960 and 31 U.S.C. 5311-5314 and 5316-5336, and notes thereto, with implementing regulations at 31 CFR chapter X.

The BSA authorizes the Secretary of the Treasury (Secretary) to, *inter alia*, require financial institutions to keep records and file reports that are determined to have a high degree of usefulness in criminal, tax, or regulatory matters, risk assessments or proceedings, or in the conduct of intelligence or counter-intelligence activities to protect against terrorism, and to implement anti-money laundering (AML) programs and compliance procedures. The authority of the Secretary to administer the BSA has been delegated to the Director of FinCEN.

Under 31 U.S.C. 5318(g), the Secretary is authorized to require financial institutions to report any suspicious transaction relevant to a possible violation of law or regulation. These transactions are reported on SARs. Financial institutions submit SARs to FinCEN electronically via the BSA E-filing system.

*Form:* FinCEN Form 111.

*Affected Public:* Financial institutions.

*Estimated Number of Respondents:* 11,458.

*Frequency of Response:* On occasion.

*Estimated Total Number of Annual Responses:* 4,367,197.

*Estimated Time per Response:* 1.98 hours.

*Estimated Total Annual Burden Hours:* 8,647,050.

2. *Title:* Bank Secrecy Act Reports of Transactions in Currency Regulations and FinCEN Form 112—Currency Transaction Report (CTR).

*OMB Control Numbers:* 1506-0004, 1506-0005, and 1506-0064.

*Type of Review:* Extension without change of a currently approved collection.

*Description:* The legislative framework generally referred to as the Bank Secrecy Act (BSA) consists of the Currency and Foreign Transactions Reporting Act of 1970, as amended by the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act) and other legislation, including the Anti-Money Laundering Act of 2020 (AML Act). The BSA is codified at 12 U.S.C. 1829b and 1951-1960 and 31 U.S.C. 5311-5314 and 5316-5336, and notes thereto, with implementing regulations at 31 CFR chapter X.

The BSA authorizes the Secretary of the Treasury (Secretary) to, *inter alia*, require financial institutions to keep records and file reports that are determined to have a high degree of usefulness in criminal, tax, or regulatory matters, risk assessments or proceedings, or in the conduct of intelligence or counter-intelligence activities to protect against terrorism, and to implement anti-money laundering (AML) programs and compliance procedures. The authority of the Secretary to administer the BSA has been delegated to the Director of FinCEN.

Under 31 U.S.C. 5313, the Secretary of the Treasury is authorized to require financial institutions to report currency transactions as prescribed by regulation. Financial institutions are required to report currency (cash or coin) transactions over \$10,000 conducted by, or on behalf of, one person, as well as multiple currency transactions that aggregate to over \$10,000 in a single day. These transactions are reported on CTRs. Financial institutions submit CTRs to FinCEN electronically via the BSA E-filing system.

*Form:* FinCEN Form 112.

*Affected Public:* Financial institutions.

*Estimated Number of Respondents:* 15,468.

*Frequency of Response:* On occasion.

*Estimated Total Number of Annual Responses:* 20,564,724.

*Estimated Time per Response:* 8 minutes.

*Estimated Total Annual Burden Hours:* 2,741,963.

*Authority:* 44 U.S.C. 3501 et seq.

**Spencer W. Clark,**

*Treasury PRA Clearance Officer.*

[FR Doc. 2024-12002 Filed 5-30-24; 8:45 am]

BILLING CODE 4810-02-P

**DEPARTMENT OF THE TREASURY****Agency Information Collection Activities; Proposed Collection; Comment Request; Coronavirus State and Local Fiscal Recovery Funds**

**AGENCY:** Departmental Offices, Department of the Treasury.

**ACTION:** Notice of information collection; request for comment.

**SUMMARY:** The U.S. Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other federal agencies to comment on the proposed information collections listed below, in accordance with the Paperwork Reduction Act of 1995.

**DATES:** Written comments must be received on or before July 30, 2024.

**ADDRESSES:** Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestions for reducing the burden, to Treasury PRA Clearance Officer, 1750 Pennsylvania Ave. NW, Suite 8100, Washington, DC 20220, or email at [PRA@treasury.gov](mailto:PRA@treasury.gov).

**FOR FURTHER INFORMATION CONTACT:**

Copies of the submissions may be obtained from Spencer W. Clark by emailing [PRA@treasury.gov](mailto:PRA@treasury.gov), calling (202) 927-5331, or viewing the entire information collection request at [www.reginfo.gov](http://www.reginfo.gov).

**SUPPLEMENTARY INFORMATION:**

*Title:* Coronavirus State and Local Fiscal Recovery Funds.

*OMB Control Number:* 1505-0271.

*Type of Review:* Revision of a currently approved collection.

*Description:* Sections 602 and 603 of the Social Security Act (the “Act”), as added by section 9901 of the American Rescue Plan Act of 2021, Public Law 117-2 (Mar. 11, 2021) authorized the Coronavirus State Fiscal Recovery Fund (“CSFRF”) and Coronavirus Local Fiscal Recovery Fund (“CLFRF”) respectively (referred to as the “Coronavirus State and Local Fiscal Recovery Funds” or “SLFRF”). SLFRF provided \$350 billion in total funding for the U.S. Department of the Treasury (“Treasury”) to make payments to States (defined to include the District of Columbia), U.S. Territories (defined to include Puerto Rico, U.S. Virgin Islands, Guam, Northern Mariana Islands, and American Samoa), Tribes, Metropolitan cities, Counties, Consolidated Governments, and (through States) Non-entitlement units of local government (collectively the “eligible entities”) to (1) respond to the COVID-19 public health emergency or its negative

economic impacts, including providing assistance to households, small business, nonprofits, and impacted industries, such as tourism, travel, and hospitality; (2) respond to workers performing essential work during the COVID-19 pandemic by providing premium pay to eligible workers of the State, U.S. Territory, Tribal government, Metropolitan city, County, or Non-entitlement units of local government who are performing essential work or by providing grants to eligible employers that have eligible workers; (3) provide of government services, to the extent COVID-19 caused a reduction of revenues collected in the most recent full fiscal year of the State, U.S. Territory, Tribal government, Metropolitan city, County, or Non-entitlement units of local government; or (4) make necessary investments in water, sewer, or broadband infrastructure; (5) provide emergency relief from natural disasters or the negative economic impacts of natural disasters including temporary emergency housing, food assistance, financial assistance for lost wages, and other immediate needs; (6) use funds for projects eligible under 26 programs administered by the Department of Transportation (“Surface Transportation projects”); or (7) use funds for projects eligible under Title I of the Housing and Community Development Act of 1974 (“Title I projects”).

As implemented by Treasury, Title I projects require recipients to submit to Treasury a National Environmental Review Act (NEPA) Environmental Certification form under certain circumstances. This form can be found on the Treasury website.

To administer the SLFRF program, a Project and Expenditure (P&E) Report is required to be submitted by recipients quarterly or annually based on their “reporting tier” provided in the Compliance and Reporting Guidance. The first quarterly reports were due January 31, 2022 for certain recipients. The first annual reports were due April 30, 2022. The P&E Report has been updated periodically to accommodate new reporting needs corresponding to updated program guidance offered through interim final rules (IFRs) and frequently asked questions (FAQs) and will be continuously updated throughout the program’s period of performance, ending December 31, 2026. Existing and anticipated future updates are reflected in the estimated time per response for reporting.

Final program reports will be due in 2027 accordance with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for

Federal Awards at 2 CFR part 200, including the requirements of 2 CFR 200.344. and real and personal property disposition procedures, as well as in accordance with and any additional guidance issued by Treasury.

*Form:* Award and Payment Forms and associated forms; Annual Recovery Performance Plan and Distribution Templates; Annual and Quarterly Project and Expenditure Reports, National Environmental Protection Act (NEPA) Review Certification Form for Title I projects, disposition forms SF-428 and SF-429, and the Impact Story submission form.

*Affected Public:* State, Territorial, Tribal, and certain Local Governments.

*Estimated Number of Respondents:* 30,000.

*Frequency of Response:* On occasion.

*Estimated Total Number of Annual Responses:* 82,874.

*Estimated Time per Response:* 15 minutes to 1 hour for Award and Payment forms, up to 100 hours for Annual Recovery Plan Performance Reports, up to 15 hours for annual and quarterly Project and Expenditure Reports, up to 2 hours for Title I NEPA Environmental Reviews, and up to 1 hour for optional Impact Story submissions, in addition to time spent on previously collected items.

*Estimated Total Annual Burden Hours:* 628,494.

*Request for Comments:* Comments submitted in response to this notice will be summarized and included in the request for Office of Management and Budget approval. All comments will become a matter of public record. Comments are invited on: (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency’s estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services required to provide information.

*Authority:* 44 U.S.C. 3501 *et seq.*

**Spencer W. Clark,**

*Treasury PRA Clearance Officer.*

[FR Doc. 2024-11911 Filed 5-30-24; 8:45 am]

**BILLING CODE 4810-AK-P**

## UNIFIED CARRIER REGISTRATION PLAN

### Sunshine Act Meetings

**TIME AND DATE:** June 6, 2024, 12:00 p.m. to 3:00 p.m., Eastern Time.

**PLACE:** The meeting will be accessible via conference call and via Zoom Meeting and Screenshare. Any interested person may call (i) 1-929-205-6099 (US Toll) or 1-669-900-6833 (US Toll), Meeting ID: 974 8697 3648, to listen and participate in this meeting. The website to participate via Zoom Meeting and Screenshare is <https://kellen.zoom.us/j/97486973648>.

**STATUS:** This meeting will be open to the public.

**MATTERS TO BE CONSIDERED:** The Unified Carrier Registration Plan Board of Directors (the "Board") will continue its work in developing and implementing the Unified Carrier Registration Plan and Agreement. The subject matter of this meeting will include:

### Proposed Agenda

#### I. Welcome and Call to Order—UCR Board Chair

The UCR Board Chair will welcome attendees, call the meeting to order, call roll for the Board, confirm the presence of a quorum, and facilitate self-introductions.

#### II. Verification of Publication of Meeting Notice—UCR Executive Director

The UCR Executive Director will verify publication of the meeting notice on the UCR website and distribution to the UCR contact list via email, followed by subsequent publication of the notice in the **Federal Register**.

#### III. Review and Approval of Board Agenda—UCR Board Chair

*For Discussion and Possible Board Action*

The proposed Agenda will be reviewed. The Board will consider action to adopt.

#### Ground Rules

➤ Board actions taken only in designated areas on the agenda.

#### IV. Approval of Minutes of the April 4, 2024, UCR Board Meeting—UCR Board Chair

*For Discussion and Possible Board Action*

Draft Minutes from the April 4, 2024, UCR Board meeting will be reviewed. The Board will consider action to approve.

#### V. Report of FMCSA—FMCSA Representative

The Federal Motor Carrier Safety Administration (FMCSA) will provide a report on any relevant agency activity, including the status of the FMCSA's Notice of Proposed Rulemaking concerning the 2025 UCR Fee Rulemaking.

#### VI. Procedure for Amendment of the UCR Agreement—UCR Legal Counsel

*For Discussion and Possible Board Action*

UCR Legal Counsel will continue the discussion regarding a proposed procedure to amend the UCR Agreement that began in the April 4, 2024 Board meeting. The revised proposed procedure to amend the UCR Agreement will be reviewed by UCR Legal Counsel with the Board. Upon conclusion of the review, the Board may consider action to approve the proposed procedure to amend the UCR Agreement.

#### VII. Subcommittee Reports

*Finance Subcommittee—UCR Finance Subcommittee Chair and UCR Depository Manager*

A. Distribution From the UCR Depository for Under-Cap States—UCR Plan Administrator

The UCR Finance Subcommittee Chair and the UCR Plan Administrator will provide an update on the distribution of fees from the UCR Depository to the states for the 2024 registration year.

B. UCR Administrative Fund Update—UCR Plan Administrator

The UCR Plan Administrator will provide an update on the financial status of the administrative fund for the 4 months ended April 30, 2024.

*Audit Subcommittee—UCR Audit Subcommittee Chair, UCR Audit Subcommittee Vice-Chair*

A. Present the 2023 Annual State Audit Report to the Board—UCR Audit Subcommittee Chair

The UCR Audit Subcommittee Chair will present the 2023 Annual State Audit Report to the Board. In so doing, the UCR Audit Subcommittee Chair will review the 2023 Audit Snapshot along with the six initiatives that each State is evaluated on. To achieve qualifying status, States are required to meet or exceed the minimum percentages in at least three of the six initiatives. In 2023, all 41 participating states achieved qualifying status.

B. Update the Subcommittee on the Recent Monthly Question and Answer Session for State Auditors—UCR Audit Subcommittee Chair and UCR Audit Subcommittee Vice-Chair and Executive Director

The UCR Audit Subcommittee Chair, UCR Audit Subcommittee Vice-Chair, and Executive Director will lead a discussion on the topics, value, and continuation of a series of 60-minute virtual question and answer sessions for state auditors.

*Education and Training Subcommittee—UCR Education and Training Subcommittee Chair*

No significant action to report.

*Industry Advisory Subcommittee—UCR Industry Advisory Subcommittee Chair*

The UCR Industry Advisory Subcommittee Chair will provide an update on current and planned initiatives, to include the development of a video series intended to increase participation in the UCR focused on brokers, motor carriers, and bus operators.

*Enforcement Subcommittee—UCR Enforcement Subcommittee Chair*

The UCR Enforcement Subcommittee Chair will provide an update on current and planned initiatives to include an update on PowerPoint training, the creation of standards for annual UCR enforcement awards and recognition, and the upcoming awareness initiative.

*Dispute Resolution Subcommittee—UCR Dispute Resolution Subcommittee Chair*

No significant action to report.

#### VIII. Contractor Reports—UCR Board Chair

*UCR Executive Director Report*

The UCR Executive Director will provide a report covering his recent activity for the UCR Plan including any changes in the dates of UCR meetings in 2024.

*UCR Administrator Report (Kellen)*

The UCR Chief of Staff will provide a management update covering recent activity for the Depository, Operations, and Communications.

*DSL Transportation Services, Inc.*

DSL Transportation Services, Inc. will report on the latest data from the FARs program, Tier 5 and 6 unregistered motor carriers, and other matters.



*Seikosoft*

Seikosoft will provide an update on its recent/new activity related to the UCR's National Registration System.

**IX. Other Business—UCR Board Chair**

The UCR Board Chair will call for any other business, old or new, from the floor.

**X. Adjournment—UCR Board Chair**

The UCR Board Chair will adjourn the meeting.

The agenda will be available no later than 5:00 p.m. Eastern time, May 24, 2024, at: <https://plan.ucr.gov>.

**CONTACT PERSON FOR MORE INFORMATION:**

Elizabeth Leaman, Chair, Unified Carrier Registration Plan Board of Directors, (617) 305-3783, [eleaman@board.ucr.gov](mailto:eleaman@board.ucr.gov).

**Alex B. Leath,**

Chief Legal Officer, Unified Carrier Registration Plan.

[FR Doc. 2024-12096 Filed 5-29-24; 4:15 pm]

**BILLING CODE 4910-YL-P**

**DEPARTMENT OF VETERANS AFFAIRS**

[OMB Control No. 2900-0074]

**Agency Information Collection Activity: Request for Change of Program or Place of Training**

**AGENCY:** Veterans Benefits Administration, Department of Veterans Affairs.

**ACTION:** Notice.

**SUMMARY:** Veterans Benefits Administration, Department of Veterans

Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed revision of a currently approved collection, and allow 60 days for public comment in response to the notice.

**DATES:** Comments must be received on or before July 30, 2024.

**ADDRESSES:** Comments must be submitted through [www.Regulations.gov](http://www.Regulations.gov).

**FOR FURTHER INFORMATION CONTACT:**

*Program-Specific information:* Nancy Kessinger, 202-632-8924, [nancy.kessinger@va.gov](mailto:nancy.kessinger@va.gov).

*VA PRA information:* Maribel Aponte, 202-461-8900, [vacopaperworkreduact@va.gov](mailto:vacopaperworkreduact@va.gov).

**SUPPLEMENTARY INFORMATION:** Under the PRA of 1995, Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA's estimate of the burden of the proposed collection of information; (3) ways to enhance the

quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

*Title:* Request for Change of Program or Place of Training, VA Form 22-1995.

*OMB Control Number:* 2900-0074.

*https://www.reginfo.gov/public/do/PRASearch* (Once at this link, you can enter the OMB Control Number to find the historical versions of this Information Collection).

*Type of Review:* Revision of a currently approved collection.

*Abstract:* The VA uses the information requested on this form to determine the applicant's continued eligibility to educational assistance administered by VA when a change of program or place of training occurs.

*Affected Public:* Individuals and Households.

*Estimated Annual Burden:* 66,951 hours.

*Estimated Average Burden Time per Respondent:* 20 minutes.

*Frequency of Response:* Once Occasionally.

*Estimated Number of Respondents:* 243,462.

*Authority:* 44 U.S.C. 3501 *et seq.*

**Maribel Aponte,**

VA PRA Clearance Officer, Office of Enterprise and Integration/Data Governance Analytics, Department of Veterans Affairs.

[FR Doc. 2024-11960 Filed 5-30-24; 8:45 am]

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Part II

Department of Homeland Security

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U.S. Customs and Border Protection

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Distribution of Continued Dumping and Subsidy Offset to Affected Domestic Producers; Notice

## DEPARTMENT OF HOMELAND SECURITY

### U.S. Customs and Border Protection

#### Distribution of Continued Dumping and Subsidy Offset to Affected Domestic Producers

**AGENCY:** U.S. Customs and Border Protection, Department of Homeland Security.

**ACTION:** Notice of intent to distribute offset for Fiscal Year 2024.

**SUMMARY:** Pursuant to the *Continued Dumping and Subsidy Offset Act of 2000*, this document is U.S. Customs and Border Protection's (CBP) notice of intent to distribute assessed antidumping and countervailing duties (known as the continued dumping and subsidy offset) for Fiscal Year 2024 in connection with countervailing duty orders, antidumping duty orders, and findings under the *Antidumping Act of 1921*. This document provides the instructions for affected domestic producers, or anyone alleging eligibility to receive a distribution, to file certifications to claim a distribution in relation to the listed orders and findings, and to provide CBP with the necessary information to effect payment of a distribution by electronic funds transfer.

**DATES:** Certifications to obtain a continued dumping and subsidy offset under a particular order or finding must be submitted electronically at <https://www.pay.gov> or received at the address identified below by July 30, 2024. Any certification submitted electronically at <https://www.pay.gov> or received at the address identified below after July 30, 2024 will be summarily denied, making claimants ineligible for the distribution.

**ADDRESSES:**

- Certifications may be submitted electronically at <https://www.pay.gov> or sent by mail, or an express or courier service, addressed to U.S. Customs and Border Protection, Revenue Division, Attention: CDSOA Team, 8899 E 56th Street, Indianapolis, IN 46249. This is a new address. The address used in prior years is no longer the proper address for submission of a certification or any CDSOA-related correspondence.

- ACH Refund Enrollment Forms can be obtained by sending an email to [gmb.achrefundsupport@cbp.dhs.gov](mailto:gmb.achrefundsupport@cbp.dhs.gov) or calling CBP at (317) 298-1200, extension 1178. The completed ACH Refund Enrollment Form may be returned by mail to CBP's Revenue Division Attn: CDSOA Team at 8899 E 56th Street, Indianapolis, IN 46249, or by email to [cdsoa@cbp.dhs.gov](mailto:cdsoa@cbp.dhs.gov).

- All other correspondence may be sent by mail, or an express or courier service, addressed to U.S. Customs and Border Protection, Revenue Division, Attention: CDSOA Team, 8899 E 56th Street, Indianapolis, IN 46249.

**FOR FURTHER INFORMATION CONTACT:**

Robin Batt, CDSOA Team, Revenue Division, 8899 E 56th Street, Indianapolis, IN 46249; telephone (317) 614-4462.

**SUPPLEMENTARY INFORMATION:**

**Background**

The *Continued Dumping and Subsidy Offset Act of 2000* (CDSOA) was enacted on October 28, 2000, as part of the *Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001* (the "Act"). The provisions of the CDSOA are contained in title X (sections 1001-1003) of the appendix of the Act (H.R. 5426).

The CDSOA amended title VII of the *Tariff Act of 1930* by adding section 754 (codified at 19 U.S.C. 1675c) to provide that assessed duties received pursuant to a countervailing duty order, an antidumping duty order, or a finding under the *Antidumping Act of 1921* will be distributed to affected domestic producers for certain qualifying expenditures that these producers incur after the issuance of such an order or finding. The term "affected domestic producer" means any manufacturer, producer, farmer, rancher, or worker representative (including associations of such persons) who:

(A) Was a petitioner or interested party in support of a petition with respect to which an antidumping duty order, a finding under the *Antidumping Act of 1921*, or a countervailing duty order has been entered;

(B) Remains in operation continuing to produce the product covered by the countervailing duty order, the antidumping duty order, or the finding under the *Antidumping Act of 1921*; and

(C) Has not been acquired by another company or business that is related to a company that opposed the antidumping or countervailing duty investigation that led to the order or finding (e.g., opposed the petition or otherwise presented evidence in opposition to the petition). The distribution that these parties may receive is known as the continued dumping and subsidy offset.

Section 7601(a) of the *Deficit Reduction Act of 2005* repealed 19 U.S.C. 1675c. According to section 7701 of the *Deficit Reduction Act*, the repeal takes effect as if enacted on October 1, 2005. However, section 7601(b)

provides that all duties collected on an entry filed before October 1, 2007, must be distributed as if 19 U.S.C. 1675c had not been repealed by section 7601(a). The funds available for distribution were also affected by section 822 of the *Claims Resolution Act of 2010* and section 504 of the *Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010*.

Historically, the antidumping and countervailing duties assessed and received by U.S. Customs and Border Protection (CBP) on CDSOA-subject entries, along with the interest assessed and received on those duties pursuant to 19 U.S.C. 1677g, were transferred to the CDSOA Special Account for distribution. 66 FR 48546, Sept. 21, 2001; see also 19 CFR 159.64(e). Other types of interest, including delinquency interest that accrued pursuant to 19 U.S.C. 1505(d), equitable interest under common law, and interest under 19 U.S.C. 580, were not subject to distribution. *Id.*

Section 605 of the *Trade Facilitation and Trade Enforcement Act of 2015* (TFTEA) (Pub. L. No. 114-125, February 24, 2016; codified at 19 U.S.C. 4401), provided new authority for CBP to deposit into the CDSOA Special Account for distribution, delinquency interest that accrued pursuant to 19 U.S.C. 1505(d), equitable interest under common law, and interest under 19 U.S.C. 580 for all surety payments received by CBP on or after October 1, 2014, on CDSOA-subject entries, as well as post-judgment interest received by CBP on those surety payments (see 28 U.S.C. 1961).

On March 13, 2023, President Biden ordered the sequester of non-exempt budgetary resources for Fiscal Year 2024 pursuant to section 251A of the *Balanced Budget and Emergency Deficit Control Act of 1985*, as amended (88 FR 16171, March 16, 2023). To implement this sequester during Fiscal Year 2024, the calculation of the Office of Management and Budget (OMB) requires a reduction of 5.7 percent of the assessed duties and interest received in the CDSOA Special Account (account number 015-12-5688). OMB has concluded that any amounts sequestered in the CDSOA Special Account during Fiscal Year 2024 will become available in the subsequent fiscal year (see 2 U.S.C. 906(k)(6)). As a result, CBP intends to include the funds that are temporarily reduced via sequester during Fiscal Year 2024 in the continued dumping and subsidy offset for Fiscal Year 2024, which will be distributed not later than 60 days after the first day of Fiscal Year 2025 in

accordance with 19 U.S.C. 1675c(c). In other words, the continued dumping and subsidy offset that affected domestic producers receive for Fiscal Year 2024 will include the funds that were temporarily sequestered during Fiscal Year 2024.

Because of the statutory constraints in the assessments of antidumping and countervailing duties, as well as the additional time involved when the Government must initiate litigation to collect delinquent antidumping and countervailing duties, the CDSOA distribution process will be continued for an undetermined period.

Consequently, the full impact of the CDSOA repeal on amounts available for distribution has been delayed for several years. It should also be noted that amounts distributed may be subject to recovery as a result of reliquidations, court actions, administrative errors, and other reasons.

#### List of Orders and Findings and Affected Domestic Producers

It is the responsibility of the U.S. International Trade Commission (USITC) to ascertain and timely forward to CBP a list of the affected domestic producers that are potentially eligible to receive an offset in connection with an order or finding. In this regard, it is noted that the USITC has supplied CBP with the list of individual antidumping and countervailing duty cases, and the affected domestic producers associated with each case who are potentially eligible to receive an offset. This list appears at the end of this document.

A significant amount of litigation has challenged various provisions of the CDSOA, including the definition of the term “affected domestic producer.” In two decisions, the U.S. Court of Appeals for the Federal Circuit (Federal Circuit) upheld the constitutionality of the support requirement contained in the CDSOA. Specifically, in *SKF USA Inc. v. United States Customs & Border Prot.*, 556 F.3d 1337 (Fed. Cir. 2009), the Federal Circuit held that the CDSOA’s support requirement did not violate either the First or Fifth Amendment. The Supreme Court of the United States denied plaintiff’s petition for certiorari, *SKF USA, Inc. v. United States Customs & Border Prot.*, 560 U.S. 903 (2010). Similarly, in *PS Chez Sidney, L.L.C. v. United States*, 409 Fed. Appx. 327 (Fed. Cir. 2010), the Federal Circuit summarily reversed the U.S. Court of International Trade’s judgment that the support requirement was unconstitutional, allowing only plaintiff’s non-constitutional claims to go forward. See *PS Chez Sidney, L.L.C. v. United States*, 684 F.3d 1374 (Fed.

Cir. 2012). Furthermore, in two cases interpreting the CDSOA’s language, the Federal Circuit concluded that a producer who never indicates support for a dumping petition by letter or through questionnaire response, despite the act of otherwise filling out a questionnaire, cannot be an affected domestic producer. *Ashley Furniture Indus., Inc. et al. v. United States*, 734 F.3d 1306 (Fed. Cir. 2013), cert. denied, 135 S. Ct. 72 (2014); *Giorgio Foods, Inc. v. United States et al.*, 785 F.3d 595 (Fed. Cir. 2015).

Domestic producers who are not on the USITC list but believe they nonetheless are eligible for a CDSOA distribution under one or more antidumping and/or countervailing duty cases are required, as are all potential claimants that expressly appear on the list, to properly file their certification(s) within 60 days after this notice is published. Such domestic producers must allege all other bases for eligibility in their certification(s). CBP will evaluate the merits of such claims in accordance with the relevant statutes, regulations, and decisions. Certifications that are not timely filed within the requisite 60 days and/or that fail to sufficiently establish a basis for eligibility will be summarily denied. Additionally, CBP may not make a final decision regarding a claimant’s eligibility to receive funds until certain legal issues which may affect that claimant’s eligibility are resolved. In these instances, CBP may withhold an amount of funds corresponding to the claimant’s alleged *pro rata* share of funds from distribution pending the resolution of those legal issues.

It should also be noted that the Federal Circuit ruled in *Canadian Lumber Trade Alliance v. United States*, 517 F.3d 1319 (Fed. Cir. 2008), cert. denied sub nom. *United States Steel v. Canadian Lumber Trade Alliance*, 129 S. Ct. 344 (2008), that CBP was not authorized to distribute such antidumping and countervailing duties to the extent they were derived from goods from countries that are parties to the North American Free Trade Agreement (NAFTA). Due to this decision, CBP does not list cases related to NAFTA on the Preliminary Amounts Available report, and no distributions will be issued on these cases.

#### Regulations Implementing the CDSOA

It is noted that CBP published Treasury Decision (T.D.) 01–68 (Distribution of Continued Dumping and Subsidy Offset to Affected Domestic Producers) in the **Federal Register** (66 FR 48546) on September 21, 2001, which was effective as of that date, to

implement the CDSOA. The final rule added subpart F to part 159 of title 19, Code of Federal Regulations (19 CFR part 159, subpart F (§§ 159.61–159.64)). More specific guidance regarding the filing of certifications is provided in this notice to aid affected domestic producers and other domestic producers alleging eligibility (“claimants” or “domestic producers”).

#### Notice of Intent To Distribute Offset

This document announces that CBP intends to distribute to affected domestic producers the assessed antidumping and countervailing duties, section 1677g interest, and interest provided for in 19 U.S.C. 4401 that are available for distribution in Fiscal Year 2024 in connection with those antidumping duty orders, findings and countervailing duty orders that are listed in this document. As explained below, CBP is required to issue all CDSOA offset distributions made after March 22, 2024, by electronic funds transfer, unless a Department of the Treasury waiver applies. Section 159.62(a) of title 19, Code of Federal Regulations (19 CFR 159.62(a)), provides that CBP will publish such a notice of intention to distribute at least 90 calendar days before the end of a fiscal year. Failure to publish the notice at least 90 calendar days before the end of the fiscal year will not affect an affected domestic producer’s obligation to file a timely certification within 60 days after the notice is published. See *Dixon Ticonderoga v. United States*, 468 F.3d 1353, 1354 (Fed. Cir. 2006).

#### Certifications; Submission and Content

To obtain a distribution of the offset under a given order or finding (including any distribution under 19 U.S.C. 4401), an affected domestic producer (and anyone alleging eligibility to receive a distribution) must timely submit a certification for each order or finding under which a distribution is sought, to CBP, indicating its desire to receive a distribution. Specifically, to be eligible to obtain a distribution, certifications must be submitted electronically at <https://www.pay.gov> or received by CBP’s Revenue Division Attn: CDSOA Team at 8899 E 56th Street, Indianapolis, IN 46249, no later than 60 calendar days after the date of publication of this notice of intent to distribute in the **Federal Register**. Please note that this is a new address. The address used in prior years is no longer the proper address for submission of a certification or any CDSOA-related correspondence. A certification that is delivered to the old

address will not be considered received by CBP. There is no guarantee as to the availability, timing, or efficacy of any mail forwarding. Claimants who choose to submit certifications by mail or by an express or courier service must ensure that the certification(s) are actually received by CBP at 8899 E 56th Street, Indianapolis, IN 46249, no later than 60 calendar days after the date of publication of this notice of intent to distribute in the **Federal Register**. A postmark date, attempted delivery date, or delivery at a location other than 8899 E 56th Street, Indianapolis, IN 46249, is not sufficient. Claimants are encouraged to submit certifications electronically at <https://www.pay.gov> under the Public Form Name, "Continued Dumping and Subsidy Offset Act of 2000 Certification" (CBP Form Number 7401) no later than 60 calendar days after the date of the publication of this notice of intent to distribute to ensure CBP's timely receipt and to avoid any potential delivery delays associated with mail or courier service. All certifications not submitted electronically at <https://www.pay.gov> or received by CBP at 8899 E 56th Street, Indianapolis, IN 46249, by the 60th day, will not be eligible to receive a distribution.

As required by 19 CFR 159.62(b), this notice provides the case name and number of the order or finding concerned, as well as the specific instructions for filing a certification under section 159.63 to claim a distribution. Section 159.62(b) also provides that the dollar amounts subject to distribution that are contained in the Special Account for each listed order or finding are to appear in this notice. However, these dollar amounts were not available in time for inclusion in this publication. The preliminary amounts will be posted on the CBP website (<https://www.cbp.gov>). However, the final amounts available for disbursement may be higher or lower than the preliminary amounts.

CBP will provide general information to claimants regarding the preparation of certification(s). However, it remains the sole responsibility of the domestic producer to ensure that the certification is correct, complete, and accurate so as to demonstrate the eligibility of the domestic producer for the distribution requested. Failure to ensure that the certification is correct, complete, and accurate as provided in this notice will result in the domestic producer not receiving a distribution and/or a demand for the return of funds.

Specifically, to obtain a distribution of the offset under a given order or finding (including any distribution

under 19 U.S.C. 4401), each potential claimant must timely submit a certification as detailed above containing the required information detailed below as to the eligibility of the domestic producer (or anyone alleging eligibility) to receive the requested distribution and the total amount of the distribution that the domestic producer is claiming. The certification must enumerate the qualifying expenditures incurred by the domestic producer since the issuance of an order or finding and it must demonstrate that the domestic producer is eligible to receive a distribution as an affected domestic producer or allege another basis for eligibility. Any false statements made in connection with certifications submitted to CBP may give rise to liability under the *False Claims Act* (see 31 U.S.C. 3729–3733) and/or to criminal prosecution.

A successor to a company that was an affected domestic producer at the time of acquisition should consult 19 CFR 159.61(b)(1)(i). Any company that files a certification claiming to be the successor company to an affected domestic producer will be deemed to have consented to joint and several liability for the return of any overpayments arising under 19 CFR 159.64(b)(3) that were previously paid to the predecessor. CBP may require the successor company to provide documents to support its eligibility to receive a distribution as set out in 19 CFR 159.63(d). Additionally, any individual or company who purchases any portion of the operating assets of an affected domestic producer, a successor to an affected domestic producer, or an entity that otherwise previously received distributions may be jointly and severally liable for the return of any overpayments arising under 19 CFR 159.64(b)(3) that were previously paid to the entity from which the operating assets were purchased or its predecessor, regardless of whether the purchasing individual or company is deemed a successor company for purposes of receiving distributions.

A member company (or its successor) of an association that appears on the list of affected domestic producers in this notice, where the member company itself does not appear on this list, should consult 19 CFR 159.61(b)(1)(ii). Specifically, for a certification under 19 CFR 159.61(b)(1)(ii), the claimant must name the association of which it is a member, specifically establish that it was a member of the association at the time the association filed the petition with the USITC, and establish that the claimant is a current member of the association. In order to promote

accurate filings and more efficiently process the distributions, we offer the following guidance:

- If claimants are members of an association but the association does not file on their behalf, the association will need to provide its members with a statement that contains notarized company-specific information including dates of membership and an original signature from an authorized representative of the association.
- An association filing a certification on behalf of a member must also provide a power of attorney or other evidence of legal authorization from each of the domestic producers it is representing.
- Any association filing a certification on behalf of a member is responsible for verifying the legal sufficiency and accuracy of the member's financial records, which support the claim, and is responsible for that certification. As such, an association filing a certification on behalf of a member is jointly and severally liable with the member for repayment of any claim found to have been paid or overpaid in error.

The association may file a certification in its own right to claim an offset for that order or finding, but its qualifying expenditures would be limited to those expenditures that the association itself has incurred after the date of the order or finding in connection with the particular case.

As provided in 19 CFR 159.63(a), certifications to obtain a distribution of an offset (including any distribution under 19 U.S.C. 4401) must be received by CBP through the submission methods detailed above no later than 60 calendar days after the date of publication of the notice of intent in the **Federal Register**. All certifications received after the 60-day deadline will be summarily denied, making claimants ineligible for the distribution regardless of whether or not they appeared on the USITC list.

A list of all certifications received will be published on the CBP website (<https://www.cbp.gov>) shortly after the receipt deadline. This publication will not confirm acceptance or validity of the certification, but merely receipt of the certification. Due to the high volume of certifications, CBP is unable to respond to individual telephone or written inquiries regarding the status of a certification appearing on the list.

While there is no required format for a certification, CBP has developed a standard certification form to aid claimants in filing certifications. The certification form is available at <https://www.pay.gov> under the Public Form Name "Continued Dumping and Subsidy Offset Act of 2000

Certification” (CBP Form Number 7401) or by directing a web browser to <https://www.pay.gov/public/form/start/8776895/>. The certification form can be submitted electronically through <https://www.pay.gov> or by mail, express or courier service at the address identified above. All certifications not submitted electronically must include original signatures.

Regardless of the format for a certification, per 19 CFR 159.63(b), the certification must contain the following information:

(1) The date of this **Federal Register** notice;

(2) The Department of Commerce antidumping or countervailing duty case number (for example, A-331-802);

(3) The case name (product/country);

(4) The name of the domestic producer and any name qualifier, if applicable (for example, any other name under which the domestic producer does business or is also known);

(5) The mailing address of the domestic producer (if a post office box, the physical street address must also appear) including, if applicable, a specific room number or department;

(6) The Internal Revenue Service (IRS) number (with suffix) of the domestic producer, employer identification number, or social security number, as applicable;

(7) The specific business organization of the domestic producer (corporation, partnership, sole proprietorship);

(8) The name(s) of any individual(s) designated by the domestic producer as the contact person(s) concerning the certification, together with the phone number(s), mailing address, and, if available, facsimile transmission number(s) and electronic mail (email) address(es) for the person(s).

Correspondence from CBP may be directed to the designated contact(s) by either mail or phone or both;

(9) The total dollar amount claimed;

(10) The dollar amount claimed by category, as described in the section below entitled “Amount Claimed for Distribution”;

(11) A statement of eligibility, as described in the section below entitled “Eligibility to Receive Distribution”; and

(12) For certifications not submitted electronically through <https://www.pay.gov>, an original signature by an individual legally authorized to bind the producer.

#### **Qualifying Expenditures That May Be Claimed for Distribution**

Qualifying expenditures that may be offset under the CDSOA encompass those expenditures incurred by the

domestic producer after issuance of an antidumping duty order or finding or a countervailing duty order (including expenditures incurred on the date of the order’s issuance), and prior to its termination, provided that such expenditures fall within certain categories. See 19 CFR 159.61(c). The CDSOA repeal language parallels the termination of an order or finding. Therefore, for duty orders or findings that have not been previously revoked or were not revoked prior to October 1, 2007, expenses must be incurred before October 1, 2007, to be eligible for offset. For duty orders or findings that were revoked prior to October 1, 2007, expenses must be incurred before the effective date of the revocation to be eligible for offset. For example, assume for case A-331-802 Certain Frozen Warm-Water Shrimp and Prawns from Ecuador, that the order date is February 1, 2005, and that the revocation effective date is August 15, 2007. In this case, eligible expenditures would have to be incurred on or after February 1, 2005, up to and including August 14, 2007; expenditures incurred on or after August 15, 2007, cannot be included as eligible qualifying expenditures for A-331-802.

For the convenience and ease of the domestic producers, CBP is providing guidance on what the agency takes into consideration when making a calculation for each of the following categories:

(1) Manufacturing facilities (Any facility used for the transformation of raw material into a finished product that is the subject of the related order or finding);

(2) Equipment (Goods that are used in a business environment to aid in the manufacturing of a product that is the subject of the related order or finding);

(3) Research and development (Seeking knowledge and determining the best techniques for production of the product that is the subject of the related order or finding);

(4) Personnel training (Teaching of specific useful skills to personnel, that will improve performance in the production process of the product that is the subject of the related order or finding);

(5) Acquisition of technology (Acquisition of applied scientific knowledge and materials to achieve an objective in the production process of the product that is the subject of the related order or finding);

(6) Health care benefits for employees paid for by the employer (Health care benefits paid to employees who are producing the specific product that is

the subject of the related order or finding);

(7) Pension benefits for employees paid for by the employer (Pension benefits paid to employees who are producing the specific product that is the subject of the related order or finding);

(8) Environmental equipment, training, or technology (Equipment, training, or technology used in the production of the product that is the subject of the related order or finding, that will assist in preventing potentially harmful factors from affecting the environment);

(9) Acquisition of raw materials and other inputs (Purchase of unprocessed materials or other inputs needed for the production of the product that is the subject of the related order or finding); and

(10) Working capital or other funds needed to maintain production (Assets of a business that can be applied to its production of the product that is the subject of the related order or finding).

#### **Amount Claimed for Distribution**

In calculating the amount of the distribution being claimed as an offset, the certification must indicate:

(1) The total amount of any qualifying expenditures previously certified by the domestic producer, and the amount certified by category;

(2) The total amount of those expenditures which have been the subject of any prior distribution for the order or finding being certified under 19 U.S.C. 1675c; and

(3) The net amount for new and remaining qualifying expenditures being claimed in the current certification (the total amount previously certified as noted in item “(1)” above minus the total amount that was the subject of any prior distribution as noted in item “(2)” above). In accordance with 19 CFR 159.63(b)(2)(i) through (iii), CBP will deduct the amount of any prior distribution from the producer’s claimed amount for that case. Total amounts disbursed by CBP under the CDSOA for some prior Fiscal Years are available on the CBP website.

Additionally, under 19 CFR 159.61(c), these qualifying expenditures must be related to the production of the same product that is the subject of the order or finding, with the exception of expenses incurred by associations which must be related to a specific case. Any false statements made to CBP concerning the amount of distribution being claimed as an offset may give rise to liability under the *False Claims Act* (see 31 U.S.C. 3729-3733) and/or to criminal prosecution.

### Eligibility To Receive Distribution

As noted, the certification must contain a statement that the domestic producer desires to receive a distribution and is eligible to receive the distribution as an affected domestic producer or on another legal basis. Also, the domestic producer must affirm that the net amount certified for distribution does not encompass any qualifying expenditures for which distribution has previously been made (19 CFR 159.63(b)(3)(i)). Any false statements made in connection with certifications submitted to CBP may give rise to liability under the *False Claims Act* (see 31 U.S.C. 3729–3733) and/or to criminal prosecution.

Furthermore, under 19 CFR 159.63(b)(3)(ii), where a domestic producer files a separate certification for more than one order or finding using the same qualifying expenditures as the basis for distribution in each case, each certification must list all the other orders or findings where the producer is claiming the same qualifying expenditures.

Moreover, as required by 19 U.S.C. 1675c(b)(1) and 19 CFR 159.63(b)(3)(iii), the certification must include information as to whether the domestic producer remains in operation at the time the certifications are filed and continues to produce the product covered by the particular order or finding under which the distribution is sought. If a domestic producer is no longer in operation, or no longer produces the product covered by the order or finding, the producer will not be considered an affected domestic producer entitled to receive a distribution.

In addition, as required by 19 U.S.C. 1675c(b)(5) and 19 CFR 159.63(b)(3)(iii), the domestic producer must state whether it has been acquired by a company that opposed the investigation or was acquired by a business related to a company that opposed the investigation. If a domestic producer has been so acquired, the producer will not be considered an affected domestic producer entitled to receive a distribution. However, CBP may not make a final decision regarding a claimant's eligibility to receive funds until certain legal issues which may affect that claimant's eligibility are resolved. In these instances, CBP may withhold an amount of funds corresponding to the claimant's alleged *pro rata* share of funds from distribution pending the resolution of those legal issues.

The certification must be executed and dated by a party legally authorized

to bind the domestic producer and it must state that the information contained in the certification is true and accurate to the best of the certifier's knowledge and belief under penalty of law, and that the domestic producer has records to support the qualifying expenditures being claimed (see section below entitled "Verification of Certification"). Moreover, as provided in 19 CFR 159.64(b)(3), all overpayments to affected domestic producers are recoverable by CBP, and CBP reserves the right to use all available collection tools to recover overpayments, including but not limited to garnishments, court orders, administrative offset, enrollment in the Treasury Offset Program, and/or offset of tax refund payments. Overpayments may occur for a variety of reasons, including but not limited to: reliquidations, court actions, settlements, insufficient verification of a certification in response to an inquiry from CBP, and administrative errors. With diminished amounts available over time, the likelihood that these events will require the recovery of funds previously distributed will increase. As a result, domestic producers who receive distributions under the CDSOA may wish to set aside any funds received in case it is subsequently determined that an overpayment has occurred. CBP considers the submission of a certification and the crediting of the distribution amount to the appropriate account by electronic funds transfer or the negotiation of any distribution checks received as acknowledgements and acceptance of the claimant's obligation to return those funds upon demand.

### Review and Correction of Certification

A certification that is submitted electronically at <https://www.pay.gov> or received by CBP at 8899 E 56th Street, Indianapolis, IN 46249, within 60 calendar days after the date of publication of this notice in the **Federal Register** may, at CBP's sole discretion, be subject to review before acceptance to ensure that all informational requirements are complied with and that any amounts set forth in the certification for qualifying expenditures, including the amount claimed for distribution, appear to be correct. A certification that is found to be materially incorrect or incomplete will be returned to the domestic producer within 15 business days after the close of the 60-calendar-day filing period, as provided in 19 CFR 159.63(c). CBP must receive a corrected certification from the domestic producer and/or an association filing on behalf of an

association member within 10 business days from the date of the original denial letter. Failure to receive a corrected certification within 10 business days will result in denial of the certification at issue. The return of a certification for correction does not preclude CBP from taking other actions related to the incorrect or incomplete initial certification. It is the sole responsibility of the domestic producer to ensure that the certification is correct, complete, and accurate so as to demonstrate the eligibility of the domestic producer to the distribution requested. Failure to ensure that the certification is correct, complete, and accurate will result in the domestic producer not receiving a distribution and/or a demand for the return of funds, in addition to other potential legal and administrative consequences.

### Verification of Certification

Certifications are subject to CBP's verification. The burden remains on each claimant to fully substantiate all elements of its certification. As such, claimants may be required to provide copies of additional records for further review by CBP. Therefore, parties are required to maintain, and be prepared to produce, records adequately supporting their claims for a period of five years after the filing of the certification (19 CFR 159.63(d)). The records must demonstrate that each qualifying expenditure enumerated in the certification was actually incurred, and they must support how the qualifying expenditures are determined to be related to the production of the product covered by the order or finding. Although CBP will accept comments and information from the public and other domestic producers, CBP retains complete discretion regarding the initiation and conduct of investigations stemming from such information. In the event that a distribution is made to a domestic producer from whom CBP later seeks verification of the certification and sufficient supporting documentation is not provided as determined by CBP, then the amounts paid to the affected domestic producer are recoverable by CBP as an overpayment. CBP reserves the right to use all available collection tools to recover overpayments, including but not limited to garnishments, court orders, administrative offset, enrollment in the Treasury Offset Program, and/or offset of tax refund payments. CBP considers the submission of a certification and the crediting of the distribution amount to the appropriate account by electronic funds transfer or the negotiation of any distribution checks received as

acknowledgements and acceptance of the claimant’s obligation to return those funds upon demand. Failure to repay overpayments upon demand may result in administrative consequences. Additionally, the submission of false statements, documents, or records in connection with a certification or verification of a certification may give rise to liability under the *False Claims Act* (see 31 U.S.C. 3729–3733) and/or to criminal prosecution.

**Disclosure of Information in Certifications; Acceptance by Producer**

The name of the claimant, the total dollar amount claimed by the party on the certification, as well as the total dollar amount that CBP actually disburses to that affected domestic producer as an offset, will be available for disclosure to the public, as specified in 19 CFR 159.63(e). To this extent, the submission of the certification is construed as an understanding and acceptance on the part of the domestic producer that this information will be disclosed to the public and a waiver of any right to privacy or non-disclosure. Additionally, a statement in a certification that this information is proprietary and exempt from disclosure may result in CBP’s rejection of the certification.

**Distribution Made by Electronic Funds Transfer**

Pursuant to 31 U.S.C. 3332 and 31 CFR part 208, as amended by 89 FR 12955 (February 21, 2024), CBP is required to issue all CDSOA offset distributions made after March 22, 2024, by electronic funds transfer, unless a Department of the Treasury waiver applies. Claimants are likewise required by 31 U.S.C. 3332(g) and 31 CFR 208.8 to provide CBP with the information necessary to effect payment by electronic funds transfer. Therefore, an individual who is legally authorized to bind the domestic producer must complete an ACH Refund Enrollment Form designating the bank account and associated routing number for CBP to make payment of any CDSOA offset distribution(s) by electronic funds transfer into the designated bank account. The ACH Refund Enrollment Form must also include the domestic

producer’s federally assigned taxpayer identification number (with suffix), or employer identification number (with suffix), or social security number; this number is also present on the domestic producer’s CDSOA certification(s). This ACH Refund Enrollment Form can be obtained by sending an email to [gmb.achrefundsupport@cbp.dhs.gov](mailto:gmb.achrefundsupport@cbp.dhs.gov) or calling CBP at (317) 298–1200, extension 1178. The completed ACH Refund Enrollment Form must be returned by mail to CBP’s Revenue Division Attn: CDSOA Team at 8899 E 56th Street, Indianapolis, IN 46249, or by email to [cdsoa@cbp.dhs.gov](mailto:cdsoa@cbp.dhs.gov), no later than October 1, 2024. This deadline to return the ACH Refund Enrollment Form does not change or otherwise extend the 60-day deadline to timely submit a certification for each order or finding under which a CDSOA distribution is sought.

There are limited circumstances specified in 31 CFR 208.4 wherein the Department of the Treasury may waive the requirement that payment be made by electronic funds transfer, to permit payment by paper check. For example, 31 CFR 208.4(a)(7) permits waiver when the agency does not expect to make multiple payments to the same recipient within a one-year period on a regular, recurring basis but only if the payments are made to an individual or a small business concern where “small business concern” has the meaning given the term in section 3 of the *Small Business Act* at 15 U.S.C. 632 and its implementing regulations. Additionally, 31 CFR 208.4(a)(4) permits waiver of the electronic funds transfer requirement when the payment is to a recipient within an area designated by the President or an authorized agency administrator as a disaster area.

CBP’s Revenue Division, Attn: CDSOA Team, must be notified, in writing, if a domestic producer believes one of the waiver criteria applies to it and if the domestic producer seeks payment of its CDSOA distribution by paper check. The domestic producer’s written waiver request must include sufficient information to identify the domestic producer, the associated CDSOA certification(s), and the specific waiver provision within 31 CFR 208.4 upon which the domestic producer is

relying. The burden is on the domestic producer to demonstrate that its circumstances satisfy the waiver criteria within 31 CFR 208.4.

Notably, some waiver provisions require the domestic producer to submit a written waiver request to the Department of the Treasury. For example, a domestic producer who is an individual with a qualifying hardship due to a mental impairment (31 CFR 208.4(a)(1)(iv)) or an individual living in a remote geographic location lacking the infrastructure to support electronic financial transactions (31 CFR 208.4(a)(1)(v)) must submit a written waiver request to the Department of the Treasury using the procedure set forth in 31 CFR 208.4(b). Additional information is available from the Department of the Treasury’s Electronic Payment Solution Center—Waiver Line, at 1–855–290–1545 for domestic producers who are individuals seeking a waiver under 31 CFR 208.4(a)(1)(iv) or (v).

If an electronic funds transfer waiver request is rejected and/or if a domestic producer does not provide CBP with the information necessary to effect payment by electronic funds transfer, then the Department of the Treasury may disburse the domestic producer’s CDSOA distribution to a Treasury-sponsored account or to an account to which the domestic producer is receiving other Federal payments as set forth in 31 CFR 208.8.

**List of Orders and Findings and Related Domestic Producers**

The list of individual antidumping duty orders and findings and countervailing duty orders is set forth below together with the affected domestic producers associated with each order or finding who are potentially eligible to receive an offset. Those domestic producers not on the list must allege another basis for eligibility in their certification.

Appearance of a domestic producer on the list is not a guarantee of distribution.

**Jeffrey Caine,**  
*Chief Financial Officer, U.S. Customs and Border Protection.*

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A–122–006 .....	AA1921–49 .....	Steel Jacks/Canada .....	Bloomfield Manufacturing (formerly Harrah Manufacturing). Seaburn Metal Products.
A–122–047 .....	AA1921–127 .....	Elemental Sulphur/Canada .....	Duval.
A–122–085 .....	731–TA–3 .....	Sugar and Syrups/Canada .....	Amstar Sugar.
A–122–401 .....	731–TA–196 .....	Red Raspberries/Canada .....	Northwest Food Producers’ Association. Oregon Caneberry Commission.



Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-122-503 .....	731-TA-263 .....	Iron Construction Castings/Canada .....	Rader Farms. Ron Roberts. Shuksan Frozen Food. Washington Red Raspberry Commission. Alhambra Foundry. Allegheny Foundry. Bingham & Taylor. Campbell Foundry. Charlotte Pipe & Foundry. Deeter Foundry. East Jordan Foundry. Le Baron Foundry. Municipal Castings. Neenah Foundry. Opelika Foundry. Pinkerton Foundry. Tyler Pipe. US Foundry & Manufacturing. Vulcan Foundry.
A-122-506 .....	731-TA-276 .....	Oil Country Tubular Goods/Canada .....	CF&I Steel. Copperweld Tubing. Cyclops. KPC. Lone Star Steel. LTV Steel. Maverick Tube. Quanex. US Steel.
A-122-601 .....	731-TA-312 .....	Brass Sheet and Strip/Canada .....	Allied Industrial Workers of America. American Brass. Bridgeport Brass. Chase Brass & Copper. Hussey Copper. International Association of Machinists & Aerospace Workers. Mechanics Educational Society of America (Local 56). The Miller Company. Olin. Revere Copper Products.
A-122-605 .....	731-TA-367 .....	Color Picture Tubes/Canada .....	United Steelworkers of America. Industrial Union Department, AFL-CIO. International Association of Machinists & Aerospace Workers. International Brotherhood of Electrical Workers. International Union of Electronic, Electrical, Technical, Salaried and Machine Workers. Philips Electronic Components Group. United Steelworkers of America. Zenith Electronics.
A-122-804 .....	731-TA-422 .....	Steel Rails/Canada .....	Bethlehem Steel. CF&I Steel.
A-122-814 .....	731-TA-528 .....	Pure Magnesium/Canada .....	Magnesium Corporation of America.
A-122-822 .....	731-TA-614 .....	Corrosion-Resistant Carbon Steel Flat Products/Canada.	Armco Steel. Bethlehem Steel. California Steel Industries. Geneva Steel. Gulf States Steel. Inland Steel Industries. LTV Steel. Lukens Steel. National Steel. Nextech. Rouge Steel Co. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America. WCI Steel.
A-122-823 .....	731-TA-575 .....	Cut-to-Length Carbon Steel Plate/Canada .....	Weirton Steel. Bethlehem Steel. California Steel Industries.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-122-830 .....	731-TA-789 .....	Stainless Steel Plate in Coils/Canada .....	Geneva Steel. Gulf States Steel. Inland Steel Industries. Lukens Steel. National Steel. Nextech. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America. Allegheny Ludlum. Armco Steel. J&L Specialty Steel. Lukens Steel.
A-122-838 .....	731-TA-928 .....	Softwood Lumber/Canada .....	North American Stainless. 71 Lumber Co. Almond Bros Lbr Co. Anthony Timberlands. Balfour Lbr Co. Ball Lumber. Banks Lumber Company. Barge Forest Products Co. Beadles Lumber Co. Bearden Lumber. Bennett Lumber. Big Valley Band Mill. Bighorn Lumber Co Inc. Blue Mountain Lumber. Buddy Bean Lumber. Burgin Lumber Co Ltd. Burt Lumber Company. C&D Lumber Co. Ceda-Pine Veneer. Cersosimo Lumber Co Inc. Charles Ingram Lumber Co Inc. Charleston Heart Pine. Chesterfield Lumber. Chips. Chocorua Valley Lumber Co. Claude Howard Lumber. Clearwater Forest Industries. CLW Inc. CM Tucker Lumber Corp. Coalition for Fair Lumber Imports Executive Committee. Cody Lumber Co. Collins Pine Co. Collums Lumber. Columbus Lumber Co. Contoocook River Lumber. Conway Guiteau Lumber. Cornwright Lumber Co. Crown Pacific. Daniels Lumber Inc. Dean Lumber Co Inc. Deltic Timber Corporation Devils Tower Forest Products. DiPrizio Pine Sales. Dorchester Lumber Co. DR Johnson Lumber. East Brainerd Lumber Co. East Coast Lumber Company. Eas-Tex Lumber. ECK Wood Products. Ellingson Lumber Co. Elliott Sawmilling. Empire Lumber Co. Evergreen Forest Products. Excalibur Shelving Systems Inc. Exley Lumber Co. FH Stoltze Land & Lumber Co. FL Turlington Lbr Co Inc.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Fleming Lumber. Flippo Lumber. Floragen Forest Products. Frank Lumber Co. Franklin Timber Co. Fred Tebb & Sons. Fremont Sawmill. Frontier Resources. Garrison Brothers Lumber Co and Subsidiaries. Georgia Lumber. Gilman Building Products. Godfrey Lumber. Granite State Forest Prod Inc. Great Western Lumber Co. Greenville Molding Inc. Griffin Lumber Company. Guess Brothers Lumber. Gulf Lumber. Gulf States Paper. Guy Bennett Lumber. Hampton Resources. Hancock Lumber. Hankins Inc. Hankins Lumber Co. Harrigan Lumber. Harwood Products, Haskell Lumber Inc. Hatfield Lumber. Hedstrom Lumber. Herrick Millwork Inc. HG Toler & Son Lumber Co Inc. HG Wood Industries LLC. Hogan & Storey Wood Prod. Hogan Lumber Co. Hood Industries. HS Hofler & Sons Lumber Co Inc. Hubbard Forest Ind Inc. HW Culp Lumber Co. Idaho Veneer Co. Industrial Wood Products. Intermountain Res LLC. International Paper. J Franklin Jones Lumber Co Inc. Jack Batte & Sons Inc. Jasper Lumber Company. JD Martin Lumber Co. JE Jones Lumber Co. Jerry G. Williams & Sons. JH Knighton Lumber Co. Johnson Lumber Company. Jordan Lumber & Supply. Joseph Timber Co. JP Haynes Lbr Co Inc. JV Wells Inc. JW Jones Lumber. Keadle Lumber Enterprises. Keller Lumber. King Lumber Co. Konkolville Lumber. Langdale Forest Products. Laurel Lumber Company. Leavitt Lumber Co. Leesville Lumber Co. Limington Lumber Co. Longview Fibre Co. Lovell Lumber Co Inc. M Kendall Lumber Co. Manke Lumber Co. Marriner Lumber Co. Mason Lumber. MB Heath & Sons Lumber Co. MC Dixon Lumber Co Inc. Mebane Lumber Co Inc.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			<p> Metcalfe Lumber Co Inc.  Millry Mill Co Inc.  Moose Creek Lumber Co.  Moose River Lumber.  Morgan Lumber Co Inc.  Mount Yonah Lumber Co.  Nagel Lumber.  New Kearsarge Corp.  New South.  Nicolet Hardwoods.  Nieman Sawmills SD.  Nieman Sawmills WY.  North Florida.  Northern Lights Timber &amp; Lumber.  Northern Neck Lumber Co.  Ochoco Lumber Co.  Olon Belcher Lumber Co.  Owens and Hurst Lumber.  Packaging Corp of America.  Page &amp; Hill Forest Products.  Paper, Allied-Industrial, Chemical and Energy Workers International Union.  Parker Lumber.  Pate Lumber Co Inc.  PBS Lumber.  Pedigo Lumber Co.  Piedmont Hardwood Lumber Co.  Pine River Lumber Co.  Pinecrest Lumber Co.  Pleasant River Lumber Co.  Pleasant Western Lumber Inc.  Plum Creek Timber.  Pollard Lumber.  Portac.  Potlatch.  Potomac Supply.  Precision Lumber Inc.  Pruitt Lumber Inc.  R Leon Williams Lumber Co.  RA Yancey Lumber.  Rajala Timber Co.  Ralph Hamel Forest Products.  Randy D Miller Lumber.  Rappahannock Lumber Co.  Regulus Stud Mills Inc.  Riley Creek Lumber.  Roanoke Lumber Co.  Robbins Lumber.  Robertson Lumber.  Roseburg Forest Products Co.  Rough &amp; Ready.  RSG Forest Products.  Rushmore Forest Products.  RY Timber Inc.  Sam Mabry Lumber Co.  Scotch Lumber.  SDS Lumber Co.  Seacoast Mills Inc.  Seago Lumber.  Seattle-Snohomish.  Seneca Sawmill.  Shaver Wood Products.  Shearer Lumber Products.  Shuqualak Lumber.  SI Storey Lumber.  Sierra Forest Products.  Sierra Pacific Industries.  Sigfridson Wood Products.  Silver City Lumber Inc.  Somers Lbr &amp; Mfg Inc.  South &amp; Jones.  South Coast.  Southern Forest Industries Inc. </p>

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-122-840 .....	731-TA-954 .....	Carbon and Certain Alloy Steel Wire Rod/Canada ..	Southern Lumber. St. Laurent Forest Products. Starfire Lumber Co. Steely Lumber Co Inc. Stimson Lumber. Summit Timber Co. Sundance Lumber. Superior Lumber. Swanson Superior Forest Products Inc. Swift Lumber. Tamarack Mill. Taylor Lumber & Treating Inc. Temple-Inland Forest Products. Thompson River Lumber. Three Rivers Timber. Thrift Brothers Lumber Co Inc. Timco Inc. Tolleson Lumber. Toney Lumber. TR Miller Mill Co. Tradewinds of Virginia Ltd. Travis Lumber Co. Tree Source Industries Inc. Tri-State Lumber. TTT Studs. United Brotherhood of Carpenters and Joiners. Viking Lumber Co. VP Kiser Lumber Co. Walton Lumber Co Inc. Warm Springs Forest Products. Westvaco Corp. Wilkins, Kaiser & Olsen Inc. WM Shepherd Lumber Co. WR Robinson Lumber Co Inc. Wrenn Brothers Inc. Wyoming Sawmills. Yakama Forest Products. Younce & Ralph Lumber Co Inc. Zip-O-Log Mills Inc. AmeriSteel. Birmingham Steel. Cascade Steel Rolling Mills. Connecticut Steel Corp. Co-Steel Raritan. GS Industries. Keystone Consolidated Industries. North Star Steel Texas. Nucor Steel-Nebraska (a division of Nucor Corp). Republic Technologies International. Rocky Mountain Steel Mills. North Dakota Wheat Commission.
A-122-847 .....	731-TA-1019B	Hard Red Spring Wheat/Canada .....	General Housewares.
A-201-504 .....	731-TA-297 .....	Porcelain-on-Steel Cooking Ware/Mexico .....	Burdette Coward. California Floral Council. Floral Trade Council. Florida Flower Association. Gold Coast Uanko Nursery. Hollandia Wholesale Florist. Manatee Fruit. Monterey Flower Farms. Topstar Nursery.
A-201-601 .....	731-TA-333 .....	Fresh Cut Flowers/Mexico .....	Alamo Cement. Blue Circle. BoxCrow Cement. Calaveras Cement. Capitol Aggregates. Centex Cement. Florida Crushed Stone. Gifford-Hill. Hanson Permanente Cement. Ideal Basic Industries. Independent Workers of North America (Locals 49, 52, 89, 192 and 471).
A-201-802 .....	731-TA-451 .....	Gray Portland Cement and Clinker/Mexico .....	Alamo Cement. Blue Circle. BoxCrow Cement. Calaveras Cement. Capitol Aggregates. Centex Cement. Florida Crushed Stone. Gifford-Hill. Hanson Permanente Cement. Ideal Basic Industries. Independent Workers of North America (Locals 49, 52, 89, 192 and 471).

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-201-805 .....	731-TA-534 .....	Circular Welded Nonalloy Steel Pipe/Mexico .....	International Union of Operating Engineers (Local 12). National Cement Company of Alabama. National Cement Company of California. Phoenix Cement. Riverside Cement. Southdown. Tarmac America. Texas Industries. Allied Tube & Conduit. American Tube. Bull Moose Tube. Century Tube. CSI Tubular Products. Cyclops. Laclede Steel. LTV Tubular Products. Maruichi American. Sharon Tube. USX.
A-201-806 .....	731-TA-547 .....	Carbon Steel Wire Rope/Mexico .....	Western Tube & Conduit. Wheatland Tube. Bridon American. Macwhyte. Paulsen Wire Rope. The Rochester Corporation. United Automobile, Aerospace and Agricultural Implement Workers (Local 960). Williamsport. Wire-rope Works.
A-201-809 .....	731-TA-582 .....	Cut-to-Length Carbon Steel Plate/Mexico .....	Wire Rope Corporation of America. Bethlehem Steel. California Steel Industries. CitiSteel USA Inc. Geneva Steel. Gulf States Steel. Inland Steel Industries. Lukens Steel. National Steel. Nextech. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America.
A-201-817 .....	731-TA-716 .....	Oil Country Tubular Goods/Mexico .....	IPSCO. Koppel Steel. Maverick Tube. Newport Steel. North Star Steel. US Steel. USS/Kobe.
A-201-820 .....	731-TA-747 .....	Fresh Tomatoes/Mexico .....	Accomack County Farm Bureau. Ad Hoc Group of Florida, California, Georgia, Pennsylvania, South Carolina, Tennessee and Virginia Tomato Growers. Florida Farm Bureau Federation. Florida Fruit and Vegetable Association. Florida Tomato Exchange. Florida Tomato Growers Exchange. Gadsden County Tomato Growers Association. South Carolina Tomato Association.
A-201-822 .....	731-TA-802 .....	Stainless Steel Sheet and Strip/Mexico .....	Allegheny Ludlum. Armco. Bethlehem Steel. Carpenter Technology Corp. J&L Specialty Steel. North American Stainless. United Steelworkers of America.
A-201-827 .....	731-TA-848 .....	Large-Diameter Carbon Steel Seamless Pipe/Mexico.	North Star Steel. Timken. US Steel. United Steelworkers of America.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-201-828 .....	731-TA-920 .....	Welded Large Diameter Line Pipe/Mexico .....	USS/Kobe. American Cast Iron Pipe. Berg Steel Pipe. Bethlehem Steel. Napa Pipe/Oregon Steel Mills. Saw Pipes USA. Stupp. US Steel.
A-201-830 .....	731-TA-958 .....	Carbon and Certain Alloy Steel Wire Rod/Mexico ....	AmeriSteel. Birmingham Steel. Cascade Steel Rolling Mills. Connecticut Steel Corp. Co-Steel Raritan. GS Industries. Keystone Consolidated Industries. North Star Steel Texas. Nucor Steel-Nebraska (a division of Nucor Corp). Republic Technologies International. Rocky Mountain Steel Mills.
A-201-831 .....	731-TA-1027 ...	Prestressed Concrete Steel Wire Strand/Mexico .....	American Spring Wire Corp. Insteel Wire Products Co. Sivaco Georgia LLC. Strand Tech Martin Inc. Sumiden Wire Products Corp.
A-201-834 .....	731-TA-1085 ...	Purified Carboxymethylcellulose/Mexico .....	Aqualon Co a Division of Hercules Inc.
A-274-804 .....	731-TA-961 .....	Carbon and Certain Alloy Steel Wire Rod/Trinidad & Tobago.	AmeriSteel. Birmingham Steel. Cascade Steel Rolling Mills. Connecticut Steel Corp. Co-Steel Raritan. GS Industries. Keystone Consolidated Industries. North Star Steel Texas. Nucor Steel-Nebraska (a division of Nucor Corp). Republic Technologies International. Rocky Mountain Steel Mills.
A-301-602 .....	731-TA-329 .....	Fresh Cut Flowers/Colombia .....	Burdette Coward. California Floral Council. Floral Trade Council. Florida Flower Association. Gold Coast Uanko Nursery. Hollandia Wholesale Florist. Manatee Fruit. Monterey Flower Farms. Pajaro Valley Greenhouses. Topstar Nursery.
A-307-803 .....	731-TA-519 .....	Gray Portland Cement and Clinker/Venezuela .....	Florida Crushed Stone. Southdown.
A-307-805 .....	731-TA-537 .....	Circular Welded Nonalloy Steel Pipe/Venezuela .....	Tarmac America. Allied Tube & Conduit. American Tube. Bull Moose Tube. Century Tube. CSI Tubular Products. Cyclops. Laclede Steel. LTV Tubular Products. Maruichi American. Sharon Tube. USX. Western Tube & Conduit.
A-307-807 .....	731-TA-570 .....	Ferrosilicon/Venezuela .....	Wheatland Tube. AIMCOR. Alabama Silicon. American Alloys. Globe Metallurgical. Oil, Chemical and Atomic Workers (Local 389). Silicon Metaltech. United Autoworkers of America (Local 523). United Steelworkers of America (Locals 2528, 3081, 5171 and 12646).
A-307-820 .....	731-TA-931 .....	Silicomanganese/Venezuela .....	Eramet Marietta. Paper, Allied-Industrial, Chemical and Energy Workers International Union, Local 5-0639.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-331-602 .....	731-TA-331 .....	Fresh Cut Flowers/Ecuador .....	Burdette Coward. California Floral Council. Floral Trade Council. Florida Flower Association. Gold Coast Uanko Nursery. Hollandia Wholesale Florist. Manatee Fruit. Monterey Flower Farms. Topstar Nursery.
A-337-803 .....	731-TA-768 .....	Fresh Atlantic Salmon/Chile .....	Atlantic Salmon of Maine. Cooke Aquaculture US. DE Salmon. Global Aqua USA. Island Aquaculture. Maine Coast Nordic. Scan Am Fish Farms. Treats Island Fisheries. Trumpet Island Salmon Farm.
A-337-804 .....	731-TA-776 .....	Preserved Mushrooms/Chile .....	LK Bowman. Modern Mushroom Farms. Monterey Mushrooms. Mount Laurel Canning. Mushroom Canning. Southwood Farms. Sunny Dell Foods. United Canning.
A-337-806 .....	731-TA-948 .....	Individually Quick Frozen Red Raspberries/Chile ....	A&A Berry Farms. Bahler Farms. Bear Creek Farms. David Burns. Columbia Farms. Columbia Fruit. George Culp. Dobbins Berry Farm. Enfield. Firestone Packing. George Hoffman Farms. Heckel Farms. Wendell Kreder. Curt Maberry. Maberry Packing. Mike & Jean's. Nguyen Berry Farms. Nick's Acres. North Fork. Parson Berry Farm. Pickin 'N' Pluckin. Postage Stamp Farm. Rader. RainSweet. Scenic Fruit. Silverstar Farms. Tim Straub. Thoeny Farms. Townsend. Tsugawa Farms. Updike Berry Farms. Van Laeken Farms.
A-351-503 .....	731-TA-262 .....	Iron Construction Castings/Brazil .....	Alhambra Foundry. Allegheny Foundry. Bingham & Taylor. Campbell Foundry. Charlotte Pipe & Foundry. Deeter Foundry. East Jordan Foundry. Le Baron Foundry. Municipal Castings. Neenah Foundry. Opelika Foundry. Pinkerton Foundry. Tyler Pipe. US Foundry & Manufacturing. Vulcan Foundry.



Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-351-505 .....	731-TA-278 .....	Malleable Cast Iron Pipe Fittings/Brazil .....	Grinnell. Stanley G. Flagg. Stockham Valves & Fittings. U-Brand. Ward Manufacturing.
A-351-602 .....	731-TA-308 .....	Carbon Steel Butt-Weld Pipe Fittings/Brazil .....	Ladish. Mills Iron Works. Steel Forgings. Tube Forgings of America. Weldbend.
A-351-603 .....	731-TA-311 .....	Brass Sheet and Strip/Brazil .....	Allied Industrial Workers of America. American Brass. Bridgeport Brass. Chase Brass & Copper. Hussey Copper. International Association of Machinists & Aerospace Workers. Mechanics Educational Society of America (Local 56). The Miller Company. Olin. Revere Copper Products. United Steelworkers of America.
A-351-605 .....	731-TA-326 .....	Frozen Concentrated Orange Juice/Brazil .....	Alcoma Packing. B&W Canning. Berry Citrus Products. Caulkins Indiantown Citrus. Citrus Belle. Citrus World. Florida Citrus Mutual.
A-351-804 .....	731-TA-439 .....	Industrial Nitrocellulose/Brazil .....	Hercules.
A-351-806 .....	731-TA-471 .....	Silicon Metal/Brazil .....	American Alloys. Globe Metallurgical. International Union of Electronics, Electrical, Machine and Furniture Workers (Local 693). Oil, Chemical and Atomic Workers (Local 389). Silicon Metaltech. SiMETCO. Textile Processors, Service Trades, Health Care Professional and Technical Employees (Local 60). United Steelworkers of America (Locals 5171, 8538 and 12646).
A-351-809 .....	731-TA-532 .....	Circular Welded Nonalloy Steel Pipe/Brazil .....	Allied Tube & Conduit. American Tube. Bull Moose Tube. Century Tube. CSI Tubular Products. Cyclops. Laclede Steel. LTV Tubular Products. Maruichi American. Sharon Tube. USX. Western Tube & Conduit. Wheatland Tube.
A-351-817 .....	731-TA-574 .....	Cut-to-Length Carbon Steel Plate/Brazil .....	Bethlehem Steel. California Steel Industries. CitiSteel USA Inc. Geneva Steel. Gulf States Steel. Inland Steel Industries. Lukens Steel. National Steel. Nextech. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America.
A-351-819 .....	731-TA-636 .....	Stainless Steel Wire Rod/Brazil .....	AL Tech Specialty Steel. Armco Steel. Carpenter Technology.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-351-820 .....	731-TA-641 .....	Ferrosilicon/Brazil .....	Republic Engineered Steels. Talley Metals Technology. United Steelworkers of America. AIMCOR. Alabama Silicon. American Alloys. Globe Metallurgical. Oil, Chemical and Atomic Workers (Local 389). Silicon Metaltech. United Autoworkers of America (Local 523). United Steelworkers of America (Locals 2528, 3081, 5171 and 12646).
A-351-824 .....	731-TA-671 .....	Silicomanganese/Brazil .....	Elkem Metals.
A-351-825 .....	731-TA-678 .....	Stainless Steel Bar/Brazil .....	Oil, Chemical and Atomic Workers (Local 3-639). AL Tech Specialty Steel. Carpenter Technology. Crucible Specialty Metals. Electralloy. Republic Engineered Steels. Slater Steels. Talley Metals Technology. United Steelworkers of America.
A-351-826 .....	731-TA-708 .....	Seamless Pipe/Brazil .....	Koppel Steel. Quanex. Timken.
A-351-828 .....	731-TA-806 .....	Hot-Rolled Carbon Steel Flat Products/Brazil .....	United States Steel. Acme Steel. Bethlehem Steel. California Steel Industries. Gallatin Steel. Geneva Steel. Gulf States Steel. Independent Steelworkers. IPSCO. Ispat/Inland. LTV Steel. National Steel. Nucor. Rouge Steel Co. Steel Dynamics. US Steel. United Steelworkers of America. WCI Steel. Weirton Steel.
A-351-832 .....	731-TA-953 .....	Carbon and Certain Alloy Steel Wire Rod/Brazil .....	Wheeling-Pittsburgh Steel Corp. AmeriSteel. Birmingham Steel. Cascade Steel Rolling Mills. Connecticut Steel Corp. Co-Steel Raritan. GS Industries. Keystone Consolidated Industries. North Star Steel Texas. Nucor Steel-Nebraska (a division of Nucor Corp). Republic Technologies International. Rocky Mountain Steel Mills.
A-351-837 .....	731-TA-1024 .....	Prestressed Concrete Steel Wire Strand/Brazil .....	American Spring Wire Corp. Insteel Wire Products Co. Sivaco Georgia LLC. Strand Tech Martin Inc. Sumiden Wire Products Corp.
A-351-840 .....	731-TA-1089 .....	Certain Orange Juice/Brazil .....	A Duda & Sons Inc. Alico Inc. John Barnelt. Ben Hill Griffin Inc. Bliss Citrus. BTS A Florida General Partnership. Cain Groves. California Citrus Mutual. Cedar Haven Inc. Citrus World Inc. Clonts Groves Inc. Davis Enterprises Inc.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			D Edwards Dickinson. Evans Properties Inc. Florida Citrus Commission. Florida Citrus Mutual. Florida Farm Bureau Federation. Florida Fruit & Vegetable Association. Florida State of Department of Citrus. Flying V Inc. GBS Groves Inc. Graves Brothers Co. H&S Groves. Hartwell Groves Inc. Holly Hill Fruit Products Co. Jack Melton Family Inc. K-Bob Inc. L Dicks Inc. Lake Pickett Partnership Inc. Lamb Revocable Trust Gerilyn Rebecca S Lamb Trustee. Lykes Bros Inc. Martin J. McKenna. Orange & Sons Inc. Osgood Groves. William W. Parshall. PH Freeman & Sons. Pierie Grove. Raymond & Melissa Pierie. Roper Growers Cooperative. Royal Brothers Groves. Seminole Tribe of Florida Inc. Silverman Groves/Rilla Cooper. Smoak Groves Inc. Sorrells Groves Inc. Southern Gardens Groves Corp. Southern Gardens Processing Corp. Southern Groves Citrus. Sun Ag Inc. Sunkist Growers Inc. Texas Citrus Exchange. Texas Citrus Mutual. Texas Produce Association. Travis Wise Management Inc. Uncle Matt's Fresh Inc. Varn Citrus Growers Inc.
A-357-007 .....	731-TA-157 .....	Carbon Steel Wire Rod/Argentina .....	Atlantic Steel. Continental Steel. Georgetown Steel. North Star Steel. Raritan River Steel.
A-357-405 .....	731-TA-208 .....	Barbed Wire and Barbless Wire Strand/Argentina ...	CF&I Steel. Davis Walker. Forbes Steel & Wire. Oklahoma Steel Wire.
A-357-802 .....	731-TA-409 .....	Light-Walled Rectangular Tube/Argentina .....	Bull Moose Tube. Hannibal Industries. Harris Tube. Maruichi American. Searing Industries. Southwestern Pipe. Western Tube & Conduit.
A-357-804 .....	731-TA-470 .....	Silicon Metal/Argentina .....	American Alloys. Elkem Metals. Globe Metallurgical. International Union of Electronics, Electrical, Machine and Furniture Workers (Local 693). Oil, Chemical and Atomic Workers (Local 389). Silicon Metaltech. SIMETCO. SKW Alloys. Textile Processors, Service Trades, Health Care Professional and Technical Employees (Local 60). United Steelworkers of America (Locals 5171, 8538 and 12646).

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-357-809 .....	731-TA-707 .....	Seamless Pipe/Argentina .....	Koppel Steel. Quanex. Timken. United States Steel.
A-357-810 .....	731-TA-711 .....	Oil Country Tubular Goods/Argentina .....	IPSCO. Koppel Steel. Lone Star Steel. Maverick Tube. Newport Steel. North Star Steel. US Steel. USS/Kobe.
A-357-812 .....	731-TA-892 .....	Honey/Argentina .....	AH Meyer & Sons. Adee Honey Farms. Althoff Apiaries. American Beekeeping Federation. American Honey Producers Association. Anderson Apiaries. Arroyo Apiaries. Artesian Honey Producers. B Weaver Apiaries. Bailey Enterprises. Barkman Honey. Basler Honey Apiary. Beals Honey. Bears Paw Apiaries. Beaverhead Honey. Bee Biz. Bee Haven Honey. Belliston Brothers Apiaries. Big Sky Honey. Bill Rhodes Honey. Richard E. Blake. Curt Bronnenberg. Brown's Honey Farms. Brumley's Bees. Buhmann Apiaries. Carys Honey Farms. Chaparrel Honey. Charles Apiaries. Mitchell Charles. Collins Honey. Conor Apiaries. Coy's Honey Farm. Dave Nelson Apiaries. Delta Bee. Eisele's Pollination & Honey. Ellingsoa's. Elliott Curtis & Sons. Charles L. Emmons, Sr. Gause Honey. Gene Brandi Apiaries. Griffith Honey. Haff Apiaries. Hamilton Bee Farms. Hamilton Honey. Happie Bee. Harvest Honey. Harvey's Honey. Hiatt Honey. Hoffman Honey. Hollman Apiaries. Honey House. Honeybee Apiaries. Gary M. Honl. Rand William Honl and Sydney Jo Honl. James R & Joann Smith Trust. Jaynes Bee Products. Johnston Honey Farms. Larry Johnston. Ke-An Honey. Kent Honeybees. Lake-Indianhead Honey Farms.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Lamb's Honey Farm. Las Flores Apiaries. Mackrill Honey Farms & Sales. Raymond Marquette. Mason & Sons Honey. McCoy's Sunny South Apiaries. Merrimack Valley Apiaries & Evergreen Honey. Met 2 Honey Farm. Missouri River Honey. Mitchell Brothers Honey. Monda Honey Farm. Montana Dakota Honey. Northern Bloom Honey. Noye's Apiaries. Oakes Honey. Oakley Honey Farms. Old Mill Apiaries. Opp Honey. Oro Dulce. Peterson's "Naturally Sweet" Honey. Potoczak Bee Farms. Price Apiaries. Pure Sweet Honey Farms. Robertson Pollination Service. Robson Honey. William Robson. Rosedale Apiaries. Ryan Apiaries. Schmidt Honey Farms. Simpson Apiaries. Sioux Honey Association. Smoot Honey. Solby Honey. Stahlman Apiaries. Steve E Parks Apiaries. Stroope Bee & Honey. T&D Honey Bee. Talbott's Honey. Terry Apiaries. Thompson Apiaries. Triple A Farm. Tropical Blossom Honey. Tubbs Apiaries. Venable Wholesale. Walter L. Wilson Buzz 76 Apiaries. Wiebersiek Honey Farms. Wilmer Farms. Brent J. Woodworth. Wooten's Golden Queens. Yaddof Apiaries.
A-357-814 .....	731-TA-898 .....	Hot-Rolled Steel Products/Argentina .....	Bethlehem Steel. Gallatin Steel. Independent Steelworkers. IPSCO. LTV Steel. National Steel. Nucor. Rouge Steel Co. Steel Dynamics. US Steel. United Steelworkers of America. WCI Steel Inc. Weirton Steel. Wheeling-Pittsburgh Steel Corp. Jessop Steel.
A-401-040 .....	AA1921-114 .....	Stainless Steel Plate/Sweden .....	
A-401-601 .....	731-TA-316 .....	Brass Sheet and Strip/Sweden .....	Allied Industrial Workers of America. American Brass. Bridgeport Brass. Chase Brass & Copper. Hussey Copper. International Association of Machinists & Aerospace Workers. Mechanics Educational Society of America (Local 56).

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-401-603 .....	731-TA-354 .....	Stainless Steel Hollow Products/Sweden .....	The Miller Company. Olin. Revere Copper Products. United Steelworkers of America. AL Tech Specialty Steel. Allegheny Ludlum Steel. ARMCO. Carpenter Technology. Crucible Materials. Damacus Tubular Products. Specialty Tubing Group. Barden Corp. Emerson Power Transmission. Kubar Bearings. MPB. Rollway Bearings. Torrington.
A-401-801 .....	731-TA-397-A .....	Ball Bearings/Sweden .....	Barden Corp. Emerson Power Transmission. Kubar Bearings. MPB. Rollway Bearings. Torrington.
A-401-801 .....	731-TA-397-B .....	Cylindrical Roller Bearings/Sweden .....	Barden Corp. Emerson Power Transmission. MPB. Rollway Bearings. Torrington.
A-401-805 .....	731-TA-586 .....	Cut-to-Length Carbon Steel Plate/Sweden .....	Bethlehem Steel. California Steel Industries. CitiSteel USA Inc. Geneva Steel. Gulf States Steel. Inland Steel Industries. Lukens Steel. National Steel. Nextech. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel.
A-401-806 .....	731-TA-774 .....	Stainless Steel Wire Rod/Sweden .....	United Steelworkers of America. AL Tech Specialty Steel. Carpenter Technology. Republic Engineered Steels. Talley Metals Technology. United Steelworkers of America.
A-401-808 .....	731-TA-1087 .....	Purified Carboxymethylcellulose/Sweden .....	Aqualon Co a Division of Hercules Inc.
A-403-801 .....	731-TA-454 .....	Fresh and Chilled Atlantic Salmon/Norway .....	Heritage Salmon. The Coalition for Fair Atlantic Salmon Trade.
A-405-802 .....	731-TA-576 .....	Cut-to-Length Carbon Steel Plate/Finland .....	Bethlehem Steel. California Steel Industries. CitiSteel USA Inc. Geneva Steel. Gulf States Steel. Inland Steel Industries. Lukens Steel. National Steel. Nextech. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel.
A-405-803 .....	731-TA-1084 .....	Purified Carboxymethylcellulose/Finland .....	United Steelworkers of America. Aqualon Co a Division of Hercules Inc.
A-412-801 .....	731-TA-399-A .....	Ball Bearings/United Kingdom .....	Barden Corp. Emerson Power Transmission. Kubar Bearings. McGill Manufacturing Co. MPB. Rexnord Inc. Rollway Bearings. Torrington.
A-412-801 .....	731-TA-399-B .....	Cylindrical Roller Bearings/United Kingdom .....	Barden Corp. Emerson Power Transmission. MPB. Rollway Bearings. Torrington.
A-412-803 .....	731-TA-443 .....	Industrial Nitrocellulose/United Kingdom .....	Hercules.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-412-805 ..... A-412-814 .....	731-TA-468 ..... 731-TA-587 .....	Sodium Thiosulfate/United Kingdom ..... Cut-to-Length Carbon Steel Plate/United Kingdom ..	Calabrian. Bethlehem Steel. California Steel Industries. CitiSteel USA Inc. Geneva Steel. Gulf States Steel. Inland Steel Industries. Lukens Steel. National Steel. Nextech. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America.
A-412-818 .....	731-TA-804 .....	Stainless Steel Sheet and Strip/United Kingdom .....	Allegheny Ludlum. Armco Steel. Bethlehem Steel. Butler Armco Independent Union. Carpenter Technology Corp. J&L Specialty Steel. North American Stainless. United Steelworkers of America. Zanesville Armco Independent Organization.
A-412-822 .....	731-TA-918 .....	Stainless Steel Bar/United Kingdom .....	Carpenter Technology. Crucible Specialty Metals. Electralloy. Empire Specialty Steel. Republic Technologies International. Slater Steels. United Steelworkers of America.
A-421-701 .....	731-TA-380 .....	Brass Sheet and Strip/Netherlands .....	Allied Industrial Workers of America. American Brass. Bridgeport Brass. Chase Brass & Copper. Hussey Copper. International Association of Machinists & Aerospace Workers. Mechanics Educational Society of America (Local 56). The Miller Company. North Coast Brass & Copper. Olin. Pegg Metals. Revere Copper Products. United Steelworkers of America.
A-421-804 .....	731-TA-608 .....	Cold-Rolled Carbon Steel Flat Products/Netherlands	Armco Steel. Bethlehem Steel. California Steel Industries. Gulf States Steel. Inland Steel Industries. LTV Steel. National Steel. Nextech. Rouge Steel Co. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America. WCI Steel. Weirton Steel.
A-421-805 ..... A-421-807 .....	731-TA-652 ..... 731-TA-903 .....	Aramid Fiber/Netherlands ..... Hot-Rolled Steel Products/Netherlands .....	E I du Pont de Nemours. Bethlehem Steel. Gallatin Steel. Independent Steelworkers. IPSCO. LTV Steel. National Steel. Nucor. Rouge Steel Co. Steel Dynamics. US Steel.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-421-811 .....	731-TA-1086 ...	Purified Carboxymethylcellulose/Netherlands .....	United Steelworkers of America. WCI Steel Inc. Weirton Steel. Wheeling-Pittsburgh Steel Corp. Aqualon Co a Division of Hercules Inc.
A-423-077 .....	AA1921-198 .....	Sugar/Belgium .....	Florida Sugar Marketing and Terminal Association.
A-423-602 .....	731-TA-365 .....	Industrial Phosphoric Acid/Belgium .....	Albright & Wilson. FMC. Hydrite Chemical. Monsanto. Stauffer Chemical. Bethlehem Steel. California Steel Industries. CitiSteel USA Inc. Geneva Steel. Gulf States Steel. Inland Steel Industries. Lukens Steel. National Steel. Nextech. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel.
A-423-805 .....	731-TA-573 .....	Cut-to-Length Carbon Steel Plate/Belgium .....	United Steelworkers of America. Allegheny Ludlum. Armco Steel. Lukens Steel. North American Stainless. United Steelworkers of America.
A-423-808 .....	731-TA-788 .....	Stainless Steel Plate in Coils/Belgium .....	Lonza. Pfizer. Hercules.
A-427-001 .....	731-TA-44 .....	Sorbitol/France .....	Florida Sugar Marketing and Terminal Association. PQ.
A-427-009 .....	731-TA-96 .....	Industrial Nitrocellulose/France .....	Allied Industrial Workers of America. American Brass. Bridgeport Brass. Chase Brass & Copper. Hussey Copper. International Association of Machinists & Aerospace Workers. Mechanics Educational Society of America (Local 56). The Miller Company. Olin. Revere Copper Products.
A-427-078 .....	AA1921-199 .....	Sugar/France .....	United Steelworkers of America.
A-427-098 .....	731-TA-25 .....	Anhydrous Sodium Metasilicate/France .....	Barden Corp. Emerson Power Transmission. Kubar Bearings. McGill Manufacturing Co. MPB. Rexnord Inc. Rollway Bearings. Torrington.
A-427-602 .....	731-TA-313 .....	Brass Sheet and Strip/France .....	Barden Corp. Emerson Power Transmission. MPB. Rollway Bearings. Torrington.
A-427-801 .....	731-TA-392-A	Ball Bearings/France .....	Barden Corp. Emerson Power Transmission. MPB. Rollway Bearings. Torrington.
A-427-801 .....	731-TA-392-B	Cylindrical Roller Bearings/France .....	Barden Corp. Emerson Power Transmission. MPB. Rollway Bearings. Torrington.
A-427-801 .....	731-TA-392-C	Spherical Plain Bearings/France .....	Barden Corp. Emerson Power Transmission. Kubar Bearings. McGill Manufacturing Co. Rexnord Inc. Rollway Bearings. Torrington.
A-427-804 .....	731-TA-553 .....	Hot-Rolled Lead and Bismuth Carbon Steel Products/France.	Bethlehem Steel. Inland Steel Industries. USS/Kobe Steel.
A-427-808 .....	731-TA-615 .....	Corrosion-Resistant Carbon Steel Flat Products/France.	Armco Steel. Bethlehem Steel.



Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-427-811 .....	731-TA-637 .....	Stainless Steel Wire Rod/France .....	California Steel Industries. Geneva Steel. Gulf States Steel. Inland Steel Industries. LTV Steel. Lukens Steel. National Steel. Nextech. Rouge Steel Co. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America. WCI Steel. Weirton Steel. AL Tech Specialty Steel. Armco Steel. Carpenter Technology. Republic Engineered Steels. Talley Metals Technology. United Steelworkers of America. Allegheny Ludlum. Armco Steel. Bethlehem Steel. Butler Armco Independent Union. Carpenter Technology Corp. North American Stainless. United Steelworkers of America. Zanesville Armco Independent Organization. Bethlehem Steel. Geneva Steel. IPSCO Steel. National Steel. US Steel. United Steelworkers of America. United States Enrichment Corp. USEC Inc. Carpenter Technology. Crucible Specialty Metals. Electralloy. Empire Specialty Steel. Republic Technologies International. Slater Steels. United Steelworkers of America. Florida Sugar Marketing and Terminal Association. Allied Industrial Workers of America. American Brass. Bridgeport Brass. Chase Brass & Copper. Hussey Copper. International Association of Machinists & Aerospace Workers. Mechanics Educational Society of America (Local 56). The Miller Company. Olin. Revere Copper Products. United Steelworkers of America. Barden Corp. Emerson Power Transmission. Kubar Bearings. McGill Manufacturing Co. MPB. Rexnord Inc. Rollway Bearings. Torrington. Barden Corp. Emerson Power Transmission. MPB. Rollway Bearings. Torrington. Barden Corp.
A-427-814 .....	731-TA-797 .....	Stainless Steel Sheet and Strip/France .....	
A-427-816 .....	731-TA-816 .....	Cut-to-Length Carbon Steel Plate/France .....	
A-427-818 .....	731-TA-909 .....	Low Enriched Uranium/France .....	
A-427-820 .....	731-TA-913 .....	Stainless Steel Bar/France .....	
A-428-082 .....	AA1921-200 .....	Sugar/Germany .....	
A-428-602 .....	731-TA-317 .....	Brass Sheet and Strip/Germany .....	
A-428-801 .....	731-TA-391-A	Ball Bearings/Germany .....	
A-428-801 .....	731-TA-391-B	Cylindrical Roller Bearings/Germany .....	
A-428-801 .....	731-TA-391-C	Spherical Plain Bearings/Germany .....	

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-428-802 .....	731-TA-419 .....	Industrial Belts/Germany .....	Emerson Power Transmission. Rollway Bearings. Torrington. The Gates Rubber Company. The Goodyear Tire and Rubber Company. Hercules. Calabrian. Armco Steel. Bethlehem Steel. California Steel Industries. Gulf States Steel. Inland Steel Industries. LTV Steel. National Steel. Nextech. Rouge Steel Co. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America. WCI Steel. Weirton Steel.
A-428-803 .....	731-TA-444 .....	Industrial Nitrocellulose/Germany .....	
A-428-807 .....	731-TA-465 .....	Sodium Thiosulfate/Germany .....	
A-428-814 .....	731-TA-604 .....	Cold-Rolled Carbon Steel Flat Products/Germany ..	
A-428-815 .....	731-TA-616 .....	Corrosion-Resistant Carbon Steel Flat Products/ Germany.	Armco Steel. Bethlehem Steel. California Steel Industries. Geneva Steel. Gulf States Steel. Inland Steel Industries. LTV Steel. Lukens Steel. National Steel. Nextech. Rouge Steel Co. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America. WCI Steel. Weirton Steel.
A-428-816 .....	731-TA-578 .....	Cut-to-Length Carbon Steel Plate/Germany .....	Bethlehem Steel. California Steel Industries. CitiSteel USA Inc. Geneva Steel. Gulf States Steel. Inland Steel Industries. Lukens Steel. National Steel. Nextech. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America. Koppel Steel.
A-428-820 .....	731-TA-709 .....	Seamless Pipe/Germany .....	Quanax. Timken. United States Steel.
A-428-821 .....	731-TA-736 .....	Large Newspaper Printing Presses/Germany .....	Rockwell Graphics Systems.
A-428-825 .....	731-TA-798 .....	Stainless Steel Sheet and Strip/Germany .....	Allegheny Ludlum. Armco Steel. Bethlehem Steel. Butler Armco Independent Union. Carpenter Technology Corp. J&L Specialty Steel. North American Stainless. United Steelworkers of America. Zanesville Armco Independent Organization.
A-428-830 .....	731-TA-914 .....	Stainless Steel Bar/Germany .....	Carpenter Technology. Crucible Specialty Metals. Electralloy. Empire Specialty Steel.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-437-601 .....	731-TA-341 .....	Tapered Roller Bearings/Hungary .....	Republic Technologies International. Slater Steels. United Steelworkers of America. L&S Bearing. Timken. Torrington.
A-437-804 .....	731-TA-426 .....	Sulfanilic Acid/Hungary .....	Nation Ford Chemical. Agrico Chemical. American Cyanamid. CF Industries. First Mississippi. Mississippi Chemical. Terra International.
A-447-801 .....	731-TA-340C ..	Solid Urea/Estonia .....	WR Grace. AB Steel Mill Inc. AmeriSteel. Auburn Steel. Birmingham Steel. Border Steel. Cascade Steel Rolling Mills Inc. CMC Steel Group. Co-Steel Inc. Marion Steel. North Star Steel Co. Nucor Steel. Rebar Trade Action Coalition. Riverview Steel. Sheffield Steel. TAMCO.
A-449-804 .....	731-TA-878 .....	Steel Concrete Reinforcing Bar/Latvia .....	TXI-Chaparral Steel Co. Agrico Chemical. American Cyanamid. CF Industries. First Mississippi. Mississippi Chemical. Terra International. WR Grace. Bethlehem Steel. California Steel Industries. CitiSteel USA Inc. Geneva Steel. Gulf States Steel. Inland Steel Industries. Lukens Steel. National Steel. Nextech. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America. AB Steel Mill Inc. AmeriSteel. Auburn Steel. Birmingham Steel. Border Steel. Cascade Steel Rolling Mills Inc. CMC Steel Group. Co-Steel Inc. Marion Steel. North Star Steel Co. Nucor Steel. Rebar Trade Action Coalition. Riverview Steel. Sheffield Steel. TAMCO.
A-451-801 .....	731-TA-340D ..	Solid Urea/Lithuania .....	TXI-Chaparral Steel Co. Agrico Chemical. American Cyanamid. CF Industries. First Mississippi. Mississippi Chemical. Terra International. WR Grace.
A-455-802 .....	731-TA-583 .....	Cut-to-Length Carbon Steel Plate/Poland .....	Bethlehem Steel. California Steel Industries. CitiSteel USA Inc. Geneva Steel. Gulf States Steel. Inland Steel Industries. Lukens Steel. National Steel. Nextech. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America. AB Steel Mill Inc. AmeriSteel. Auburn Steel. Birmingham Steel. Border Steel. Cascade Steel Rolling Mills Inc. CMC Steel Group. Co-Steel Inc. Marion Steel. North Star Steel Co. Nucor Steel. Rebar Trade Action Coalition. Riverview Steel. Sheffield Steel. TAMCO.
A-455-803 .....	731-TA-880 .....	Steel Concrete Reinforcing Bar/Poland .....	TXI-Chaparral Steel Co. Carus Chemical. Bethlehem Steel. California Steel Industries. Geneva Steel. Gulf States Steel. Inland Steel Industries.
A-469-007 .....	731-TA-126 .....	Potassium Permanganate/Spain .....	Bethlehem Steel. California Steel Industries. Geneva Steel. Gulf States Steel. Inland Steel Industries.
A-469-803 .....	731-TA-585 .....	Cut-to-Length Carbon Steel Plate/Spain .....	Bethlehem Steel. California Steel Industries. Geneva Steel. Gulf States Steel. Inland Steel Industries.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-469-805 .....	731-TA-682 .....	Stainless Steel Bar/Spain .....	Lukens Steel. National Steel. Nextech. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel United Steelworkers of America. AL Tech Specialty Steel. Carpenter Technology. Crucible Specialty Metals. Electralloy. Republic Engineered Steels. Slater Steels. Talley Metals Technology. United Steelworkers of America.
A-469-807 .....	731-TA-773 .....	Stainless Steel Wire Rod/Spain .....	AL Tech Specialty Steel. Carpenter Technology. Republic Engineered Steels. Talley Metals Technology. United Steelworkers of America.
A-469-810 .....	731-TA-890 .....	Stainless Steel Angle/Spain .....	Slater Steels. United Steelworkers of America.
A-469-814 .....	731-TA-1083 .....	Chlorinated Isocyanurates/Spain .....	BioLab Inc. Clearon Corp. Occidental Chemical Corp. Nation Ford Chemical.
A-471-806 .....	731-TA-427 .....	Sulfanilic Acid/Portugal .....	Minnesota Mining & Manufacturing.
A-475-059 .....	AA1921-167 .....	Pressure-Sensitive Plastic Tape/Italy .....	Allied Industrial Workers of America.
A-475-601 .....	731-TA-314 .....	Brass Sheet and Strip/Italy .....	American Brass. Bridgeport Brass. Chase Brass & Copper. Hussey Copper. International Association of Machinists & Aerospace Workers. Mechanics Educational Society of America (Local 56). The Miller Company. Olin. Revere Copper Products. United Steelworkers of America.
A-475-703 .....	731-TA-385 .....	Granular Polytetrafluoroethylene/Italy .....	E I du Pont de Nemours. ICI Americas.
A-475-801 .....	731-TA-393-A	Ball Bearings/Italy .....	Barden Corp. Emerson Power Transmission. Kubar Bearings. McGill Manufacturing Co. MPB. Rexnord Inc. Rollway Bearings. Torrington.
A-475-801 .....	731-TA-393-B	Cylindrical Roller Bearings/Italy .....	Barden Corp. Emerson Power Transmission. MPB. Rollway Bearings. Torrington.
A-475-802 .....	731-TA-413 .....	Industrial Belts/Italy .....	The Gates Rubber Company. The Goodyear Tire and Rubber Company.
A-475-811 .....	731-TA-659 .....	Grain-Oriented Silicon Electrical Steel/Italy .....	Allegheny Ludlum. Armco Steel. Butler Armco Independent Union. United Steelworkers of America. Zanesville Armco Independent Union.
A-475-814 .....	731-TA-710 .....	Seamless Pipe/Italy .....	Koppel Steel. Quanex. Timken.
A-475-816 .....	731-TA-713 .....	Oil Country Tubular Goods/Italy .....	United States Steel. Bellville Tube. IPSCO. Koppel Steel. Lone Star Steel. Maverick Tube. Newport Steel.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-475-818 .....	731-TA-734 .....	Pasta/Italy .....	North Star Steel. US Steel. USS/Kobe. A Zerega's Sons. American Italian Pasta. Borden. D Merlino & Sons. Dakota Growers Pasta. Foulds. Gilster-Mary Lee. Gooch Foods. Hershey Foods. LaRinascente Macaroni Co. Pasta USA. Philadelphia Macaroni. ST Specialty Foods.
A-475-820 .....	731-TA-770 .....	Stainless Steel Wire Rod/Italy .....	AL Tech Specialty Steel. Carpenter Technology. Republic Engineered Steels. Talley Metals Technology. United Steelworkers of America.
A-475-822 .....	731-TA-790 .....	Stainless Steel Plate in Coils/Italy .....	Allegheny Ludlum. Armco Steel. J&L Specialty Steel. Lukens Steel. North American Stainless. United Steelworkers of America.
A-475-824 .....	731-TA-799 .....	Stainless Steel Sheet and Strip/Italy .....	Allegheny Ludlum. Armco Steel. Bethlehem Steel. Butler Armco Independent Union. Carpenter Technology Corp. J&L Specialty Steel. North American Stainless. United Steelworkers of America.
A-475-826 .....	731-TA-819 .....	Cut-to-Length Carbon Steel Plate/Italy .....	Zanesville Armco Independent Organization. Bethlehem Steel. CitiSteel USA Inc. Geneva Steel. Gulf States Steel. IPSCO Steel. National Steel. US Steel. United Steelworkers of America.
A-475-828 .....	731-TA-865 .....	Stainless Steel Butt-Weld Pipe Fittings/Italy .....	Flo-Mac Inc. Gerlin. Markovitz Enterprises. Shaw Alloy Piping Products. Taylor Forge Stainless.
A-475-829 .....	731-TA-915 .....	Stainless Steel Bar/Italy .....	Carpenter Technology. Crucible Specialty Metals. Electralloy. Empire Specialty Steel. Republic Technologies International. Slater Steels. United Steelworkers of America.
A-479-801 .....	731-TA-445 .....	Industrial Nitrocellulose/Yugoslavia .....	Hercules.
A-484-801 .....	731-TA-406 .....	Electrolytic Manganese Dioxide/Greece .....	Chemetals. Kerr-McGee. Rayovac.
A-485-601 .....	731-TA-339 .....	Solid Urea/Romania .....	Agrico Chemical. American Cyanamid. CF Industries. First Mississippi. Mississippi Chemical. Terra International. WR Grace.
A-485-602 .....	731-TA-345 .....	Tapered Roller Bearings/Romania .....	L&S Bearing. Timken. Torrington.
A-485-801 .....	731-TA-395 .....	Ball Bearings/Romania .....	Barden Corp. Emerson Power Transmission. Kubar Bearings.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-485-803 .....	731-TA-584 .....	Cut-to-Length Carbon Steel Plate/Romania .....	MPB. Rollway Bearings. Torrington. Bethlehem Steel. California Steel Industries. CitiSteel USA Inc. Geneva Steel. Gulf States Steel. Inland Steel Industries. Lukens Steel. National Steel. Nextech. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America.
A-485-805 .....	731-TA-849 .....	Small-Diameter Carbon Steel Seamless Pipe/Romania.	Koppel Steel. North Star Steel. Sharon Tube. Timken. US Steel. United Steelworkers of America. USS/Kobe. Vision Metals' Gulf States Tube.
A-485-806 .....	731-TA-904 .....	Hot-Rolled Steel Products/Romania .....	Bethlehem Steel. Gallatin Steel. Independent Steelworkers. IPSCO. LTV Steel. National Steel. Nucor. Rouge Steel Co. Steel Dynamics. US Steel. United Steelworkers of America. WCI Steel Inc. Weirton Steel. Wheeling-Pittsburgh Steel Corp.
A-489-501 .....	731-TA-273 .....	Welded Carbon Steel Pipe and Tube/Turkey .....	Allied Tube & Conduit. American Tube. Bernard Epps. Bock Industries. Bull Moose Tube. Central Steel Tube. Century Tube. Copperweld Tubing. Cyclops. Hughes Steel & Tube. Kaiser Steel. Laclede Steel. Maruichi American. Maverick Tube. Merchant Metals. Phoenix Steel. Pittsburgh Tube. Quanex. Sharon Tube. Southwestern Pipe. UNR-Leavitt. Welded Tube. Western Tube & Conduit. Wheatland Tube.
A-489-602 .....	731-TA-364 .....	Aspirin/Turkey .....	Dow Chemical. Monsanto. Norwich-Eaton.
A-489-805 .....	731-TA-735 .....	Pasta/Turkey .....	A Zerega's Sons. American Italian Pasta. Borden. D Merlino & Sons. Dakota Growers Pasta. Foulds. Gilster-Mary Lee.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-489-807 .....	731-TA-745 .....	Steel Concrete Reinforcing Bar/Turkey .....	Gooch Foods. Hershey Foods. LaRinascente Macaroni Co. Pasta USA. Philadelphia Macaroni. ST Specialty Foods. AmeriSteel. Auburn Steel. Birmingham Steel. Commercial Metals. Marion Steel. New Jersey Steel.
A-507-502 .....	731-TA-287 .....	Raw In-Shell Pistachios/Iran .....	Blackwell Land. California Pistachio Orchard. Keenan Farms. Kern Pistachio Hulling & Drying. Los Ranchos de Poco Pedro. Pistachio Producers of California. TM Duche Nut.
A-508-604 .....	731-TA-366 .....	Industrial Phosphoric Acid/Israel .....	Albright & Wilson. FMC. Hydrite Chemical. Monsanto. Stauffer Chemical.
A-533-502 .....	731-TA-271 .....	Welded Carbon Steel Pipe and Tube/India .....	Allied Tube & Conduit. American Tube. Bernard Epps. Bock Industries. Bull Moose Tube. Central Steel Tube. Century Tube. Copperweld Tubing. Cyclops. Hughes Steel & Tube. Kaiser Steel. Laclede Steel. Maruichi American. Maverick Tube. Merchant Metals. Phoenix Steel. Pittsburgh Tube. Quanex. Sharon Tube. Southwestern Pipe. UNR-Leavitt. Welded Tube. Western Tube & Conduit. Wheatland Tube.
A-533-806 .....	731-TA-561 .....	Sulfanilic Acid/India .....	R-M Industries.
A-533-808 .....	731-TA-638 .....	Stainless Steel Wire Rod/India .....	AL Tech Specialty Steel. Armco Steel. Carpenter Technology. Republic Engineered Steels. Talley Metals Technology. United Steelworkers of America.
A-533-809 .....	731-TA-639 .....	Forged Stainless Steel Flanges/India .....	Gerlin. Ideal Forging. Maass Flange. Markovitz Enterprises.
A-533-810 .....	731-TA-679 .....	Stainless Steel Bar/India .....	AL Tech Specialty Steel. Carpenter Technology. Crucible Specialty Metals. Electralloy. Republic Engineered Steels. Slater Steels. Talley Metals Technology. United Steelworkers of America.
A-533-813 .....	731-TA-778 .....	Preserved Mushrooms/India .....	LK Bowman. Modern Mushroom Farms. Monterey Mushrooms. Mount Laurel Canning. Mushroom Canning. Southwood Farms.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-533-817 .....	731-TA-817 .....	Cut-to-Length Carbon Steel Plate/India .....	Sunny Dell Foods. United Canning. Bethlehem Steel. CitiSteel USA Inc. Geneva Steel. Gulf States Steel. IPSCO Steel. National Steel. Tuscaloosa Steel. US Steel.
A-533-820 .....	731-TA-900 .....	Hot-Rolled Steel Products/India .....	United Steelworkers of America. Bethlehem Steel. Gallatin Steel. Independent Steelworkers. IPSCO. LTV Steel. National Steel. Nucor. Rouge Steel Co. Steel Dynamics. US Steel. United Steelworkers of America. WCI Steel Inc. Weirton Steel. Wheeling-Pittsburgh Steel Corp.
A-533-823 .....	731-TA-929 .....	Silicomanganese/India .....	Eramet Marietta. Paper, Allied-Industrial, Chemical and Energy Workers International Union, Local 5-0639.
A-533-824 .....	731-TA-933 .....	Polyethylene Terephthalate Film, Sheet and Strip ... (PET Film)/India .....	DuPont Teijin Films. Mitsubishi Polyester Film LLC. SKC America Inc.
A-533-828 .....	731-TA-1025 ...	Prestressed Concrete Steel Wire Strand/India .....	Toray Plastics (America). American Spring Wire Corp. Insteel Wire Products Co. Sivaco Georgia LLC. Strand Tech Martin Inc. Sumiden Wire Products Corp.
A-533-838 .....	731-TA-1061 ...	Carbazole Violet Pigment 23/India .....	Allegheny Color Corp. Barker Fine Color Inc. Clariant Corp. Nation Ford Chemical Co. Sun Chemical Co.
A-533-843 .....	731-TA-1096 ...	Certain Lined Paper School Supplies/India .....	Fay Paper Products Inc. MeadWestvaco Consumer & Office Products. Norcom Inc. Pacon Corp. Roaring Spring Blank Book Co. Top Flight Inc. United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO-CLC (USW).
A-538-802 .....	731-TA-514 .....	Cotton Shop Towels/Bangladesh .....	Milliken.
A-549-502 .....	731-TA-252 .....	Welded Carbon Steel Pipe and Tube/Thailand .....	Allied Tube & Conduit. American Tube. Bernard Epps. Bock Industries. Bull Moose Tube. Central Steel Tube. Century Tube. Copperweld Tubing. Cyclops. Hughes Steel & Tube. Kaiser Steel. Laclede Steel. Maruichi American. Maverick Tube. Merchant Metals. Phoenix Steel. Pittsburgh Tube. Quanex. Sharon Tube. Southwestern Pipe.



Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-549-601 .....	731-TA-348 .....	Malleable Cast Iron Pipe Fittings/Thailand .....	UNR-Leavitt. Welded Tube. Western Tube & Conduit. Wheatland Tube. Grinnell. Stanley G. Flagg. Stockham Valves & Fittings. U-Brand. Ward Manufacturing.
A-549-807 .....	731-TA-521 .....	Carbon Steel Butt-Weld Pipe Fittings/Thailand .....	Hackney. Ladish. Mills Iron Works. Steel Forgings. Tube Forgings of America. QO Chemicals.
A-549-812 .....	731-TA-705 .....	Furfuryl Alcohol/Thailand .....	International Longshoreman's and Warehouseman's
A-549-813 .....	731-TA-706 .....	Canned Pineapple/Thailand .....	Union.
A-549-817 .....	731-TA-907 .....	Hot-Rolled Steel Products/Thailand .....	Maui Pineapple. Bethlehem Steel. Gallatin Steel. Independent Steelworkers. IPSCO. LTV Steel. National Steel. Nucor. Rouge Steel Co. Steel Dynamics. US Steel. United Steelworkers of America. WCI Steel Inc. Weirton Steel.
A-549-820 .....	731-TA-1028 ...	Prestressed Concrete Steel Wire Strand/Thailand ...	Wheeling-Pittsburgh Steel Corp. American Spring Wire Corp. Insteel Wire Products Co. Sivaco Georgia LLC. Strand Tech Martin Inc. Sumiden Wire Products Corp.
A-549-821 .....	731-TA-1045 ...	Polyethylene Retail Carrier Bags/Thailand .....	Aargus Plastics Inc. Advance Polybags Inc. Advance Polybags (Nevada) Inc. Advance Polybags (Northeast) Inc. Alpha Industries Inc. Alpine Plastics Inc. Ampac Packaging LLC. API Enterprises Inc. Command Packaging. Continental Poly Bags Inc. Durabag Co Inc. Europackaging LLC. Genpak LLC (formerly Continental Superbag LLC). Genpak LLC (formerly Strout Plastics). Hilex Poly Co LLC. Inteplast Group Ltd. PCL Packaging Inc. Poly-Pak Industries Inc. Roplast Industries Inc. Superbag Corp. Unistar Plastics LLC. Vanguard Plastics Inc. VS Plastics LLC.
A-552-801 .....	731-TA-1012 ...	Certain Frozen Fish Fillets/Vietnam .....	America's Catch Inc. Aquafarms Catfish Inc. Carolina Classics Catfish Inc. Catfish Farmers of America. Consolidated Catfish Companies Inc. Delta Pride Catfish Inc. Fish Processors Inc. Guidry's Catfish Inc. Haring's Pride Catfish. Harvest Select Catfish (Alabama Catfish Inc). Heartland Catfish Co (TT&W Farm Products Inc). Prairie Lands Seafood (Illinois Fish Farmers Cooperative).

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-557-805 .....	731-TA-527 .....	Extruded Rubber Thread/Malaysia .....	Pride of the Pond. Pride of the South Catfish Inc. Prime Line Inc. Seabrook Seafood Inc. Seacat (Arkansas Catfish Growers). Simmons Farm Raised Catfish Inc. Southern Pride Catfish LLC. Verret Fisheries Inc. Globe Manufacturing. North American Rubber Thread.
A-557-809 .....	731-TA-866 .....	Stainless Steel Butt-Weld Pipe Fittings/Malaysia .....	Flo-Mac Inc. Gerlin. Markovitz Enterprises. Shaw Alloy Piping Products. Taylor Forge Stainless.
A-557-813 .....	731-TA-1044 ...	Polyethylene Retail Carrier Bags/Malaysia .....	Aargus Plastics Inc. Advance Polybags Inc. Advance Polybags (Nevada) Inc. Advance Polybags (Northeast) Inc. Alpha Industries Inc. Alpine Plastics Inc. Ampac Packaging LLC. API Enterprises Inc. Command Packaging. Continental Poly Bags Inc. Durabag Co Inc. Europackaging LLC. Genpak LLC (formerly Continental Superbag LLC). Genpak LLC (formerly Strout Plastics). Hilex Poly Co LLC. Inteplast Group Ltd. PCL Packaging Inc. Poly-Pak Industries Inc. Roplast Industries Inc. Superbag Corp. Unistar Plastics LLC. Vanguard Plastics Inc. VS Plastics LLC.
A-559-502 .....	731-TA-296 .....	Small Diameter Standard and Rectangular Pipe and Tube/Singapore.	Allied Tube & Conduit.  American Tube. Bull Moose Tube. Cyclops. Hannibal Industries. Laclede Steel. Pittsburgh Tube. Sharon Tube. Western Tube & Conduit. Wheatland Tube.
A-559-601 .....	731-TA-370 .....	Color Picture Tubes/Singapore .....	Industrial Union Department, AFL-CIO. International Association of Machinists & Aerospace Workers. International Brotherhood of Electrical Workers. International Union of Electronic, Electrical, Technical, Salaried and Machine Workers. Philips Electronic Components Group. United Steelworkers of America. Zenith Electronics.
A-559-801 .....	731-TA-396 .....	Ball Bearings/Singapore .....	Barden Corp. Emerson Power Transmission. Kubar Bearings. McGill Manufacturing Co. MPB. Rexnord Inc. Rollway Bearings. Torrington.
A-559-802 .....	731-TA-415 .....	Industrial Belts/Singapore .....	The Gates Rubber Company. The Goodyear Tire and Rubber Company.
A-560-801 .....	731-TA-742 .....	Melamine Institutional Dinnerware/Indonesia .....	Carlisle Food Service Products. Lexington United. Plastics Manufacturing.
A-560-802 .....	731-TA-779 .....	Preserved Mushrooms/Indonesia .....	LK Bowman. Modern Mushroom Farms.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-560-803 ..... A-560-805 .....	731-TA-787 ..... 731-TA-818 .....	Extruded Rubber Thread/Indonesia ..... Cut-to-Length Carbon Steel Plate/Indonesia .....	Monterey Mushrooms. Mount Laurel Canning. Mushroom Canning. Southwood Farms. Sunny Dell Foods. United Canning. North American Rubber Thread. Bethlehem Steel. CitiSteel USA Inc. Geneva Steel. Gulf States Steel. IPSCO Steel. National Steel. Tuscaloosa Steel. US Steel. United Steelworkers of America.
A-560-811 .....	731-TA-875 .....	Steel Concrete Reinforcing Bar/Indonesia .....	AB Steel Mill Inc. AmeriSteel. Birmingham Steel. Border Steel. Cascade Steel Rolling Mills Inc. CMC Steel Group. Co-Steel Inc. Marion Steel. North Star Steel Co. Nucor Steel. Rebar Trade Action Coalition. Riverview Steel. Sheffield Steel. TAMCO.
A-560-812 .....	731-TA-901 .....	Hot-Rolled Steel Products/Indonesia .....	TXI-Chaparral Steel Co. Bethlehem Steel. Gallatin Steel. Independent Steelworkers. IPSCO. LTV Steel. National Steel. Nucor. Rouge Steel Co. Steel Dynamics. US Steel. United Steelworkers of America. WCI Steel Inc. Weirton Steel. Wheeling-Pittsburgh Steel Corp.
A-560-815 .....	731-TA-957 .....	Carbon and Certain Alloy Steel Wire Rod/Indonesia	AmeriSteel. Birmingham Steel. Cascade Steel Rolling Mills. Connecticut Steel Corp. Co-Steel Raritan. GS Industries. Keystone Consolidated Industries. North Star Steel Texas. Nucor Steel-Nebraska (a division of Nucor Corp). Republic Technologies International. Rocky Mountain Steel Mills.
A-560-818 .....	731-TA-1097 ...	Certain Lined Paper School Supplies/Indonesia .....	Fay Paper Products Inc. MeadWestvaco Consumer & Office Products. Norcom Inc. Pacon Corp. Roaring Spring Blank Book Co. Top Flight Inc. United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO-CLC (USW).
A-565-801 .....	731-TA-867 .....	Stainless Steel Butt-Weld Pipe Fittings/Philippines ..	Flo-Mac Inc. Gerlin. Markovitz Enterprises. Shaw Alloy Piping Products. Taylor Forge Stainless.
A-570-001 .....	731-TA-125 .....	Potassium Permanganate/China .....	Carus Chemical.
A-570-002 .....	731-TA-130 .....	Chloropicrin/China .....	LCP Chemicals & Plastics.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-570-003 .....	731-TA-103 .....	Cotton Shop Towels/China .....	Niklor Chemical. Milliken. Texel Industries. Wikit.
A-570-007 .....	731-TA-149 .....	Barium Chloride/China .....	Chemical Products.
A-570-101 .....	731-TA-101 .....	Greige Polyester Cotton Printcloth/China .....	Alice Manufacturing. Clinton Mills. Dan River. Greenwood Mills. Hamrick Mills. M Lowenstein. Mayfair Mills. Mount Vernon Mills.
A-570-501 .....	731-TA-244 .....	Natural Bristle Paint Brushes/China .....	Baltimore Brush. Bestt Liebco. Elder & Jenks. EZ Paintr. H&G Industries. Joseph Lieberman & Sons. Purdy. Rubberset. Thomas Paint Applicators. Wooster Brush.
A-570-502 .....	731-TA-265 .....	Iron Construction Castings/China .....	Alhambra Foundry. Allegheny Foundry. Bingham & Taylor. Campbell Foundry. Charlotte Pipe & Foundry. Deeter Foundry. East Jordan Foundry. Le Baron Foundry. Municipal Castings. Neenah Foundry. Opelika Foundry. Pinkerton Foundry. Tyler Pipe. US Foundry & Manufacturing. Vulcan Foundry.
A-570-504 .....	731-TA-282 .....	Petroleum Wax Candles/China .....	The Al Root Company. Candle Artisans Inc. Candle-Lite. Cathedral Candle. Colonial Candle of Cape Cod. General Wax & Candle. Lenox Candles. Lumi-Lite Candle. Meuch-Kreuzer Candle. National Candle Association. Will & Baumer. WNS.
A-570-506 .....	731-TA-298 .....	Porcelain-on-Steel Cooking Ware/China .....	General Housewares.
A-570-601 .....	731-TA-344 .....	Tapered Roller Bearings/China .....	L&S Bearing. Timken. Torrington. Hercules.
A-570-802 .....	731-TA-441 .....	Industrial Nitrocellulose/China .....	Council Tool Co Inc.
A-570-803 .....	731-TA-457-A	Axes and Adzes/China .....	Warwood Tool. Woodings-Verona.
A-570-803 .....	731-TA-457-B	Bars and Wedges/China .....	Council Tool Co Inc. Warwood Tool. Woodings-Verona.
A-570-803 .....	731-TA-457-C	Hammers and Sledges/China .....	Council Tool Co Inc. Warwood Tool. Woodings-Verona.
A-570-803 .....	731-TA-457-D	Picks and Mattocks/China .....	Council Tool Co Inc. Warwood Tool. Woodings-Verona.
A-570-804 .....	731-TA-464 .....	Sparklers/China .....	BJ Alan. Diamond Sparkler. Elkton Sparkler.
A-570-805 .....	731-TA-466 .....	Sodium Thiosulfate/China .....	Calabrian.
A-570-806 .....	731-TA-472 .....	Silicon Metal/China .....	American Alloys. Elkem Metals.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Globe Metallurgical. International Union of Electronics, Electrical, Machine and Furniture Workers (Local 693). Oil, Chemical and Atomic Workers (Local 389). Silicon Metaltech. SIMETCO. SKW Alloys. Textile Processors, Service Trades, Health Care Professional and Technical Employees (Local 60). United Steelworkers of America (Locals 5171, 8538 and 12646).
A-570-808 .....	731-TA-474 .....	Chrome-Plated Lug Nuts/China .....	Consolidated International Automotive. Key Manufacturing. McGard.
A-570-811 .....	731-TA-497 .....	Tungsten Ore Concentrates/China .....	Curtis Tungsten. US Tungsten.
A-570-814 .....	731-TA-520 .....	Carbon Steel Butt-Weld Pipe Fittings/China .....	Hackney. Ladish. Mills Iron Works. Steel Forgings. Tube Forgings of America.
A-570-815 .....	731-TA-538 .....	Sulfanilic Acid/China .....	R-M Industries.
A-570-819 .....	731-TA-567 .....	Ferrosilicon/China .....	AIMCOR. Alabama Silicon. American Alloys. Globe Metallurgical. Oil, Chemical and Atomic Workers (Local 389). Silicon Metaltech. United Autoworkers of America (Local 523). United Steelworkers of America (Locals 2528, 3081, 5171 and 12646).
A-570-822 .....	731-TA-624 .....	Helical Spring Lock Washers/China .....	Illinois Tool Works.
A-570-825 .....	731-TA-653 .....	Sebacic Acid/China .....	Union Camp.
A-570-826 .....	731-TA-663 .....	Paper Clips/China .....	ACCO USA. Labelon/Noesting. TRICO Manufacturing.
A-570-827 .....	731-TA-669 .....	Cased Pencils/China .....	Blackfeet Indian Writing Instrument. Dixon-Ticonderoga. Empire Berol. Faber-Castell. General Pencil. JR Moon Pencil. Musgrave Pen & Pencil. Panda. Writing Instrument Manufacturers Association, Pencil. Section.
A-570-828 .....	731-TA-672 .....	Silicomanganese/China .....	Elkem Metals. Oil, Chemical and Atomic Workers (Local 3-639).
A-570-830 .....	731-TA-677 .....	Coumarin/China .....	Rhone-Poulenc.
A-570-831 .....	731-TA-683 .....	Fresh Garlic/China .....	A&D Christopher Ranch. Belridge Packing. Colusa Produce. Denice & Filice Packing. El Camino Packing. The Garlic Company. Vessey and Company.
A-570-832 .....	731-TA-696 .....	Pure Magnesium/China .....	Dow Chemical. International Union of Operating Engineers (Local 564). Magnesium Corporation of America. United Steelworkers of America (Local 8319).
A-570-835 .....	731-TA-703 .....	Furfuryl Alcohol/China .....	QO Chemicals.
A-570-836 .....	731-TA-718 .....	Glycine/China .....	Chattem. Hampshire Chemical.
A-570-840 .....	731-TA-724 .....	Manganese Metal/China .....	Elkem Metals. Kerr-McGee.
A-570-842 .....	731-TA-726 .....	Polyvinyl Alcohol/China .....	Air Products and Chemicals.
A-570-844 .....	731-TA-741 .....	Melamine Institutional Dinnerware/China .....	Carlisle Food Service Products. Lexington United. Plastics Manufacturing.
A-570-846 .....	731-TA-744 .....	Brake Rotors/China .....	Brake Parts.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-570-847 ..... A-570-848 .....	731-TA-749 ..... 731-TA-752 .....	Persulfates/China ..... Crawfish Tail Meat/China .....	Coalition for the Preservation of American Brake Drum and Rotor Aftermarket Manufacturers. Iroquois Tool Systems. Kelsey Hayes. Kinetic Parts Manufacturing. Overseas Auto Parts. Wagner Brake. FMC. A&S Crawfish. Acadiana Fisherman's Co-Op. Arnaudville Seafood. Atchafalaya Crawfish Processors. Basin Crawfish Processors. Bayou Land Seafood. Becnel's Meat & Seafood. Bellard's Poultry & Crawfish. Bonanza Crawfish Farm. Cajun Seafood Distributors. Carl's Seafood. Catahoula Crawfish. Choplin SFD. CJ's Seafood & Purged Crawfish. Clearwater Crawfish. Crawfish Processors Alliance. Harvey's Seafood. Lawtell Crawfish Processors. Louisiana Premium Seafoods. Louisiana Seafood. LT West. Phillips Seafood. Prairie Cajun Wholesale Seafood Dist. Riceland Crawfish. Schexnider Crawfish. Seafood International Distributors. Sylvester's Processors. Teche Valley Seafood.
A-570-849 .....	731-TA-753 .....	Cut-to-Length Carbon Steel Plate/China .....	Acme Metals Inc. Bethlehem Steel. CitiSteel USA Inc. Geneva Steel. Gulf States Steel. Lukens Inc. National Steel. US Steel. United Steelworkers of America.
A-570-850 .....	731-TA-757 .....	Collated Roofing Nails/China .....	Illinois Tool Works. International Staple and Machines. Stanley-Bostitch.
A-570-851 .....	731-TA-777 .....	Preserved Mushrooms/China .....	LK Bowman. Modern Mushroom Farms. Monterey Mushrooms. Mount Laurel Canning. Mushroom Canning. Southwood Farms. Sunny Dell Foods. United Canning.
A-570-852 ..... A-570-853 ..... A-570-855 .....	731-TA-814 ..... 731-TA-828 ..... 731-TA-841 .....	Creatine Monohydrate/China ..... Aspirin/China ..... Non-Frozen Apple Juice Concentrate/China .....	Pfanstiehl Laboratories. Rhodia. Coloma Frozen Foods. Green Valley Apples of California. Knouse Foods Coop. Mason County Fruit Packers Coop. Tree Top.
A-570-856 .....	731-TA-851 .....	Synthetic Indigo/China .....	Buffalo Color.
A-570-860 .....	731-TA-874 .....	Steel Concrete Reinforcing Bar/China .....	United Steelworkers of America. AB Steel Mill Inc. AmeriSteel. Auburn Steel. Birmingham Steel. Border Steel. Cascade Steel Rolling Mills Inc. CMC Steel Group. Co-Steel Inc.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-570-862 .....	731-TA-891 .....	Foundry Coke/China .....	Marion Steel. North Star Steel Co. Nucor Steel. Rebar Trade Action Coalition. Riverview Steel. Sheffield Steel. TAMCO. TXI-Chaparral Steel Co. ABC Coke. Citizens Gas and Coke Utility. Erie Coke. Sloss Industries Corp. Tonawanda Coke. United Steelworkers of America.
A-570-863 .....	731-TA-893 .....	Honey/China .....	AH Meyer & Sons. Adee Honey Farms. Althoff Apiaries. American Beekeeping Federation. American Honey Producers Association. Anderson Apiaries. Arroyo Apiaries. Artesian Honey Producers. B Weaver Apiaries. Bailey Enterprises. Barkman Honey. Basler Honey Apiary. Beals Honey. Bears Paw Apiaries. Beaverhead Honey. Bee Biz. Bee Haven Honey. Belliston Brothers Apiaries. Big Sky Honey. Bill Rhodes Honey. Richard E Blake. Curt Bronnenberg. Brown's Honey Farms. Brumley's Bees. Buhmann Apiaries. Carys Honey Farms. Chaparrel Honey. Charles Apiaries. Mitchell Charles. Collins Honey. Conor Apiaries. Coy's Honey Farm. Dave Nelson Apiaries. Delta Bee. Eisele's Pollination & Honey. Ellingsoa's. Elliott Curtis & Sons. Charles L Emmons, Sr. Gause Honey. Gene Brandi Apiaries. Griffith Honey. Haff Apiaries. Hamilton Bee Farms. Hamilton Honey. Happie Bee. Harvest Honey. Harvey's Honey. Hiatt Honey. Hoffman Honey. Hollman Apiaries. Honey House. Honeybee Apiaries. Gary M Honl. Rand William Honl and Sydney Jo Honl. James R & Joann Smith Trust. Jaynes Bee Products. Johnston Honey Farms. Larry Johnston. Ke-An Honey.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Kent Honeybees. Lake-Indianhead Honey Farms. Lamb's Honey Farm. Las Flores Apiaries. Mackrill Honey Farms & Sales. Raymond Marquette. Mason & Sons Honey. McCoy's Sunny South Apiaries. Merrimack Valley Apiaries & Evergreen Honey. Met 2 Honey Farm. Missouri River Honey. Mitchell Brothers Honey. Monda Honey Farm. Montana Dakota Honey. Northern Bloom Honey. Noye's Apiaries. Oakes Honey. Oakley Honey Farms. Old Mill Apiaries. Opp Honey. Oro Dulce. Peterson's "Naturally Sweet" Honey. Potoczak Bee Farms. Price Apiaries. Pure Sweet Honey Farms. Robertson Pollination Service. Robson Honey. William Robson. Rosedale Apiaries. Ryan Apiaries. Schmidt Honey Farms. Simpson Apiaries. Sioux Honey Association. Smoot Honey. Solby Honey. Stahlman Apiaries. Steve E Parks Apiaries. Stroope Bee & Honey. T&D Honey Bee. Talbott's Honey. Terry Apiaries. Thompson Apiaries. Triple A Farm. Tropical Blossom Honey. Tubbs Apiaries. Venable Wholesale. Walter L Wilson Buzz 76 Apiaries. Wiebersiek Honey Farms. Wilmer Farms. Brent J Woodworth. Wooten's Golden Queens. Yaddof Apiaries.
A-570-864 .....	731-TA-895 .....	Pure Magnesium (Granular)/China .....	Concerned Employees of Northwest Alloys. Magnesium Corporation of America. United Steelworkers of America. United Steelworkers of America (Local 8319).
A-570-865 .....	731-TA-899 .....	Hot-Rolled Steel Products/China .....	Bethlehem Steel. Gallatin Steel. Independent Steelworkers. IPSCO. LTV Steel. National Steel. Nucor. Rouge Steel Co. Steel Dynamics. US Steel. United Steelworkers of America. WCI Steel Inc. Weirton Steel. Wheeling-Pittsburgh Steel Corp.
A-570-866 .....	731-TA-921 .....	Folding Gift Boxes/China .....	Field Container. Harvard Folding Box. Sterling Packaging.



Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-570-867 .....	731-TA-922 .....	Automotive Replacement Glass Windshields/China	Superior Packaging. PPG Industries. Safelite Glass. Viracon/Curvlite Inc. Visteon Corporation.
A-570-868 .....	731-TA-932 .....	Folding Metal Tables and Chairs/China .....	Krueger International. McCourt Manufacturing. Meco. Virco Manufacturing.
A-570-873 .....	731-TA-986 .....	Ferrovandium/China .....	Bear Metallurgical Co. Shieldalloy Metallurgical Corp.
A-570-875 .....	731-TA-990 .....	Non-Malleable Cast Iron Pipe Fittings/China .....	Anvil International Inc. Buck Co Inc. Frazier & Frazier Industries. Ward Manufacturing Inc.
A-570-877 .....	731-TA-1010 ...	Lawn and Garden Steel Fence Posts/China .....	Steel City Corp.
A-570-878 .....	731-TA-1013 ...	Saccharin/China .....	PMC Specialties Group Inc.
A-570-879 .....	731-TA-1014 ...	Polyvinyl Alcohol/China .....	Celanese Ltd. E I du Pont de Nemours & Co.
A-570-880 .....	731-TA-1020 ...	Barium Carbonate/China .....	Chemical Products Corp.
A-570-881 .....	731-TA-1021 ...	Malleable Iron Pipe Fittings/China .....	Anvil International Inc. Buck Co Inc. Ward Manufacturing Inc.
A-570-882 .....	731-TA-1022 ...	Refined Brown Aluminum Oxide/China .....	C-E Minerals. Treibacher Schleifmittel North America Inc. Washington Mills Co Inc.
A-570-884 .....	731-TA-1034 ...	Certain Color Television Receivers/China .....	Five Rivers Electronic Innovations LLC. Industrial Division of the Communications Workers of America (IUCEWA). International Brotherhood of Electrical Workers (IBEW).
A-570-886 .....	731-TA-1043 ...	Polyethylene Retail Carrier Bags/China .....	Aargus Plastics Inc. Advance Polybags Inc. Advance Polybags (Nevada) Inc. Advance Polybags (Northeast) Inc. Alpha Industries Inc. Alpine Plastics Inc. Ampac Packaging LLC. API Enterprises Inc. Command Packaging. Continental Poly Bags Inc. Durabag Co Inc. Europackaging LLC. Genpak LLC (formerly Continental Superbag LLC). Genpak LLC (formerly Strout Plastics). Hilex Poly Co LLC. Inteplast Group Ltd. PCL Packaging Inc. Poly-Pak Industries Inc. Roplast Industries Inc. Superbag Corp. Unistar Plastics LLC. Vanguard Plastics Inc. VS Plastics LLC.
A-570-887 .....	731-TA-1046 ...	Tetrahydrofurfuryl Alcohol/China .....	Penn Specialty Chemicals Inc.
A-570-888 .....	731-TA-1047 ...	Ironing Tables and Certain Parts Thereof/China .....	Home Products International Inc.
A-570-890 .....	731-TA-1058 ...	Wooden Bedroom Furniture/China .....	American Drew. American of Martinsville. Bassett Furniture Industries Inc. Bebe Furniture. Carolina Furniture Works Inc. Carpenters Industrial Union Local 2093. Century Furniture Industries. Country Craft Furniture Inc. Craftique. Crawford Furniture Mfg Corp. EJ Victor Inc. Forest Designs. Harden Furniture Inc. Hart Furniture. Higdon Furniture Co. IUE Industrial Division of CWA Local 82472. Johnston Tombigbee Furniture Mfg Co.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Kincaid Furniture Co Inc. L & J G Stickley Inc. Lea Industries. Michels & Co. MJ Wood Products Inc. Mobel Inc. Modern Furniture Manufacturers Inc. Moosehead Mfg Co. Oakwood Interiors. O'Sullivan Industries Inc. Pennsylvania House Inc. Perdues Inc. Sandberg Furniture Mfg Co Inc. Stanley Furniture Co Inc. Statton Furniture Mfg Assoc. T Copeland & Sons. Teamsters, Chauffeurs, Warehousemen and Helpers Local 991. Tom Seely Furniture. UBC Southern Council of Industrial Workers Local Union 2305. United Steelworkers of America Local 193U. Vaughan Furniture Co Inc. Vaughan-Bassett Furniture Co Inc. Vermont Tubbs. Webb Furniture Enterprises Inc.
A-570-891 .....	731-TA-1059 ...	Hand Trucks and Certain Parts Thereof/China .....	B&P Manufacturing. Gleason Industrial Products Inc. Harper Trucks Inc. Magline Inc. Precision Products Inc. Wesco Industrial Products Inc.
A-570-892 .....	731-TA-1060 ...	Carbazole Violet Pigment 23/China .....	Allegheny Color Corp. Barker Fine Color Inc. Clariant Corp. Nation Ford Chemical Co. Sun Chemical Co.
A-570-894 .....	731-TA-1070 ...	Certain Tissue Paper Products/China .....	American Crepe Corp. Cindus Corp. Eagle Tissue LLC. Flower City Tissue Mills Co and Subsidiary. Garlock Printing & Converting Corp. Green Mtn Specialties Inc. Hallmark Cards Inc. Pacon Corp. Paper, Allied-Industrial, Chemical and Energy Workers International Union AFL-CIO ("PACE"). Paper Service LTD. Putney Paper.
A-570-895 .....	731-TA-1069 ...	Certain Crepe Paper Products/China .....	Seaman Paper Co of MA Inc. American Crepe Corp. Cindus Corp. Paper, Allied-Industrial, Chemical and Energy Workers International Union AFL-CIO ("PACE"). Seaman Paper Co of MA Inc.
A-570-896 .....	731-TA-1071 ...	Alloy Magnesium/China .....	Garfield Alloys Inc. Glass, Molders, Pottery, Plastics & Allied Workers International Local 374. Halaco Engineering. MagReTech Inc. United Steelworkers of America Local 8319.
A-570-899 .....	731-TA-1091 ...	Artists' Canvas/China .....	US Magnesium LLC. Duro Art Industries. ICG/Holliston Mills Inc. Signature World Class Canvas LLC.
A-570-898 .....	731-TA-1082 ...	Chlorinated Isocyanurates/China .....	Tara Materials Inc. BioLab Inc. Clearon Corp.
A-570-901 .....	731-TA-1095 ...	Certain Lined Paper School Supplies/China .....	Occidental Chemical Corp. Fay Paper Products Inc. MeadWestvaco Consumer & Office Products. Norcom Inc. Pacon Corp.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Roaring Spring Blank Book Co. Top Flight Inc. United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO-CLC (USW).
A-570-904 .....	731-TA-1103 ...	Certain Activated Carbon/China .....	Calgon Carbon Corp.
A-570-905 .....	731-TA-1104 ...	Certain Polyester Staple Fiber/China .....	Norit Americas Inc. DAK Americas LLC. Formed Fiber Technologies LLC. Nan Ya Plastics Corp America. Palmetto Synthetics LLC. United Synthetics Inc (USI). Wellman Inc.
A-570-908 .....	731-TA-1110 ...	Sodium Hexametaphosphate (SHMP)/China .....	ICL Performance Products LP. Innophos Inc.
A-580-008 .....	731-TA-134 .....	Color Television Receivers/Korea .....	Committee to Preserve American Color Television. Independent Radionic Workers of America. Industrial Union Department, AFL-CIO. International Brotherhood of Electrical Workers. International Union of Electrical, Radio and Machine Workers.
A-580-507 .....	731-TA-279 .....	Malleable Cast Iron Pipe Fittings/Korea .....	Grinnell. Stanley G Flagg. Stockham Valves & Fittings. U-Brand. Ward Manufacturing.
A-580-601 .....	731-TA-304 .....	Top-of-the-Stove Stainless Steel Cooking Ware/ Korea.	Farberware. Regal Ware. Revere Copper & Brass. WearEver/Proctor Silex.
A-580-603 .....	731-TA-315 .....	Brass Sheet and Strip/Korea .....	Allied Industrial Workers of America. American Brass. Bridgeport Brass. Chase Brass & Copper. Hussey Copper. International Association of Machinists & Aerospace Workers. Mechanics Educational Society of America (Local 56). The Miller Company. Olin. Revere Copper Products.
A-580-605 .....	731-TA-369 .....	Color Picture Tubes/Korea .....	United Steelworkers of America. Industrial Union Department, AFL-CIO. International Association of Machinists & Aerospace Workers. International Brotherhood of Electrical Workers. International Union of Electronic, Electrical, Technical, Salaried and Machine Workers. Philips Electronic Components Group. United Steelworkers of America. Zenith Electronics.
A-580-803 .....	731-TA-427 .....	Small Business Telephone Systems/Korea .....	American Telephone & Telegraph. Comdial. Eagle Telephonic.
A-580-805 .....	731-TA-442 .....	Industrial Nitrocellulose/Korea .....	Hercules.
A-580-807 .....	731-TA-459 .....	Polyethylene Terephthalate Film/Korea .....	E I du Pont de Nemours. Hoechst Celanese. ICI Americas.
A-580-809 .....	731-TA-533 .....	Circular Welded Nonalloy Steel Pipe/Korea .....	Allied Tube & Conduit. American Tube. Bull Moose Tube. Century Tube. CSI Tubular Products. Cyclops. Laclede Steel. LTV Tubular Products. Maruichi American. Sharon Tube. USX. Western Tube & Conduit. Wheatland Tube.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-580-810 .....	731-TA-540 .....	Welded ASTM A-312 Stainless Steel Pipe/Korea ...	Avesta Sandvik Tube. Bristol Metals. Crucible Materials. Damascus Tubular Products. United Steelworkers of America.
A-580-811 .....	731-TA-546 .....	Carbon Steel Wire Rope/Korea .....	Bridon American. Macwhyte. Paulsen Wire Rope. The Rochester Corporation. United Automobile, Aerospace and Agricultural Implement Workers (Local 960). Williamsport. Wire-rope Works. Wire Rope Corporation of America.
A-580-812 .....	731-TA-556 .....	DRAMs of 1 Megabit and Above/Korea .....	Micron Technology. NEC Electronics. Texas Instruments.
A-580-813 .....	731-TA-563 .....	Stainless Steel Butt-Weld Pipe Fittings/Korea .....	Flo-Mac Inc. Gerlin. Markovitz Enterprises. Shaw Alloy Piping Products. Taylor Forge Stainless.
A-580-815 .....	731-TA-607 .....	Cold-Rolled Carbon Steel Flat Products/Korea .....	Armco Steel. Bethlehem Steel. California Steel Industries. Gulf States Steel. Inland Steel Industries. LTV Steel. National Steel. Nextech. Rouge Steel Co. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America. WCI Steel. Weirton Steel.
A-580-816 .....	731-TA-618 .....	Corrosion-Resistant Carbon Steel Flat Products/ Korea.	Armco Steel.  Bethlehem Steel. California Steel Industries. Geneva Steel. Gulf States Steel. Inland Steel Industries. LTV Steel. Lukens Steel. National Steel. Nextech. Rouge Steel Co. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America. WCI Steel. Weirton Steel.
A-580-825 .....	731-TA-715 .....	Oil Country Tubular Goods/Korea .....	Bellville Tube. IPSCO. Koppel Steel. Lone Star Steel. Maverick Tube. Newport Steel. North Star Steel. US Steel. USS/Kobe.
A-580-829 .....	731-TA-772 .....	Stainless Steel Wire Rod/Korea .....	AL Tech Specialty Steel. Carpenter Technology. Republic Engineered Steels. Talley Metals Technology. United Steelworkers of America.
A-580-831 .....	731-TA-791 .....	Stainless Steel Plate in Coils/Korea .....	Allegheny Ludlum. Armco Steel.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-580-834 .....	731-TA-801 .....	Stainless Steel Sheet and Strip/Korea .....	J&L Specialty Steel. Lukens Steel. North American Stainless. United Steelworkers of America. Allegheny Ludlum. Armco Steel. Bethlehem Steel. Butler Armco Independent Union. Carpenter Technology Corp. J&L Specialty Steel. North American Stainless. United Steelworkers of America. Zanesville Armco Independent Organization.
A-580-836 .....	731-TA-821 .....	Cut-to-Length Carbon Steel Plate/Korea .....	Bethlehem Steel. CitiSteel USA Inc. Geneva Steel. Gulf States Steel. IPSCO Steel. National Steel. Tuscaloosa Steel. US Steel.
A-580-839 .....	731-TA-825 .....	Polyester Staple Fiber/Korea .....	United Steelworkers of America. Artega Specialties Sarl. E I du Pont de Nemours. Intercontinental Polymers. Nan Ya Corporation America. Wellman.
A-580-841 .....	731-TA-854 .....	Structural Steel Beams/Korea .....	Northwestern Steel and Wire. Nucor. Nucor-Yamato Steel. TXI-Chaparral Steel.
A-580-844 .....	731-TA-877 .....	Steel Concrete Reinforcing Bar/Korea .....	United Steelworkers of America. AB Steel Mill Inc. AmeriSteel. Auburn Steel. Birmingham Steel. Border Steel. Cascade Steel Rolling Mills Inc. CMC Steel Group. Co-Steel Inc. Marion Steel. North Star Steel Co. Nucor Steel. Rebar Trade Action Coalition. Riverview Steel. Sheffield Steel. TAMCO.
A-580-846 .....	731-TA-889 .....	Stainless Steel Angle/Korea .....	TXI-Chaparral Steel Co. Slater Steels.
A-580-847 .....	731-TA-916 .....	Stainless Steel Bar/Korea .....	United Steelworkers of America. Carpenter Technology. Crucible Specialty Metals. Electralloy. Empire Specialty Steel. Republic Technologies International. Slater Steels.
A-580-850 .....	731-TA-1017 .....	Polyvinyl Alcohol/Korea .....	United Steelworkers of America. Celanese Ltd.
A-580-852 .....	731-TA-1026 .....	Prestressed Concrete Steel Wire Strand/Korea .....	E I du Pont de Nemours & Co. American Spring Wire Corp. Insteel Wire Products Co. Sivaco Georgia LLC. Strand Tech Martin Inc. Sumiden Wire Products Corp.
A-583-008 .....	731-TA-132 .....	Small Diameter Carbon Steel Pipe and Tube/ Tawian.	Allied Tube & Conduit. American Tube. Bull Moose Tube. Copperweld Tubing. J&L Steel. Kaiser Steel. Merchant Metals. Pittsburgh Tube. Southwestern Pipe.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-583-009 .....	731-TA-135 .....	Color Television Receivers/Taiwan .....	Western Tube & Conduit. Committee to Preserve American Color Television. Independent Radionic Workers of America. Industrial Union Department, AFL-CIO. International Brotherhood of Electrical Workers. International Union of Electrical, Radio and Machine Workers.
A-583-080 .....	AA1921-197 .....	Carbon Steel Plate/Taiwan .....	No Petition (self-initiated by Treasury); Commerce service list identifies: Bethlehem Steel. China Steel. US Steel. CF&I Steel. Copperweld Tubing. Cyclops. KPC. Lone Star Steel. LTV Steel. Maverick Tube. Quanex. US Steel. Grinnell.
A-583-505 .....	731-TA-277 .....	Oil Country Tubular Goods/Taiwan .....	Stanley G Flag. Stockham Valves & Fittings. U-Brand. Ward Manufacturing. General Housewares. Farberware. Regal Ware. Revere Copper & Brass. WearEver/Proctor Silex. Ladish. Mills Iron Works. Steel Forgings. Tube Forgings of America. Weldbend.
A-583-507 .....	731-TA-280 .....	Malleable Cast Iron Pipe Fittings/Taiwan .....	Bull Moose Tube. Hannibal Industries. Harris Tube. Maruichi American. Searing Industries. Southwestern Pipe. Western Tube & Conduit.
A-583-508 .....	731-TA-299 .....	Porcelain-on-Steel Cooking Ware/Taiwan .....	American Telephone & Telegraph. Comdial. Eagle Telephonic. Consolidated International Automotive. Key Manufacturing. McGard.
A-583-603 .....	731-TA-305 .....	Top-of-the-Stove Stainless Steel Cooking Ware/Taiwan.	Allied Tube & Conduit. American Tube. Bull Moose Tube. Century Tube. CSI Tubular Products. Cyclops. Laclede Steel. LTV Tubular Products. Maruichi American. Sharon Tube. USX. Western Tube & Conduit. Wheatland Tube.
A-583-605 .....	731-TA-310 .....	Carbon Steel Butt-Weld Pipe Fittings/Taiwan .....	Avesta Sandvik Tube. Bristol Metals. Crucible Materials. Damascus Tubular Products. United Steelworkers of America.
A-583-803 .....	731-TA-410 .....	Light-Walled Rectangular Tube/Taiwan .....	Flo-Mac Inc. Gerlin. Markovitz Enterprises. Shaw Alloy Piping Products. Taylor Forge Stainless. Illinois Tool Works.
A-583-806 .....	731-TA-428 .....	Small Business Telephone Systems/Taiwan .....	
A-583-810 .....	731-TA-475 .....	Chrome-Plated Lug Nuts/Taiwan .....	
A-583-814 .....	731-TA-536 .....	Circular Welded Nonalloy Steel Pipe/Taiwan .....	
A-583-815 .....	731-TA-541 .....	Welded ASTM A-312 Stainless Steel Pipe/Taiwan	
A-583-816 .....	731-TA-564 .....	Stainless Steel Butt-Weld Pipe Fittings/Taiwan .....	
A-583-820 .....	731-TA-625 .....	Helical Spring Lock Washers/Taiwan .....	

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-583-821 .....	731-TA-640 .....	Forged Stainless Steel Flanges/Taiwan .....	Gerlin. Ideal Forging. Maass Flange. Markovitz Enterprises.
A-583-824 .....	731-TA-729 .....	Polyvinyl Alcohol/Taiwan .....	Air Products and Chemicals.
A-583-825 .....	731-TA-743 .....	Melamine Institutional Dinnerware/Taiwan .....	Carlisle Food Service Products. Lexington United. Plastics Manufacturing.
A-583-826 .....	731-TA-759 .....	Collated Roofing Nails/Taiwan .....	Illinois Tool Works. International Staple and Machines. Stanley-Bostitch.
A-583-827 .....	731-TA-762 .....	SRAMs/Taiwan .....	Micron Technology.
A-583-828 .....	731-TA-775 .....	Stainless Steel Wire Rod/Taiwan .....	AL Tech Specialty Steel. Carpenter Technology. Republic Engineered Steels. Talley Metals Technology. United Steelworkers of America.
A-583-830 .....	731-TA-793 .....	Stainless Steel Plate in Coils/Taiwan .....	Allegheny Ludlum. Armco Steel. J&L Specialty Steel. Lukens Steel. North American Stainless. United Steelworkers of America.
A-583-831 .....	731-TA-803 .....	Stainless Steel Sheet and Strip/Taiwan .....	Allegheny Ludlum. Armco Steel. Bethlehem Steel. Butler Armco Independent Union. Carpenter Technology Corp. J&L Specialty Steel. North American Stainless. United Steelworkers of America. Zanesville Armco Independent Organization.
A-583-833 .....	731-TA-826 .....	Polyester Staple Fiber/Taiwan .....	Arteva Specialties Sarl. Intercontinental Polymers. Nan Ya Plastics Corporation America. Wellman.
A-583-835 .....	731-TA-906 .....	Hot-Rolled Steel Products/Taiwan .....	Bethlehem Steel. Gallatin Steel. Independent Steelworkers. IPSCO. LTV Steel. National Steel. Nucor. Rouge Steel Co. Steel Dynamics. US Steel. United Steelworkers of America. WCI Steel Inc. Weirton Steel. Wheeling-Pittsburgh Steel Corp.
A-583-837 .....	731-TA-934 .....	Polyethylene Terephthalate Film, Sheet and Strip (PET Film)/Taiwan.	DuPont Teijin Films. Mitsubishi Polyester Film LLC. SKC America Inc. Toray Plastics (America).
A-588-005 .....	731-TA-48 .....	High Power Microwave Amplifiers/Japan .....	Aydin. MCL.
A-588-015 .....	AA1921-66 .....	Television Receivers/Japan .....	AGIV (USA). Casio Computer. CBM America. Citizen Watch. Funai Electric. Hitachi. Industrial Union Department. JC Penny. Matsushita. Mitsubishi Electric. Montgomery Ward. NEC. Orion Electric. PT Imports. Philips Electronics. Philips Magnavox. Sanyo.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-588-028	AA1921-111	Roller Chain/Japan	Sharp. Toshiba. Toshiba America Consumer Products. Victor Company of Japan. Zenith Electronics. Acme Chain Division, North American Rockwell. American Chain Association. Atlas Chain & Precision Products. Diamond Chain. Link-Belt Chain Division, FMC. Morse Chain Division, Borg Warner. Rex Chainbelt.
A-588-029	AA1921-85	Fish Netting of Man-Made Fiber/Japan	Jovanovich Supply. LFSI.
A-588-038	AA1921-98	Bicycle Speedometers/Japan	Trans-Pacific Trading. Avocet. Cat Eye. Diversified Products. NS International. Sanyo Electric. Stewart-Warner.
A-588-041	AA1921-115	Synthetic Methionine/Japan	Monsanto.
A-588-045	AA1921-124	Steel Wire Rope/Japan	AMSTED Industries.
A-588-046	AA1921-129	Polychloroprene Rubber/Japan	E I du Pont de Nemours.
A-588-054	AA1921-143	Tapered Roller Bearings 4 Inches and Under/Japan	No companies identified as petitioners at the Commission; Commerce service list identifies: American Honda Motor. Federal Mogul. Ford Motor. General Motors. Honda. Hoover-NSK Bearing. Isuzu. Itocho. ITOCHU International. Kanematsu-Goshu USA. Kawasaki Heavy Duty Industries. Komatsu America. Koyo Seiko. Kubota Tractor. Mitsubishi. Motorambar. Nachi America. Nachi Western. Nachi-Fujikoshi. Nippon Seiko. Nissan Motor. Nissan Motor USA. NSK. NTN. Subaru of America. Sumitomo. Suzuki Motor. Timken. Toyota Motor Sales. Yamaha Motors.
A-588-055	AA1921-154	Acrylic Sheet/Japan	Polycast Technology.
A-588-056	AA1921-162	Melamine/Japan	Melamine Chemical.
A-588-068	AA1921-188	Prestressed Concrete Steel Wire Strand/Japan	American Spring Wire. Armco Steel. Bethlehem Steel. CF&I Steel. Florida Wire & Cable.
A-588-405	731-TA-207	Cellular Mobile Telephones/Japan	EF Johnson. Motorola.
A-588-602	731-TA-309	Carbon Steel Butt-Weld Pipe Fittings/Japan	Ladish. Mills Iron Works. Steel Forgings. Tube Forgings of America. Weldbend.
A-588-604	731-TA-343	Tapered Roller Bearings Over 4 Inches/Japan	L&S Bearing. Timken. Torrington.



Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-588-605 .....	731-TA-347 .....	Malleable Cast Iron Pipe Fittings/Japan .....	Grinnell. Stanley G Flagg. Stockham Valves & Fittings. U-Brand. Ward Manufacturing.
A-588-609 .....	731-TA-368 .....	Color Picture Tubes/Japan .....	Industrial Union Department, AFL-CIO. International Association of Machinists & Aerospace Workers. International Brotherhood of Electrical Workers. International Union of Electronic, Electrical, Technical, Salaried and Machine Workers. Philips Electronic Components Group. United Steelworkers of America. Zenith Electronics.
A-588-702 .....	731-TA-376 .....	Stainless Steel Butt-Weld Pipe Fittings/Japan .....	Flo-Mac Inc. Flowline. Shaw Alloy Piping Products.
A-588-703 .....	731-TA-377 .....	Internal Combustion Industrial Forklift Trucks/Japan	Taylor Forge Stainless. Ad-Hoc Group of Workers from Hyster's Berea, Kentucky and Sulligent, Alabama Facilities. Allied Industrial Workers of America. Hyster. Independent Lift Truck Builders Union. International Association of Machinists & Aerospace Workers.
A-588-704 .....	731-TA-379 .....	Brass Sheet and Strip/Japan .....	United Shop & Service Employees. Allied Industrial Workers of America. American Brass. Bridgeport Brass. Chase Brass & Copper. Hussey Copper. International Association of Machinists & Aerospace Workers. Mechanics Educational Society of America (Local 56). The Miller Company. North Coast Brass & Copper. Olin. Pegg Metals. Revere Copper Products. United Steelworkers of America.
A-588-706 .....	731-TA-384 .....	Nitrile Rubber/Japan .....	Uniroyal Chemical.
A-588-707 .....	731-TA-386 .....	Granular Polytetrafluoroethylene/Japan .....	E I du Pont de Nemours.
A-588-802 .....	731-TA-389 .....	3.5" Microdisks/Japan .....	ICI Americas.
A-588-804 .....	731-TA-394-A	Ball Bearings/Japan .....	Verbatim. Barden Corp. Emerson Power Transmission. Kubar Bearings. McGill Manufacturing Co. MPB. Rexnord Inc. Rollway Bearings. Torrington.
A-588-804 .....	731-TA-394-B	Cylindrical Roller Bearings/Japan .....	Barden Corp. Emerson Power Transmission. Kubar Bearings. MPB. Rollway Bearings. Torrington.
A-588-804 .....	731-TA-394-C	Spherical Plain Bearings/Japan .....	Barden Corp. Emerson Power Transmission. Kubar Bearings. Rollway Bearings. Torrington.
A-588-806 .....	731-TA-408 .....	Electrolytic Manganese Dioxide/Japan .....	Chemetals. Kerr-McGee. Rayovac.
A-588-807 .....	731-TA-414 .....	Industrial Belts/Japan .....	The Gates Rubber Company.
A-588-809 .....	731-TA-426 .....	Small Business Telephone Systems/Japan .....	The Goodyear Tire and Rubber Company. American Telephone & Telegraph. Comdial. Eagle Telephonic.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-588-810 .....	731-TA-429 .....	Mechanical Transfer Presses/Japan .....	Allied Products. United Autoworkers of America. United Steelworkers of America.
A-588-811 .....	731-TA-432 .....	Drafting Machines/Japan .....	Vemco.
A-588-812 .....	731-TA-440 .....	Industrial Nitrocellulose/Japan .....	Hercules.
A-588-815 .....	731-TA-461 .....	Gray Portland Cement and Clinker/Japan .....	Calaveras Cement. Hanson Permanente Cement. Independent Workers of North America (Locals 49, 52, 89, 192 and 471). International Union of Operating Engineers (Local 12). National Cement Co Inc. National Cement Company of California. Southdown.
A-588-817 .....	731-TA-469 .....	Electroluminescent Flat-Panel Displays/Japan .....	The Cherry Corporation. Electro Plasma. Magnascreen. OIS Optical Imaging Systems. Photonics Technology. Planar Systems. Plasmaco.
A-588-823 .....	731-TA-571 .....	Professional Electric Cutting Tools/Japan .....	Black & Decker.
A-588-826 .....	731-TA-617 .....	Corrosion-Resistant Carbon Steel Flat Products/ Japan.	Bethlehem Steel.  California Steel Industries. Geneva Steel. Gulf States Steel. Lukens Steel. Nextech. Rouge Steel Co. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America. WCI Steel. Weirton Steel.
A-588-831 .....	731-TA-660 .....	Grain-Oriented Silicon Electrical Steel/Japan .....	Allegheny Ludlum. Armco Steel. United Steelworkers of America.
A-588-833 .....	731-TA-681 .....	Stainless Steel Bar/Japan .....	AL Tech Specialty Steel. Carpenter Technology. Crucible Specialty Metals. Electralloy. Republic Engineered Steels. Slater Steels. Talley Metals Technology. United Steelworkers of America.
A-588-835 .....	731-TA-714 .....	Oil Country Tubular Goods/Japan .....	IPSCO. Koppel Steel. Lone Star Steel Co. Maverick Tube. Newport Steel. North Star Steel. US Steel.
A-588-836 .....	731-TA-727 .....	Polyvinyl Alcohol/Japan .....	Air Products and Chemicals.
A-588-837 .....	731-TA-737 .....	Large Newspaper Printing Presses/Japan .....	Rockwell Graphics Systems.
A-588-838 .....	731-TA-739 .....	Clad Steel Plate/Japan .....	Lukens Steel.
A-588-839 .....	731-TA-740 .....	Sodium Azide/Japan .....	American Azide.
A-588-840 .....	731-TA-748 .....	Gas Turbo-Compressor Systems/Japan .....	Demag Delaval. Dresser-Rand. United Steelworkers of America.
A-588-841 .....	731-TA-750 .....	Vector Supercomputers/Japan .....	Cray Research.
A-588-843 .....	731-TA-771 .....	Stainless Steel Wire Rod/Japan .....	AL Tech Specialty Steel. Carpenter Technology. Republic Engineered Steels. Talley Metals Technology. United Steelworkers of America.
A-588-845 .....	731-TA-800 .....	Stainless Steel Sheet and Strip/Japan .....	Allegheny Ludlum. Armco Steel. Bethlehem Steel. Butler Armco Independent Union. Carpenter Technology Corp.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-588-846 .....	731-TA-807 .....	Hot-Rolled Carbon Steel Flat Products/Japan .....	J&L Specialty Steel. North American Stainless. United Steelworkers of America. Zanesville Armco Independent Organization. Acme Steel. Bethlehem Steel. California Steel Industries. Gallatin Steel. Geneva Steel. Gulf States Steel. Independent Steelworkers. IPSCO. Ispat/Inland. LTV Steel. Nucor. Rouge Steel Co. Steel Dynamics. US Steel. United Steelworkers of America. WCI Steel. Weirton Steel. Wheeling-Pittsburgh Steel Corp.
A-588-847 .....	731-TA-820 .....	Cut-to-Length Carbon Steel Plate/Japan .....	Bethlehem Steel. CitiSteel USA Inc. Geneva Steel. Gulf States Steel. IPSCO Steel. Tuscaloosa Steel. US Steel. United Steelworkers of America.
A-588-850 .....	731-TA-847 .....	Large-Diameter Carbon Steel Seamless Pipe/Japan	North Star Steel. Timken. US Steel. United Steelworkers of America.
A-588-851 .....	731-TA-847 .....	Small-Diameter Carbon Steel Seamless Pipe/Japan	USS/Kobe. Koppel Steel. North Star Steel. Sharon Tube. Timken. US Steel. United Steelworkers of America.
A-588-852 .....	731-TA-853 .....	Structural Steel Beams/Japan .....	Vision Metals' Gulf States Tube. Northwestern Steel and Wire. Nucor. Nucor-Yamato Steel. TXI-Chaparral Steel.
A-588-854 .....	731-TA-860 .....	Tin-Mill Products/Japan .....	United Steelworkers of America. Independent Steelworkers. United Steelworkers of America.
A-588-856 .....	731-TA-888 .....	Stainless Steel Angle/Japan .....	Weirton Steel. Slater Steels.
A-588-857 .....	731-TA-919 .....	Welded Large Diameter Line Pipe/Japan .....	United Steelworkers of America. American Cast Iron Pipe. Berg Steel Pipe. Bethlehem Steel. Napa Pipe/Oregon Steel Mills. Saw Pipes USA. Stupp.
A-588-861 .....	731-TA-1016 .....	Polyvinyl Alcohol/Japan .....	US Steel. Celenex Ltd.
A-588-862 .....	731-TA-1023 .....	Certain Ceramic Station Post Insulators/Japan .....	E I du Pont de Nemours & Co. Lapp Insulator Co LLC. Newell Porcelain Co Inc. Victor Insulators Inc.
A-588-866 .....	731-TA-1090 .....	Superalloy Degassed Chromium/Japan .....	Eramet Marietta Inc.
A-602-803 .....	731-TA-612 .....	Corrosion-Resistant Carbon Steel Flat Products/ Australia.	Armco Steel. Bethlehem Steel. California Steel Industries. Geneva Steel. Gulf States Steel. Inland Steel Industries.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-791-805 .....	731-TA-792 .....	Stainless Steel Plate in Coils/South Africa .....	LTV Steel. Lukens Steel. National Steel. Nextech. Rouge Steel Co. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America. WCI Steel. Weirton Steel. Allegheny Ludlum. Armco Steel. J&L Specialty Steel. Lukens Steel. North American Stainless. United Steelworkers of America.
A-791-808 .....	731-TA-850 .....	Small-Diameter Carbon Steel Seamless Pipe/South Africa.	Koppel Steel. North Star Steel. Sharon Tube. Timken. US Steel. United Steelworkers of America. USS/Kobe. Vision Metals' Gulf States Tube.
A-791-809 .....	731-TA-905 .....	Hot-Rolled Steel Products/South Africa .....	Bethlehem Steel. Gallatin Steel. Independent Steelworkers. IPSCO. LTV Steel. National Steel. Nucor. Rouge Steel Co. Steel Dynamics. US Steel. United Steelworkers of America. WCI Steel Inc. Weirton Steel. Wheeling-Pittsburgh Steel Corp. Bear Metallurgical Co. Shieldalloy Metallurgical Corp.
A-791-815 .....	731-TA-987 .....	Ferrovanadium/South Africa .....	Agrico Chemical.
A-821-801 .....	731-TA-340E ..	Solid Urea/Russia .....	American Cyanamid. CF Industries. First Mississippi. Mississippi Chemical. Terra International. WR Grace.
A-821-802 .....	731-TA-539-C	Uranium/Russia .....	Ferret Exploration. First Holding. Geomex Minerals. IMC Fertilizer. Malapai Resources. Oil, Chemical and Atomic Workers. Pathfinder Mines. Power Resources. Rio Algom Mining. Solution Mining. Total Minerals. Umetco Minerals. Uranium Resources.
A-821-804 .....	731-TA-568 .....	Ferrosilicon/Russia .....	AIMCOR. Alabama Silicon. American Alloys. Globe Metallurgical. Oil, Chemical and Atomic Workers (Local 389). Silicon Metaltech. United Autoworkers of America (Local 523). United Steelworkers of America (Locals 2528, 3081, 5171 and 12646).
A-821-805 .....	731-TA-697 .....	Pure Magnesium/Russia .....	Dow Chemical. International Union of Operating Engineers (Local 564).

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-821-807 .....	731-TA-702 .....	Ferrovanadium and Nitrided Vanadium/Russia .....	Magnesium Corporation of America. United Steelworkers of America (Local 8319). Shieldalloy Metallurgical. Acme Steel. Bethlehem Steel. California Steel Industries. Gallatin Steel. Geneva Steel. Gulf States Steel. Independent Steelworkers. IPSCO. Ispat/Inland. LTV Steel. National Steel. Nucor. Rouge Steel Co. Steel Dynamics. US Steel. United Steelworkers of America. WCI Steel. Weirton Steel. Wheeling-Pittsburgh Steel Corp.
A-821-809 .....	731-TA-808 .....	Hot-Rolled Carbon Steel Flat Products/Russia .....	Agrium.
A-821-811 .....	731-TA-856 .....	Ammonium Nitrate/Russia .....	Air Products and Chemicals. El Dorado Chemical. LaRoche. Mississippi Chemical. Nitram. Wil-Gro Fertilizer.
A-821-817 .....	731-TA-991 .....	Silicon Metal/Russia .....	Globe Metallurgical Inc. SIMCALA Inc.
A-821-819 .....	731-TA1072 .....	Pure and Alloy Magnesium/Russia .....	Garfield Alloys Inc. Glass, Molders, Pottery, Plastics & Allied Workers International Local 374. Halaco Engineering. MagReTech Inc. United Steelworkers of America Local 8319.
A-822-801 .....	731-TA-340B ..	Solid Urea/Belarus .....	US Magnesium LLC. Agrico Chemical. American Cyanamid. CF Industries. First Mississippi. Mississippi Chemical. Terra International.
A-822-804 .....	731-TA-873 .....	Steel Concrete Reinforcing Bar/Belarus .....	WR Grace. AB Steel Mill Inc. AmeriSteel. Auburn Steel. Birmingham Steel. Border Steel. Cascade Steel Rolling Mills Inc. CMC Steel Group. Co-Steel Inc. Marion Steel. North Star Steel Co. Nucor Steel. Rebar Trade Action Coalition. Riverview Steel. Sheffield Steel. TAMCO.
A-823-801 .....	731-TA-340H ..	Solid Urea/Ukraine .....	TXI-Chaparral Steel Co. Agrico Chemical. American Cyanamid. CF Industries. First Mississippi. Mississippi Chemical. Terra International.
A-823-802 .....	731-TA-539-E	Uranium/Ukraine .....	WR Grace. Ferret Exploration. First Holding. Geomex Minerals. IMC Fertilizer. Malapai Resources.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-823-804 .....	731-TA-569 .....	Ferrosilicon/Ukraine .....	Oil, Chemical and Atomic Workers. Pathfinder Mines. Power Resources. Rio Algom Mining. Solution Mining. Total Minerals. Umetco Minerals. Uranium Resources. AIMCOR. Alabama Silicon. American Alloys. Globe Metallurgical. Oil, Chemical and Atomic Workers (Local 389). Silicon Metaltech. United Autoworkers of America (Local 523). United Steelworkers of America (Locals 2528, 3081, 5171 and 12646).
A-823-805 .....	731-TA-673 .....	Silicomanganese/Ukraine .....	Elkem Metals.
A-823-809 .....	731-TA-882 .....	Steel Concrete Reinforcing Bar/Ukraine .....	Oil, Chemical and Atomic Workers (Local 3-639). AB Steel Mill Inc. AmeriSteel. Auburn Steel. Birmingham Steel. Border Steel. Cascade Steel Rolling Mills Inc. CMC Steel Group. Co-Steel Inc. Marion Steel. North Star Steel Co. Nucor Steel. Rebar Trade Action Coalition. Riverview Steel. Sheffield Steel. TAMCO. TXI-Chaparral Steel Co.
A-823-810 .....	731-TA-894 .....	Ammonium Nitrate/Ukraine .....	Agrium. Air Products and Chemicals. Committee for Fair Ammonium Nitrate Trade. El Dorado Chemical. LaRoche Industries. Mississippi Chemical. Nitram. Prodica.
A-823-811 .....	731-TA-908 .....	Hot-Rolled Steel Products/Ukraine .....	Bethlehem Steel. Gallatin Steel. Independent Steelworkers. IPSCO. LTV Steel. National Steel. Nucor. Rouge Steel Co. Steel Dynamics. US Steel. United Steelworkers of America. WCI Steel Inc. Weirton Steel. Wheeling-Pittsburgh Steel Corp.
A-823-812 .....	731-TA-962 .....	Carbon and Certain Alloy Steel Wire Rod/Ukraine ...	AmeriSteel. Birmingham Steel. Cascade Steel Rolling Mills. Connecticut Steel Corp. Co-Steel Raritan. GS Industries. Keystone Consolidated Industries. North Star Steel Texas. Nucor Steel-Nebraska (a division of Nucor Corp). Republic Technologies International. Rocky Mountain Steel Mills.
A-831-801 .....	731-TA-340A ..	Solid Urea/Armenia .....	Agrico Chemical. American Cyanamid. CF Industries. First Mississippi. Mississippi Chemical.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-834-806 .....	731-TA-902 .....	Hot-Rolled Steel Products/Kazakhstan .....	Terra International. WR Grace. Bethlehem Steel. Gallatin Steel. Independent Steelworkers. IPSCO. LTV Steel. National Steel. Nucor. Rouge Steel Co. Steel Dymanics. US Steel. United Steelworkers of America. WCI Steel Inc. Weirton Steel. Wheeling-Pittsburgh Steel Corp.
A-834-807 .....	731-TA-930 .....	Silicomanganese/Kazakhstan .....	Eramet Marietta. Paper, Allied-Industrial, Chemical and Energy Workers International Union, Local 5-0639.
A-841-804 .....	731-TA-879 .....	Steel Concrete Reinforcing Bar/Moldova .....	AB Steel Mill Inc. AmeriSteel. Auburn Steel. Birmingham Steel. Border Steel. Cascade Steel Rolling Mills Inc. CMC Steel Group. Co-Steel Inc. Marion Steel. North Star Steel Co. Nucor Steel. Rebar Trade Action Coalition. Riverview Steel. Sheffield Steel. TAMCO.
A-841-805 .....	731-TA-959 .....	Carbon and Certain Alloy Steel Wire Rod/Moldova	TXI-Chaparral Steel Co. AmeriSteel. Birmingham Steel. Cascade Steel Rolling Mills. Connecticut Steel Corp. Co-Steel Raritan. GS Industries. Keystone Consolidated Industries. North Star Steel Texas. Nucor Steel-Nebraska (a division of Nucor Corp). Republic Technologies International. Rocky Mountain Steel Mills.
A-842-801 .....	731-TA-340F ...	Solid Urea/Tajikistan .....	Agrico Chemical. American Cyanamid. CF Industries. First Mississippi. Mississippi Chemical. Terra International.
A-843-801 .....	731-TA-340G ..	Solid Urea/Turkmenistan .....	WR Grace. Agrico Chemical. American Cyanamid. CF Industries. First Mississippi. Mississippi Chemical. Terra International.
A-843-802 .....	731-TA-539 .....	Uranium/Kazakhstan .....	WR Grace. Ferret Exploration. First Holding. Geomex Minerals. IMC Fertilizer. Malapai Resources. Oil, Chemical and Atomic Workers. Pathfinder Mines. Power Resources. Rio Algom Mining. Solution Mining. Total Minerals. Umetco Minerals. Uranium Resources.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A-843-804 .....	731-TA-566 .....	Ferrosilicon/Kazakhstan .....	AIMCOR. Alabama Silicon. American Alloys. Globe Metallurgical. Oil, Chemical and Atomic Workers (Local 389). Silicon Metaltech. United Autoworkers of America (Local 523). United Steelworkers of America (Locals 2528, 3081, 5171 and 12646).
A-844-801 .....	731-TA-3401 ....	Solid Urea/Uzbekistan .....	Agrico Chemical. American Cyanamid. CF Industries. First Mississippi. Mississippi Chemical. Terra International. WR Grace.
A-844-802 .....	731-TA-539-F	Uranium/Uzbekistan .....	Ferret Exploration. First Holding. Geomex Minerals. IMC Fertilizer. Malapai Resources. Oil, Chemical and Atomic Workers. Pathfinder Mines. Power Resources. Rio Algom Mining. Solution Mining. Total Minerals. Umetco Minerals. Uranium Resources.
A-851-802 .....	731-TA-846 .....	Small-Diameter Carbon Steel Seamless Pipe/Czech Republic.	Koppel Steel. North Star Steel. Sharon Tube. Timken. US Steel. United Steelworkers of America. USS/Kobe. Vision Metals' Gulf States Tube.
C-122-404 .....	701-TA-224 .....	Live Swine/Canada .....	National Pork Producers Council. Wilson Foods.
C-122-805 .....	701-TA-297 .....	Steel Rails/Canada .....	Bethlehem Steel. CF&I Steel.
C-122-815 .....	701-TA-309-A	Alloy Magnesium/Canada .....	Magnesium Corporation of America.
C-122-815 .....	701-TA-309-B	Pure Magnesium/Canada .....	Magnesium Corporation of America.
C-122-839 .....	701-TA-414 .....	Softwood Lumber/Canada .....	71 Lumber Co. Almond Bros Lbr Co. Anthony Timberlands. Balfour Lbr Co. Ball Lumber. Banks Lumber Company. Barge Forest Products Co. Beadles Lumber Co. Bearden Lumber. Bennett Lumber. Big Valley Band Mill. Bighorn Lumber Co Inc. Blue Mountain Lumber. Buddy Bean Lumber. Burgin Lumber Co Ltd. Burt Lumber Company. C&D Lumber Co. Ceda-Pine Veneer. Cersosimo Lumber Co Inc. Charles Ingram Lumber Co Inc. Charleston Heart Pine. Chesterfield Lumber. Chips. Chocorua Valley Lumber Co. Claude Howard Lumber. Clearwater Forest Industries. CLW Inc. CM Tucker Lumber Corp. Coalition for Fair Lumber Imports Executive Committee.



Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Cody Lumber Co. Collins Pine Co. Collums Lumber. Columbus Lumber Co. Contoocook River Lumber. Conway Guiteau Lumber. Cornwright Lumber Co. Crown Pacific. Daniels Lumber Inc. Dean Lumber Co Inc. Deltic Timber Corporation. Devils Tower Forest Products. DiPrizio Pine Sales. Dorchester Lumber Co. DR Johnson Lumber. East Brainerd Lumber Co. East Coast Lumber Company. Eas-Tex Lumber. ECK Wood Products. Ellingson Lumber Co. Elliott Sawmilling. Empire Lumber Co. Evergreen Forest Products. Excalibur Shelving Systems Inc. Exley Lumber Co. FH Stoltze Land & Lumber Co. FL Turlington Lbr Co Inc. Fleming Lumber. Flippo Lumber. Floragen Forest Products. Frank Lumber Co. Franklin Timber Co. Fred Tebb & Sons. Fremont Sawmill. Frontier Resources. Garrison Brothers Lumber Co and Subsidiaries. Georgia Lumber. Gilman Building Products. Godfrey Lumber. Granite State Forest Prod Inc. Great Western Lumber Co. Greenville Molding Inc. Griffin Lumber Company. Guess Brothers Lumber. Gulf Lumber. Gulf States Paper. Guy Bennett Lumber. Hampton Resources. Hancock Lumber. Hankins Inc. Hankins Lumber Co. Harrigan Lumber. Harwood Products. Haskell Lumber Inc. Hatfield Lumber. Hedstrom Lumber. Herrick Millwork Inc. HG Toler & Son Lumber Co Inc. HG Wood Industries LLC. Hogan & Storey Wood Prod. Hogan Lumber Co. Hood Industries. HS Hofler & Sons Lumber Co Inc. Hubbard Forest Ind Inc. HW Culp Lumber Co. Idaho Veneer Co. Industrial Wood Products. Intermountain Res LLC. International Paper. J Franklin Jones Lumber Co Inc. Jack Batte & Sons Inc. Jasper Lumber Company. JD Martin Lumber Co.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			JE Jones Lumber Co. Jerry G Williams & Sons. JH Knighton Lumber Co. Johnson Lumber Company. Jordan Lumber & Supply. Joseph Timber Co. JP Haynes Lbr Co Inc. JV Wells Inc. JW Jones Lumber. Keadle Lumber Enterprises. Keller Lumber. King Lumber Co. Konkolville Lumber. Langdale Forest Products. Laurel Lumber Company. Leavitt Lumber Co. Leesville Lumber Co. Limington Lumber Co. Longview Fibre Co. Lovell Lumber Co Inc. M Kendall Lumber Co. Manke Lumber Co. Marriner Lumber Co. Mason Lumber. MB Heath & Sons Lumber Co. MC Dixon Lumber Co Inc. Mebane Lumber Co Inc. Metcalf Lumber Co Inc. Millry Mill Co Inc. Moose Creek Lumber Co. Moose River Lumber. Morgan Lumber Co Inc. Mount Yonah Lumber Co. Nagel Lumber. New Kearsarge Corp. New South. Nicolet Hardwoods. Nieman Sawmills SD. Nieman Sawmills WY. North Florida. Northern Lights Timber & Lumber. Northern Neck Lumber Co. Ochoco Lumber Co. Olon Belcher Lumber Co. Owens and Hurst Lumber. Packaging Corp of America. Page & Hill Forest Products. Paper, Allied-Industrial, Chemical and Energy Workers. International Union. Parker Lumber. Pate Lumber Co Inc. PBS Lumber. Pedigo Lumber Co. Piedmont Hardwood Lumber Co. Pine River Lumber Co. Pinecrest Lumber Co. Pleasant River Lumber Co. Pleasant Western Lumber Inc. Plum Creek Timber. Pollard Lumber. Portac. Potlatch. Potomac Supply. Precision Lumber Inc. Pruitt Lumber Inc. R Leon Williams Lumber Co. RA Yancey Lumber. Rajala Timber Co. Ralph Hamel Forest Products. Randy D Miller Lumber. Rappahannock Lumber Co. Regulus Stud Mills Inc.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
C-122-841 .....	701-TA-418 .....	Carbon and Certain Alloy Steel Wire Rod/Canada ..	Riley Creek Lumber. Roanoke Lumber Co. Robbins Lumber. Robertson Lumber. Roseburg Forest Products Co. Rough & Ready. RSG Forest Products. Rushmore Forest Products. RY Timber Inc. Sam Mabry Lumber Co. Scotch Lumber. SDS Lumber Co. Seacoast Mills Inc. Seago Lumber. Seattle-Snohomish. Seneca Sawmill. Shaver Wood Products. Shearer Lumber Products. Shuqualak Lumber. SI Storey Lumber. Sierra Forest Products. Sierra Pacific Industries. Sigfridson Wood Products. Silver City Lumber Inc. Somers Lbr & Mfg Inc. South & Jones. South Coast. Southern Forest Industries Inc. Southern Lumber. St Laurent Forest Products. Starfire Lumber Co. Steely Lumber Co Inc. Stimson Lumber. Summit Timber Co. Sundance Lumber. Superior Lumber. Swanson Superior Forest Products Inc. Swift Lumber. Tamarack Mill. Taylor Lumber & Treating Inc. Temple-Inland Forest Products. Thompson River Lumber. Three Rivers Timber. Thrift Brothers Lumber Co Inc. Timco Inc. Tolleson Lumber. Toney Lumber. TR Miller Mill Co. Tradewinds of Virginia Ltd. Travis Lumber Co. Tree Source Industries Inc. Tri-State Lumber. TTT Studs. United Brotherhood of Carpenters and Joiners. Viking Lumber Co. VP Kiser Lumber Co. Walton Lumber Co Inc. Warm Springs Forest Products. Westvaco Corp. Wilkins, Kaiser & Olsen Inc. WM Shepherd Lumber Co. WR Robinson Lumber Co Inc. Wrenn Brothers Inc. Wyoming Sawmills. Yakama Forest Products. Younce & Ralph Lumber Co Inc. Zip-O-Log Mills Inc. AmeriSteel. Birmingham Steel. Cascade Steel Rolling Mills. Connecticut Steel Corp. Co-Steel Raritan. GS Industries.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
C-122-848 .....	701-TA-430B ..	Hard Red Spring Wheat/Canada .....	Keystone Consolidated Industries. North Star Steel Texas. Nucor Steel-Nebraska (a division of Nucor Corp). Republic Technologies International. Rocky Mountain Steel Mills. North Dakota Wheat Commission. General Housewares. Bethlehem Steel. California Steel Industries. CitiSteel USA Inc. Geneva Steel. Gulf States Steel. Inland Steel Industries. Lukens Steel. National Steel. Nextech. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America.
C-201-505 .....	701-TA-265 .....	Porcelain-on-Steel Cooking Ware/Mexico .....	Florida Crushed Stone. Southdown.
C-201-810 .....	701-TA-325 .....	Cut-to-Length Carbon Steel Plate/Mexico .....	Tarmac America. AIMCOR. Alabama Silicon. American Alloys. Globe Metallurgical. Oil, Chemical and Atomic Workers (Local 389). Silicon Metaltech. United Autoworkers of America (Local 523). United Steelworkers of America (Locals 2528, 3081, 5171 and 12646).
C-307-804 .....	303-TA-21 .....	Gray Portland Cement and Clinker/Venezuela .....	No case at the Commission; Commerce service list identifies: Durafab. Kleen-Tex Industries. Lewis Eckert Robb. Milliken. Pavis & Harcourt.
C-307-808 .....	303-TA-23 .....	Ferrosilicon/Venezuela .....	American Yarn Spinners Association. Harriet & Henderson Yarns. LaFar Industries.
C-333-401 .....	701-TA-E .....	Cotton Shop Towels/Peru .....	Alhambra Foundry. Allegheny Foundry. Bingham & Taylor. Campbell Foundry. Charlotte Pipe & Foundry. Deeter Foundry. East Jordan Foundry. Le Baron Foundry. Municipal Castings. Neenah Foundry. Opelika Foundry. Pinkerton Foundry. Tyler Pipe. US Foundry & Manufacturing. Vulcan Foundry.
C-351-037 .....	104-TAA-21 .....	Cotton Yarn/Brazil .....	Allied Industrial Workers of America. American Brass. Bridgeport Brass. Chase Brass & Copper. Hussey Copper. International Association of Machinists & Aerospace Workers. Mechanics Educational Society of America (Local 56). The Miller Company. Olin. Revere Copper Products.
C-351-504 .....	701-TA-249 .....	Heavy Iron Construction Castings/Brazil .....	United Steelworkers of America. Bethlehem Steel. California Steel Industries.
C-351-604 .....	701-TA-269 .....	Brass Sheet and Strip/Brazil .....	
C-351-818 .....	701-TA-320 .....	Cut-to-Length Carbon Steel Plate/Brazil .....	

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
C-351-829 .....	701-TA-384 .....	Hot-Rolled Carbon Steel Flat Products/Brazil .....	CitiSteel USA Inc. Geneva Steel. Gulf States Steel. Inland Steel Industries. Lukens Steel. National Steel. Nextech. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America. Acme Steel. Bethlehem Steel. California Steel Industries. Gallatin Steel. Geneva Steel. Gulf States Steel. Independent Steelworkers. IPSCO. Ispat/Inland. LTV Steel. National Steel. Nucor. Rouge Steel Co. Steel Dynamics. US Steel. United Steelworkers of America. WCI Steel. Weirton Steel. Wheeling-Pittsburgh Steel Corp.
C-351-833 .....	701-TA-417 .....	Carbon and Certain Alloy Steel Wire Rod/Brazil .....	AmeriSteel. Birmingham Steel. Cascade Steel Rolling Mills. Connecticut Steel Corp. Co-Steel Raritan. GS Industries. Keystone Consolidated Industries. North Star Steel Texas. Nucor Steel-Nebraska (a division of Nucor Corp). Republic Technologies International. Rocky Mountain Steel Mills.
C-357-004 .....	701-TA-A .....	Carbon Steel Wire Rod/Argentina .....	Atlantic Steel. Continental Steel. Georgetown Steel. North Star Steel. Raritan River Steel.
C-357-813 .....	701-TA-402 .....	Honey/Argentina .....	AH Meyer & Sons. Adee Honey Farms. Althoff Apiaries. American Beekeeping Federation. American Honey Producers Association. Anderson Apiaries. Arroyo Apiaries. Artesian Honey Producers. B Weaver Apiaries. Bailey Enterprises. Barkman Honey. Basler Honey Apiary. Beals Honey. Bears Paw Apiaries. Beaverhead Honey. Bee Biz. Bee Haven Honey. Belliston Brothers Apiaries. Big Sky Honey. Bill Rhodes Honey. Richard E Blake. Curt Bronnenberg. Brown's Honey Farms. Brumley's Bees. Buhmann Apiaries. Carys Honey Farms.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Chaparrel Honey. Charles Apiaries. Mitchell Charles. Collins Honey. Conor Apiaries. Coy's Honey Farm. Dave Nelson Apiaries. Delta Bee. Eisele's Pollination & Honey. Ellingsoa's. Elliott Curtis & Sons. Charles L Emmons, Sr. Gause Honey. Gene Brandi Apiaries. Griffith Honey. Haff Apiaries. Hamilton Bee Farms. Hamilton Honey. Happie Bee. Harvest Honey. Harvey's Honey. Hiatt Honey. Hoffman Honey. Hollman Apiaries. Honey House. Honeybee Apiaries. Gary M Honl. Rand William Honl and Sydney Jo Honl. James R & Joann Smith Trust. Jaynes Bee Products. Johnston Honey Farms. Larry Johnston. Ke-An Honey. Kent Honeybees. Lake-Indianhead Honey Farms. Lamb's Honey Farm. Las Flores Apiaries. Mackrill Honey Farms & Sales. Raymond Marquette. Mason & Sons Honey. McCoy's Sunny South Apiaries. Merrimack Valley Apiaries & Evergreen Honey. Met 2 Honey Farm. Missouri River Honey. Mitchell Brothers Honey. Monda Honey Farm. Montana Dakota Honey. Northern Bloom Honey. Noye's Apiaries. Oakes Honey. Oakley Honey Farms. Old Mill Apiaries. Opp Honey. Oro Dulce. Peterson's "Naturally Sweet" Honey. Potoczak Bee Farms. Price Apiaries. Pure Sweet Honey Farms. Robertson Pollination Service. Robson Honey. William Robson. Rosedale Apiaries. Ryan Apiaries. Schmidt Honey Farms. Simpson Apiaries. Sioux Honey Association. Smoot Honey. Solby Honey. Stahlman Apiaries. Steve E Parks Apiaries. Stroope Bee & Honey. T&D Honey Bee. Talbott's Honey.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
C-357-815 .....	701-TA-404 .....	Hot-Rolled Steel Products/Argentina .....	Terry Apiaries. Thompson Apiaries. Triple A Farm. Tropical Blossom Honey. Tubbs Apiaries. Venable Wholesale. Walter L Wilson Buzz 76 Apiaries. Wiebersiek Honey Farms. Wilmer Farms. Brent J Woodworth. Wooten's Golden Queens. Yaddof Apiaries. Bethlehem Steel. Gallatin Steel. Independent Steelworkers. IPSCO. LTV Steel. National Steel. Nucor. Rouge Steel Co. Steel Dynamics. US Steel. United Steelworkers of America. WCI Steel Inc. Weirton Steel. Wheeling-Pittsburgh Steel Corp.
C-401-401 .....	701-TA-231 .....	Cold-Rolled Carbon Steel Flat Products/Sweden .....	Bethlehem Steel. Chaparral. US Steel.
C-401-804 .....	701-TA-327 .....	Cut-to-Length Carbon Steel Plate/Sweden .....	Bethlehem Steel. California Steel Industries. CitiSteel USA Inc. Geneva Steel. Gulf States Steel. Inland Steel Industries. Lukens Steel. National Steel. Nextech. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America.
C-403-802 .....	701-TA-302 .....	Fresh and Chilled Atlantic Salmon/Norway .....	Heritage Salmon. The Coalition for Fair Atlantic Salmon Trade.
C-408-046 .....	104-TAA-7 .....	Sugar/EU .....	No petition at the Commission; Commerce service list identifies: AJ Yates. Alexander & Baldwin. American Farm Bureau Federation. American Sugar Cane League. American Sugarbeet Growers Association. Amstar Sugar. Florida Sugar Cane League. Florida Sugar Marketing and Terminal Association. H&R Brokerage. Hawaiian Agricultural Research Center. Leach Farms. Michigan Farm Bureau. Michigan Sugar. Rio Grande Valley Sugar Growers Association. Sugar Cane Growers Cooperative of Florida. Talisman Sugar. US Beet Sugar Association. United States Beet Sugar Association. United States Cane Sugar Refiners' Association.
C-412-815 .....	701-TA-328 .....	Cut-to-Length Carbon Steel Plate/United Kingdom ..	Bethlehem Steel. California Steel Industries. Geneva Steel. Gulf States Steel. Inland Steel Industries. Lukens Steel. National Steel.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
C-412-821 .....	701-TA-412 .....	Low Enriched Uranium/United Kingdom .....	Nextech. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America. United States Enrichment Corp. USEC Inc.
C-421-601 .....	701-TA-278 .....	Fresh Cut Flowers/Netherlands .....	Burdette Coward. California Floral Council. Floral Trade Council. Florida Flower Association. Gold Coast Uanko Nursery. Hollandia Wholesale Florist. Manatee Fruit. Monterey Flower Farms. Topstar Nursery.
C-421-809 .....	701-TA-411 .....	Low Enriched Uranium/Netherlands .....	United States Enrichment Corp. USEC Inc.
C-423-806 .....	701-TA-319 .....	Cut-to-Length Carbon Steel Plate/Belgium .....	Bethlehem Steel. California Steel Industries. CitiSteel USA Inc. Geneva Steel. Gulf States Steel. Inland Steel Industries. Lukens Steel. National Steel. Nextech. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel.
C-423-809 .....	701-TA-376 .....	Stainless Steel Plate in Coils/Belgium .....	United Steelworkers of America. Allegheny Ludlum. Armco Steel. Lukens Steel. North American Stainless.
C-427-603 .....	701-TA-270 .....	Brass Sheet and Strip/France .....	United Steelworkers of America. Allied Industrial Workers of America. American Brass. Bridgeport Brass. Chase Brass & Copper. Hussey Copper. International Association of Machinists & Aerospace Workers. Mechanics Educational Society of America (Local 56). The Miller Company. Olin. Revere Copper Products.
C-427-805 .....	701-TA-315 .....	Hot-Rolled Lead and Bismuth Carbon Steel Products/France.	United Steelworkers of America. Bethlehem Steel. Inland Steel Industries.
C-427-810 .....	701-TA-348 .....	Corrosion-Resistant Carbon Steel Flat Products/France.	USS/Kobe Steel. Armco Steel. Bethlehem Steel. California Steel Industries. Geneva Steel. Gulf States Steel. Inland Steel Industries. LTV Steel. Lukens Steel. National Steel. Nextech. Rouge Steel Co. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America. WCI Steel. Weirton Steel.



Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
C-427-815 .....	701-TA-380 .....	Stainless Steel Sheet and Strip/France .....	Allegheny Ludlum. Armco Steel. Bethlehem Steel. Butler Armco Independent Union. Carpenter Technology Corp. North American Stainless. United Steelworkers of America. Zanesville Armco Independent Organization.
C-427-817 .....	701-TA-387 .....	Cut-to-Length Carbon Steel Plate/France .....	Bethlehem Steel. Geneva Steel. IPSCO Steel. National Steel. US Steel. United Steelworkers of America.
C-427-819 .....	701-TA-409 .....	Low Enriched Uranium/France .....	United States Enrichment Corp. USEC Inc.
C-428-817 .....	701-TA-340 .....	Cold-Rolled Carbon Steel Flat Products/Germany ...	Armco Steel. Bethlehem Steel. California Steel Industries. Gulf States Steel. Inland Steel Industries. LTV Steel. National Steel. Nextech. Rouge Steel Co. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America. WCI Steel. Weirton Steel.
C-428-817 .....	701-TA-349 .....	Corrosion-Resistant Carbon Steel Flat Products/ Germany.	Armco Steel.  Bethlehem Steel. California Steel Industries. Geneva Steel. Gulf States Steel. Inland Steel Industries. LTV Steel. Lukens Steel. National Steel. Nextech. Rouge Steel Co. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America. WCI Steel. Weirton Steel.
C-428-817 .....	701-TA-322 .....	Cut-to-Length Carbon Steel Plate/Germany .....	Bethlehem Steel. California Steel Industries. Geneva Steel. Gulf States Steel. Inland Steel Industries. Lukens Steel. National Steel. Nextech. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America.
C-428-829 .....	701-TA-410 .....	Low Enriched Uranium/Germany .....	United States Enrichment Corp. USEC Inc.
C-437-805 .....	701-TA-426 .....	Sulfanilic Acid/Hungary .....	Nation Ford Chemical.
C-469-004 .....	701-TA-178 .....	Stainless Steel Wire Rod/Spain .....	AL Tech Specialty Steel. Armco Steel. Carpenter Technology. Colt Industries. Cyclops. Guterl Special Steel.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
C-469-804 .....	701-TA-326 .....	Cut-to-Length Carbon Steel Plate/Spain .....	<p>Joslyn Stainless Steels.  Republic Steel.  Bethlehem Steel.  California Steel Industries.  CitiSteel USA Inc.  Geneva Steel.  Gulf States Steel.  Inland Steel Industries.  Lukens Steel.  National Steel.  Nextech.  Sharon Steel.  Theis Precision Steel.  Thompson Steel.  US Steel.</p>
C-475-812 .....	701-TA-355 .....	Grain-Oriented Silicon Electrical Steel/Italy .....	<p>United Steelworkers of America.  Allegheny Ludlum.  Armco Steel.  Butler Armco Independent Union.  United Steelworkers of America.  Zanesville Armco Independent Union.</p>
C-475-815 .....	701-TA-362 .....	Seamless Pipe/Italy .....	<p>Koppel Steel.  Quanex.  Timken.</p>
C-475-817 .....	701-TA-364 .....	Oil Country Tubular Goods/Italy .....	<p>United States Steel.  IPSCO.  Koppel Steel.  Lone Star Steel.  Maverick Tube.  Newport Steel.  North Star Steel.  US Steel.</p>
C-475-819 .....	701-TA-365 .....	Pasta/Italy .....	<p>USS/Kobe.  A Zerega's Sons.  American Italian Pasta.  Borden.  D Merlino &amp; Sons.  Dakota Growers Pasta.  Foulds.  Gilster-Mary Lee.  Gooch Foods.  Hershey Foods.  LaRinascente Macaroni Co.  Pasta USA.  Philadelphia Macaroni.  ST Specialty Foods.</p>
C-475-821 .....	701-TA-373 .....	Stainless Steel Wire Rod/Italy .....	<p>AL Tech Specialty Steel.  Carpenter Technology.  Republic Engineered Steels.  Talley Metals Technology.  United Steelworkers of America.</p>
C-475-823 .....	701-TA-377 .....	Stainless Steel Plate in Coils/Italy .....	<p>Allegheny Ludlum.  Armco Steel.  J&amp;L Specialty Steel.  Lukens Steel.  North American Stainless.  United Steelworkers of America.</p>
C-475-825 .....	701-TA-381 .....	Stainless Steel Sheet and Strip/Italy .....	<p>Allegheny Ludlum.  Armco Steel.  Bethlehem Steel.  Butler Armco Independent Union.  Carpenter Technology Corp.  J&amp;L Specialty Steel.  North American Stainless.  United Steelworkers of America.</p>
C-475-827 .....	701-TA-390 .....	Cut-to-Length Carbon Steel Plate/Italy .....	<p>Zanesville Armco Independent Organization.  Bethlehem Steel.  CitiSteel USA Inc.  Geneva Steel.  Gulf States Steel.  IPSCO Steel.  National Steel.  US Steel.</p>

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
C-475-830 .....	701-TA-413 .....	Stainless Steel Bar/Italy .....	United Steelworkers of America. Carpenter Technology. Crucible Specialty Metals. Electralloy. Empire Specialty Steel. Republic Technologies International. Slater Steels.
C-489-502 .....	701-TA-253 .....	Welded Carbon Steel Pipe and Tube/Turkey .....	United Steelworkers of America. Allied Tube & Conduit. American Tube. Bernard Epps. Bock Industries. Bull Moose Tube. Central Steel Tube. Century Tube. Copperweld Tubing. Cyclops. Hughes Steel & Tube. Kaiser Steel. Laclede Steel. Maruichi American. Maverick Tube. Merchant Metals. Phoenix Steel. Pittsburgh Tube. Quanex. Sharon Tube. Southwestern Pipe. UNR-Leavitt. Welded Tube. Western Tube & Conduit. Wheatland Tube.
C-489-806 .....	701-TA-366 .....	Pasta/Turkey .....	A Zerega's Sons. American Italian Pasta. Borden. D Merlino & Sons. Dakota Growers Pasta. Foulds. Gilster-Mary Lee. Gooch Foods. Hershey Foods. LaRinascente Macaroni Co. Pasta USA. Philadelphia Macaroni. ST Specialty Foods.
C-507-501 .....	N/A .....	Raw In-Shell Pistachios/Iran .....	Blackwell Land Co. Cal Pure Pistachios Inc. California Pistachio Commission. California Pistachio Orchards. Keenan Farms Inc. Kern Pistachio Hulling & Drying Co-Op. Los Rancheros de Poco Pedro. Pistachio Producers of California. TM Duche Nut Co Inc.
C-507-601 .....	N/A .....	Roasted In-Shell Pistachios/Iran .....	Cal Pure Pistachios Inc. California Pistachio Commission. Keenan Farms Inc. Kern Pistachio Hulling & Drying Co-Op. Pistachio Producers of California. TM Duche Nut Co Inc.
C-508-605 .....	701-TA-286 .....	Industrial Phosphoric Acid/Israel .....	Albright & Wilson. FMC. Hydrite Chemical. Monsanto. Stauffer Chemical.
C-533-063 .....	303-TA-13 .....	Iron Metal Castings/India .....	Campbell Foundry. Le Baron Foundry. Municipal Castings. Neenah Foundry. Pinkerton Foundry. US Foundry & Manufacturing. Vulcan Foundry.
C-533-807 .....	701-TA-318 .....	Sulfanilic Acid/India .....	R-M Industries.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
C-533-818 .....	701-TA-388 .....	Cut-to-Length Carbon Steel Plate/India .....	Bethlehem Steel. CitiSteel USA Inc. Geneva Steel. Gulf States Steel. IPSCO Steel. National Steel. Tuscaloosa Steel. US Steel. United Steelworkers of America.
C-533-821 .....	701-TA-405 .....	Hot-Rolled Steel Products/India .....	Bethlehem Steel. Gallatin Steel. Independent Steelworkers. IPSCO. LTV Steel. National Steel. Nucor. Rouge Steel Co. Steel Dynamics. US Steel. United Steelworkers of America. WCI Steel Inc. Weirton Steel. Wheeling-Pittsburgh Steel Corp.
C-533-825 .....	701-TA-415 .....	Polyethylene Terephthalate Film, Sheet and Strip (PET Film)/India.	DuPont Teijin Films. Mitsubishi Polyester Film LLC. SKC America Inc. Toray Plastics (America).
C-533-829 .....	701-TA-432 .....	Prestressed Concrete Steel Wire Strand/India .....	American Spring Wire Corp. Insteel Wire Products Co. Sivaco Georgia LLC. Strand Tech Martin Inc. Sumiden Wire Products Corp.
C-533-839 .....	701-TA-437 .....	Carbazole Violet Pigment 23/India .....	Allegheny Color Corp. Barker Fine Color Inc. Clariant Corp. Nation Ford Chemical Co. Sun Chemical Co.
C-533-844 .....	701-TA-442 .....	Certain Lined Paper School Supplies/India .....	Fay Paper Products Inc. MeadWestvaco Consumer & Office Products. Norcom Inc. Pacon Corp. Roaring Spring Blank Book Co. Top Flight Inc. United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO-CLC (USW).
C-535-001 .....	701-TA-202 .....	Cotton Shop Towels/Pakistan .....	Milliken.
C-549-818 .....	701-TA-408 .....	Hot-Rolled Steel Products/Thailand .....	Bethlehem Steel. Gallatin Steel. Independent Steelworkers. IPSCO. LTV Steel. National Steel. Nucor. Rouge Steel Co. Steel Dynamics. US Steel. United Steelworkers of America. WCI Steel Inc. Weirton Steel. Wheeling-Pittsburgh Steel Corp.
C-560-806 .....	701-TA-389 .....	Cut-to-Length Carbon Steel Plate/Indonesia .....	Bethlehem Steel. CitiSteel USA Inc. Geneva Steel. Gulf States Steel. IPSCO Steel. National Steel. Tuscaloosa Steel. US Steel.
C-560-813 .....	701-TA-406 .....	Hot-Rolled Steel Products/Indonesia .....	United Steelworkers of America. Bethlehem Steel. Gallatin Steel.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
C-560-819 .....	701-TA-443 .....	Certain Lined Paper School Supplies/Indonesia .....	Independent Steelworkers. IPSCO. LTV Steel. National Steel. Nucor. Rouge Steel Co. Steel Dynamics. US Steel. United Steelworkers of America. WCI Steel Inc. Weirton Steel. Wheeling-Pittsburgh Steel Corp. Fay Paper Products Inc. MeadWestvaco Consumer & Office Products. Norcom Inc. Pacon Corp. Roaring Spring Blank Book Co. Top Flight Inc. United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO-CLC (USW).
C-580-602 .....	701-TA-267 .....	Top-of-the-Stove Stainless Steel Cooking Ware/ Korea.	Farberware.
C-580-818 .....	701-TA-342 .....	Cold-Rolled Carbon Steel Flat Products/Korea .....	Regal Ware. Revere Copper & Brass. WearEver/Proctor Silex. Armco Steel. Bethlehem Steel. California Steel Industries. Gulf States Steel. Inland Steel Industries. LTV Steel. National Steel. Nextech. Rouge Steel Co. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America. WCI Steel.
C-580-818 .....	701-TA-350 .....	Corrosion-Resistant Carbon Steel Flat Products/ Korea.	Weirton Steel. Armco Steel. Bethlehem Steel. California Steel Industries. Geneva Steel. Gulf States Steel. Inland Steel Industries. LTV Steel. Lukens Steel. National Steel. Nextech. Rouge Steel Co. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America. WCI Steel.
C-580-835 .....	701-TA-382 .....	Stainless Steel Sheet and Strip/Korea .....	Weirton Steel. Allegheny Ludlum. Armco Steel. Bethlehem Steel. Butler Armco Independent Union. Carpenter Technology Corp. J&L Specialty Steel. North American Stainless. United Steelworkers of America. Zanesville Armco Independent Organization.
C-580-837 .....	701-TA-391 .....	Cut-to-Length Carbon Steel Plate/Korea .....	Bethlehem Steel. CitiSteel USA Inc. Geneva Steel.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
C-580-842 .....	701-TA-401 .....	Structural Steel Beams/Korea .....	Gulf States Steel. IPSCO Steel. National Steel. Tuscaloosa Steel. US Steel. United Steelworkers of America. Northwestern Steel and Wire. Nucor. Nucor-Yamato Steel. TXI-Chaparral Steel. United Steelworkers of America.
C-580-851 .....	701-TA-431 .....	DRAMs and DRAM Modules/Korea .....	Dominion Semiconductor LLC/Micron Technology Inc. Infineon Technologies Richmond LP. Micron Technology Inc.
C-583-604 .....	701-TA-268 .....	Top-of-the-Stove Stainless Steel Cooking Ware/Taiwan.	Farberware. Regal Ware. Revere Copper & Brass. WearEver/Proctor Silex.
C-791-806 .....	701-TA-379 .....	Stainless Steel Plate in Coils/South Africa .....	Allegheny Ludlum. Armco Steel. J&L Specialty Steel. Lukens Steel. North American Stainless.
C-791-810 .....	701-TA-407 .....	Hot-Rolled Steel Products/South Africa .....	United Steelworkers of America. Bethlehem Steel. Gallatin Steel. Independent Steelworkers. IPSCO. LTV Steel. National Steel. Nucor. Rouge Steel Co. Steel Dynamics. US Steel. United Steelworkers of America. WCI Steel Inc. Weirton Steel. Wheeling-Pittsburgh Steel Corp.
A-331-802 .....	731-TA-1065 ...	Certain Frozen Warmwater Shrimp and Prawns/Ecuador.	
A-351-838 .....	731-TA-1063 ...	Certain Frozen Warmwater Shrimp and Prawns/Brazil.	
A-533-840 .....	731-TA-1066 ...	Certain Frozen Warmwater Shrimp and Prawns/India.	
A-549-822 .....	731-TA-1067 ...	Certain Frozen Warmwater Shrimp and Prawns/Thailand.	
A-552-802 .....	731-TA-1068 ...	Certain Frozen Warmwater Shrimp and Prawns/Vietnam.	
A-570-893 .....	731-TA-1064 ...	Certain Frozen Warmwater Shrimp and Prawns/China.	Petitioners/Supporters for all six cases listed: Abadie, Al J. Abadie, Anthony. Abner, Charles. Abraham, Steven. Abshire, Gabriel J. Ackerman, Dale J. Acosta, Darryl L. Acosta, Jerry J Sr. Acosta, Leonard C. Acosta, Wilson Pula Sr. Adam, Denise T. Adam, Michael A.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Adam, Richard B Jr. Adam, Sherry P. Adam, William E. Adam, Alcide J Jr. Adams, Dudley. Adams, Elizabeth L. Adams, Ervin. Adams, Ervin. Adams, George E. Adams, Hursy J. Adams, James Arthur. Adams, Kelly. Adams, Lawrence J Jr. Adams, Randy. Adams, Ritchie. Adams, Steven A. Adams, Ted J. Adams, Tim. Adams, Whitney P Jr. Agoff, Ralph J. Aguilar, Rikardo. Aguiard, Roddy G. Alario, Don Ray. Alario, Nat. Alario, Pete J. Alario, Timmy. Albert, Craig J. Albert, Junior J. Alexander, Everett O. Alexander, Robert F Jr. Alexie, Benny J. Alexie, Corkey A. Alexie, Dolphy. Alexie, Felix Jr. Alexie, Gwendolyn. Alexie, John J. Alexie, John V. Alexie, Larry J Sr. Alexie, Larry Jr. Alexie, Vincent L Jr. Alexis, Barry S. Alexis, Craig W. Alexis, Micheal. Alexis, Monique. Alfonso, Anthony E Jr. Alfonso, Jesse. Alfonso, Nicholas. Alfonso, Paul Anthony. Alfonso, Randy. Alfonso, Terry S Jr. Alfonso, Vernon Jr. Alfonso, Yvette. Alimia, Angelo A Jr. Allemand, Dean J. Allen, Annie. Allen, Carolyn Sue. Allen, Jackie. Allen, Robin. Allen, Wayne. Allen, Wilbur L. Allen, Willie J III. Allen, Willie Sr. Alphonso, John. Ancalade, Leo J. Ancar, Claudene. Ancar, Jerry T. Ancar, Joe C. Ancar, Merlin Sr. Ancar, William Sr. Ancelet, Gerald Ray. Anderson, Andrew David. Anderson, Ernest W. Anderson, Jerry.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			<p>Anderson, John.  Anderson, Lynwood.  Anderson, Melinda Rene.  Anderson, Michael Brian.  Anderson, Ronald L Sr.  Anderson, Ronald Louis Jr.  Andonie, Miguel.  Andrews, Anthony R.  Andry, Janice M.  Andry, Rondey S.  Angelle, Louis.  Anglada, Eugene Sr.  Ansardi, Lester.  Anselmi, Darren.  Aparicio, Alfred.  Aparicio, David.  Aparicio, Ernest.  Arabie, Georgia P.  Arabie, Joseph.  Arcement, Craig J.  Arcement, Lester C.  Arcemont, Donald Sr.  Arceneaux, Matthew J.  Arceneaux, Michael K.  Areas, Christopher J.  Armbruster, John III.  Armbruster, Paula D.  Armstrong, Jude Jr.  Arnesen, George.  Arnold, Lonnie L Jr.  Arnona, Joseph T.  Armondin, Robert.  Arthur, Brenda J.  Assavedo, Floyd.  Atwood, Gregory Kenneth.  Au, Chow D.  Au, Robert.  Aucoin, Dewey F.  Aucoin, Earl.  Aucoin, Laine A.  Aucoin, Perry J.  Austin, Dennis.  Austin, Dennis J.  Authement, Brice.  Authement, Craig L.  Authement, Dion J.  Authement, Gordon.  Authement, Lance M.  Authement, Larry.  Authement, Larry Sr.  Authement, Roger J.  Authement, Sterling P.  Autin, Bobby.  Autin, Bruce J.  Autin, Kenneth D.  Autin, Marvin J.  Autin, Paul F Jr.  Autin, Roy.  Avenel, Albert J Jr.  Ba Wells, Tran Thi.  Babb, Conny.  Babin, Brad.  Babin, Joey L.  Babin, Klint.  Babin, Molly.  Babin, Norman J.  Babineaux, Kirby.  Babineaux, Vicki.  Bach, Ke Van.  Bach, Reo Long.  Backman, Benny.  Badeaux, Todd.  Baham, Dewayne.</p>



Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Bailey, Albert. Bailey, Antoine III. Bailey, David B Sr. Bailey, Don. Baker, Clarence. Baker, Donald Earl. Baker, James. Baker, Kenneth. Baker, Ronald J. Balderas, Antonio. Baldwin, Richard Prentiss. Ballard, Albert. Ballas, Barbara A. Ballas, Charles J. Baltz, John F. Ban, John. Bang, Bruce K. Barbaree, Joe W. Barbe, Mark A and Cindy. Barber, Louie W Jr. Barber, Louie W Sr. Barbier, Percy T. Barbour, Raymond A. Bargainear, James E. Barisich, George A. Barisich, Joseph J. Barnette, Earl. Barnhill, Nathan. Barrios, Clarence. Barrios, Corbert J. Barrios, Corbert M. Barrios, David. Barrios, John. Barrios, Shane James. Barrois, Angela Gail. Barrois, Dana A. Barrois, Tracy James. Barrois, Wendell Jude Jr. Barthe, Keith Sr. Barthelemy, Allen M. Barthelemy, John A. Barthelemy, Rene T Sr. Barthelemy, Walter A Jr. Bartholomew, Mitchell. Bartholomew, Neil W. Bartholomew, Thomas E. Bartholomew, Wanda C. Basse, Donald J Sr. Bates, Mark. Bates, Ted Jr. Bates, Vernon Jr. Battle, Louis. Baudoin, Drake J. Baudoin, Murphy A. Baudouin, Stephen. Bauer, Gary. Baye, Glen P. Bean, Charles A. Beazley, William E. Becnel, Glenn J. Becnel, Kent. Beecher, Carold F. Beechler, Ronald. Bell, James E. Bell, Ronald A. Bellanger, Arnold. Bellanger, Clifton. Bellanger, Scott J. Belsome, Derrell M. Belsome, Karl M. Bennett, Cecil A Jr. Bennett, Gary Lynn. Bennett, Irin Jr.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Bennett, James W Jr. Bennett, Louis. Benoit, Francis J. Benoit, Nicholas L. Benoit, Paula T. Benoit, Tenna J Jr. Benton, Walter T. Berger, Ray W. Bergeron, Alfred Scott. Bergeron, Jeff. Bergeron, Nolan A. Bergeron, Ulysses J. Bernard, Lamont L. Berner, Mark J. Berthelot, Gerard J Sr. Berthelot, James A. Berthelot, Myron J. Bertrand, Jerl C. Beverung, Keith J. Bianchini, Raymond W. Bickham, Leo E. Bienvenu, Charles. Biggs, Jerry W Sr. Bigler, Delbert. Billington, Richard. Billiot, Alfredia. Billiot, Arthur. Billiot, Aubrey. Billiot, Barel J. Billiot, Betty. Billiot, Bobby J. Billiot, Brian K. Billiot, Cassidy. Billiot, Charles Sr. Billiot, Chris J Sr. Billiot, E J E. Billiot, Earl W Sr. Billiot, Ecton L. Billiot, Emary. Billiot, Forest Jr. Billiot, Gerald. Billiot, Harold J. Billiot, Jacco A. Billiot, Jake A. Billiot, James Jr. Billiot, Joseph S Jr. Billiot, Laurence V. Billiot, Leonard F Jr. Billiot, Lisa. Billiot, Mary L. Billiot, Paul J Sr. Billiot, Shirley L. Billiot, Steve M. Billiot, Thomas Adam. Billiot, Thomas Sr. Billiot, Wenceslaus Jr. Billiot, Alexander J. Biron, Yale. Black, William C. Blackston, Larry E. Blackwell, Wade H III. Blackwell, Wade H Jr. Blanchard, Albert. Blanchard, Andrew J. Blanchard, Billy J. Blanchard, Cyrus. Blanchard, Daniel A. Blanchard, Dean. Blanchard, Douglas Jr. Blanchard, Dwayne. Blanchard, Elgin. Blanchard, Gilbert. Blanchard, Jade.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Blanchard, James. Blanchard, John F Jr. Blanchard, Katie. Blanchard, Kelly. Blanchard, Matt Joseph. Blanchard, Michael. Blanchard, Quentin Timothy. Blanchard, Roger Sr. Blanchard, Walton H Jr. Bland, Quyen T. Blouin, Roy A. Blume, Jack Jr. Bodden, Arturo. Bodden, Jasper. Bollinger, Donald E. Bolotte, Darren W. Bolton, Larry F. Bondi, Paul J. Bonvillain, Jimmy J. Bonvillian, Donna M. Boone, Clifton Felix. Boone, Donald F II. Boone, Donald F III (Ricky). Boone, Gregory T. Boquet, Noriss P Jr. Boquet, Wilfred Jr. Bordelon, Glenn Sr. Bordelon, James P. Bordelon, Shelby P. Borden, Benny. Borne, Crystal. Borne, Dina L. Borne, Edward Joseph Jr. Borne, Edward Sr. Bosarge, Hubert Lawrence. Bosarge, Robert. Bosarge, Sandra. Bosarge, Steve. Boudlauch, Durel A Jr. Boudoin, Larry Terrell. Boudoin, Nathan. Boudreaux, Brent J. Boudreaux, Elvin J III. Boudreaux, James C Jr. Boudreaux, James N. Boudreaux, Jessie. Boudreaux, Leroy A. Boudreaux, Mark. Boudreaux, Paul Sr. Boudreaux, Richard D. Boudreaux, Ronald Sr. Boudreaux, Sally. Boudreaux, Veronica. Boudwin, Dwayne. Boudwin, Jewel James Sr. Boudwin, Wayne. Bouise, Norman. Boulet, Irwin J Jr. Boullion, Debra. Bourg, Allen T. Bourg, Benny. Bourg, Chad J. Bourg, Channon. Bourg, Chris. Bourg, Douglas. Bourg, Glenn A. Bourg, Jearmie Sr. Bourg, Kent A. Bourg, Mark. Bourg, Nolan P. Bourg, Ricky J. Bourgeois, Albert P. Bourgeois, Brian J Jr.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Bourgeois, Daniel. Bourgeois, Dwayne. Bourgeois, Jake. Bourgeois, Johnny M. Bourgeois, Johnny M Jr. Bourgeois, Leon A. Bourgeois, Louis A. Bourgeois, Merrie E. Bourgeois, Randy P. Bourgeois, Reed. Bourgeois, Webley. Bourn, Chris. Bourque, Murphy Paul. Bourque, Ray. Bousegard, Duvic Jr. Boutte, Manuel J Jr. Bouvier, Colbert A II. Bouzigard, Dale J. Bouzigard, Edgar J III. Bouzigard, Eeris. Bowers, Harold. Bowers, Tommy. Boyd, David E Sr. Boyd, Elbert. Boykin, Darren L. Boykin, Thomas Carol. Bradley, James. Brady, Brian. Brandhurst, Kay. Brandhurst, Ray E Sr. Brandhurst, Raymond J. Braneff, David G. Brannan, William P. Branom, Donald James Jr. Braud, James M. Brazan, Frank J. Breaud, Irvin F Jr. Breaux, Barbara. Breaux, Brian J. Breaux, Charlie M. Breaux, Clifford. Breaux, Colin E. Breaux, Daniel Jr. Breaux, Larry J. Breaux, Robert J Jr. Breaux, Shelby. Briscoe, Robert F Jr. Britsch, L D Jr. Broussard, Dwayne E. Broussard, Eric. Broussard, Keith. Broussard, Larry. Broussard, Mark A. Broussard, Roger David. Broussard, Roger R. Broussard, Steve P. Brown, Cindy B. Brown, Colleen. Brown, Donald G. Brown, John W. Brown, Paul R. Brown, Ricky. Brown, Toby H. Bruce, Adam J. Bruce, Adam J Jr. Bruce, Bob R. Bruce, Daniel M Sr. Bruce, Eli T Sr. Bruce, Emelda L. Bruce, Gary J Sr. Bruce, James P. Bruce, Lester J Jr. Bruce, Margie L.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Bruce, Mary P. Bruce, Nathan. Bruce, Robert. Bruce, Russell. Brudnock, Peter Sr. Brunet, Elton J. Brunet, Joseph A. Brunet, Joseph A. Brunet, Levy J Jr. Brunet, Raymond Sr. Bryan, David N. Bryant, Ina Fay V. Bryant, Jack D Sr. Bryant, James Larry. Buford, Ernest. Bui, Ben. Bui, Dich. Bui, Dung Thi. Bui, Huong T. Bui, Ngan. Bui, Nhuan. Bui, Nuoi Van. Bui, Tai. Bui, Tien. Bui, Tommy. Bui, Xuan and De Nguyen. Bui, Xuanmai. Bull, Delbert E. Bundy, Belvina (Kenneth). Bundy, Kenneth Sr. Bundy, Nicky. Bundy, Ronald J. Bundy, Ronnie J. Buquet, John Jr. Buras, Clayton M. Buras, Leander. Buras, Robert M Jr. Buras, Waylon J. Burlett, Elliott C. Burlett, John C Jr. Burnell, Charles B. Burnell, Charles R. Burnham, Deanna Lea. Burns, Stuart E. Burroughs, Lindsey Hilton Jr. Burton, Ronnie. Busby, Hardy E. Busby, Tex H. Busch, RC. Bush, Robert A. Bussey, Tyler. Butcher, Dorothy. Butcher, Rocky J. Butler, Albert A. Butler, Aline M. Bychurch, Johnny. Bychurch, Johnny Jr. Cabanilla, Alex. Caboz, Jose Santos. Cacioppo, Anthony Jr. Caddell, David. Cadiere, Mae Quick. Cadiere, Ronald J. Cahill, Jack. Caillouet, Stanford Jr. Caison, Jerry Lane Jr. Calcagno, Stephen Paul Sr. Calderone, John S. Callahan, Gene P Sr. Callahan, Michael J. Callahan, Russell. Callais, Ann. Callais, Franklin D.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Callais, Gary D. Callais, Michael. Callais, Michael. Callais, Sandy. Callais, Terrence. Camardelle, Anna M. Camardelle, Chris J. Camardelle, David. Camardelle, Edward J III. Camardelle, Edward J Jr. Camardelle, Harris A. Camardelle, Knowles. Camardelle, Noel T. Camardelle, Tilman J. Caminita, John A III. Campo, Donald Paul. Campo, Kevin. Campo, Nicholas J. Campo, Roy. Campo, Roy Sr. Camus, Ernest M Jr. Canova, Carl. Cantrelle, Alvin. Cantrelle, Eugene J. Cantrelle, Otis A Sr. Cantrelle, Otis Jr (Buddy). Cantrelle, Philip A. Cantrelle, Tate Joseph. Canty, Robert Jamies. Cao, Anna. Cao, Billy. Cao, Billy Viet. Cao, Binh Quang. Cao, Chau. Cao, Dan Dien. Cao, Dung Van. Cao, Gio Van. Cao, Hiep A. Cao, Linh Huyen. Cao, Nghia Thi. Cao, Nhieu V. Cao, Si-Van. Cao, Thanh Kim. Cao, Tuong Van. Carinhas, Jack G Jr. Carl, Joseph Allen. Carlos, Gregory. Carlos, Irvin. Carmadelle, David J. Carmadelle, Larry G. Carmadelle, Rudy J. Carrere, Anthony T Jr. Carrier, Larry J. Caruso, Michael. Casanova, David W Sr. Cassagne, Alphonse G III. Cassagne, Alphonse G IV. Cassidy, Mark. Casso, Joseph. Castelin, Gilbert. Castelin, Sharon. Castellanos, Raul L. Castelluccio, John A Jr. Castille, Joshua. Caulfield, Adolph Jr. Caulfield, Hope. Caulfield, James M Jr. Caulfield, Jean. Cepriano, Salvador. Cerdas, Julius W Jr. Cerise, Marla. Chabert, John. Chaisson, Dean J.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Chaisson, Henry. Chaisson, Vincent A. Chaix, Thomas B III. Champagne, Brian. Champagne, Harold P. Champagne, Kenton. Champagne, Leon J. Champagne, Leroy A. Champagne, Lori. Champagne, Timmy D. Champagne, Willard. Champlin, Kim J. Chance, Jason R. Chancey, Jeff. Chapa, Arturo. Chaplin Robert G Sr. Chaplin, Saxby Stowe. Charles, Christopher. Charpentier, Allen J. Charpentier, Alvin J. Charpentier, Daniel J. Charpentier, Lawrence. Charpentier, Linton. Charpentier, Melanie. Charpentier, Murphy Jr. Charpentier, Robert J. Chartier, Michelle. Chau, Minh Huu. Chauvin, Anthony. Chauvin, Anthony P Jr. Chauvin, Carey M. Chauvin, David James. Chauvin, James E. Chauvin, Kimberly Kay. Cheeks, Alton Bruce. Cheers, Elwood. Chenier, Ricky. Cheramie, Alan. Cheramie, Alan J Jr. Cheramie, Alton J. Cheramie, Berwick Jr. Cheramie, Berwick Sr. Cheramie, Daniel James Sr. Cheramie, Danny. Cheramie, David J. Cheramie, David P. Cheramie, Dickey J. Cheramie, Donald. Cheramie, Enola. Cheramie, Flint. Cheramie, Harold L. Cheramie, Harry J Sr. Cheramie, Harry Jr. Cheramie, Harvey Jr. Cheramie, Harvey Sr. Cheramie, Henry J Sr. Cheramie, James A. Cheramie, James P. Cheramie, Jody P. Cheramie, Joey J. Cheramie, Johnny. Cheramie, Joseph A. Cheramie, Lee Allen. Cheramie, Linton J. Cheramie, Mark A. Cheramie, Murphy J. Cheramie, Nathan A Sr. Cheramie, Neddy P. Cheramie, Nicky J. Cheramie, Ojess M. Cheramie, Paris P. Cheramie, Robbie. Cheramie, Rodney E Jr.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Cheramie, Ronald. Cheramie, Roy. Cheramie, Roy A. Cheramie, Sally K. Cheramie, Terry J. Cheramie, Terry Jr. Cheramie, Timmy. Cheramie, Tina. Cheramie, Todd M. Cheramie, Tommy. Cheramie, Wayne A. Cheramie, Wayne A Jr. Cheramie, Wayne F Sr. Cheramie, Wayne J. Cheramie, Webb Jr. Chevalier, Mitch. Chew, Thomas J. Chhun, Samantha. Chiasson, Jody J. Chiasson, Manton P Jr. Chiasson, Michael P. Childress, Gordon. Chisholm, Arthur. Chisholm, Henry Jr. Christen, David Jr. Christen, Vernon. Christmas, John T Jr. Chung, Long V. Ciaccio, Vance. Cibilic, Bozidar. Cieutat, John. Cisneros, Albino. Ciuffi, Michael L. Clark, James M. Clark, Jennings. Clark, Mark A. Clark, Ricky L. Cobb, Michael A. Cochran, Jimmy. Coleman, Ernest. Coleman, Freddie Jr. Colletti, Rodney A. Collier, Ervin J. Collier, Wade. Collins, Bernard J. Collins, Bruce J Jr. Collins, Donald. Collins, Earline. Collins, Eddie F Jr. Collins, Jack. Collins, Jack. Collins, Julius. Collins, Lawson Bruce Sr. Collins, Lindy S Jr. Collins, Logan A Jr. Collins, Robert. Collins, Timmy P. Collins, Vendon Jr. Collins, Wilbert Jr. Collins, Woodrow. Colson, Chris and Michelle. Comardelle, Michael J. Comeaux, Allen J. Compeaux, Curtis J. Compeaux, Gary P. Compeaux, Harris. Cone, Jody. Contreras, Mario. Cook, Edwin A Jr. Cook, Edwin A Sr. Cook, Joshua. Cook, Larry R Sr. Cook, Scott.



Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Cook, Theodore D. Cooksey, Ernest Neal. Cooper, Acy J III. Cooper, Acy J Jr. Cooper, Acy Sr. Cooper, Christopher W. Cooper, Jon C. Cooper, Marla F. Cooper, Vincent J. Copeman, John R. Corley, Ronald E. Cornett, Eddie. Cornwall, Roger. Cortez, Brenda M. Cortez, Cathy. Cortez, Curtis. Cortez, Daniel P. Cortez, Edgar. Cortez, Keith J. Cortez, Leslie J. Cosse, Robert K. Coston, Clayton. Cotsovolos, John Gordon. Coulon, Allen J Jr. Coulon, Allen J Sr. Coulon, Amy M. Coulon, Cleveland F. Coulon, Darrin M. Coulon, Don. Coulon, Earline N. Coulon, Ellis Jr. Coursey, John W. Courville, Ronnie P. Cover, Darryl L. Cowdrey, Michael Dudley. Cowdrey, Michael Nelson. Crain, Michael T. Crawford, Bryan D. Crawford, Steven J. Creamer, Quention. Credeur, Todd A Sr. Credeur, Tony J. Creppel, Carlton. Creppel, Catherine. Creppel, Craig Anthony. Creppel, Freddy. Creppel, Isadore Jr. Creppel, Julinne G III. Creppel, Kenneth. Creppel, Kenneth. Creppel, Nathan J Jr. Creppell, Michel P. Cristina, Charles J. Crochet, Sterling James. Crochet, Tony J. Crosby, Benjy J. Crosby, Darlene. Crosby, Leonard W Jr. Crosby, Ted J. Crosby, Thomas. Crum, Lonnie. Crum, Tommy Lloyd. Cruz, Jesus. Cabbage, Melinda T. Cuccia, Anthony J. Cuccia, Anthony J Jr. Cuccia, Kevin. Cumbie, Bryan E. Cure, Mike. Curole, Keith J. Curole, Kevin P. Curole, Margaret B. Curole, Willie P Jr.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Cutrer, Jason C. Cvitanovich, T. Daigle, Alfred. Daigle, Cleve and Nona. Daigle, David John. Daigle, E.J. Daigle, Glenn. Daigle, Jamie J. Daigle, Jason. Daigle, Kirk. Daigle, Leonard P. Daigle, Lloyd. Daigle, Louis J. Daigle, Melanie. Daigle, Michael J. Daigle, Michael Wayne and JoAnn. Daisy, Jeff. Dale, Cleveland L. Dang, Ba. Dang, Dap. Dang, David. Dang, Duong. Dang, Khang. Dang, Khang and Tam Phan. Dang, Loan Thi. Dang, Minh. Dang, Minh Van. Dang, Son. Dang, Tao Kevin. Dang, Thang Duc. Dang, Thien Van. Dang, Thuong. Dang, Thuy. Dang, Van D. Daniels, David. Daniels, Henry. Daniels, Leslie. Danos, Albert Sr. Danos, James A. Danos, Jared. Danos, Oliver J. Danos, Ricky P. Danos, Rodney. Danos, Timothy A. d'Antignac, Debi. d'Antignac, Jack. Dantin, Archie A. Dantin, Mark S Sr. Dantin, Stephen Jr. Dao, Paul. Dao, Vang. Dao-Nguyen, Chrysti. Darda, Albert L Jr. Darda, Gertrude. Darda, Herbert. Darda, J C. Darda, Jeremy. Darda, Tammy. Darda, Trudy. Dardar, Alvin. Dardar, Basile J. Dardar, Basile Sr. Dardar, Cindy. Dardar, David. Dardar, Donald S. Dardar, Edison J Sr. Dardar, Gayle Picou. Dardar, Gilbert B. Dardar, Gilbert Sr. Dardar, Isadore J Jr. Dardar, Jacqueline. Dardar, Jonathan M. Dardar, Lanny.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Dardar, Larry J. Dardar, Many. Dardar, Neal A. Dardar, Norbert. Dardar, Patti V. Dardar, Percy B Sr. Dardar, Rose. Dardar, Rusty J. Dardar, Samuel. Dardar, Summersgill. Dardar, Terry P. Dardar, Toney M Jr. Dardar, Toney Sr. Dargis, Stephen M. Dassau, Louis. David, Philip J Jr. Davis, Cliff. Davis, Daniel A. Davis, Danny A. Davis, James. Davis, John W. Davis, Joseph D. Davis, Michael Steven. Davis, Ronald B. Davis, William T Jr. Davis, William Theron. Dawson, JT. de la Cruz, Avery T. Dean, Ilene L. Dean, John N. Dean, Stephen. DeBarge, Brian K. DeBarge, Sherry. DeBarge, Thomas W. Decoursey, John. Dedon, Walter. Deere, Daryl. Deere, David E. Deere, Dennis H. Defelice, Robin. Defelice, Tracie L. DeHart, Ashton J Sr. Dehart, Bernard J. Dehart, Blair. Dehart, Clevis. Dehart, Clevis Jr. DeHart, Curtis P Sr. Dehart, Eura Sr. Dehart, Ferrell John. Dehart, Leonard M. DeHart, Troy. DeJean, Chris N Jr. DeJean, Chris N Sr. Dekemel, Bonnie D. Dekemel, Wm J Jr. Delande, Paul. Delande, Ten Chie. Delatte, Michael J Sr. Delaune, Kip M. Delaune, Thomas J. Delaune, Todd J. Delcambre, Carroll A. Delgado, Jesse. Delino, Carlton. Delino, Lorene. Deloach, Stephen W Jr. DeMoll, Herman J Jr. DeMoll, Herman J Sr. DeMoll, James C Jr. DeMoll, Ralph. DeMoll, Robert C. DeMoll, Terry R. DeMolle, Freddy.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			DeMolle, Otis. Dennis, Fred. Denty, Steve. Deroche, Barbara H. Derouen, Caghe. Deshotel, Rodney. DeSilvey, David. Despaux, Byron J. Despaux, Byron J Jr. Despaux, Glen A. Despaux, Ken. Despaux, Kerry. Despaux, Suzanna. Detillier, David E. DeVaney, Bobby C Jr. Dickey, Wesley Frank. Diep, Vu. Dinger, Anita. Dinger, Corbert Sr. Dinger, Eric. Dinger, Mark H. Dinh, Chau Thanh. Dinh, Khai Duc. Dinh, Lien. Dinh, Toan. Dinh, Vincent. Dion, Ernest. Dion, Paul A. Dion, Thomas Autry. Disalvo, Paul A. Dismuke, Robert E Sr. Ditcharo, Dominick III. Dixon, David. Do, Cuong V. Do, Dan C. Do, Dung V. Do, Hai Van. Do, Hieu. Do, Hung V. Do, Hung V. Do, Johnny. Do, Kiet Van. Do, Ky Hong. Do, Ky Quoc. Do, Lam. Do, Liet Van. Do, Luong Van. Do, Minh Van. Do, Nghiep Van. Do, Ta. Do, Ta Phon. Do, Than Viet. Do, Thanh V. Do, Theo Van. Do, Thien Van. Do, Tinh A. Do, Tri. Do, Vi V. Doan, Anh Thi. Doan, Joseph. Doan, Mai. Doan, Minh. Doan, Ngoc. Doan, Tran Van. Domangue, Darryl. Domangue, Emile. Domangue, Mary. Domangue, Michael. Domangue, Paul. Domangue, Ranzell Sr. Domangue, Stephen. Domangue, Westley. Domingo, Carolyn.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Dominique, Amy R. Dominique, Gerald R. Donini, Ernest N. Donnelly, David C. Donohue, Holly M. Dooley, Denise F. Dopson, Craig B. Dore, Presley J. Dore, Preston J Jr. Dorr, Janthan C Jr. Doucet, Paul J Sr. Downey, Colleen. Doxey, Robert Lee Sr. Doxey, Ruben A. Doxey, William L. Doyle, John T. Drawdy, John Joseph. Drury, Bruce W Jr. Drury, Bruce W Sr. Drury, Bryant J. Drury, Eric S. Drury, Helen M. Drury, Jeff III. Drury, Kevin. Drury, Kevin S Sr. Drury, Steve R. Drury, Steven J. Dubberly, James F. Dubberly, James Michael. Dubberly, James Michael Jr. Dubberly, John J. Dubois, Euris A. Dubois, John D Jr. Dubois, Lonnie J. Duck, Kermit Paul. Dudenhefer, Anthony. Dudenhefer, Connie S. Dudenhefer, Eugene A. Dudenhefer, Milton J Jr. Duet, Brad J. Duet, Darrel A. Duet, Guy J. Duet, Jace J. Duet, Jay. Duet, John P. Duet, Larson. Duet, Ramie. Duet, Raymond J. Duet, Tammy B. Duet, Tyrone. Dufrene, Archie. Dufrene, Charles. Dufrene, Curt F. Dufrene, Elson A. Dufrene, Eric F. Dufrene, Eric F Jr. Dufrene, Eric John. Dufrene, Golden J. Dufrene, Jeremy M. Dufrene, Juliette B. Dufrene, Leroy J. Dufrene, Milton J. Dufrene, Ronald A Jr. Dufrene, Ronald A Sr. Dufrene, Scottie M. Dufrene, Toby. Dugar, Edward A II. Dugas, Donald John. Dugas, Henri J IV. Duhe, Greta. Duhe, Robert. Duhon, Charles. Duhon, Douglas P.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Duncan, Faye E. Duncan, Gary. Duncan, Loyde C. Dunn, Bob. Duong, Billy. Duong, Chamroeun. Duong, EM. Duong, Ho Tan Phi. Duong, Kong. Duong, Mau. Duplantis, Blair P. Duplantis, David. Duplantis, Frankie J. Duplantis, Maria. Duplantis, Teddy W. Duplantis, Wedgir J Jr. Duplessis, Anthony James Sr. Duplessis, Bonnie S. Duplessis, Clarence R. Dupre, Brandon P. Dupre, Cecile. Dupre, David A. Dupre, Davis J Jr. Dupre, Easton J. Dupre, Jimmie Sr. Dupre, Linward P. Dupre, Mary L. Dupre, Michael J. Dupre, Michael J Jr. Dupre, Randall P. Dupre, Richard A. Dupre, Rudy P. Dupre, Ryan A. Dupre, Tony J. Dupre, Troy A. Dupree, Bryan. Dupree, Derrick. Dupree, Malcolm J Sr. Dupuis, Clayton J. Durand, Walter Y. Dusang, Melvin A. Duval, Denval H Sr. Duval, Wayne. Dyer, Nadine D. Dyer, Tony. Dykes, Bert L. Dyson, Adley L Jr. Dyson, Adley L Sr. Dyson, Amy. Dyson, Casandra. Dyson, Clarence III. Dyson, Jimmy Jr. Dyson, Jimmy L Sr. Dyson, Kathleen. Dyson, Maricela. Dyson, Phillip II. Dyson, Phillip Sr. Dyson, William. Eckerd, Bill. Edens, Angela Blake. Edens, Donnie. Edens, Jeremy Donald. Edens, Nancy M. Edens, Steven L. Edens, Timothy Dale. Edgar, Daniel. Edgar, Joey. Edgerson, Roosevelt. Edwards, Tommy W III. Ellerbee, Jody Duane. Ellison, David Jr. Encalade, Alfred Jr. Encalade, Anthony T.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Encalade, Cary. Encalade, Joshua C. Encalade, Stanley A. Enclade, Joseph L. Enclade, Michael Sr and Jeannie Pitre. Enclade, Rodney J. Englade, Alfred. Ennis, A L Jr. Erickson, Grant G. Erlinger, Carroll. Erlinger, Gary R. Eschete, Keith A. Esfeller, Benny A. Eskine, Kenneth. Esponge, Ernest J. Estaves, David Sr. Estaves, Ricky Joseph. Estay, Allen J. Estay, Wayne. Esteves, Anthony E Jr. Estrada, Orestes. Evans, Emile J Jr. Evans, Kevin J. Evans, Lester. Evans, Lester J Jr. Evans, Tracey J Sr. Everson, George C. Eymard, Brian P Sr. Eymard, Jervis J and Carolyn B. Fabiano, Morris C. Fabra, Mark. Fabre, Alton Jr. Fabre, Ernest J. Fabre, Kelly V. Fabre, Peggy B. Fabre, Sheron. Fabre, Terry A. Fabre, Wayne M. Falcon, Mitchell J. Falgout, Barney. Falgout, Jerry P. Falgout, Leroy J. Falgout, Timothy J. Fanguy, Barry G. Fanning, Paul Jr. Farris, Thomas J. Fasone, Christopher J. Fasone, William J. Faulk, Lester J. Favaloro, Thomas J. Favre, Michael Jr. Fazende, Jeffery. Fazende, Thomas. Fazende, Thomas G. Fazzio, Anthony. Fazzio, Douglas P. Fazzio, Maxine J. Fazzio, Steve. Felarise, EJ. Felarise, Wayne A Sr. Fernandez, John. Fernandez, Laudelino. Ferrara, Audrey B. Ficarino, Dominick Jr. Fields, Bryan. Fillinich, Anthony. Fillinich, Anthony Sr. Fillinich, Jack. Fincher, Penny. Fincher, William. Fisch, Burton E. Fisher, Kelly. Fisher, Kirk.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Fisher, Kirk A. Fitch, Adam. Fitch, Clarence J Jr. Fitch, Hanson. Fitzgerald, Burnell. Fitzgerald, Kirk. Fitzgerald, Kirk D. Fitzgerald, Ricky J Jr. Fleming, John M. Fleming, Meigs F. Fleming, Mike. Flick, Dana. Flores, Helena D. Flores, Thomas. Flowers, Steve W. Flowers, Vincent F. Folsie, David M. Folsie, Heath. Folsie, Mary L. Folsie, Ronald B. Fonseca, Francis Sr. Fontaine, William S. Fontenot, Peggy D. Ford, Judy. Ford, Warren Wayne. Foreman, Ralph Jr. Foret, Alva J. Foret, Billy J. Foret, Brent J. Foret, Glenn. Foret, Houston. Foret, Jackie P. Foret, Kurt J Sr. Foret, Lovelace A Sr. Foret, Loveless A Jr. Foret, Mark M. Foret, Patricia C. Forrest, David P. Forsyth, Hunter. Forsythe, John. Fortune, Michael A. France, George J. Francis, Albert. Franklin, James K. Frankovich, Anthony. Franks, Michael. Frauenberger, Richard Wayne. Frazier, David J. Frazier, David M. Frazier, James. Frazier, Michael. Frederick, Davis. Frederick, Johnnie and Jeannie. Fredrick, Michael. Freeman, Arthur D. Freeman, Darrel P Sr. Freeman, Kenneth F. Freeman, Larry Scott. Frelich, Charles P. Frelich, Floyd J. Frelich, Kent. Frerics, Doug. Frerks, Albert R Jr. Frickey, Darell. Frickey, Darren. Frickey, Dirk I. Frickey, Eric J. Frickey, Harry J Jr. Frickey, Jimmy. Frickey, Rickey J. Frickey, Westley J. Friloux, Brad. Frisella, Jeanette M.



Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Frisella, Jerome A Jr. Frost, Michael R. Fruge, Wade P. Gadson, James. Gaines, Dwayne. Gala, Christine. Galjour, Jess J. Galjour, Reed. Gallardo, John W. Gallardo, Johnny M. Galliano, Anthony. Galliano, Horace J. Galliano, Joseph Sr. Galliano, Logan J. Galliano, Lynne L. Galliano, Moise Jr. Galloway, AT Jr. Galloway, Jimmy D. Galloway, Judy L. Galloway, Mark D. Galt, Giles F. Gambarella, Luvencie J. Ganoi, Kristine. Garcia, Ana Maria. Garcia, Anthony. Garcia, Edward. Garcia, Kenneth. Garner, Larry S. Gary, Dalton J. Gary, Ernest J. Gary, Leonce Jr. Garza, Andres. Garza, Jose H. Gaskill, Elbert Clinton and Sandra. Gaspar, Timothy. Gaspard, Aaron and Hazel C. Gaspard, Dudley A Jr. Gaspard, Leonard J. Gaspard, Michael A. Gaspard, Michael Sr. Gaspard, Murry. Gaspard, Murry A Jr. Gaspard, Murry Sr. Gaspard, Murvin. Gaspard, Ronald Sr. Gaspard, Ronald Wayne Jr. Gaubert, Elizabeth. Gaubert, Gregory M. Gaubert, Melvin. Gaudet, Allen J IV. Gaudet, Ricky Jr. Gauthier, Hewitt J Sr. Gautreaux, William A. Gay, Norman F. Gay, Robert G. Gazzier, Daryl G. Gazzier, Emanuel A. Gazzier, Wilfred E. Gegenheimer, William F. Geiling, James. Geisman, Tony. Gentry, Robert. Gentry, Samuel W Jr. George, James J Jr. Gerica, Clara. Gerica, Peter. Giambrone, Corey P. Gibson, Eddie E. Gibson, Joseph. Gibson, Ronald F. Gilden, Eddie Jr. Gilden, Eddie Sr. Gilden, Inez W.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Gilden, Wayne. Gillikin, James D. Girard, Chad Paul. Giroir, Mark S. Gisclair, Anthony J. Gisclair, Anthony Joseph Sr. Gisclair, August. Gisclair, Dallas J Sr. Gisclair, Doyle A. Gisclair, Kip J. Gisclair, Ramona D. Gisclair, Wade. Gisclair, Walter. Glover, Charles D. Glynn, Larry. Goetz, George. Goings, Robert Eugene. Golden, George T. Golden, William L. Gollot, Brian. Gollot, Edgar R. Gonzales, Arnold Jr. Gonzales, Mrs Cyril E Jr. Gonzales, Rene R. Gonzales, Rudolph S Jr. Gonzales, Rudolph S Sr. Gonzales, Sylvia A. Gonzales, Tim J. Gonzalez, Jorge Jr. Gonzalez, Julio. Gordon, Donald E. Gordon, Patrick Alvin. Gore, Henry H. Gore, Isabel. Gore, Pam. Gore, Thomas L. Gore, Timothy Ansel. Gottschalk, Gregory. Gourgues, Harold C Jr. Goutierrez, Tony C. Govea, Joaquin. Graham, Darrell. Graham, Steven H. Granger, Albert J Sr. Granich, James. Granier, Stephen J. Grass, Michael. Graves, Robert N Sr. Gray, Jeannette. Gray, Monroe. Gray, Shirley E. Gray, Wayne A Sr. Graybill, Ruston. Green, Craig X. Green, James W. Green, James W Jr. Green, Shaun. Greenlaw, W C Jr. Gregoire, Ernest L. Gregoire, Rita M. Gregory, Curtis B. Gregory, Mercedes E. Grice, Raymond L Jr. Griffin, Alden J Sr. Griffin, Craig. Griffin, David D. Griffin, Elvis Joseph Jr. Griffin, Faye. Griffin, Faye Ann. Griffin, Jimmie J. Griffin, Noltly J. Griffin, Rickey. Griffin, Sharon.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Griffin, Timothy. Griffin, Troy D. Groff, Alfred A. Groff, John A. Groover, Hank. Gros, Brent J Sr. Gros, Craig J. Gros, Danny A. Gros, Gary Sr. Gros, Junius A Jr. Gros, Keven. Gros, Michael A. Gross, Homer. Grossie, Janet M. Grossie, Shane A. Grossie, Tate. Grow, Jimmie C. Guenther, John J. Guenther, Raphael. Guerra, Bruce. Guerra, Chad L. Guerra, Fabian C. Guerra, Guy A. Guerra, Jerry V Sr. Guerra, Kurt P Sr. Guerra, Ricky J Sr. Guerra, Robert. Guerra, Ryan. Guerra, Troy A. Guerra, William Jr. Guidroz, Warren J. Guidry, Alvin A. Guidry, Andy J. Guidry, Arthur. Guidry, Bud. Guidry, Calvin P. Guidry, Carl J. Guidry, Charles J. Guidry, Chris J. Guidry, Clarence P. Guidry, Clark. Guidry, Clint. Guidry, Clinton P Jr. Guidry, Clyde A. Guidry, David. Guidry, Dobie. Guidry, Douglas J Sr. Guidry, Elgy III. Guidry, Elgy Jr. Guidry, Elwin A Jr. Guidry, Gerald A. Guidry, Gordon Jr. Guidry, Guillaume A. Guidry, Harold. Guidry, Jason. Guidry, Jessie J. Guidry, Jessie Joseph. Guidry, Jonathan B. Guidry, Joseph T Jr. Guidry, Keith M. Guidry, Kenneth J. Guidry, Kerry A. Guidry, Marco. Guidry, Maurin T and Tamika. Guidry, Michael J. Guidry, Nolan J Sr. Guidry, Randy Peter Sr. Guidry, Rhonda S. Guidry, Robert C. Guidry, Robert Joseph. Guidry, Robert Wayne. Guidry, Roger. Guidry, Ronald.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			<p>           Guidry, Roy Anthony.            Guidry, Roy J.            Guidry, Tammy.            Guidry, Ted.            Guidry, Thomas P.            Guidry, Timothy.            Guidry, Troy.            Guidry, Troy.            Guidry, Ulysses.            Guidry, Vicki.            Guidry, Wayne J.            Guidry, Wyatt.            Guidry, Yvonne.            Guidry-Calva, Holly A.            Guilbeaux, Donald J.            Guilbeaux, Lou.            Guillie, Shirley.            Guillory, Horace H.            Guillot, Benjamin J Jr.            Guillot, Rickey A.            Gullede, Lee.            Gutierrez, Anita.            Guy, Jody.            Guy, Kimothy Paul.            Guy, Wilson.            Ha, Cherie Lan.            Ha, Co Dong.            Ha, Lai Thuy Thi.            Ha, Lyanna.            Hadwall, John R.            Hafford, Johnny.            Hagan, Jules.            Hagan, Marianna.            Haiglea, Robbin Richard.            Hales, William E.            Halili, Rhonda L.            Hall, Byron S.            Hall, Darrel T Sr.            Hall, Lorrie A.            Hammer, Michael P.            Hammock, Julius Michael.            Hancock, Jimmy L.            Handlin, William Sr.            Hang, Cam T.            Hansen, Chris.            Hansen, Eric P.            Hanson, Edmond A.            Harbison, Louis.            Hardee, William P.            Hardison, Louis.            Hardy John C.            Hardy, Sharon.            Harmon, Michelle.            Harrington, George J.            Harrington, Jay.            Harris, Bobby D.            Harris, Buster.            Harris, Jimmy Wayne Sr.            Harris, Johnny Ray.            Harris, Kenneth A.            Harris, Ronnie.            Harris, Susan D.            Harris, William.            Harrison, Daniel L.            Hartmann, Leon M Jr.            Hartmann, Walter Jr.            Hattaway, Errol Henry.            Haycock, Kenneth.            Haydel, Gregory.            Hayes, Clinton.            Hayes, Katherine F.            Hayes, Lod Jr.            Hean, Hong.         </p>

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Heathcock, Walter Jr. Hebert, Albert Joseph. Hebert, Bernie. Hebert, Betty Jo. Hebert, Chris. Hebert, Craig J. Hebert, David. Hebert, David Jr. Hebert, Earl J. Hebert, Eric J. Hebert, Jack M. Hebert, Johnny Paul. Hebert, Jonathan. Hebert, Jules J. Hebert, Kim M. Hebert, Lloyd S III. Hebert, Michael J. Hebert, Myron A. Hebert, Norman. Hebert, Patrick. Hebert, Patrick A. Hebert, Pennington Jr. Hebert, Philip. Hebert, Robert A. Hebert, Terry W. Hedrick, Gerald J Jr. Helmer, Claudia A. Helmer, Gerry J. Helmer, Herman C Jr. Helmer, Kenneth. Helmer, Larry J Sr. Helmer, Michael A Sr. Helmer, Rusty L. Helmer, Windy. Hemmenway, Jack. Henderson, Brad. Henderson, Curtis. Henderson, David A Jr. Henderson, David A Sr. Henderson, Johnny. Henderson, Olen. Henderson, P Loam. Henry, Joanne. Henry, Rodney. Herbert, Patrick and Terry. Hereford, Rodney O Jr. Hereford, Rodney O Sr. Hernandez, Corey. Herndon, Mark. Hertel, Charles W. Hertz, Edward C Sr. Hess, Allen L Sr. Hess, Henry D Jr. Hess, Jessica R. Hess, Wayne B. Hewett, Emma. Hewett, James. Hickman, John. Hickman, Marvin. Hicks, Billy M. Hicks, James W. Hicks, Larry W. Hicks, Walter R. Hien, Nguyen. Higgins, Joseph J III. Hill, Darren S. Hill, Joseph R. Hill, Sharon. Hill, Willie E Jr. Hills, Herman W. Hingle, Barbara E. Hingle, Rick A. Hingle, Roland T Jr.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			<p>Hingle, Roland T Sr.  Hingle, Ronald J.  Hinojosa, R.  Hinojosa, Randy.  Hinojosa, Ricky A.  Hipps, Nicole Marie.  Ho, Dung Tan.  Ho, Hung.  Ho, Jennifer.  Ho, Jimmy.  Ho, Lam.  Ho, Nam.  Ho, Nga T.  Ho, O.  Ho, Sang N.  Ho, Thanh Quoc.  Ho, Thien Dang.  Ho, Tien Van.  Ho, Tri Tran.  Hoang, Dung T.  Hoang, Hoa T and Tam Hoang.  Hoang, Huy Van.  Hoang, Jennifer Vu.  Hoang, John.  Hoang, Julie.  Hoang, Kimberly.  Hoang, Linda.  Hoang, Loan.  Hoang, San Ngoc.  Hoang, Tro Van.  Hoang, Trung Kim.  Hoang, Trung Tuan.  Hoang, Vincent Huynh.  Hodges, Ralph W.  Hoffpaviiz, Harry K.  Holland, Vidal.  Holler, Boyce Dwight Jr.  Hollier, Dennis J.  Holloway, Carl D.  Hong, Tai Van.  Hood, Malcolm.  Hopton, Douglas.  Horaist, Shawn P.  Hostetler, Warren L II.  Hotard, Claude.  Hotard, Emile J Jr.  Howard, Jeff.  Howerin, Billy Sr.  Howerin, Wendell Sr.  Hubbard, Keith.  Hubbard, Perry III.  Huber, Berry T.  Huber, Charles A.  Huck, Irma Elaine.  Huck, Steven R.  Huckabee, Harold.  Hue, Patrick A.  Hughes, Brad J.  Hults, Thomas.  Hutcherson, Daniel J.  Hutchinson, Douglas.  Hutchinson, George D.  Hutchinson, William H.  Hutto, Cynthia E.  Hutto, Henry G Jr.  Huynh, Chien Thi.  Huynh, Dong Xuan.  Huynh, Dung.  Huynh, Dung V.  Huynh, Hai.  Huynh, Hai.  Huynh, Hai Van.  Huynh, Hoang D.</p>

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Huynh, Hoang Van. Huynh, Hung. Huynh, James N. Huynh, Johnny Hiep. Huynh, Johnnie. Huynh, Kim. Huynh, Lay. Huynh, Long. Huynh, Mack Van. Huynh, Mau Van. Huynh, Minh. Huynh, Minh Van. Huynh, Nam Van. Huynh, Thai. Huynh, Tham Thi. Huynh, Thanh. Huynh, Thanh. Huynh, The V. Huynh, Tri. Huynh, Truc. Huynh, Tu. Huynh, Tu. Huynh, Tung Van. Huynh, Van X. Huynh, Viet Van. Huynh, Vuong Van. Hymel, Joseph Jr. Hymel, Michael D. Hymel, Nolan J Sr. Ingham, Herbert W. Inglis, Richard M. Ingraham, Joseph S. Ingraham, Joyce. Ipock, Billy. Ipock, William B. Ireland, Arthur Allen. Iver, George Jr. Jackson, Alfred M. Jackson, Carl John. Jackson, David. Jackson, Eugene O. Jackson, Glenn C Jr. Jackson, Glenn C Sr. Jackson, James Jerome. Jackson, John D. Jackson, John Elton Sr. Jackson, Levi. Jackson, Nancy L. Jackson, Robert W. Jackson, Shannon. Jackson, Shaun C. Jackson, Steven A. Jacob, Ronald R. Jacob, Warren J Jr. Jacobs, L Anthony. Jacobs, Lawrence F. Jarreau, Billy and Marilyn. Jarvis, James D. Jaye, Emma. Jeanfreau, Vincent R. Jefferies, William. Jemison, Timothy Michael Sr. Jennings, Jacob. Joffrion, Harold J Jr. Johnson, Albert F. Johnson, Ashley Lamar. Johnson, Bernard Jr. Johnson, Brent W. Johnson, Bruce Wareh. Johnson, Carl S. Johnson, Carolyn. Johnson, Clyde Sr. Johnson, David G.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			<p>Johnson, David Paul.  Johnson, Gary Allen Sr.  Johnson, George D.  Johnson, Michael A.  Johnson, Randy J.  Johnson, Regenia.  Johnson, Robert.  Johnson, Ronald Ray Sr.  Johnson, Steve.  Johnson, Thomas Allen Jr.  Johnston, Ronald.  Joly, Nicholas J Jr.  Jones, Charles.  Jones, Clinton.  Jones, Daisy Mae.  Jones, Jeffery E.  Jones, Jerome N Sr.  Jones, John W.  Jones, Larry.  Jones, Len.  Jones, Michael G Sr.  Jones, Paul E.  Jones, Perry T Sr.  Jones, Ralph William.  Jones, Richard G Sr.  Jones, Stephen K.  Jones, Wayne.  Joost, Donald F.  Jordan, Dean.  Jordan, Hubert William III (Bert).  Jordan, Hurbert W Jr.  Judalet, Ramon G.  Judy, William Roger.  Julian, Ida.  Julian, John I Sr.  Juneau, Anthony Sr.  Juneau, Bruce.  Juneau, Robert A Jr and Laura K.  Jurjevich, Leander J.  Kain, Jules B Sr.  Kain, Martin A.  Kalliainen, Dale.  Kalliainen, Richard.  Kang, Chamroeun.  Kang, Sambo.  Kap, Brenda.  Keen, Robert Steven.  Keenan, Robert M.  Kellum, Kenneth Sr.  Kellum, Larry Gray Sr.  Kellum, Roxanne.  Kelly, Roger B.  Kelly, Thomas E.  Kendrick, Chuck J.  Kennair, Michael S.  Kennedy, Dothan.  Kenney, David Jr.  Kenney, Robert W.  Kent, Michael A.  Keo, Bunly.  Kerchner, Steve.  Kern, Thurmond.  Khin, Sochenda.  Khui, Lep and Nga Ho.  Kidd, Frank.  Kiesel, Edward C and Lorraine T.  Kiff, Hank J.  Kiff, Melvin.  Kiffe, Horace.  Kim, Puch.  Kimbrough, Carson.  Kim-Tun, Soeun.  King, Andy A.</p>



Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			King, Donald Jr. King, James B. King, Thornell. King, Wesley. Kit, An. Kizer, Anthony J. Kleimann, Robert. Knapp, Alton P Jr. Knapp, Alton P Sr. Knapp, Ellis L Jr. Knapp, Melvin L. Knapp, Theresa. Knecht, Frederick Jr. Knezek, Lee. Knight, George. Knight, Keith B. Knight, Robert E. Koch, Howard J. Kong, Seng. Konitz, Bobby. Koo, Herman. Koonce, Curtis S. Koonce, Howard N. Kopszywa, Mark L. Kopszywa, Stanley J. Kotulja, Stejepan. Kraemer, Bridget. Kraemer, Wilbert J. Kraemer, Wilbert Jr. Kramer, David. Krantz, Arthur Jr. Krantz, Lori. Kraver, C W. Kreger, Ronald A Sr. Kreger, Roy J Sr. Kreger, Ryan A. Krennerich, Raymond A. Kroke, Stephen E. Kruth, Frank D. Kuchler, Alphonse L III. Kuhn, Bruce A Sr. Kuhn, Gerard R Jr. Kuhn, Gerard R Sr. Kuhns, Deborah. LaBauve, Kerry. LaBauve, Sabrina. LaBauve, Terry. LaBiche, Todd A. LaBove, Carroll. LaBove, Frederick P. Lachica, Jacqueline. Lachico, Douglas. Lacobon, Tommy W Jr. Lacobon, Tony C. LaCoste, Broddie. LaCoste, Carl. LaCoste, Dennis E. LaCoste, Grayland J. LaCoste, Malcolm Jr. LaCoste, Melvin. LaCoste, Melvin W Jr. LaCoste, Ravin J Jr. LaCoste, Ravin Sr. Ladner, Clarence J III. Ladson, Earlene G. LaFont, Douglas A Sr. LaFont, Edna S. LaFont, Jackin. LaFont, Noces J Jr. LaFont, Weyland J Sr. LaFrance, Joseph T. Lagarde, Frank N. Lagarde, Gary Paul.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Lagasse, Michael F. Lai, Hen K. Lai, Then. Lam, Cang Van. Lam, Cui. Lam, Dong Van. Lam, Hiep Tan. Lam, Lan Van. Lam, Lee Phenh. Lam, Phan. Lam, Qui. Lam, Sochen. Lam, Tai. Lam, Tinh Huu. Lambas, Jessie J Sr. Lanclos, Paul. Landry, David A. Landry, Dennis J. Landry, Edward N Jr. Landry, George. Landry, George M. Landry, James F. Landry, Jude C. Landry, Robert E. Landry, Ronald J. Landry, Samuel J Jr. Landry, Tracy. Lane, Daniel E. Lapeyrouse, Lance M. Lapeyrouse, Rosalie. Lapeyrouse, Tillman Joseph. LaRive, James L Jr. LaRoche, Daniel S. Lasseigne, Betty. Lasseigne, Blake. Lasseigne, Floyd. Lasseigne, Frank. Lasseigne, Harris Jr. Lasseigne, Ivy Jr. Lasseigne, Jefferson. Lasseigne, Jefferson P Jr. Lasseigne, Johnny J. Lasseigne, Marlene. Lasseigne, Nolan J. Lasseigne, Trent. Lat, Chhiet. Latapie, Charlotte A. Latapie, Crystal. Latapie, Jerry. Latapie, Joey G. Latapie, Joseph. Latapie, Joseph F Sr. Latapie, Travis. Latiolais, Craig J. Latiolais, Joel. Lau, Ho Thanh. Laughlin, James G. Laughlin, James Mitchell. Laurent, Yvonne M. Lavergne, Roger. Lawdros, Terrance Jr. Layrisson, Michael A III. Le, Amanda. Le, An Van. Le, Ben. Le, Binh T. Le, Cheo Van. Le, Chinh Thanh. Le, Chinh Thanh and Yen Vo. Le, Cu Thi. Le, Dai M. Le, Dale. Le, David Rung.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Le, Du M. Le, Duc V. Le, Duoc M. Le, Hien V. Le, Houston T. Le, Hung. Le, Jimmy. Le, Jimmy and Hoang. Le, Khoa. Le, Kim. Le, Ky Van. Le, Lang Van. Le, Lily. Le, Lisa Tuyet Thi. Le, Loi. Le, Minh Van. Le, Muoi Van. Le, My. Le, My V. Le, Nam and Khan-Minh Le. Le, Nam Van. Le, Nhieu T. Le, Nhut Hoang. Le, Nu Thi. Le, Phuc Van. Le, Que V. Le, Quy. Le, Robert. Le, Sam Van. Le, Sau V. Le, Son. Le, Son. Le, Son H. Le, Son Quoc. Le, Son Van. Le, Su. Le, Tam V. Le, Thanh Huong. Le, Tong Minh. Le, Tony. Le, Tracy Lan Chi. Le, Tuan Nhu. Le, Viet Hoang. Le, Vui. Leaf, Andrew Scott. Leary, Roland. LeBeauf, Thomas. LeBlanc, Donnie. LeBlanc, Edwin J. LeBlanc, Enoch P. LeBlanc, Gareth R III. LeBlanc, Gareth R Jr. LeBlanc, Gerald E. LeBlanc, Hubert C. LeBlanc, Jerald. LeBlanc, Jesse Jr. LeBlanc, Keenon Anthony. LeBlanc, Lanvin J. LeBlanc, Luke A. LeBlanc, Marty J. LeBlanc, Marty J Jr. LeBlanc, Mickel J. LeBlanc, Robert Patrick. LeBlanc, Scotty M. LeBlanc, Shelton. LeBlanc, Terry J. LeBoeuf, Brent J. LeBoeuf, Emery J. LeBoeuf, Joseph R. LeBoeuf, Tammy Y. LeBouef, Dale. LeBouef, Edward J. LeBouef, Ellis J Jr.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			LeBouef, Gillis. LeBouef, Jimmie. LeBouef, Leslie. LeBouef, Lindy J. LeBouef, Micheal J. LeBouef, Raymond. LeBouef, Tommy J. LeBouef, Wiley Sr. LeBourgeois, Stephen A. LeCompte, Alena. LeCompte, Aubrey J. LeCompte, Etha. LeCompte, Jesse C Jr. LeCompte, Jesse Jr. LeCompte, Jesse Sr. LeCompte, Lyle. LeCompte, Patricia F. LeCompte, Todd. LeCompte, Troy A Sr. Ledet, Brad. Ledet, Bryan. Ledet, Carlton. Ledet, Charles J. Ledet, Jack A. Ledet, Kenneth A. Ledet, Mark. Ledet, Maxine B. Ledet, Mervin. Ledet, Phillip John. Ledoux, Dennis. Ledwig, Joe J. Lee, Carl. Lee, James K. Lee, Marilyn. Lee, Otis M Jr. Lee, Raymond C. Lee, Robert E. Lee, Steven J. Leek, Mark A. LeGaux, Roy J Jr. Legendre, Kerry. Legendre, Paul. Leger, Andre. LeGros, Alex M. LeJeune, Philip Jr. LeJeune, Philip Sr. LeJeune, Ramona V. LeJeunee, Debbie. LeJuine, Eddie R. LeLand, Allston Bochet. Leland, Rutledge B III. Leland, Rutledge B Jr. LeLeaux, David. Leleux, Kevin J. Lemoine, Jeffery Jr. Leonard, Dan. Leonard, Dexter J Jr. Leonard, Micheal A. Lepine, Leroy L. Lesso, Rudy Jr. Lester, Shawn. Levron, Dale T. Levy, Patrick T. Lewis, Kenneth. Lewis, Mark Steven. Libersat, Anthony R. Libersat, Kim. Licatino, Daniel Jr. Lichenstein, Donald L. Lilley, Douglas P. Lim, Chhay. Lim, Koung. Lim, Tav Seng.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Linden, Eric L. Liner, Claude J Jr. Liner, Harold. Liner, Jerry. Liner, Kevin. Liner, Michael B Sr. Liner, Morris T Jr. Liner, Morris T Sr. Liner, Tandy M. Linh, Pham. Linwood, Dolby. Lirette, Alex J Sr. Lirette, Bobby and Sheri. Lirette, Chester Patrick. Lirette, Daniel J. Lirette, Dean J. Lirette, Delvin J Jr. Lirette, Delvin Jr. Lirette, Desaire J. Lirette, Eugis P Sr. Lirette, Guy A. Lirette, Jeannie. Lirette, Kern A. Lirette, Ron C. Lirette, Russell (Chico) Jr. Lirette, Shaun Patrick. Lirette, Terry J Sr. Little, William A. Little, William Boyd. Liv, Niem S. Livaudais, Ernest J. Liverman, Harry R. LoBue, Michael Anthony Sr. Locascio, Dustin. Lockhart, William T. Lodrigue, Jimmy A. Lodrigue, Kerry. Lombardo, Joseph P. Lombas, James A Jr. Lombas, Kim D. Londrie, Harley. Long, Cao Thanh. Long, Dinh. Long, Robert. Longo, Ronald S Jr. Longwater, Ryan Heath. Loomer, Rhonda. Lopez, Celestino. Lopez, Evelio. Lopez, Harry N. Lopez, Ron. Lopez, Scott. Lopez, Stephen R Jr. Lord, Michael E Sr. Loupe, George Jr. Loupe, Ted. Lovell, Billy. Lovell, Bobby Jason. Lovell, Bradford John. Lovell, Charles J Jr. Lovell, Clayton. Lovell, Douglas P. Lovell, Jacob G. Lovell, Lois. Lovell, Slade M. Luke, Bernadette C. Luke, David. Luke, Dustan. Luke, Henry. Luke, Jeremy Paul. Luke, Keith J. Luke, Patrick A. Luke, Patrick J.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Luke, Paul Leroy. Luke, Rudolph J. Luke, Samantha. Luke, Sidney Jr. Luke, Terry Patrick Jr. Luke, Terry Patrick Sr. Luke, Timothy. Luke, Wiltz J. Lund, Ora G. Luneau, Ferrell J. Luong, Kevin. Luong, Thu X. Luscyc, Lydia. Luscyc, Richard. Lutz, William A. Luu, Binh. Luu, Vinh. Luu, Vinh V. Ly, Bui. Ly, Hen. Ly, Hoc. Ly, Kelly D. Ly, Nu. Ly, Sa. Ly, Ven. Lyall, Rosalie. Lycett, James A. Lyons, Berton J. Lyons, Berton J Sr. Lyons, Jack. Lyons, Jerome M. Mackey, Marvin Sr. Mackie, Kevin L. Maggio, Wayne A. Magwood, Edwin Wayne. Mai, Danny V. Mai, Lang V. Mai, Tai. Mai, Trach Xuan. Maise, Rubin J. Maise, Todd. Majoue, Ernest J. Majoue, Nathan L. Malcombe, David. Mallett, Irvin Ray. Mallett, Jimmie. Mallett, Lawrence J. Mallett, Mervin B. Mallett, Rainbow. Mallett, Stephney. Malley, Ned F Jr. Mamolo, Charles H Sr. Mamolo, Romeo C Jr. Mamolo, Terry A. Mancera, Jesus. Manuel, Joseph R. Manuel, Shon. Mao, Chandarasy. Mao, Kim. Marcel, Michelle. Marchese, Joe Jr. Mareno, Ansley. Mareno, Brent J. Mareno, Kenneth L. Marie, Allen J. Marie, Marty. Marmande, Al. Marmande, Alidore. Marmande, Denise. Marquize, Heather. Marquize, Kip. Marris, Roy C Jr. Martin, Darren.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Martin, Dean J. Martin, Dennis. Martin, Jody W. Martin, John F III. Martin, Michael A. Martin, Nora S. Martin, Rod J. Martin, Roland J Jr. Martin, Russel J Sr. Martin, Sharon J. Martin, Tanna G. Martin, Wendy. Martinez, Carl R. Martinez, Henry. Martinez, Henry Joseph. Martinez, Lupe. Martinez, Michael. Martinez, Rene J. Mason, James F Jr. Mason, Johnnie W. Mason, Luther. Mason, Mary Lois. Mason, Percy D Jr. Mason, Walter. Matherne, Anthony. Matherne, Blakland Sr. Matherne, Bradley J. Matherne, Claude I Jr. Matherne, Clifford P. Matherne, Curlis J. Matherne, Forest J. Matherne, George J. Matherne, Glenn A. Matherne, Grace L. Matherne, James C. Matherne, James J Jr. Matherne, James J Sr. Matherne, Joey A. Matherne, Keith. Matherne, Larry Jr. Matherne, Louis M Sr. Matherne, Louis Michael. Matherne, Nelson. Matherne, Thomas G. Matherne, Thomas G Jr. Matherne, Thomas Jr. Matherne, Thomas M Sr. Matherne, Wesley J. Mathews, Patrick. Mathurne, Barry. Matte, Martin J Sr. Mauldin, Johnny. Mauldin, Mary. Mauldin, Shannon. Mavar, Mark D. Mayeux, Lonies A Jr. Mayeux, Roselyn P. Mayfield, Gary. Mayfield, Henry A Jr. Mayfield, James J III. Mayon, Allen J. Mayon, Wayne Sr. McAnespy, Henry. McAnespy, Louis. McCall, Marcus H. McCall, R Terry Sr. McCarthy, Carliss. McCarthy, Michael. McCauley, Byron Keith. McCauley, Katrina. McClantoc, Robert R and Debra. McClellan, Eugene Gardner. McCormick, Len.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			McCuiston, Denny Carlton. McDonald, Allan. McElroy, Harry J. McFarlain, Merlin J Jr. McGuinn, Dennis. McIntosh, James Richard. McIntyre, Michael D. McIver, John H Jr. McKendree, Roy. McKenzie, George B. McKinzie, Bobby E. McKoin, Robert. McKoin, Robert F Jr. McLendon, Jonathon S. McNab, Robert Jr. McQuaig, Don W. McQuaig, Oliver J. Medine, David P. Mehaffey, John P. Melancon, Brent K. Melancon, Neva. Melancon, Rickey. Melancon, Roland Jr. Melancon, Roland T Jr. Melancon, Sean P. Melancon, Terral J. Melancon, Timmy J. Melanson, Ozimea J III. Melerine, Angela. Melerine, Brandon T. Melerine, Claude A. Melerine, Claude A Jr. Melerine, Dean J. Melerine, Eric W Jr. Melerine, John D Sr. Melerine, Linda C. Melerine, Raymond Joseph. Melford, Daniel W Sr. Mello, Nelvin. Men, Sophin. Menendez, Wade E. Menesses, Dennis. Menesses, James H. Menesses, Jimmy. Menesses, Louis. Menge, Lionel A. Menge, Vincent J. Mercy, Dempsey. Merrick, Harold A. Merrick, Kevin Sr. Merritt, Darren Sr. Messer, Chase. Meyers, Otis J. Miarm, Soeum. Michel, Steven D. Middleton, Dan Sr. Miguez, Henry. Miguez, Kevin L Sr. Milam, Ricky. Miles, Ricky David. Miley, Donna J. Milletto, Joseph. Miller, David W. Miller, Fletcher N. Miller, James A. Miller, Larry B. Miller, Mabry Allen Jr. Miller, Michael E. Miller, Michele K. Miller, Randy A. Miller, Rhonda E. Miller, Wayne. Millet, Leon B.



Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Millington, Donnie. Millington, Ronnie. Millis, Moses. Millis, Raeford. Millis, Timmie Lee. Mine, Derrick. Miner, Peter G. Minh, Kha. Minh, Phuc-Truong. Mitchell, Ricky Allen. Mitchell, Todd. Mitchum, Francis Craig. Mixon, G C. Mobley, Bryan A. Mobley, Jimmy Sr. Mobley, Robertson. Mock, Frank Sr. Mock, Frankie E Jr. Mock, Jesse R II. Mock, Terry Lyn. Molero, Louis F III. Molero, Louis Frank. Molinere, Al L. Molinere, Floyd. Molinere, Roland Jr. Molinere, Stacey. Moll, Angela. Moll, Jerry J Jr. Moll, Jonathan P. Moll, Julius J. Moll, Randall Jr. Mollere, Randall. Mones, Philip J Jr. Mones, Tino. Moody, Guy D. Moore, Carl Stephen. Moore, Curtis L. Moore, Kenneth. Moore, Richard. Moore, Willis. Morales, Anthony. Morales, Clinton A. Morales, Daniel Jr. Morales, Daniel Sr. Morales, David. Morales, Elwood J Jr. Morales, Eugene J Jr. Morales, Eugene J Sr. Morales, Kimberly. Morales, Leonard L. Morales, Phil J Jr. Morales, Raul. Moran, Scott. Moreau, Allen Joseph. Moreau, Berlin J Sr. Moreau, Daniel R. Moreau, Hubert J. Moreau, Mary. Moreau, Rickey J Sr. Morehead, Arthur B Jr. Moreno, Ansley. Morgan, Harold R. Morici, John. Morris, Herbert Eugene. Morris, Jesse A. Morris, Jesse A Sr. Morris, Preston. Morrison, Stephen D Jr. Morton, Robert A. Morvant, Keith M. Morvant, Patsy Lishman. Moschettieri, Chalam. Moseley, Kevin R.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			<p>           Motley, Michele.            Mouille, William L.            Mouton, Ashton J.            Moveront, Timothy.            Mund, Mark.            Murphy, Denis R.            Muth, Gary J Sr.            Myers, Joseph E Jr.            Na, Tran Van.            Naccio, Andrew.            Nacio, Lance M.            Nacio, Noel.            Nacio, Philocles J Sr.            Naquin, Alton J.            Naquin, Andrew J Sr.            Naquin, Antoine Jr.            Naquin, Autry James.            Naquin, Bobby J and Sheila.            Naquin, Bobby Jr.            Naquin, Christine.            Naquin, Dean J.            Naquin, Donna P.            Naquin, Earl.            Naquin, Earl L.            Naquin, Freddie.            Naquin, Gerald.            Naquin, Henry.            Naquin, Irvin J.            Naquin, Jerry Joseph Jr.            Naquin, Kenneth J Jr.            Naquin, Kenneth J Sr.            Naquin, Linda L.            Naquin, Lionel A Jr.            Naquin, Mark D Jr.            Naquin, Marty J Sr.            Naquin, Milton H IV.            Naquin, Oliver A.            Naquin, Robert.            Naquin, Roy A.            Naquin, Vernon.            Navarre, Curtis J.            Navero, Floyd G Jr.            Neal, Craig A.            Neal, Roy J Jr.            Neely, Bobby H.            Nehlig, Raymond E Sr.            Neil, Dean.            Neil, Jacob.            Neil, Julius.            Neil, Robert J Jr.            Neil, Tommy Sr.            Nelson, Billy J Sr.            Nelson, Deborah.            Nelson, Elisha W.            Nelson, Ernest R.            Nelson, Faye.            Nelson, Fred H Sr.            Nelson, Gordon Kent Sr.            Nelson, Gordon W III.            Nelson, Gordon W Jr.            Nelson, John Andrew.            Nelson, William Owen Jr.            Nelton, Aaron J Jr.            Nelton, Steven J.            Nettleton, Cody.            Newell, Ronald B.            Newsome, Thomas E.            Newton, Paul J.            Nghiem, Billy.            Ngo, Chuong Van.            Ngo, Duc.            Ngo, Hung V.            Ngo, Liem Thanh.         </p>

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Ngo, Maxie. Ngo, The T. Ngo, Truong Dinh. Ngo, Van Lo. Ngo, Vu Hoang. Ngoc, Lam Lam. Ngu,Thoi. Nguyen, Amy. Nguyen, An Hoang. Nguyen, Andy Dung. Nguyen, Andy T. Nguyen, Anh and Thanh D Tiet. Nguyen, Ba. Nguyen, Ba Van. Nguyen, Bac Van. Nguyen, Bao Q. Nguyen, Bay Van. Nguyen, Be. Nguyen, Be. Nguyen, Be. Nguyen, Be Em. Nguyen, Bich Thao. Nguyen, Bien V. Nguyen, Binh. Nguyen, Binh Cong. Nguyen, Binh V. Nguyen, Binh Van. Nguyen, Binh Van. Nguyen, Binh Van. Nguyen, Bui Van. Nguyen, Ca Em. Nguyen, Can. Nguyen, Can Van. Nguyen, Canh V. Nguyen, Charlie. Nguyen, Chien. Nguyen, Chien Van. Nguyen, Chin. Nguyen, Chinh Van. Nguyen, Christian. Nguyen, Chuc. Nguyen, Chung. Nguyen, Chung Van. Nguyen, Chuong Hoang. Nguyen, Chuong V. Nguyen, Chuyen. Nguyen, Coolly Dinh. Nguyen, Cuong. Nguyen, Dai. Nguyen, Dan T. Nguyen, Dan Van. Nguyen, Dan Van. Nguyen, Dang. Nguyen, Danny. Nguyen, David. Nguyen, Day Van. Nguyen, De Van. Nguyen, Den. Nguyen, Diem. Nguyen, Dien. Nguyen, Diep. Nguyen, Dinh. Nguyen, Dinh V. Nguyen, Dong T. Nguyen, Dong Thi. Nguyen, Dong X. Nguyen, Duc. Nguyen, Duc Van. Nguyen, Dung. Nguyen, Dung Anh and Xuan Duong. Nguyen, Dung Ngoc. Nguyen, Dung Van. Nguyen, Dung Van.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Nguyen, Duoc. Nguyen, Duong V. Nguyen, Duong Van. Nguyen, Duong Xuan. Nguyen, Francis N. Nguyen, Frank. Nguyen, Gary. Nguyen, Giang T. Nguyen, Giang Truong. Nguyen, Giau Van. Nguyen, Ha T. Nguyen, Ha Van. Nguyen, Hai Van. Nguyen, Hai Van. Nguyen, Han Van. Nguyen, Han Van. Nguyen, Hang. Nguyen, Hanh T. Nguyen, Hao Van. Nguyen, Harry H. Nguyen, Henri Hiep. Nguyen, Henry-Trang. Nguyen, Hien. Nguyen, Hien V. Nguyen, Hiep. Nguyen, Ho. Nguyen, Ho V. Nguyen, Hoa. Nguyen, Hoa. Nguyen, Hoa N. Nguyen, Hoa Van. Nguyen, Hoang. Nguyen, Hoang. Nguyen, Hoang T. Nguyen, Hoi. Nguyen, Hon Xuong. Nguyen, Huan. Nguyen, Hung. Nguyen, Hung. Nguyen, Hung. Nguyen, Hung M. Nguyen, Hung Manh. Nguyen, Hung Van. Nguyen, Hung-Joseph. Nguyen, Huu Nghia. Nguyen, Hy Don N. Nguyen, Jackie Tin. Nguyen, James. Nguyen, James N. Nguyen, Jefferson. Nguyen, Jennifer. Nguyen, Jimmy. Nguyen, Jimmy. Nguyen, Joachim. Nguyen, Joe. Nguyen, John R. Nguyen, John Van. Nguyen, Johnny. Nguyen, Joseph Minh. Nguyen, Kenny Hung Mong. Nguyen, Kevin. Nguyen, Khai. Nguyen, Khanh. Nguyen, Khanh and Viet Dinh. Nguyen, Khanh Q. Nguyen, Khiem. Nguyen, Kien Phan. Nguyen, Kim. Nguyen, Kim Mai. Nguyen, Kim Thoa. Nguyen, Kinh V. Nguyen, Lai. Nguyen, Lai.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Nguyen, Lai Tan. Nguyen, Lam. Nguyen, Lam Van. Nguyen, Lam Van. Nguyen, Lam Van. Nguyen, Lan. Nguyen, Lang. Nguyen, Lang. Nguyen, Lanh. Nguyen, Lap Van. Nguyen, Lap Van. Nguyen, Le. Nguyen, Lien and Hang Luong. Nguyen, Lien Thi. Nguyen, Linda Oan. Nguyen, Linh Thi. Nguyen, Linh Van. Nguyen, Lintt Danny. Nguyen, Lluu. Nguyen, Loc. Nguyen, Loi. Nguyen, Loi. Nguyen, Long Phi. Nguyen, Long T. Nguyen, Long Viet. Nguyen, Luom T. Nguyen, Mai Van. Nguyen, Man. Nguyen, Mao-Van. Nguyen, Mary. Nguyen, Mary. Nguyen, Melissa. Nguyen, Minh. Nguyen, Minh. Nguyen, Minh. Nguyen, Minh. Nguyen, Minh. Nguyen, Minh Ngoc. Nguyen, Minh Van. Nguyen, Moot. Nguyen, Mui Van. Nguyen, Mung T. Nguyen, Muoi. Nguyen, My Le Thi. Nguyen, My Tan. Nguyen, My V. Nguyen, Nam Van. Nguyen, Nam Van. Nguyen, Nam Van. Nguyen, Nam Van. Nguyen, Nancy. Nguyen, Nancy. Nguyen, Nghi. Nguyen, Nghi Q. Nguyen, Nghia. Nguyen, Nghiep. Nguyen, Ngoc Tim. Nguyen, Ngoc Van. Nguyen, Nguyet. Nguyen, Nhi. Nguyen, Nho Van. Nguyen, Nina. Nguyen, Nuong. Nguyen, Peter. Nguyen, Peter Thang. Nguyen, Peter V. Nguyen, Phe. Nguyen, Phong. Nguyen, Phong Ngoc. Nguyen, Phong T. Nguyen, Phong Xuan. Nguyen, Phu Huu. Nguyen, Phuc.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Nguyen, Phuoc H. Nguyen, Phuoc Van. Nguyen, Phuong. Nguyen, Phuong. Nguyen, Quang. Nguyen, Quang. Nguyen, Quang Dang. Nguyen, Quang Dinh. Nguyen, Quang Van. Nguyen, Quoc Van. Nguyen, Quyen Minh. Nguyen, Quyen T. Nguyen, Quyen-Van. Nguyen, Ran T. Nguyen, Randon. Nguyen, Richard. Nguyen, Richard Nghia. Nguyen, Rick Van. Nguyen, Ricky Tinh. Nguyen, Roe Van. Nguyen, Rose. Nguyen, Sam. Nguyen, Sandy Ha. Nguyen, Sang Van. Nguyen, Sau V. Nguyen, Si Ngoc. Nguyen, Son. Nguyen, Son Thanh. Nguyen, Son Van. Nguyen, Song V. Nguyen, Steve. Nguyen, Steve Q. Nguyen, Steven Giap. Nguyen, Sung. Nguyen, Tai. Nguyen, Tai The. Nguyen, Tai Thi. Nguyen, Tam. Nguyen, Tam Minh. Nguyen, Tam Thanh. Nguyen, Tam V. Nguyen, Tam Van. Nguyen, Tan. Nguyen, Ten Tan. Nguyen, Thach. Nguyen, Thang. Nguyen, Thanh. Nguyen, Thanh. Nguyen, Thanh. Nguyen, Thanh Phuc. Nguyen, Thanh V. Nguyen, Thanh Van. Nguyen, Thanh Van. Nguyen, Thanh Van. Nguyen, Thanh Van. Nguyen, Thao. Nguyen, Thi Bich Hang. Nguyen, Thiet. Nguyen, Thiet. Nguyen, Tho Duke. Nguyen, Thoa D. Nguyen, Thoa Thi. Nguyen, Thomas. Nguyen, Thu. Nguyen, Thu and Rose. Nguyen, Thu Duc. Nguyen, Thu Van. Nguyen, Thuan. Nguyen, Thuan. Nguyen, Thuong. Nguyen, Thuong Van. Nguyen, Thuy. Nguyen, Thuyen.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Nguyen, Thuyen. Nguyen, Tinh. Nguyen, Tinh Van. Nguyen, Toan. Nguyen, Toan Van. Nguyen, Tommy. Nguyen, Tony. Nguyen, Tony. Nguyen, Tony. Nguyen, Tony D. Nguyen, Tony Hong. Nguyen, Tony Si. Nguyen, Tra. Nguyen, Tra. Nguyen, Tracy T. Nguyen, Tri D. Nguyen, Trich Van. Nguyen, Trung Van. Nguyen, Tu Van. Nguyen, Tuan. Nguyen, Tuan A. Nguyen, Tuan H. Nguyen, Tuan Ngoc. Nguyen, Tuan Q. Nguyen, Tuan Van. Nguyen, Tung. Nguyen, Tuyen Duc. Nguyen, Tuyen Van. Nguyen, Ty and Ngoc Ngo. Nguyen, Van H. Nguyen, Van Loi. Nguyen, Vang Van. Nguyen, Viet. Nguyen, Viet. Nguyen, Viet V. Nguyen, Viet Van. Nguyen, Vinh Van. Nguyen, Vinh Van. Nguyen, Vinh Van. Nguyen, VT. Nguyen, Vu Minh. Nguyen, Vu T. Nguyen, Vu Xuan. Nguyen, Vui. Nguyen, Vuong V. Nguyen, Xuong Kim. Nhan, Tran Quoc. Nhon, Seri. Nichols, Steve Anna. Nicholson, Gary. Nixon, Leonard. Noble, Earl. Noland, Terrel W. Normand, Timothy. Norris, Candace P. Norris, John A. Norris, Kenneth L. Norris, Kevin J. Nowell, James E. Noy, Phen. Nunez, Conrad. Nunez, Jody. Nunez, Joseph Paul. Nunez, Randy. Nunez, Wade Joseph. Nyuyen, Toan. Oberling, Darryl. O'Blance, Adam. O'Brien, Gary S. O'Brien, Mark. O'Brien, Michele. Ogden, John M. Oglesby, Henry.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			<p>Oglesby, Phyllis.  O'Gwynn, Michael P Sr.  Ohmer, Eva G.  Ohmer, George J.  Olander, Hazel.  Olander, Rodney.  Olander, Roland J.  Olander, Russell J.  Olander, Thomas.  Olano, Kevin.  Olano, Owen J.  Olano, Shelby F.  Olds, Malcolm D Jr.  Olinde, Wilfred J Jr.  Oliver, Charles.  O'Neil, Carey.  Oracoy, Brad R.  Orage, Eugene.  Orlando, Het.  Oteri, Robert F.  Oubre, Faron P.  Oubre, Thomas W.  Ourks, SokHoms K.  Owens, Larry E.  Owens, Sheppard.  Owens, Timothy.  Pacaccio, Thomas Jr.  Padgett, Kenneth J.  Palmer, Gay Ann P.  Palmer, John W.  Palmer, Mack.  Palmisano, Daniel P.  Palmisano, Dwayne Jr.  Palmisano, Kim.  Palmisano, Larry J.  Palmisano, Leroy J.  Palmisano, Robin G.  Pam, Phuong Bui.  Parfait, Antoine C Jr.  Parfait, Jerry Jr.  Parfait, John C.  Parfait, Joshua K.  Parfait, Mary F.  Parfait, Mary S.  Parfait, Olden G Jr.  Parfait, Robert C Jr.  Parfait, Robert C Sr.  Parfait, Rodney.  Parfait, Shane A.  Parfait, Shelton J.  Parfait, Timmy J.  Parker, Clyde A.  Parker, Franklin L.  Parker, Paul A.  Parker, Percy Todd.  Parks, Daniel Duane.  Parks, Ellery Doyle Jr.  Parrett, Joseph D Jr.  Parria, Danny.  Parria, Gavin C Sr.  Parria, Gillis F Jr.  Parria, Gillis F Sr.  Parria, Jerry D.  Parria, Kip G.  Parria, Lionel J Sr.  Parria, Louis III.  Parria, Louis J Sr.  Parria, Louis Jr.  Parria, Michael.  Parria, Ronald.  Parria, Ross.  Parria, Troy M.  Parrish, Charles.</p>



Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Parrish, Walter L. Passmore, Penny. Pate, Shane. Paterbaugh, Richard. Patingo, Roger D. Paul, Robert Emmett. Payne, John Francis. Payne, Stuart. Peatross, David A. Pelas, James Curtis. Pelas, Jeffery. Pellegrin, Corey P. Pellegrin, Curlynn. Pellegrin, James A Jr. Pellegrin, Jordey. Pellegrin, Karl. Pellegrin, Karl J. Pellegrin, Randy. Pellegrin, Randy Sr. Pellegrin, Rodney J Sr. Pellegrin, Samuel. Pellegrin, Troy Sr. Peltier, Clyde. Peltier, Rodney J. Pena, Bartolo Jr. Pena, Israel. Pendarvis, Gracie. Pennison, Elaine. Pennison, Milton G. Pequeno, Julius. Percle, David P. Perez, Allen M. Perez, David J. Perez, David P. Perez, Derek. Perez, Edward Jr. Perez, Henry Jr. Perez, Joe B. Perez, Tilden A Jr. Perez, Warren A Jr. Perez, Warren A Sr. Perez, Wesley. Perrin, Dale. Perrin, David M. Perrin, Edward G Sr. Perrin, Errol Joseph Jr. Perrin, Jerry J. Perrin, Kenneth V. Perrin, Kevin. Perrin, Kline J Sr. Perrin, Kurt M. Perrin, Michael. Perrin, Michael A. Perrin, Murphy P. Perrin, Nelson C Jr. Perrin, Pershing J Jr. Perrin, Robert. Perrin, Tim J. Perrin, Tony. Persohn, William T. Peshoff, Kirk Lynn. Pete, Alfred F Jr. Pete, Alfred F Sr. Pfleeger, William A. Pham, An V. Pham, Anh My. Pham, Bob. Pham, Cho. Pham, Cindy. Pham, David. Pham, Dung. Pham, Dung Phuoc. Pham, Dung Phuoc.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Pham, Duong Van. Pham, Gai. Pham, Hai. Pham, Hai Hong. Pham, Hien. Pham, Hien C. Pham, Hiep. Pham, Hieu. Pham, Huan Van. Pham, Hung. Pham, Hung V. Pham, Hung V. Pham, Huynh. Pham, John. Pham, Johnny. Pham, Joseph S. Pham, Kannin. Pham, Nga T. Pham, Nhung T. Pham, Osmond. Pham, Paul P. Pham, Phong-Thanh. Pham, Phung. Pham, Quoc V. Pham, Steve Ban. Pham, Steve V. Pham, Thai Van. Pham, Thai Van. Pham, Thanh. Pham, Thanh. Pham, Thanh V. Pham, Think. Pham, Think V. Pham, Tommy V. Pham, Tran and Thu Quang. Pham, Ut Van. Phan, Anh Thi. Phan, Banh Van. Phan, Cong Van. Phan, Dan T. Phan, Hoang. Phan, Hung Thanh. Phan, Johnny. Phan, Lam. Phan, Luyen Van. Phan, Nam V. Phan, Thong. Phan, Tien V. Phan, Toan. Phan, Tu Van. Phat, Lam Mau. Phelps, John D. Phillips, Bruce A. Phillips, Danny D. Phillips, Gary. Phillips, Harry Louis. Phillips, James C Jr. Phillips, Kristrina W. Phipps, AW. Phonthaasa, Khaolop. Phorn, Phen. Pickett, Kathy. Picou, Calvin Jr. Picou, Gary M. Picou, Jennifer. Picou, Jerome J. Picou, Jordan J. Picou, Randy John. Picou, Ricky Sr. Picou, Terry. Pierce, Aaron. Pierce, Dean. Pierce, Elwood.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Pierce, Imogene. Pierce, Stanley. Pierce, Taffie Boone. Pierre, Ivy. Pierre, Joseph. Pierre, Joseph C Jr. Pierre, Paul J. Pierre, Ronald J. Pierron, Jake. Pierron, Patsy H. Pierron, Roger D. Pinell, Ernie A. Pinell, Harry J Jr. Pinell, Jody J. Pinell, Randall James. Pinnell, Richard J. Pinnell, Robert. Pitre, Benton J. Pitre, Carol. Pitre, Claude A Sr. Pitre, Elrod. Pitre, Emily B. Pitre, Glenn P. Pitre, Herbert. Pitre, Jeannie. Pitre, Leo P. Pitre, Robert Jr. Pitre, Robin. Pitre, Ryan P. Pitre, Ted J. Pittman, Roger. Pizani, Bonnie. Pizani, Craig. Pizani, Jane. Pizani, Terrill J. Pizani, Terry M. Pizani, Terry M Jr. Plaisance, Arthur E. Plaisance, Burgess. Plaisance, Darren. Plaisance, Dean J Sr. Plaisance, Dorothy B. Plaisance, Dwayne. Plaisance, Earl J Jr. Plaisance, Errance H. Plaisance, Evans P. Plaisance, Eves A III. Plaisance, Gideons. Plaisance, Gillis S. Plaisance, Henry A Jr. Plaisance, Jacob. Plaisance, Jimmie J. Plaisance, Joyce. Plaisance, Keith. Plaisance, Ken G. Plaisance, Lawrence J. Plaisance, Lucien Jr. Plaisance, Peter A Sr. Plaisance, Peter Jr. Plaisance, Richard J. Plaisance, Russel P. Plaisance, Russell P Sr. Plaisance, Thomas. Plaisance, Thomas J. Plaisance, Wayne P. Plaisance, Whitney III. Plork, Phan. Poche, Glenn J Jr. Poche, Glenn J Sr. Pockrus, Gerald. Poiencot, Russell Jr. Poillion, Charles A. Polito, Gerald.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Polkey, Gary J. Polkey, Richard R Jr. Polkey, Ronald. Polkey, Shawn Michael. Pollet, Lionel J Sr. Pomgoria, Mario. Ponce, Ben. Ponce, Lewis B. Poon, Raymond. Pope, Robert. Popham, Winford A. Poppell, David M. Porche, Ricky J. Portier, Bobby. Portier, Chad. Portier, Corinne L. Portier, Penelope J. Portier, Robbie. Portier, Russel A Sr. Portier, Russell. Potter, Hubert Edward Jr. Potter, Robert D. Potter, Robert J. Pounds, Terry Wayne. Powers, Clyde T. Prejean, Dennis J. Price, Carl. Price, Curtis. Price, Edwin J. Price, Franklin J. Price, George J Sr. Price, Norris J Sr. Price, Steve J Jr. Price, Timmy T. Price, Wade J. Price, Warren J. Prihoda, Steve. Primeaux, Scott. Pritchard, Dixie J. Pritchard, James Ross Jr. Prosperie, Claude J Jr. Prosperie, Myron. Prout, Rollen. Prout, Sharonski K. Prum, Thou. Pugh, Charles D Jr. Pugh, Charles Sr. Pugh, Cody. Pugh, Deanna. Pugh, Donald. Pugh, Nickolas. Punch, Alvin Jr. Punch, Donald J. Punch, Todd M. Punch, Travis J. Purata, Maria. Purse, Emil. Purvis, George. Quach, Duc. Quach, James D. Quach, Joe. Quach, Si Tan. Quinn, Dora M. Racca, Charles. Racine, Sylvan P Jr. Radulic, Igor. Ragas, Albert G. Ragas, Gene. Ragas, John D. Ragas, Jonathan. Ragas, Richard A. Ragas, Ronda S. Ralph, Lester B.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Ramirez, Alfred J Jr. Randazzo, John A Jr. Randazzo, Rick A. Rando, Stanley D. Ranko, Ellis Gerald. Rapp, Dwayne. Rapp, Leroy and Sedonia. Rawlings, John H Sr. Rawlings, Ralph E. Rawls, Norman E. Ray, Leo. Ray, William C Jr. Raynor, Steven Earl. Readenour, Kelty O. Reagan, Roy. Reason, Patrick W. Reaux, Paul S Sr. Reaves, Craig A. Reaves, Laten. Rebert, Paul J Sr. Rebert, Steve M Jr. Rebstock, Charles. Rector, Lance Jr. Rector, Warren L. Redden, Yvonne. Regnier, Leoncea B. Remondet, Garland Jr. Renard, Lanny. Reno, Edward. Reno, George C. Reno, George H. Reno, George T. Reno, Harry. Revell, Ben David. Reyes, Carlton. Reyes, Dwight D Sr. Reynon, Marcello Jr. Rhodes, Randolph N. Rhoto, Christopher L. Ribardi, Frank A. Rich, Wanda Heafner. Richard, Bruce J. Richard, David L. Richard, Edgar J. Richard, James Ray. Richard, Melissa. Richard, Randall K. Richardson, James T. Richert, Daniel E. Richo, Earl Sr. Richoux, Dudley Donald Jr. Richoux, Irvin J Jr. Richoux, Judy. Richoux, Larry. Richoux, Mary A. Riego, Raymond A. Riffle, Josiah B. Rigaud, Randall Ryan. Riggs, Jeffrey B. Riley, Jackie Sr. Riley, Raymond. Rinkus, Anthony J III. Rios, Amado. Ripp, Norris M. Robbins, Tony. Robert, Dan S. Roberts, Michael A. Robertson, Kevin. Robeson, Richard S Jr. Robichaux, Craig J. Robin, Alvin G. Robin, Cary Joseph. Robin, Charles R III.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Robin, Danny J. Robin, Donald. Robin, Floyd A. Robin, Kenneth J Sr. Robin, Ricky R. Robinson, Johnson P III. Robinson, Walter. Roccaforte, Clay. Rodi, Dominick R. Rodi, Rhonda. Rodrigue, Brent J. Rodrigue, Carrol Sr. Rodrigue, Glenn. Rodrigue, Lerlene. Rodrigue, Reggie Sr. Rodrigue, Sonya. Rodrigue, Wayne. Rodriguez, Barry. Rodriguez, Charles V Sr. Rodriguez, Gregory. Rodriguez, Jesus. Rodriguez, Joseph C Jr. Roem, Orn. Rogers, Barry David. Rogers, Chad. Rogers, Chad M. Rogers, Kevin J. Rogers, Nathan J. Rojas, Carlton J Sr. Rojas, Curtis Sr. Rojas, Dennis J Jr. Rojas, Dennis J Sr. Rojas, Gordon V. Rojas, Kerry D. Rojas, Kerry D Jr. Rojas, Randy J Sr. Rojas, Raymond J Jr. Roland, Brad. Roland, Mathias C. Roland, Vincent. Rollins, Theresa. Rollo, Wayne A. Rome, Victor J IV. Romero, D H. Romero, Kardel J. Romero, Norman. Romero, Philip J. Ronquille, Glenn. Ronquille, Norman C. Ronquillo, Earl. Ronquillo, Richard J. Ronquillo, Timothy. Roseburrough, Charles R Jr. Ross, Dorothy. Ross, Edward Danny Jr. Ross, Leo L. Ross, Robert A. Roth, Joseph F Jr. Roth, Joseph M Jr. Rotolo, Carolyn. Rotolo, Feliz. Rouse, Jimmy. Rousset, Michael D Jr. Roy, Henry Lee Jr. Rudolph, Chad A. Ruiz, Donald W. Ruiz, James L. Ruiz, Paul E. Ruiz, Paul R. Russell, Bentley R. Russell, Casey. Russell, Daniel. Russell, James III.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Russell, Julie Ann. Russell, Michael J. Russell, Nicholas M. Russell, Paul. Rustick, Kenneth. Ruttley, Adrian K. Ruttley, Ernest T Jr. Ruttley, JT. Ryan, James C Sr. Rybiski, Rhebb R. Ryder, Luther V. Sadler, Stewart. Sagnes, Everett. Saha, Amanda K. Saling, Don M. Saltalamacchia, Preston J. Saltalamacchia, Sue A. Salvato, Lawrence Jr. Samanie, Caroll J. Samanie, Frank J. Samsome, Don. Sanamo, Troy P. Sanchez, Augustine. Sanchez, Jeffery A. Sanchez, Juan. Sanchez, Robert A. Sanders, William Shannon. Sandras, R J. Sandras, R J Jr. Sandrock, Roy R III. Santini, Lindberg W Jr. Santiny, James. Santiny, Patrick. Sapia, Carroll J Jr. Sapia, Eddie J Jr. Sapia, Willard. Saturday, Michael Rance. Sauce, Carlton Joseph. Sauce, Joseph C Jr. Saucier, Houston J. Sauls, Russell. Savage, Malcolm H. Savant, Raymond. Savoie, Allen. Savoie, Brent T. Savoie, James. Savoie, Merlin F Jr. Savoie, Reginald M II. Sawyer, Gerald. Sawyer, Rodney. Scarabin, Clifford. Scarabin, Michael J. Schaffer, Kelly. Schaubhut, Curry A. Schellinger, Lester B Jr. Schexnaydre, Michael. Schirmer, Robert Jr. Schjott, Joseph J Sr. Schlindwein, Henry. Schmit, Paul A Jr. Schmit, Paul A Sr. Schmit, Victor J Jr. Schouest, Ellis J III. Schouest, Ellis Jr. Schouest, Juston. Schouest, Mark. Schouest, Noel. Schrimpf, Robert H Jr. Schultz, Troy A. Schwartz, Sidney. Scott, Aaron J. Scott, Audie B. Scott, James E III.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			<p>           Scott, Milford P.            Scott, Paul.            Seabrook, Terry G.            Seal, Charles T.            Seal, Joseph G.            Seaman, Garry.            Seaman, Greg.            Seaman, Ollie L Jr.            Seaman, Ollie L Sr.            Seang, Meng.            Sehon, Robert Craig.            Sekul, Morris G.            Sekul, S George.            Sellers, Isaac Charles.            Seng, Sophan.            Serigne, Adam R.            Serigne, Elizabeth.            Serigne, James J III.            Serigne, Kimmie J.            Serigne, Lisa M.            Serigne, Neil.            Serigne, O'Neil N.            Serigne, Richard J Sr.            Serigne, Rickey N.            Serigne, Ronald Raymond.            Serigne, Ronald Roch.            Serigne, Ross.            Serigny, Gail.            Serigny, Wayne A.            Serpas, Lenny Jr.            Sessions, William O III.            Sessions, William O Jr.            Sevel, Michael D.            Sevin, Carl Anthony.            Sevin, Earline.            Sevin, Janell A.            Sevin, Joey.            Sevin, Nac J.            Sevin, O'Neil and Symantha.            Sevin, Phillip T.            Sevin, Shane.            Sevin, Shane Anthony.            Sevin, Stanley J.            Sevin, Willis.            Seymour, Janet A.            Shackelford, David M.            Shaffer, Curtis E.            Shaffer, Glynnon D.            Shay, Daniel A.            Shilling, Jason.            Shilling, L E.            Shugars, Robert L.            Shutt, Randy.            Sifuentes, Esteban.            Sifuentes, Fernando.            Silver, Curtis A Jr.            Simon, Curnis.            Simon, John.            Simon, Leo.            Simpson, Mark.            Sims, Donald L.            Sims, Mike.            Singley, Charlie Sr.            Singley, Glenn.            Singley, Robert Joseph.            Sirgo, Jace.            Sisung, Walter.            Sisung, Walter Jr.            Skinner, Gary M Sr.            Skinner, Richard.            Skipper, Malcolm W.            Skrmetta, Martin J.            Smelker, Brian H.         </p>



Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Smith, Brian. Smith, Carl R Jr. Smith, Clark W. Smith, Danny. Smith, Danny M Jr. Smith, Donna. Smith, Elmer T Jr. Smith, Glenda F. Smith, James E. Smith, Margie T. Smith, Mark A. Smith, Nancy F. Smith, Raymond C Sr. Smith, Tim. Smith, Walter M Jr. Smith, William T. Smithwick, Ted Wayne. Smoak, Bill. Smoak, William W III. Snell, Erick. Snodgrass, Sam. Soeung, Phat. Soileau, John C Sr. Sok, Kheng. Sok, Montha. Sok, Nhip. Solet, Darren. Solet, Donald M. Solet, Joseph R. Solet, Raymond J. Solorzano, Marilyn. Son, Kim. Son, Sam Nang. Son, Samay. Son, Thuong Cong. Soprano, Daniel. Sork, William. Sou, Mang. Soudelier, Louis Jr. Soudelier, Shannon. Sour, Yem Kim. Southerland, Robert. Speir, Barbara Kay. Spell, Jeffrey B. Spell, Mark A. Spellmeyer, Joel F Sr. Spencer, Casey. Spiers, Donald A. Sprinkle, Avery M. Sprinkle, Emery Shelton Jr. Sprinkle, Joseph Warren. Squarsich, Kenneth J. Sreiy, Siphon. St Amant, Dana A. St Ann, Mr and Mrs Jerome K. St Pierre, Darren. St Pierre, Scott A. Staves, Patrick. Stechmann, Chad. Stechmann, Karl J. Stechmann, Todd. Steele, Arnold D Jr. Steele, Henry H III. Steen, Carl L. Steen, James D. Steen, Kathy G. Stein, Norris J Jr. Stelly, Adlar. Stelly, Carl A. Stelly, Chad P. Stelly, Delores. Stelly, Sandrus J Sr. Stelly, Sandrus Jr.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			<p>Stelly, Toby J.  Stelly, Veronica G.  Stelly, Warren.  Stephenson, Louis.  Stevens, Alvin.  Stevens, Curtis D.  Stevens, Donald.  Stevens, Glenda.  Stewart, Chester Jr.  Stewart, Derald.  Stewart, Derek.  Stewart, Fred.  Stewart, Jason F.  Stewart, Ronald G.  Stewart, William C.  Stiffler, Thanh.  Stipelcovich, Lawrence L.  Stipelcovich, Todd J.  Stockfett, Brenda.  Stokes, Todd.  Stone-Rinkus, Pamela.  Strader, Steven R.  Strickland, Kenneth.  Strickland, Rita G.  Stuart, James Vernon.  Stutes, Rex E.  Sulak, Billy W.  Sun, Hong Sreng.  Surmik, Donald D.  Swindell, Keith M.  Sylve, Dennis A.  Sylve, James L.  Sylve, Nathan.  Sylve, Scott.  Sylvesr, Paul A.  Ta, Ba Van.  Ta, Chris.  Tabb, Calvin.  Taliancich, Andrew.  Taliancich, Ivan.  Taliancich, Joseph M.  Taliancich, Srecka.  Tan, Ho Dung.  Tan, Hung.  Tan, Lan T.  Tan, Ngo The.  Tang, Thanh.  Tanner, Robert Charles.  Taravella, Raymond.  Tassin, Alton J.  Tassin, Keith P.  Tate, Archie P.  Tate, Terrell.  Tauzier, Kevin M.  Taylor, Doyle L.  Taylor, Herman R.  Taylor, Herman R Jr.  Taylor, J P Jr.  Taylor, John C.  Taylor, Leander J Sr.  Taylor, Leo Jr.  Taylor, Lewis.  Taylor, Nathan L.  Taylor, Robert L.  Taylor, Robert M.  Teap, Phal.  Tek, Heng.  Templat, Paul.  Terluin, John L III.  Terrebonne, Adrein Scott.  Terrebonne, Alphonse J.  Terrebonne, Alton S Jr.  Terrebonne, Alton S Sr.</p>

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Terrebonne, Carol. Terrebonne, Carroll. Terrebonne, Chad. Terrebonne, Chad Sr. Terrebonne, Daniel J. Terrebonne, Donavon J. Terrebonne, Gary J Sr. Terrebonne, Jimmy Jr. Terrebonne, Jimmy Sr. Terrebonne, Kline A. Terrebonne, Lanny. Terrebonne, Larry F Jr. Terrebonne, Scott. Terrebonne, Steven. Terrebonne, Steven. Terrebonne, Toby J. Terrel, Chad J Sr. Terrell, C Todd. Terrio, Brandon James. Terrio, Harvey J Jr. Terry, Eloise P. Tesvich, Kuzma D. Thac, Dang Van. Thach, Phuong. Thai, Huynh Tan. Thai, Paul. Thai, Thomas. Thanh, Thien. Tharpe, Jack. Theriot, Anthony. Theriot, Carroll A Jr. Theriot, Clay J Jr. Theriot, Craig A. Theriot, Dean P. Theriot, Donnie. Theriot, Jeffery C. Theriot, Larry J. Theriot, Lynn. Theriot, Mark A. Theriot, Roland P Jr. Theriot, Wanda J. Thibodeaux, Jared. Thibodeaux, Bart James. Thibodeaux, Brian A. Thibodeaux, Brian M. Thibodeaux, Calvin A Jr. Thibodeaux, Fay F. Thibodeaux, Glenn P. Thibodeaux, Jeffrey. Thibodeaux, Jonathan. Thibodeaux, Josephine. Thibodeaux, Keith. Thibodeaux, Tony J. Thibodeaux, Warren J. Thidobaux, James V Sr. Thiet, Tran. Thomas, Alvin. Thomas, Brent. Thomas, Dally S. Thomas, Janie G. Thomas, John Richard. Thomas, Kenneth Ward. Thomas, Monica P. Thomas, Ralph L Jr. Thomas, Ralph Lee Jr. Thomas, Randall. Thomas, Robert W. Thomas, Willard N Jr. Thomassie, Gerard. Thomassie, Nathan A. Thomassie, Philip A. Thomassie, Ronald J. Thomassie, Tracy Joseph.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Thompson, Bobbie. Thompson, David W. Thompson, Edwin A. Thompson, George. Thompson, James D Jr. Thompson, James Jr. Thompson, John E. Thompson, John R. Thompson, Randall. Thompson, Sammy. Thompson, Shawn. Thong, R. Thonn, John J Jr. Thonn, Victor J. Thorpe, Robert Lee Jr. Thurman, Charles E. Tiet, Thanh Duc. Tilghman, Gene E. Tillett, Billy Carl. Tillman, Lewis A Jr. Tillman, Timothy P and Yvonne M. Tillotson, Pat. Tinney, Mark A. Tisdale, Georgia W. Tiser, Oscar. Tiser, Thomas C Jr. Tiser, Thomas C Sr. To, Cang Van. To, Du Van. Todd, Fred Noel. Todd, Patricia J. Todd, Rebecca G. Todd, Robert C and Patricia J. Todd, Vonnie Frank Jr. Tompkins, Gerald Paul II. Toney, George Jr. Tong, Hai V. Tong, Linh C. Toomer, Christina Abbott. Toomer, Christy. Toomer, Frank G Jr. Toomer, Jeffrey E. Toomer, Kenneth. Toomer, Lamar K. Toomer, Larry Curtis and Tina. Toomer, William Kemp. Torrible, David P. Torrible, Jason. Touchard, Anthony H. Touchard, John B Jr. Touchard, Paul V Jr. Touchet, Eldridge III. Touchet, Eldridge Jr. Touns, Anthony G. Touns, Bryan. Touns, Jeff. Touns, Jimmie J. Touns, Kim. Touns, Manuel. Touns, Ted. Touns, Tommy. Toureau, James. Tower, H Melvin. Townsend, Harmon Lynn. Townsend, Marion Brooks. Tra, Hop T. Trabeau, James D. Trahan, Allen A Jr. Trahan, Alvin Jr. Trahan, Druby. Trahan, Dudley. Trahan, Elie J. Trahan, Eric J.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Trahan, James. Trahan, Karen C. Trahan, Lynn P Sr. Trahan, Ricky. Trahan, Ronald J. Trahan, Tracey L. Trahan, Wayne Paul. Tran, Allen Hai. Tran, Andana. Tran, Anh. Tran, Anh. Tran, Anh N. Tran, Bay V. Tran, Bay Van. Tran, Binh. Tran, Binh Van. Tran, Ca Van. Tran, Cam Van. Tran, Chau V. Tran, Chau Van. Tran, Chau Van. Tran, Chi T. Tran, Christina Phuong. Tran, Chu V. Tran, Cuong. Tran, Cuong. Tran, Danny Duc. Tran, Den. Tran, Dien. Tran, Dinh M. Tran, Dinh Q. Tran, Doan. Tran, Dung Van. Tran, Duoc. Tran, Duoc. Tran, Duong. Tran, Eric. Tran, Francis. Tran, Francis. Tran, Giang. Tran, Giao. Tran, Ha Mike. Tran, Hai. Tran, Hien H. Tran, Hiep Phuoc. Tran, Hieu. Tran, Hoa. Tran, Hoa. Tran, Hue T. Tran, Huey. Tran, Hung. Tran, Hung. Tran, Hung. Tran, Hung P. Tran, Hung Van. Tran, Hung Van. Tran, Hung Viet. Tran, James N. Tran, John. Tran, Johnny Dinh. Tran, Joseph. Tran, Joseph T. Tran, Khan Van. Tran, Khanh. Tran, Kim. Tran, Kim Chi Thi. Tran, Lan Tina. Tran, Le and Phat Le. Tran, Leo Van. Tran, Loan. Tran, Long. Tran, Long Van. Tran, Luu Van.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Tran, Ly. Tran, Ly Van. Tran, Mai Thi. Tran, Mary. Tran, Miel Van. Tran, Mien. Tran, Mike. Tran, Mike Dai. Tran, Minh Huu. Tran, Muoi. Tran, My T. Tran, Nam Van. Tran, Nang Van. Tran, Nghia and T Le Banh. Tran, Ngoc. Tran, Nhanh Van. Tran, Nhieu T. Tran, Nhieu Van. Tran, Nho. Tran, Peter. Tran, Phu Van. Tran, Phuc D. Tran, Phuc V. Tran, Phung. Tran, Quan Van. Tran, Quang Quang. Tran, Quang T. Tran, Quang Van. Tran, Qui V. Tran, Quy Van. Tran, Ran Van. Tran, Sarah T. Tran, Sau. Tran, Scotty. Tran, Son. Tran, Son Van. Tran, Steven Tuan. Tran, Tam. Tran, Te Van. Tran, Than. Tran, Thang Van. Tran, Thanh. Tran, Thanh. Tran, Thanh Van. Tran, Theresa. Tran, Thi. Tran, Thich Van. Tran, Thien. Tran, Thien Van. Tran, Thiet. Tran, Tommy. Tran, Tony. Tran, Tri. Tran, Trinh. Tran, Trung. Tran, Trung Van. Tran, Tu. Tran, Tuan. Tran, Tuan. Tran, Tuan Minh. Tran, Tuong Van. Tran, Tuyet Thi. Tran, Van T. Tran, Victor. Tran, Vinh. Tran, Vinh Q. Tran, Vinh Q. Tran, Vui Kim. Trang, Tan. Trapp, Tommy. Treadaway, Michael. Tregle, Curtis. Treloar, William Paul.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Treuil, Gary J. Trevino, Manuel. Treybig, E H "Buddy" Jr. Triche, Donald G. Trieu, Hiep and Jackie. Trieu, Hung Hoa. Trieu, Jasmine and Ly. Trieu, Lorie and Tam. Trieu, Tam. Trinh, Christopher B. Trinh, Philip P. Trosclair, Clark K. Trosclair, Clark P. Trosclair, Eugene P. Trosclair, James J. Trosclair, Jerome. Trosclair, Joseph. Trosclair, Lori. Trosclair, Louis V. Trosclair, Patricia. Trosclair, Randy. Trosclair, Ricky. Trosclair, Wallace Sr. Truong, Andre. Truong, Andre V. Truong, Be Van. Truong, Benjamin. Truong, Dac. Truong, Huan. Truong, Kim. Truong, Nhut Van. Truong, Steve. Truong, Tham T. Truong, Thanh Minh. Truong, Them Van. Truong, Thom. Truong, Timmy. Trutt, George W Sr. Trutt, Wanda. Turlich, Mervin A. Turner, Calvin L. Tyre, John. Upton, Terry R. Valentino, J G Jr. Valentino, James. Vallot, Christopher A. Vallot, Nancy H. Valure, Hugh P. Van Alsborg, Charles. Van Gordstnoven, Jean J. Van Nguyen, Irving. Van, Than. Van, Vui. Vanacor, Kathy D. Vanacor, Malcolm J Sr. Vanicor, Bobbie. VanMeter, Matthew T. VanMeter, William Earl. Varney, Randy L. Vath, Raymond S. Veasel, William E III. Vegas, Brien J. Vegas, Percy J. Vegas, Terry J. Vegas, Terry J Jr. Vegas, Terry Jr. Vela, Peter. Verdin, Aaron. Verdin, Av. Verdin, Bradley J. Verdin, Brent A. Verdin, Charles A. Verdin, Charles E.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Verdin, Coy P. Verdin, Curtis A Jr. Verdin, Delphine. Verdin, Diana A. Verdin, Ebro W. Verdin, Eric P. Verdin, Ernest Joseph Sr. Verdin, Jeff C. Verdin, Jeffrey A. Verdin, Jessie J. Verdin, John P. Verdin, Joseph. Verdin, Joseph A Jr. Verdin, Joseph Cleveland. Verdin, Joseph D Jr. Verdin, Joseph S. Verdin, Joseph W Jr. Verdin, Justilien G. Verdin, Matthew W Sr. Verdin, Michel A. Verdin, Paul E. Verdin, Perry Anthony. Verdin, Rodney. Verdin, Rodney P. Verdin, Rodney P. Verdin, Skylar. Verdin, Timmy J. Verdin, Toby. Verdin, Tommy P. Verdin, Tony J. Verdin, Troy. Verdin, Vincent. Verdin, Viness Jr. Verdin, Wallace P. Verdin, Webb A Sr. Verdin, Wesley D Sr. Verdine, Jimmy R. Vermeulen, Joseph Thomas. Verret, Darren L. Verret, Donald J. Verret, Ernest J Sr. Verret, James A. Verret, Jean E. Verret, Jimmy J Sr. Verret, Johnny R. Verret, Joseph L. Verret, Paul L. Verret, Preston. Verret, Quincy. Verret, Ronald Paul Sr. Versaggi, Joseph A. Versaggi, Salvatore J. Vicknair, Brent J Sr. Vicknair, Duane P. Vicknair, Henry Dale. Vicknair, Ricky A. Vidrine, Bill and Kathi. Vidrine, Corey. Vidrine, Richard. Vila, William F. Villers, Joseph A. Vincent, Gage Tyler. Vincent, Gene. Vincent, Gene B. Vincent, Robert N. Vise, Charles E III. Vizier, Barry A. Vizier, Christopher. Vizier, Clovis J III. Vizier, Douglas M. Vizier, Tommie Jr. Vo, Anh M. Vo, Chin Van.



Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Vo, Dam. Vo, Dan M. Vo, Dany. Vo, Day V. Vo, Duong V. Vo, Dustin. Vo, Hai Van. Vo, Hanh Xuan. Vo, Hien Van. Vo, Hoang The. Vo, Hong. Vo, Hung Thanh. Vo, Huy K. Vo, Johnny. Vo, Kent. Vo, Lien Van. Vo, Man. Vo, Mark Van. Vo, Minh Hung. Vo, Minh Ngoc. Vo, Minh Ray. Vo, Mong V. Vo, My Dung Thi. Vo, My Lynn. Vo, Nga. Vo, Nhon Tai. Vo, Nhu Thanh. Vo, Quang Minh. Vo, Sang M. Vo, Sanh M. Vo, Song V. Vo, Tan Thanh. Vo, Tan Thanh. Vo, Thanh Van. Vo, Thao. Vo, Thuan Van. Vo, Tien Van. Vo, Tom. Vo, Tong Ba. Vo, Trao Van. Vo, Truong. Vo, Van Van. Vo, Vi Viet. Vodopija, Benjamin S. Vogt, James L. Voisin, Eddie James. Voisin, Joyce. Voison, Jamie. Von Harten, Harold L. Vona, Michael A. Vongrith, Richard. Vossler, Kirk. Vu, Hung. Vu, John H. Vu, Khanh. Vu, Khoi Van. Vu, Quan Quoc. Vu, Ruyen Viet. Vu, Sac. Vu, Sean. Vu, Tam. Vu, Thiem Ngoc. Vu, Thuy. Vu, Tom. Vu, Tu Viet. Vu, Tuyen Jack. Vu, Tuyen Viet. Wade, Calvin J Jr. Wade, Gerard. Waguespack, David M Sr. Waguespack, Randy P II. Wainwright, Vernon. Walker, Jerry.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Walker, Rogers H. Wallace, Dennis. Wallace, Edward. Wallace, John A. Wallace, John K. Wallace, Trevis L. Waller, Jack Jr. Waller, John M. Waller, Mike. Wallis, Craig A. Wallis, Keith. Walters, Samuel G. Walton, Marion M. Wannage, Edward Joseph. Wannage, Fred Jr. Wannage, Frederick W Sr. Ward, Clarence Jr. Ward, Olan B. Ward, Walter M. Washington, Clifford. Washington, John Emile III. Washington, Kevin. Washington, Louis N. Wattigney, Cecil K Jr. Wattigney, Michael. Watts, Brandon A. Watts, Warren. Webb, Bobby. Webb, Bobby N. Webb, Josie M. Webre, Donald. Webre, Dudley A. Webster, Harold. Weeks, Don Franklin. Weems, Laddie E. Weinstein, Barry C. Weiskopf, Rodney. Weiskopf, Rodney Sr. Weiskopf, Todd. Welch, Amos J. Wells, Douglas E. Wells, Stephen Ray. Wendling, Steven W. Wescovich, Charles W. Wescovich, Wesley Darryl. Whatley, William J. White, Allen Sr. White, Charles. White, Charles Fulton. White, David L. White, Gary Farrell. White, James Hugh. White, Perry J. White, Raymond. White, Robert Sr. Wicher, John. Wiggins, Chad M Sr. Wiggins, Ernest. Wiggins, Harry L. Wiggins, Kenneth A. Wiggins, Matthew. Wilbur, Gerald Anthony. Wilcox, Robert. Wiles, Alfred Adam. Wiles, Glen Gilbert. Wiles, Sonny Joel Sr. Wilkerson, Gene Dillard and Judith. Wilkinson, William Riley. Williams, Allen Jr. Williams, Andrew. Williams, B Dean. Williams, Clyde L. Williams, Dale A.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Williams, Emmett J. Williams, Herman J Jr. Williams, J T. Williams, John A. Williams, Johnny Paul. Williams, Joseph H. Williams, Kirk. Williams, Leopold A. Williams, Mark A. Williams, Mary Ann C. Williams, Melissa A. Williams, Nina. Williams, Oliver Kent. Williams, Parish. Williams, Roberto. Williams, Ronnie. Williams, Scott A. Williams, Steven. Williams, Thomas D. Williamson, Richard L Sr. Willyard, Derek C. Willyard, Donald R. Wilson, Alward. Wilson, Hosea. Wilson, Joe R. Wilson, Jonathan. Wilson, Katherine. Wiltz, Allen. Wing, Melvin. Wiseman, Allen. Wiseman, Clarence J Jr. Wiseman, Jean P. Wiseman, Joseph A. Wiseman, Michael T Jr. Wiseman, Michael T Sr. Wolfe, Charles. Woods, John T III. Wright, Curtis. Wright, Leonard. Wright, Randy D. Yeamans, Douglas. Yeamans, Neil. Yeamans, Ronnie. Yoeuth, Peon. Yopp, Harold. Yopp, Jonathon. Yopp, Milton Thomas. Young, James. Young, Taing. Young, Willie. Yow, Patricia D. Yow, Richard C. Zanca, Anthony V Sr. Zar, Ashley A. Zar, Carl J. Zar, John III. Zar, Steve. Zar, Steven. Zar, Troy A. Zerinque, John S Jr. Zirlott, Curtis. Zirlott, Jason D. Zirlott, Jeremy. Zirlott, Kimberly. Zirlott, Milton. Zirlott, Perry. Zirlott, Rosa H. Zito, Brian C. Zuvich, Michael A Jr. Ad Hoc Shrimp Trade Action Committee. Bryan Fishermens' Co-Op Inc. Louisiana Shrimp Association. South Carolina Shrimpers Association.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			<p>Vietnamese-American Commerical Fisherman's Union.  3-G Enterprize dba Griffin's Seafood.  A &amp; G Trawlers Inc.  A &amp; T Shrimping.  A Ford Able Seafood.  A J Horizon Inc.  A&amp;M Inc.  A&amp;R Shrimp Co.  A&amp;T Shrimping.  AAH Inc.  AC Christopher Sea Food Inc.  Ace of Trade LLC.  Adriana Corp.  AJ Boats Inc.  AJ Horizon Inc.  AJ's Seafood.  Alario Inc.  Alcide J Adams Jr.  Aldebaran Inc.  Aldebran Inc.  Alexander and Dola.  Alfred Englade Inc.  Alfred Trawlers Inc.  Allen Hai Tran dba Kien Giang.  Al's Shrimp Co.  Al's Shrimp Co LLC.  Al's Shrimp Co LLC.  Al's Whosale &amp; Retail.  Alton Cheeks.  Amada Inc.  Amber Waves.  Amelia Isle.  American Beauty.  American Beauty Inc.  American Eagle Enterprise Inc.  American Girl.  American Seafood.  Americana Shrimp.  Amvina II.  Amvina II.  Amy D Inc.  Amy's Seafood Mart.  An Kit.  Andy Boy.  Andy's SFD.  Angel Annie Inc.  Angel Leigh.  Angel Seafood Inc.  Angela Marie Inc.  Angela Marie Inc.  Angelina Inc.  Anna Grace LLC.  Anna Grace LLC.  Annie Thornton Inc.  Annie Thornton Inc.  Anthony Boy I.  Anthony Boy I.  Anthony Fillinich Sr.  Apalachee Girl Inc.  Aparicio Trawlers Inc dba Marcosa.  Apple Jack Inc.  Aquila Seafood Inc.  Aquillard Seafood.  Argo Marine.  Arnold's Seafood.  Arroya Cruz Inc.  Art &amp; Red Inc.  Arthur Chisholm.  A-Seafood Express.  Ashley Deeb Inc.  Ashley W 648675.  Asian Gulf Corp.</p>

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Atlantic. Atocha Troy A LeCompte Sr. Atwood Enterprises. B & B Boats Inc. B & B Seafood. B&J Seafood. BaBe Inc. Baby Ruth. Bailey, David B Sr—Bailey’s Seafood. Bailey’s Seafood of Cameron Inc. Bait Inc. Bait Inc. Baker Shrimp. Bama Love Inc. Bama Sea Products Inc. Bao Hung Inc. Bao Hung Inc. Bar Shrimp. Barbara Brooks Inc. Barbara Brooks Inc. Barisich Inc. Barisich Inc. Barnacle-Bill Inc. Barney’s Bait & Seafood. Barrios Seafood. Bay Boy. Bay Islander Inc. Bay Sweeper Nets. Baye’s Seafood 335654. Bayou Bounty Seafood LLC. Bayou Caddy Fisheries Inc. Bayou Carlin Fisheries. Bayou Carlin Fisheries Inc. Bayou Shrimp Processors Inc. BBC Trawlers Inc. BBS Inc. Beachcomber Inc. Beachcomber Inc. Bea’s Corp. Beecher’s Seafood. Believer Inc. Bennett’s Seafood. Benny Alexie. Bergeron’s Seafood. Bertileana Corp. Best Sea-Pack of Texas Inc. Beth Lomonte Inc. Beth Lomonte Inc. Betty B. Betty H Inc. Bety Inc. BF Millis & Sons Seafood. Big Daddy Seafood Inc. Big Grapes Inc. Big Kev. Big Oak Seafood. Big Oak Seafood. Big Oaks Seafood. Big Shrimp Inc. Billy J Foret—BJF Inc. Billy Sue Inc. Billy Sue Inc. Biloxi Freezing & Processing. Binh Duong. BJB LLC. Blain & Melissa Inc. Blanca Cruz Inc. Blanchard & Cheramie Inc. Blanchard Seafood. Blazing Sun Inc. Blazing Sun Inc. Blue Water Seafood. Bluewater Shrimp Co.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Bluffton Oyster Co. Boat Josey Wales. Boat Josey Wales LLC. Boat Monica Kiff. Boat Warrior. Bob-Rey Fisheries Inc. Bodden Trawlers Inc. Boliillo Prieto Inc. Bon Secour Boats Inc. Bon Secour Fisheries Inc. Bon Secur Boats Inc. Bonnie Lass Inc. Boone Seafood. Bosarge Boats. Bosarge Boats. Bosarge Boats Inc. Bottom Verification LLC. Bowers Shrimp. Bowers Shrimp Farm. Bowers Valley Shrimp Inc. Brad Friloux. Brad Nicole Seafood. Bradley John Inc. Bradley's Seafood Mkt. Brava Cruz Inc. Brenda Darlene Inc. Brett Anthony. Bridgeside Marina. Bridgeside Seafood. Bridget's Seafood Service Inc. Bridget's Seafood Service Inc. BRS Seafood. BRS Seafood. Bruce W Johnson Inc. Bubba Daniels Inc. Bubba Tower Shrimp Co. Buccaneer Shrimp Co. Buchmer Inc. Buck & Peed Inc. Buddy Boy Inc. Buddy's Seafood. Bumble Bee Seafoods LLC. Bumble Bee Seafoods LLC. Bundy Seafood. Bundy's Seafood. Bunny's Shrimp. Burgbe Gump Seafood. Burnell Trawlers Inc. Burnell Trawlers Inc/Mamacita/Swamp Irish. Buster Brown Inc. By You Seafood. C & R Trawlers Inc. CA Magwood Enterprises Inc. Cajun Queen of LA LLC. Calcasien Point Bait N More Inc. Cam Ranh Bay. Camardelle's Seafood. Candy Inc. Cao Family Inc. Cap Robear. Cap'n Bozo Inc. Capn Jasper's Seafood Inc. Capt Aaron. Capt Adam. Capt Anthony Inc. Capt Bean (Richard A Ragas). Capt Beb Inc. Capt Bill Jr Inc. Capt Brother Inc. Capt Bubba. Capt Buck. Capt Carl. Capt Carlos Trawlers Inc.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Capt Chance Inc. Capt Christopher Inc. Capt Chuckie. Capt Craig. Capt Craig Inc. Capt Crockett Inc. Capt Darren Hill Inc. Capt Dennis Inc. Capt Dickie Inc. Capt Dickie V Inc. Capt Doug. Capt Eddie Inc. Capt Edward Inc. Capt Eli's. Capt Elroy Inc. Capt Ernest LLC. Capt Ernest LLC. Capt GDA Inc. Capt George. Capt H & P Corp. Capt Havey Seafood. Capt Henry Seafood Dock. Capt Huy. Capt JDL Inc. Capt Jimmy Inc. Capt Joe. Capt Johnny II. Capt Jonathan. Capt Jonathan Inc. Capt Joshua Inc. Capt Jude 520556 13026. Capt Ken. Capt Kevin Inc. Capt Ko Inc. Capt Koung Lim. Capt Larry Seafood Market. Capt Larry's Inc. Capt LC Corp. Capt LD Seafood Inc. Capt Linton Inc. Capt Mack Inc. Capt Marcus Inc. Capt Morris. Capt Opie. Capt P Inc. Capt Pappie Inc. Capt Pat. Capt Paw Paw. Capt Pete Inc. Capt Peter Long Inc. Capt Pool Bear II's Seafood. Capt Quang. Capt Quina Inc. Capt Richard. Capt Ross Inc. Capt Roy. Capt Russell Jr Inc. Capt Ryan Inc. Capt Ryan's. Capt Sam. Capt Sang. Capt Scar Inc. Capt Scott. Capt Scott 5. Capt Scott Seafood. Capt Sparkers Shrimp. Capt St Peter. Capt T&T Corp. Capt Thien. Capt Tommy Inc. Capt Two Inc. Capt Van's Seafood. Capt Walley Inc.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Capt Zoe Inc. Captain Allen's Bait & Tackle. Captain Arnulfo Inc. Captain Blair Seafood. Captain Dexter Inc. Captain D's. Captain Homer Inc. Captain Jeff. Captain JH III Inc. Captain Joshua. Captain Larry'O. Captain Miss Cammy Nhung. Captain Regis. Captain Rick. Captain T/Thiet Nguyen. Captain Tony. Captain Truong Phi Corp. Captain Vinh. Cap't-Brandon. Captian Thomas Trawler Inc. Carlino Seafood. Carly Sue Inc. Carmelita Inc. Carolina Lady Inc. Carolina Sea Foods Inc. Caroline and Calandra Inc. Carson & Co. Carson & Co Inc. Cary Encalade Trawling. Castellano's Corp. Cathy Cheramie Inc. CBS Seafood & Catering LLC. CBS Seafood & Catering LLC. Cecilia Enterprise Inc. CF Gollot & Son Sfd Inc. CF Gollott and Son Seafood Inc. Chackbay Lady. Chad & Chaz LLC. Challenger Shrimp Co Inc. Chalmette Marine Supply Co Inc. Chalmette Net & Trawl. Chapa Shrimp Trawlers. Chaplin Seafood. Charlee Girl. Charles Guidry Inc. Charles Sellers. Charles White. Charlotte Maier Inc. Charlotte Maier Inc. Chef Seafood Ent LLC. Cheramies Landing. Cherry Pt Seafood. Cheryl Lynn Inc. Chez Francois Seafood. Chilling Pride Inc. Chin Nguyen Co. Chin Nguyen Co. Chinatown Seafood Co Inc. Chines Cajun Net Shop. Chris Hansen Seafood. Christian G Inc. Christina Leigh Shrimp Co. Christina Leigh Shrimp Company Inc. Christina Leigh Shrimp Company Inc. Cieutat Trawlers. Cinco de Mayo Inc. Cindy Lynn Inc. Cindy Mae Inc. City Market Inc. CJ Seafood. CJs Seafood. Clifford Washington. Clinton Hayes—C&S Enterprises of Brandon Inc.



Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Cochran's Boat Yard. Colorado River Seafood. Colson Marine. Comm Fishing. Commercial Fishing Service CFS Seafoods. Cong Son. Cong-An Inc. Country Girl Inc. Country Inc. Courtney & Ory Inc. Cowdrey Fish. Cptn David. Crab-Man Bait Shop. Craig A Wallis, Keith Wallis dba W&W Dock & 10 boats. Cristina Seafood. CRJ Inc. Cruillas Inc. Crusader Inc. Crustacean Frustration. Crystal Gayle Inc. Crystal Light Inc. Crystal Light Inc. Curtis Henderson. Custom Pack Inc. Custom Pack Inc. Cyril's Ice House & Supplies. D & A Seafood. D & C Seafood Inc. D & J Shrimping LLC. D & M Seafood & Rental LLC. D Ditcharo Jr Seafoods. D G & R C Inc. D S L & R Inc. D&T Marine Inc. Daddys Boys. DaHa Inc/Cat'Sass. DAHAPA Inc. Dale's Seafood Inc. Dang Nguyen. Daniel E Lane. Danny Boy Inc. Danny Max. David & Danny Inc. David C Donnelly. David Daniels. David Ellison Jr. David Gollott Sfd Inc. David W Casanova's Seafood. David White. David's Shrimping Co. Davis Seafood. Davis Seafood. Davis Seafood Inc. Dawn Marie. Deana Cheramie Inc. Deanna Lea. Dean's Seafood. Deau Nook. Debbe Anne Inc. Deep Sea Foods Inc/Jubilee Foods Inc. Delcambre Seafood. Dell Marine Inc. Dennis Menesses Seafood. Dennis' Seafood Inc. Dennis Shrimp Co Inc. Desperado. DFS Inc. Diamond Reef Seafood. Diem Inc. Dinh Nguyen. Dixie General Store LLC. Dixie Twister.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Dominick's Seafood Inc. Don Paco Inc. Donald F Boone II. Dong Nguyen. Donini Seafoods Inc. Donna Marie. Donovan Tien I & II. Dopson Seafood. Dorada Cruz Inc. Double Do Inc. Double Do Inc. Doug and Neil Inc. Douglas Landing. Doxey's Oyster & Shrimp. Dragnet II. Dragnet Inc. Dragnet Seafood LLC. Dubberly's Mobile Seafood. Dudenhefer Seafood. Dugas Shrimp Co LLC. Dunamis Towing Inc. Dupree's Seafood. Duval & Duval Inc. Dwayne's Dream Inc. E & M Seafood. E & T Boating. E Gardner McClellan. E&E Shrimp Co Inc. East Coast Seafood. East Coast Seafood. East Coast Seafood. East Coast Seafood. Edisto Queen LLC. Edward Garcia Trawlers. EKV Inc. El Pedro Fishing & Trading Co Inc. Eliminator Inc. Elizabeth Nguyen. Ellerbee Seafoods. Ellie May. Elmira Pflueckhahn Inc. Elmira Pflueckhahn Inc. Elvira G Inc. Emily's SFD. Emmanuel Inc. Ensenada Cruz Inc. Enterprise. Enterprise Inc. Equalizer Shrimp Co Inc. Eric F Dufrene Jr LLC. Erica Lynn Inc. Erickson & Jensen Seafood Packers. Ethan G Inc. Excalibur LLC. F/V Apalachee Warrior. F/V Atlantis I. F/V Capt Walter B. F/V Captain Andy. F/V Eight Flags. F/V Mary Ann. F/V Miss Betty. F/V Morning Star. F/V Nam Linh. F/V Olivia B. F/V Phuoc Thanh Mai II. F/V Sea Dolphin. F/V Southern Grace. F/V Steven Mai. F/V Steven Mai II. Famer Boys Catfish Kitchens. Family Thing. Father Casimir Inc. Father Dan Inc.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Father Mike Inc. Fiesta Cruz Inc. Fine Shrimp Co. Fire Fox Inc. Fisherman's Reef Shrimp Co. Fishermen IX Inc. Fishing Vessel Enterprise Inc. Five Princesses Inc. FKM Inc. Fleet Products Inc. Flower Shrimp House. Flowers Seafood Co. Floyd's Wholesale Seafood Inc. Fly By Night Inc. Forest Billiot Jr. Fortune Shrimp Co Inc. FP Oubre. Francis Brothers Inc. Francis Brothers Inc. Francis III. Frank Toomer Jr. Fran-Tastic Too. Frederick-Dan. Freedom Fishing Inc. Freeman Seafood. Frelich Seafood Inc. Frenchie D-282226. Fripp Point Seafood. G & L Trawling Inc. G & O Shrimp Co Inc. G & O Trawlers Inc. G & S Trawlers Inc. G D Ventures II Inc. G G Seafood. G R LeBlanc Trawlers Inc. Gail's Bait Shop. Gale Force Inc. Gambler Inc. Gambler Inc. Garijak Inc. Gary F White. Gator's Seafood. Gay Fish Co. Gay Fish Co. GeeChee Fresh Seafood. Gemita Inc. Gene P Callahan Inc. George J Price Sr Ent Inc. Georgia Shrimp Co LLC. Gerica Marine. Gilden Enterprises. Gillikin Marine Railways Inc. Gina K Inc. Gisco Inc. Gisco Inc. Glenda Guidry Inc. Gloria Cruz Inc. Go Fish Inc. God's Gift. God's Gift Shrimp Vessel. Gogie. Gold Coast Seafood Inc. Golden Gulf Coast Pkg Co Inc. Golden Phase Inc. Golden Text Inc. Golden Text Inc. Golden Text Inc. Goldenstar. Gollott Brothers Sfd Co Inc. Gollott's Oil Dock & Ice House Inc. Gonzalez Trawlers Inc. Gore Enterprises Inc. Gore Enterprizes Inc.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			<p>Gore Seafood Co.  Gore Seafood Inc.  Gove Lopez.  Graham Fisheries Inc.  Graham Shrimp Co Inc.  Graham Shrimp Co Inc.  Gramps Shrimp Co.  Grandma Inc.  Grandpa's Dream.  Grandpa's Dream.  Granny's Garden and Seafood.  Green Flash LLC.  Greg Inc.  Gregory Mark Gaubert.  Gregory Mark Gaubert.  Gregory T Boone.  Gros Tete Trucking Inc.  Guidry's Bait Shop.  Guidry's Net Shop.  Gulf Central Seaood Inc.  Gulf Crown Seafood Co Inc.  Gulf Fish Inc.  Gulf Fisheries Inc.  Gulf Island Shrimp &amp; Seafood II LLC.  Gulf King Services Inc.  Gulf Pride Enterprises Inc.  Gulf Seaway Seafood Inc.  Gulf Shrimp.  Gulf South Inc.  Gulf Stream Marina LLC.  Gulf Sweeper Inc (Trawler Gulf Sweeper).  Gypsy Girl Inc.  H &amp; L Seafood.  Hack Berry Seafood.  Hagen &amp; Miley Inc.  Hailey Marie Inc.  Hanh Lai Inc.  Hannah Joyce Inc.  Hardy Trawlers.  Hardy Trawlers.  Harrington Fish Co Inc.  Harrington Seafood &amp; Supply Inc.  Harrington Shrimp Co Inc.  Harrington Trawlers Inc.  Harris Fisheries Inc.  Hazel's Hustler.  HCP LLC.  Heather Lynn Inc.  Heavy Metal Inc.  Hebert Investments Inc.  Hebert's Mini Mart LLC.  Helen E Inc.  Helen Kay Inc.  Helen Kay Inc.  Helen W Smith Inc.  Henderson Seafood.  Henry Daniels Inc.  Hermosa Cruz Inc.  Hi Seas of Dulac Inc.  Hien Le Van Inc.  High Hope Inc.  Hoang Anh.  Hoang Long I, II.  Holland Enterprises.  Holly Beach Seafood.  Holly Marie's Seafood Market.  Hombre Inc.  Home Loving Care Co.  Hondumex Ent Inc.  Hong Nga Inc.  Hongri Inc.  Houston Foret Seafood.  Howerin Trawlers Inc.</p>

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			HTH Marine Inc. Hubbard Seafood. Hurricane Emily Seafood Inc. Hutcherson Christian Shrimp Inc. Huyen Inc. Icy Seafood II Inc. ICY Seafood Inc. Icy Seafood Inc. Ida's Seafood Rest & Market. Ike & Zack Inc. Independent Fish Company Inc. Inflation Inc. Integrity Fisheries Inc. Integrity Fishing Inc. International Oceanic Ent. Interstate Vo LLC. Intracoastal Seafood Inc. Iorn Will Inc. Irma Trawlers Inc. Iron Horse Inc. Isabel Maier Inc. Isabel Maier Inc. Isla Cruz Inc. J & J Rentals Inc. J & J Trawler's Inc. J & R Seafood. J Collins Trawlers. J D Land Co. Jackie & Hiep Trieu. Jacob A Inc. Jacquelin Marie Inc. Jacquelin Marie Inc. James D Quach Inc. James E Scott III. James F Dubberly. James Gadson. James J Matherne Jr. James J Matherne Sr. James Kenneth Lewis Sr. James LaRive Jr. James W Green Jr dba Miss Emilie Ann. James W Hicks. Janet Louise Inc. Jani Marie. JAS Inc. JBS Packing Co Inc. JBS Packing Inc. JCM. Jean's Bait. Jeff Chancey. Jemison Trawler's Inc. Jenna Dawn LLC. Jennifer Nguyen—Capt T. Jensen Seafood Pkg Co Inc. Jesse LeCompte Jr. Jesse LeCompte Sr. Jesse Shantelle Inc. Jessica Ann Inc. Jessica Inc. Jesus G Inc. Jimmy and Valerie Bonvillain. Jimmy Le Inc. Jim's Cajen Shrimp. Joan of Arc Inc. JoAnn and Michael W Daigle. Jody Martin. Joe Quach. Joel's Wild Oak Bait Shop & Fresh Seafood. John A Norris. John J Alexie. John Michael E Inc. John V Alexie. Johnny & Joyce's Seafood.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Johnny O Co. Johnny's Seafood. John's Seafood. Joker's Wild. Jones—Kain Inc. Joni John Inc (Leon J Champagne). Jon's C Seafood Inc. Joseph Anthony. Joseph Anthony Inc. Joseph Garcia. Joseph Martino. Joseph Martino Corp. Joseph T Vermeulen. Josh & Jake Inc. Joya Cruz Inc. JP Fisheries. Julie Ann LLC. Julie Hoang. Julie Shrimp Co Inc (Trawler Julie). Julio Gonzalez Boat Builders Inc. Justin Dang. JW Enterprise. K & J Trawlers. K&D Boat Company. K&S Enterprises Inc. Kallianen Seafoods Inc. KAM Fishing. Kandi Sue Inc. Karl M Belsome LLC. KBL Corp. KDH Inc. Keith M Swindell. Kellum's Seafood. Kellum's Seafood. Kelly Marie Inc. Ken Lee's Dock LLC. Kenneth Guidry. Kenny-Nancy Inc. Kentucky Fisheries Inc. Kentucky Trawlers Inc. Kevin & Bryan (M/V). Kevin Dang. Khang Dang. Khanh Huu Vu. Kheng Sok Shrimping. Kim & James Inc. Kim Hai II Inc. Kim Hai Inc. Kim's Seafood. Kingdom World Inc. Kirby Seafood. Klein Express. KMB Inc. Knight's Seafood Inc. Knight's Seafood Inc. Knowles Noel Camardelle. Kramer's Bait Co. Kris & Cody Inc. KTC Fishery LLC. L & M. L & N Friendship Corp. L & O Trawlers Inc. L & T Inc. L&M. LA—3184 CA. La Belle Idee. La Macarela Inc. La Pachita Inc. LA-6327-CA. LaBauve Inc. LaBauve Inc. Lade Melissa Inc. Lady Agnes II.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Lady Agnes III. Lady Amelia Inc. Lady Anna I. Lady Anna II. Lady Barbara Inc. Lady Carolyn Inc. Lady Catherine. Lady Chancery Inc. Lady Chelsea Inc. Lady Danielle. Lady Debra Inc. Lady Dolcina Inc. Lady Gail Inc. Lady Katherine Inc. Lady Kelly Inc. Lady Kelly Inc. Lady Kristie. Lady Lavang LLC. Lady Liberty Seafood Co. Lady Lynn Ltd. Lady Marie Inc. Lady Melissa Inc. Lady Shelly. Lady Shelly. Lady Snow Inc. Lady Stephanie. Lady Susie Inc. Lady Kim T Inc. Lady TheLna. Lady Toni Inc. Lady Veronica. Lafitte Frozen Foods Corp. Lafont Inc. Lafourche Clipper Inc. Lafourche Clipper Inc. Lamarah Sue Inc. Lan Chi Inc. Lan Chi Inc. Lancero Inc. Lanny Renard and Daniel Bourque. Lapeyrouse Seafood Bar Groc Inc. Larry G Kellum Sr. Larry Scott Freeman. Larry W Hicks. Lasseigne & Sons Inc. Laura Lee. Lauren O. Lawrence Jacobs Sfd. Lazaretta Packing Inc. Le & Le Inc. Le Family Inc. Le Family Inc. Le Tra Inc. Leek & Millington Trawler Privateeer. Lee's Sales & Distribution. Leonard Shrimp Producers Inc. Leoncea B Regnier. Lerin Lane. Li Johnson. Liar Liar. Libertad Fisheries Inc. Liberty I. Lighthouse Fisheries Inc. Lil Aly. Lil Arthur Inc. Lil BJ LLC. Lil Robbie Inc. Lil Robbie Inc. Lil Robin. Lil Robin. Lilla. Lincoln. Linda & Tot Inc.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Linda Cruz Inc. Linda Hoang Shrimp. Linda Lou Boat Corp. Linda Lou Boat Corp. Lisa Lynn Inc. Lisa Lynn Inc. Little Andrew Inc. Little Andy Inc. Little Arthur. Little David Gulf Trawler Inc. Little Ernie Gulf Trawler Inc. Little Ken Inc. Little Mark. Little William Inc. Little World. LJL Inc. Long Viet Nguyen. Longwater Seafood dba Ryan H Longwater. Louisiana Gulf Shrimp LLC. Louisiana Lady Inc. Louisiana Man. Louisiana Newpack Shrimp Co Inc. Louisiana Pride Seafood Inc. Louisiana Pride Seafood Inc. Louisiana Seafood Dist LLC. Louisiana Shrimp & Packing Inc. Louisiana Shrimp and Packing Co Inc. Lovely Daddy II & III. Lovely Jennie. Low Country Lady (Randolph N Rhodes). Low County Lady. Luchador Inc. Lucky. Lucky I. Lucky Jack Inc. Lucky Lady. Lucky Lady II. Lucky Leven Inc. Lucky MV. Lucky Ocean. Lucky Sea Star Inc. Lucky Star. Lucky World. Lucky's Seafood Market & Poboys LLC. Luco Drew's. Luisa Inc. Lupe Martinez Inc. LV Marine Inc. LW Graham Inc. Lyle LeCompte. Lynda Riley Inc. Lynda Riley Inc. M & M Seafood. M V Sherry D. M V Tony Inc. M&C Fisheries. M/V Baby Doll. M/V Chevo's Bitch. M/V Lil Vicki. M/V Loco-N Motion. M/V Patsy K #556871. M/V X L. Mabry Allen Miller Jr. Mad Max Seafood. Madera Cruz Inc. Madison Seafood. Madlin Shrimp Co Inc. Malibu. Malolo LLC. Mamacita Inc. Man Van Nguyen. Manteo Shrimp Co. Marco Corp.



Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Marcos A. Maria Elena Inc. Maria Sandi. Mariachi Trawlers Inc. Mariah Jade Shrimp Company. Marie Teresa Inc. Marine Fisheries. Marisa Elida Inc. Mark and Jace. Marleann. Martin's Fresh Shrimp. Mary Bea Inc. Master Brandon Inc. Master Brock. Master Brock. Master Dylan. Master Gerald Trawlers Inc. Master Hai. Master Hai II. Master Henry. Master Jared Inc. Master Jhy Inc. Master John Inc. Master Justin Inc. Master Justin Inc. Master Ken Inc. Master Kevin Inc. Master Martin Inc. Master Mike Inc. Master NT Inc. Master Pee-Wee. Master Ronald Inc. Master Scott. Master Scott II. Master Seelos Inc. Master T. Master Tai LLC. Master Tai LLC. Mat Roland Seafood Co. Maw Doo. Mayflower. McQuaig Shrimp Co Inc. Me Kong. Melerine Seafood. Melody Shrimp Co. Mer Shrimp Inc. Michael Lynn. Michael Nguyen. Michael Saturday's Fresh Every Day South Carolina Shrimp. Mickey Nelson Net Shop. Mickey's Net. Midnight Prowler. Mike's Seafood Inc. Miley's Seafood Inc. Militello and Son Inc. Miller & Son Seafood Inc. Miller Fishing. Milliken & Son's. Milton J Dufrene and Son Inc. Milton Yopp—Capt'n Nathan & Thomas Winfield. Minh & Liem Doan. Mis Quynh Chi II. Miss Adrianna Inc. Miss Alice Inc. Miss Ann Inc. Miss Ann Inc. Miss Ashleigh. Miss Ashleigh Inc. Miss Barbara. Miss Barbara Inc. Miss Bernadette A Inc. Miss Bertha (M/V).

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Miss Beverly Kay. Miss Brenda. Miss Candace. Miss Candace Nicole Inc. Miss Carla Jean Inc. Miss Caroline Inc. Miss Carolyn Louise Inc. Miss Caylee. Miss Charlotte Inc. Miss Christine III. Miss Clea Jo Inc. Miss Courtney Inc. Miss Courtney Inc. Miss Cynthia. Miss Danielle Gulf Trawler Inc. Miss Danielle LLC. Miss Dawn. Miss Ellie Inc. Miss Faye LLC. Miss Fina Inc. Miss Georgia Inc. Miss Hannah. Miss Hannah Inc. Miss Hazel Inc. Miss Hilary Inc. Miss Jennifer Inc. Miss Joanna Inc. Miss Julia. Miss Kandy Tran LLC. Miss Kandy Tran LLC. Miss Karen. Miss Kathi Inc. Miss Kathy. Miss Kaylyn LLC. Miss Khayla. Miss Lil. Miss Lillie Inc. Miss Liz Inc. Miss Loraine. Miss Loraine Inc. Miss Lori Dawn IV Inc. Miss Lori Dawn V Inc. Miss Lori Dawn VI Inc. Miss Lori Dawn VII Inc. Miss Lorie Inc. Miss Luana D Shrimp Co. Miss Luana D Shrimp Co. Miss Madeline Inc. Miss Madison. Miss Marie. Miss Marie Inc. Miss Marilyn Louis Inc. Miss Marilyn Louise. Miss Marilyn Louise Inc. Miss Marissa Inc. Miss Martha Inc. Miss Martha Inc. Miss Mary T. Miss Myle. Miss Narla. Miss Nicole. Miss Nicole Inc. Miss Plum Inc. Miss Quynh Anh I. Miss Quynh Anh I LLC. Miss Quynh Anh II LLC. Miss Redemption LLC. Miss Rhianna Inc. Miss Sambath. Miss Sandra II. Miss Sara Ann. Miss Savannah. Miss Savannah II.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Miss Soriya. Miss Suzanne. Miss Sylvia. Miss Than. Miss Thom. Miss Thom Inc. Miss Tina Inc. Miss Trinh Trinh. Miss Trisha Inc. Miss Trisha Inc. Miss Verna Inc. Miss Vicki. Miss Victoria Inc. Miss Vivian Inc. Miss WillaDean. Miss Winnie Inc. Miss Yvette Inc. Miss Yvonne. Misty Morn Eat. Misty Star. MJM Seafood Inc. M'M Shrimp Co Inc. Mom & Dad Inc. Mona-Dianne Seafood. Montha Sok and Tan No Le. Moon River Inc. Moon Tillett Fish Co Inc. Moonlight. Moonlight Mfg. Moore Trawlers Inc. Morgan Creek Seafood. Morgan Rae Inc. Morning Star. Morrison Seafood. Mother Cabrini. Mother Teresa Inc. Mr & Mrs Inc. Mr & Mrs Inc. Mr Coolly. Mr Fox. Mr Fox. Mr G. Mr Gaget LLC. Mr Henry. Mr Natural Inc. Mr Neil. Mr Phil T Inc. Mr Sea Inc. Mr Verdin Inc. Mr Williams. Mrs Judy Too. Mrs Tina Lan Inc. Ms Alva Inc. Ms An. My Angel II. My Blues. My Dad Whitney Inc. My Girls LLC. My Thi Tran Inc. My Three Sons Inc. My V Le Inc. My-Le Thi Nguyen. Myron A Smith Inc. Nancy Joy. Nancy Joy Inc. Nancy Joy Inc. Nanny Granny Inc. Nanny Kat Seafood LLC. Napoleon Seafoods. Napoleon II. Napoleon Seafood. Napoleon SF. Naquin's Seafood.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Nautilus LLC. Nelma Y Lane. Nelson and Son. Nelson Trawlers Inc. Nelson's Quality Shrimp Company. Nevgulmarco Co Inc. New Deal Comm Fishing. New Way Inc. Nguyen Day Van. Nguyen Express. Nguyen Int'l Enterprises Inc. Nguyen Shipping Inc. NHU UYEN. Night Moves of Cut Off Inc. Night Shift LLC. Night Star. North Point Trawlers Inc. North Point Trawlers Inc. Nuestra Cruz Inc. Nunez Seafood. Oasis. Ocean Bird Inc. Ocean Breeze Inc. Ocean Breeze Inc. Ocean City Corp. Ocean Emperor Inc. Ocean Harvest Wholesale Inc. Ocean Pride Seafood Inc. Ocean Seafood. Ocean Select Seafood LLC. Ocean Springs Seafood Market Inc. Ocean Wind Inc. Oceanica Cruz Inc. Odin LLC. Old Maw Inc. Ole Holbrook's Fresh Fish Market LLC. Ole Nelle. One Stop Bait & Ice. Open Sea Inc. Orage Enterprises Inc. Orn Roeum Shrimping. Otis Cantrelle Jr. Otis M Lee Jr. Owens Shrimping. Palmetto Seafood Inc. Papa Rod Inc. Papa T. Pappy Inc. Pappy's Gold. Parfait Enterprises Inc. Paris/Asia. Parramore Inc. Parrish Shrimping Inc. Pascagoula Ice & Freezer Co Inc. Pat-Lin Enterprises Inc. Patricia Foret. Patrick Sutton Inc. Patty Trish Inc. Paul Piazza and Son Inc. Paw Paw Allen. Paw Paw Pride Inc. Pearl Inc dba Indian Ridge Shrimp Co. Pei Gratia Inc. Pelican Point Seafood Inc. Penny V LLC. Perlita Inc. Perseverance I LLC. Pete & Queenie Inc. Phat Le and Le Tran. Phi Long Inc. Phi-Ho LLC. Pip's Place Marina Inc. Plaisance Trawlers Inc.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Plata Cruz Inc. Poc-Tal Trawlers Inc. Pointe-Aux-Chene Marina. Pontchastrain Blue Crab. Pony Express. Poppee. Poppy's Pride Seafood. Port Bolivar Fisheries Inc. Port Marine Supplies. Port Royal Seafood Inc. Poteet Seafood Co Inc. Potter Boats Inc. Price Seafood Inc. Prince of Tides. Princess Ashley Inc. Princess Celine Inc. Princess Cindy Inc. Princess Lorie LLC. Princess Mary Inc. Prosperity. PT Fisheries Inc. Punch's Seafood Mkt. Purata Trawlers Inc. Pursuer Inc. Quality Seafood. Quang Minh II Inc. Queen Lily Inc. Queen Mary. Queen Mary Inc. Quinta Cruz Inc. Quoc Bao Inc. Quynh NHU Inc. Quynh Nhu Inc. R & J Inc. R & K Fisheries LLC. R & L Shrimp Inc. R & P Fisheries. R & R Bait/Seafood. R & S Shrimping. R & T Atocha LLC. R&D Seafood. R&K Fisheries LLC. R&R Seafood. RA Lesso Brokerage Co Inc. RA Lesso Seafood Co Inc. Rachel-Jade. Ralph Lee Thomas Jr. Ralph W Jones. Ramblin Man Inc. Ranchero Trawlers Inc. Randall J Pinell Inc. Randall J Pinell Inc. Randall K and Melissa B Richard. Randall Pinell. Randy Boy Inc. Randy Boy Inc. Rang Dong. Raul L Castellanos. Raul's Seafood. Raul's Seafood. Rayda Cherie Inc. Raymond LeBouef. RCP Seafood I II III. RDR Shrimp Inc. Reagan's Seafood. Rebecca Shrimp Co Inc. Rebel Seafood. Regulus. Rejimi Inc. Reno's Sea Food. Res Vessel. Reyes Trawlers Inc. Rick's Seafood Inc.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Ricky B LLC. Ricky G Inc. Riffle Seafood. Rigolets Bait & Seafood LLC. Riverside Bait & Tackle. R,J's. Roatex Ent Inc. Robanie C Inc. Robanie C Inc. Robanie C Inc. Robert E Landry. Robert H Schrimpf. Robert Johnson. Robert Keenan Seafood. Robert Upton or Terry Upton. Robert White Seafood. Rockin Robbin Fishing Boat Inc. Rodney Hereford Jr. Rodney Hereford Sr. Rodney Hereford Sr. Roger Blanchard Inc. Rolling On Inc. Romo Inc. Ronald Louis Anderson Jr. Rosa Marie Inc. Rose Island Seafood. RPM Enterprises LLC. Rubi Cruz Inc. Ruf-N-Redy Inc. Ruttley Boys Inc. Sadie D Seafood. Safe Harbour Seafood Inc. Salina Cruz Inc. Sally Kim III. Sally Kim IV. Sam Snodgrass & Co. Samaira Inc. San Dia. Sand Dollar Inc. Sandy N. Sandy O Inc. Santa Fe Cruz Inc. Santa Maria I Inc. Santa Maria II. Santa Monica Inc. Scavanger. Scooby Inc. Scooby Inc. Scottie and Juliette Dufrene. Scottie and Juliette Dufrene. Sea Angel. Sea Angel Inc. Sea Bastion Inc. Sea Drifter Inc. Sea Durbin Inc. Sea Eagle. Sea Eagle Fisheries Inc. Sea Frontier Inc. Sea Gold Inc. Sea Gulf Fisheries Inc. Sea Gypsy Inc. Sea Hawk I Inc. Sea Horse Fisheries. Sea Horse Fisheries Inc. Sea King Inc. Sea Pearl Seafood Company Inc. Sea Queen IV. Sea Trawlers Inc. Sea World. Seabrook Seafood Inc. Seabrook Seafood Inc. Seafood & Us Inc. Seaman's Magic Inc.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Seaman's Magic Inc. Seaside Seafood Inc. Seaweed 2000. Seawolf Seafood. Second Generation Seafood. Shark Co Seafood Inter Inc. Sharon—Ali Michelle Inc. Shelby & Barbara Seafood. Shelby & Barbara Seafood. Shelia Marie LLC. Shell Creek Seafood Inc. Shirley Elaine. Shirley Girl LLC. Shrimp Boat Patrice. Shrimp Boating Inc. Shrimp Express. Shrimp Man. Shrimp Networks Inc. Shrimp Trawler. Shrimper. Shrimper. Shrimpy's. Si Ky Lan Inc. Si Ky Lan Inc. Si Ky Lan Inc. Sidney Fisheries Inc. Silver Fox. Silver Fox LLC. Simon. Sims Shrimping. Skip Toomer Inc. Skip Toomer Inc. Skyla Marie Inc. Smith & Sons Seafood Inc. Snowdrift. Snowdrift. Sochenda. Soeung Phat. Son T Le Inc. Son's Pride Inc. Sophie Marie Inc. Soul Mama Inc. Souther Obsession Inc. Southern Lady. Southern Nightmare Inc. Southern Star. Southshore Seafood. Spencers Seafood. Sprig Co Inc. St Anthony Inc. St Daniel Phillip Inc. St Dominic. St Joseph. St Joseph. St Joseph II Inc. St Joseph III Inc. St Joseph IV Inc. St Martin. St Martyrs VN. St Mary Seafood. St Mary Seven. St Mary Tai. St Michael Fuel & Ice Inc. St Michael's Ice & Fuel. St Peter. St Peter 550775. St Teresa Inc. St Vincent Andrew Inc. St Vincent Gulf Shrimp Inc. St Vincent One B. St Vincent One B Inc. St Vincent SF. St Vincent Sfd Inc.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Start Young Inc. Steamboat Bills Seafood. Stella Mestre Inc. Stephen Dantin Jr. Stephney's Seafood. Stipelcovich Marine Wks. Stone-Co Farms LP. Stone-Co Farms LP. Stormy Sean Inc. Stormy Seas Inc. Sun Star Inc. Sun Swift Inc. Sunshine. Super Coon Inc. Super Cooper Inc. Swamp Irish Inc. Sylvan P Racine Jr—Capt Romain. T & T Seafood. T Brothers. T Cvitanovich Seafood LLC. Ta Do. Ta T Vo Inc. Ta T Vo Inc. Tana Inc. Tanya Lea Inc. Tanya Lea Inc. Tanya Lea Inc. Tasha Lou. T-Brown Inc. Tee Frank Inc. Tee Tigre Inc. Tercera Cruz Inc. Terrebonne Seafood Inc. Terri Monica. Terry Luke Corp. Terry Luke Corp. Terry Luke Corp. Terry Lynn Inc. Te-Sam Inc. Texas 1 Inc. Texas 18 Inc. Texas Lady Inc. Texas Pack Inc. Tex-Mex Cold Storage Inc. Tex-Mex Cold Storage Inc. Thai & Tran Inc. Thai Bao Inc. Thanh Phong. The Boat Phat Tai. The Fishermans Dock. The Last One. The Light House Bait & Seafood Shack LLC. The Mayporter Inc. The NGO. The Seafood Shed. Thelma J Inc. Theresa Seafood Inc. Third Tower Inc. Thomas Winfield—Capt Nathan. Thompson Bros. Three C's. Three Dads. Three Sons. Three Sons Inc. Three Sons Inc. Thunder Roll. Thunderbolt Fisherman's Seafood Inc. Thy Tra Inc. Thy Tra Inc. Tidelands Seafood Co Inc. Tiffani Claire Inc. Tiffani Claire Inc. Tiger Seafood.



Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Tikede Inc. Timmy Boy Corp. Tina Chow. Tina T LLC. Tino Mones Seafood. TJ's Seafood. Toan Inc. Todd Co. Todd's Fisheries. Tom LE LLC. Tom Le LLC. Tom N & Bill N Inc. Tommy Bui dba Mana II. Tommy Cheramie Inc. Tommy Gulf Sea Food Inc. Tommy's Seafood Inc. Tonya Jane Inc. Tony-N. Tookie Inc. Tot & Linda Inc. T-Pops Inc. Tran Phu Van. Tran's Express Inc. Travis—Shawn. Travis—Shawn. Trawler Azteca. Trawler Becky Lyn Inc. Trawler Capt GC. Trawler Capt GC II. Trawler Dalia. Trawler Doctor Bill. Trawler Gulf Runner. Trawler HT Seaman. Trawler Joyce. Trawler Kristi Nicole. Trawler Kyle & Courtney. Trawler Lady Catherine. Trawler Lady Gwen Doe. Trawler Linda B Inc. Trawler Linda June. Trawler Little Brothers. Trawler Little Gavino. Trawler Little Rookie Inc. Trawler Mary Bea. Trawler Master Alston. Trawler Master Jeffrey Inc. Trawler Michael Anthony Inc. Trawler Mildred Barr. Trawler Miss Alice Inc. Trawler Miss Jamie. Trawler Miss Kelsey. Trawler Miss Sylvia Inc. Trawler Mrs Viola. Trawler Nichols Dream. Trawler Raindear Partnership. Trawler Rhonda Kathleen. Trawler Rhonda Lynn. Trawler Sandra Kay. Trawler Sarah Jane. Trawler Sea Wolf. Trawler Sea Wolf. Trawler SS Chaplin. Trawler The Mexican. Trawler Wallace B. Trawler Wylie Milam. Triple C Seafood. Triple T Enterprises Inc. Triplets Production. Tropical SFD. Troy A LeCompte Sr. True World Foods Inc. T's Seafood. Tu Viet Vu.



Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			White Gold. Wilcox Shrimping Inc. Wild Bill. Wild Eagle Inc. William E Smith Jr Inc. William Lee Inc. William O Nelson Jr. William Patrick Inc. William Smith Jr Inc. Willie Joe Inc. Wind Song Inc. Wonder Woman. Woods Fisheries Inc. Woody Shrimp Co Inc. Yeaman's Inc. Yen Ta. Yogi's Shrimp. You & Me Shrimp. Ysclaskey Seafood. Zirlott Trawlers Inc. Zirlott Trawlers Inc.

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# FEDERAL REGISTER

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Part III

## Environmental Protection Agency

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40 CFR Part 52

Partial Approval and Disapproval of Air Quality Implementation Plans; Arizona; Regional Haze State Implementation Plan for the Second Implementation Period and Prong 4 (Visibility) for the 2015 Ozone and 2012 Particulate Matter Standards; Proposed Rule

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R09-OAR-2024-0005; FRL-11919-01-R9]

### Partial Approval and Disapproval of Air Quality Implementation Plans; Arizona; Regional Haze State Implementation Plan for the Second Implementation Period and Prong 4 (Visibility) for the 2015 Ozone and 2012 Particulate Matter Standards

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing to partially approve and partially disapprove the regional haze state implementation plan (SIP) revision submitted by Arizona on August 15, 2022 (“2022 Arizona Regional Haze Plan”), under the Clean Air Act (CAA) and the EPA’s Regional Haze Rule for the program’s second implementation period. Arizona’s SIP submission addresses the requirement that states must periodically revise their long-term strategies for making reasonable progress towards the national goal of preventing any future, and remedying any existing, anthropogenic impairment of visibility, including regional haze, in mandatory Class I Federal areas. The SIP submission also addresses other applicable requirements for the second implementation period of the regional haze program. Within this action, the EPA is also proposing to disapprove the visibility transport prong of Arizona’s infrastructure SIP submittals for the 2012 annual fine particulate matter (PM<sub>2.5</sub>) and 2015 ozone National Ambient Air Quality Standards (NAAQS). The EPA is taking this action pursuant to CAA sections 110 and 169A.

**DATES:** Written comments must be received on or before July 1, 2024.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R09-OAR-2024-0005 at <https://www.regulations.gov>. For comments submitted at [Regulations.gov](https://www.regulations.gov), follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from [Regulations.gov](https://www.regulations.gov). The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be confidential business information (CBI) or other information whose disclosure is restricted by statute. Multimedia

submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>. If you need assistance in a language other than English or if you are a person with a disability who needs a reasonable accommodation at no cost to you, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section.

#### FOR FURTHER INFORMATION CONTACT:

Khoi Nguyen, Geographic Strategies & Modeling Section (AIR-2-2), Planning & Analysis Branch, EPA Region IX, 75 Hawthorne Street, San Francisco, CA 94105, (415) 947-4120, or by email at [nguyen.khoi@epa.gov](mailto:nguyen.khoi@epa.gov).

#### SUPPLEMENTARY INFORMATION:

Throughout this document, “we,” “us,” and “our” refer to the EPA.

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- VII. Statutory and Executive Order Reviews

#### I. What action is the EPA proposing for regional haze?

On August 15, 2022,<sup>1</sup> the Arizona Department of Environmental Quality (ADEQ) submitted the 2022 Arizona Regional Haze Plan. ADEQ supplemented its SIP revision on August 25, 2023, with nonpoint source rules (“2023 Arizona Regional Haze Rules Supplement”).<sup>2</sup> ADEQ made these SIP submissions to satisfy requirements of the CAA’s regional haze program pursuant to CAA sections 169A and 169B and 40 CFR 51.308. The EPA is proposing to partially approve and partially disapprove the 2022 Arizona Regional Haze Plan. For the reasons described in this document, the EPA is proposing to approve the elements of the 2022 Arizona Regional Haze Plan related to requirements contained in 40 CFR 51.308(f)(1), (f)(4)–(6), and (g)(1)–(5). The EPA is proposing to disapprove the elements of the 2022 Arizona Regional Haze Plan related to requirements contained in 40 CFR 51.308(f)(2), (f)(3), and (i)(2)–(4). We are

<sup>1</sup> Letter dated August 15, 2022, from Daniel Czecholinski, Director, Arizona Department of Environmental Quality Air Quality Division, to Martha Guzman, Regional Administrator, EPA Region IX (submitted electronically August 15, 2022). On August 16, 2022, the EPA determined that the SIP submittal met the completeness criteria outlined in 40 CFR part 51, Appendix V. Letter dated August 16, 2022, from Elizabeth Adams, Director, Air and Radiation Division, EPA Region IX, to Daniel Czecholinski, Director, Arizona Department of Environmental Quality Air Quality Division.

<sup>2</sup> Letter dated August 21, 2023, from Daniel Czecholinski, Director, Arizona Department of Environmental Quality Air Quality Division, to Martha Guzman, Regional Administrator, EPA Region IX (submitted electronically August 25, 2023).

not proposing to act on the 2023 Arizona Regional Haze Rules Supplement at this time.

## II. Background and Requirements for Regional Haze Plans

### A. Regional Haze Background

In the 1977 CAA Amendments, Congress created a program for protecting visibility in the nation's mandatory Class I Federal areas, which include certain national parks and wilderness areas.<sup>3</sup> The CAA establishes as a national goal the "prevention of any future, and the remedying of any existing, impairment of visibility in mandatory class I Federal areas which impairment results from manmade air pollution."<sup>4</sup> The CAA further directs the EPA to promulgate regulations to assure reasonable progress toward meeting this national goal.<sup>5</sup> On December 2, 1980, the EPA promulgated regulations to address visibility impairment in mandatory Class I Federal areas (hereinafter referred to as "Class I areas") that is "reasonably attributable" to a single source or small group of sources.<sup>6</sup> These regulations, codified at 40 CFR 51.300 through 51.307, represented the first phase of the EPA's efforts to address visibility impairment. In 1990, Congress added section 169B to the CAA to further address visibility impairment, specifically, impairment from regional haze.<sup>7</sup> The EPA promulgated the Regional Haze Rule (RHR), codified at 40 CFR 51.308,<sup>8</sup> on July 1, 1999.<sup>9</sup> These regional haze regulations are a central component of the EPA's comprehensive visibility protection program for Class I areas.

Regional haze is visibility impairment that is produced by a multitude of anthropogenic sources and activities

<sup>3</sup> CAA 169A. Areas statutorily designated as mandatory Class I Federal areas consist of national parks exceeding 6,000 acres, wilderness areas and national memorial parks exceeding 5,000 acres, and all international parks that were in existence on August 7, 1977. CAA 162(a). There are 156 mandatory Class I areas. The list of areas to which the requirements of the visibility protection program apply is in 40 CFR part 81, subpart D.

<sup>4</sup> CAA 169A(a)(1).

<sup>5</sup> CAA 169A(a)(4).

<sup>6</sup> 45 FR 80084 (December 2, 1980).

<sup>7</sup> CAA 169B.

<sup>8</sup> In addition to the generally applicable regional haze provisions at 40 CFR 51.308, the EPA also promulgated regulations specific to addressing regional haze visibility impairment in Class I areas on the Colorado Plateau at 40 CFR 51.309. ADEQ submitted SIP revisions to address the regional haze regulations at 40 CFR 51.309, on December 23, 2003, December 30, 2004, and December 24, 2008. The EPA approved certain burning and smoke management rules that were part of the 2008 SIP submittal, but disapproved the remainder of those submittals. 78 FR 48326 (August 8, 2013).

<sup>9</sup> 64 FR 35714.

which are located across a broad geographic area and that emit pollutants that impair visibility. Visibility impairing pollutants include fine and coarse particulate matter (PM) (e.g., sulfates, nitrates, organic carbon, elemental carbon, and soil dust) and their precursors (e.g., sulfur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), and, in some cases, volatile organic compounds (VOC) and ammonia (NH<sub>3</sub>)). Fine particle precursors react in the atmosphere to form PM<sub>2.5</sub>, which impairs visibility by scattering and absorbing light. Visibility impairment reduces the perception of clarity and color, as well as visible distance.<sup>10</sup>

To address regional haze visibility impairment, the 1999 RHR established an iterative planning process that requires both states in which Class I areas are located and states "the emissions from which may reasonably be anticipated to cause or contribute to any impairment of visibility" in a Class I area to periodically submit SIP revisions to address such impairment.<sup>11</sup> Under the CAA, each SIP submission must contain "a long-term (ten to fifteen years) strategy for making reasonable progress toward meeting the national goal."<sup>12</sup> The initial round of SIP submissions also had to address the statutory requirement that certain older, larger sources of visibility impairing pollutants install and operate the best available retrofit technology (BART).<sup>13</sup>

<sup>10</sup> There are several ways to measure the amount of visibility impairment, *i.e.*, haze. One such measurement is the deciview, which is the principal metric used by the RHR. Under many circumstances, a change in one deciview will be perceived by the human eye to be the same on both clear and hazy days. The deciview is unitless. It is proportional to the logarithm of the atmospheric extinction of light, which is the perceived dimming of light due to its being scattered and absorbed as it passes through the atmosphere. Atmospheric light extinction ( $b^{ext}$ ) is a metric used for expressing visibility and is measured in inverse megameters (Mm<sup>-1</sup>). The EPA's Guidance on Regional Haze State Implementation Plans for the Second Implementation Period ("2019 Guidance") offers the flexibility for the use of light extinction in certain cases. Light extinction can be simpler to use in calculations than deciviews, since it is not a logarithmic function. See, e.g., 2019 Guidance, pp 16, 19, <https://www.epa.gov/visibility/guidance-regional-haze-state-implementation-plans-second-implementation-period>. The EPA Office of Air Quality Planning and Standards, Research Triangle Park (August 20, 2019). The formula for the deciview is  $10 \ln(b^{ext})/10 \text{ Mm}^{-1}$ . 40 CFR 51.301.

<sup>11</sup> CAA 169A(b)(2). The RHR expresses the statutory requirement for states to submit plans addressing out-of-state class I areas by providing that states must address visibility impairment "in each mandatory Class I Federal area located outside the State that may be affected by emissions from within the State." 40 CFR 51.308(d), (f). See also 40 CFR 51.308(b), (f) (establishing submission dates for iterative regional haze SIP revisions); (64 FR at 35768, July 1, 1999).

<sup>12</sup> CAA 169A(b)(2)(B).

<sup>13</sup> CAA 169A(b)(2)(A); 40 CFR 51.308(d), (e).

States' first regional haze SIPs were due by December 17, 2007,<sup>14</sup> with subsequent SIP submissions containing updated long-term strategies originally due July 31, 2018, and every ten years thereafter.<sup>15</sup> The EPA established in the 1999 RHR that all states either have Class I areas within their borders or "contain sources whose emissions are reasonably anticipated to contribute to regional haze in a Class I area;" therefore, all states must submit regional haze SIPs.<sup>16</sup>

Much of the focus in the first implementation period of the regional haze program, which ran from 2007 through 2018, was on satisfying states' BART obligations. First implementation period SIPs were additionally required to contain long-term strategies for making reasonable progress toward the national visibility goal, of which BART is one component. The core required elements for the first implementation period SIPs (other than BART) are laid out in 40 CFR 51.308(d). Those provisions required that states containing Class I areas establish reasonable progress goals (RPGs) that are measured in deciviews and reflect the anticipated visibility conditions at the end of the implementation period including from implementation of states' long-term strategies. The first planning period RPGs were required to provide for an improvement in visibility for the most impaired days over the period of the implementation plan and ensure no degradation in visibility for the least impaired days over the same period. In establishing the RPGs for any Class I area in a state, the state was required to consider four statutory factors: the costs of compliance, the time necessary for compliance, the energy and non-air quality environmental impacts of compliance, and the remaining useful life of any potentially affected sources.<sup>17</sup>

States were also required to calculate baseline (using the five year period of 2000–2004) and natural visibility conditions (*i.e.*, visibility conditions without anthropogenic visibility impairment) for each Class I area, and to calculate the linear rate of progress needed to attain natural visibility conditions, assuming a starting point of baseline visibility conditions in 2004

<sup>14</sup> 40 CFR 51.308(b).

<sup>15</sup> 64 FR at 35768 (July 1, 1999).

<sup>16</sup> *Id.* at 35721. In addition to each of the fifty states, the EPA also concluded that the Virgin Islands and District of Columbia must also submit regional haze SIPs because they either contain a Class I area or contain sources whose emissions are reasonably anticipated to contribute regional haze in a Class I area. See 40 CFR 51.300(b), (d)(3).

<sup>17</sup> CAA 169A(g)(1); 40 CFR 51.308(d)(1).

and ending with natural conditions in 2064. This linear interpolation is known as the uniform rate of progress (URP) and is used as a tracking metric to help states assess the amount of progress they are making towards the national visibility goal over time in each Class I area.<sup>18</sup> The 1999 RHR also provided that States' long-term strategies must include the "enforceable emissions limitations, compliance, schedules, and other measures as necessary to achieve the reasonable progress goals."<sup>19</sup> In establishing their long-term strategies, states are required to consult with other states that also contribute to visibility impairment in a given Class I area and include all measures necessary to obtain their shares of the emission reductions needed to meet the RPGs.<sup>20</sup> Section 51.308(d) also contains seven additional factors states must consider in formulating their long-term strategies,<sup>21</sup> as well as provisions governing monitoring and other implementation plan requirements.<sup>22</sup> Finally, the 1999 RHR required states to submit periodic progress reports, which are SIP revisions due every five years that contain information on states' implementation of their regional haze plans and an assessment of whether anything additional is needed to make reasonable progress,<sup>23</sup> and to consult with the Federal Land Manager(s)<sup>24</sup> (FLMs) responsible for each Class I area according to the requirements in CAA section 169A(d) and 40 CFR 51.308(i).

On January 10, 2017, the EPA promulgated revisions to the RHR,

<sup>18</sup> 40 CFR 51.308(d)(1)(i)(B), (d)(2). The EPA established the URP framework in the 1999 RHR to provide "an equitable analytical approach" to assessing the rate of visibility improvement at Class I areas across the country. The starting point for the URP analysis is 2004 and the endpoint was calculated based on the amount of visibility improvement that was anticipated to result from implementation of existing CAA programs over the period from the mid-1990s to approximately 2005. Assuming this rate of progress would continue into the future, the EPA determined that natural visibility conditions would be reached in 60 years, or 2064 (60 years from the baseline starting point of 2004). However, the EPA did not establish 2064 as the year by which the national goal *must* be reached. 64 FR at 35731–32. That is, the URP and the 2064 date are not enforceable targets but are rather tools that "allow for analytical comparisons between the rate of progress that would be achieved by the state's chosen set of control measures and the URP." 82 FR 3078, 3084 (January 10, 2017).

<sup>19</sup> 40 CFR 51.308(d)(3).

<sup>20</sup> 40 CFR 51.308(d)(3)(i), (ii).

<sup>21</sup> 40 CFR 51.308(d)(3)(v).

<sup>22</sup> 40 CFR 51.308(d)(4).

<sup>23</sup> See 40 CFR 51.308(g), (h).

<sup>24</sup> The EPA's regulations define "Federal Land Manager" as "the Secretary of the department with authority over the Federal Class I area (or the Secretary's designee) or, with respect to Roosevelt-Campobello International Park, the Chairman of the Roosevelt-Campobello International Park Commission." 40 CFR 51.301.

which apply for the second and subsequent implementation periods.<sup>25</sup> The 2017 rulemaking made several changes to the requirements for regional haze SIPs to clarify States' obligations and streamline certain regional haze requirements. The revisions to the regional haze program for the second and subsequent implementation periods focused on the requirement that States' SIPs contain long-term strategies for making reasonable progress towards the national visibility goal. The reasonable progress requirements as revised in the 2017 rulemaking (referred to here as the 2017 RHR Revisions) are codified at 40 CFR 51.308(f). Among other changes, the 2017 RHR Revisions adjusted the deadline for States to submit their second implementation period SIPs from July 31, 2018, to July 31, 2021, clarified the order of analysis and the relationship between RPGs and the long-term strategy, and focused on making visibility improvements on the days with the most *anthropogenic* visibility impairment, as opposed to the days with the most visibility impairment overall. The EPA also revised requirements of the visibility protection program related to periodic progress reports and FLM consultation. The specific requirements applicable to second implementation period regional haze SIP submissions are addressed in detail in Section III of this document.

The EPA provided guidance to the states for their second implementation period SIP submissions in the preamble to the 2017 RHR Revisions as well as in subsequent, stand-alone guidance documents. In August 2019, the EPA issued "Guidance on Regional Haze State Implementation Plans for the Second Implementation Period" ("2019 Guidance").<sup>26</sup> On July 8, 2021, the EPA issued a memorandum containing "Clarifications Regarding Regional Haze State Implementation Plans for the Second Implementation Period" ("2021 Clarifications Memo").<sup>27</sup> Additionally, the EPA further clarified the recommended procedures for processing ambient visibility data and optionally

<sup>25</sup> 82 FR 3078.

<sup>26</sup> Guidance on Regional Haze State Implementation Plans for the Second Implementation Period. <https://www.epa.gov/visibility/guidance-regional-haze-state-implementation-plans-second-implementation-period>. The EPA Office of Air Quality Planning and Standards, Research Triangle Park (August 20, 2019).

<sup>27</sup> Clarifications Regarding Regional Haze State Implementation Plans for the Second Implementation Period. <https://www.epa.gov/system/files/documents/2021-07/clarifications-regarding-regional-haze-state-implementation-plans-for-the-second-implementation-period.pdf>. The EPA Office of Air Quality Planning and Standards, Research Triangle Park (July 8, 2021).

adjusting the URP to account for international anthropogenic and prescribed fire impacts in two technical guidance documents: the December 2018 "Technical Guidance on Tracking Visibility Progress for the Second Implementation Period of the Regional Haze Program" ("2018 Visibility Tracking Guidance"),<sup>28</sup> and the June 2020 "Recommendation for the Use of Patched and Substituted Data and Clarification of Data Completeness for Tracking Visibility Progress for the Second Implementation Period of the Regional Haze Program" and associated Technical Addendum ("2020 Data Completeness Memo").<sup>29</sup>

As explained in the 2021 Clarifications Memo, the EPA intends the second implementation period of the regional haze program to secure meaningful reductions in visibility impairing pollutants that build on the significant progress states have achieved to date. The Agency also recognizes that analyses regarding reasonable progress are state-specific and that, based on states' and sources' individual circumstances, what constitutes reasonable reductions in visibility impairing pollutants will vary from state-to-state. While there exist many opportunities for states to leverage both ongoing and upcoming emissions reductions under other CAA programs, the Agency expects states to undertake rigorous reasonable progress analyses that identify further opportunities to advance the national visibility goal consistent with the statutory and regulatory requirements.<sup>30</sup> This is consistent with Congress's determination that a visibility protection program is needed in addition to the CAA's NAAQS and Prevention of Significant Deterioration (PSD) programs, as further emissions reductions may be necessary to adequately protect visibility in Class I areas throughout the country.<sup>31</sup>

<sup>28</sup> Technical Guidance on Tracking Visibility Progress for the Second Implementation Period of the Regional Haze Program. <https://www.epa.gov/visibility/technical-guidance-tracking-visibility-progress-second-implementation-period-regional>. The EPA Office of Air Quality Planning and Standards, Research Triangle Park. (December 20, 2018).

<sup>29</sup> Recommendation for the Use of Patched and Substituted Data and Clarification of Data Completeness for Tracking Visibility Progress for the Second Implementation Period of the Regional Haze Program. <https://www.epa.gov/visibility/memo-and-technical-addendum-ambient-data-usage-and-completeness-regional-haze-program>. The EPA Office of Air Quality Planning and Standards, Research Triangle Park (June 3, 2020).

<sup>30</sup> See generally 2021 Clarifications Memo.

<sup>31</sup> See, e.g., H.R. Rep No. 95–294 p. 205 ("In determining how to best remedy the growing visibility problem in these areas of great scenic

### B. Roles of Agencies in Addressing Regional Haze

Because the air pollutants and pollution affecting visibility in Class I areas can be transported over long distances, successful implementation of the regional haze program requires long-term, regional coordination among multiple jurisdictions and agencies that have responsibility for Class I areas and the emissions that impact visibility in those areas. To address regional haze, states need to develop strategies in coordination with one another, considering the effect of emissions from one jurisdiction on the air quality in another. Five regional planning organizations (RPOs),<sup>32</sup> which include representation from state and Tribal governments, the EPA, and FLMs, were developed in the lead-up to the first implementation period to address regional haze. RPOs evaluate technical information to better understand how emissions from State and Tribal land impact Class I areas across the country, pursue the development of regional strategies to reduce emissions of particulate matter and other pollutants leading to regional haze, and help states meet the consultation requirements of the RHR.

The Western Regional Air Partnership (WRAP), one of the five RPOs, is a collaborative effort of state governments, Tribal governments, and various Federal agencies established to initiate and coordinate activities associated with the management of regional haze, visibility, and other air quality issues in the western corridor of the United States. Member states (listed alphabetically) include: Alaska, Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming. The Federal partner members of WRAP are the EPA, U.S. National Parks Service (NPS), U.S. Fish and Wildlife Service (FWS), and U.S. Forest Service (USFS). There are also 468 federally recognized Tribes within the WRAP region.

### III. Requirements for Regional Haze Plans for the Second Implementation Period

Under the CAA and the EPA's regulations, all 50 states, the District of

importance, the committee realizes that as a matter of equity, the national ambient air quality standards cannot be revised to adequately protect visibility in all areas of the country.” (“the mandatory class I increments of [the PSD program] do not adequately protect visibility in class I areas”).

<sup>32</sup> RPOs are sometimes also referred to as “multi-jurisdictional organizations,” or MJOs. For the purposes of this notice, the terms RPO and MJO are synonymous.

Columbia, and the U.S. Virgin Islands were required to submit regional haze SIP revisions satisfying the applicable requirements for the second implementation period of the regional haze program by July 31, 2021. Each state's SIP must contain a long-term strategy for making reasonable progress toward meeting the national goal of remedying any existing and preventing any future anthropogenic visibility impairment in Class I areas.<sup>33</sup> To this end, section 51.308(f) lays out the process by which states determine what constitutes their long-term strategies, with the order of the requirements in section 51.308(f)(1) through (3) generally mirroring the order of the steps in the reasonable progress analysis<sup>34</sup> and (f)(4) through (6) containing additional, related requirements. Broadly speaking, a state first must identify the Class I areas within the state and determine the Class I areas outside the state in which visibility may be affected by emissions from the state. These are the Class I areas that must be addressed in the state's long-term strategy.<sup>35</sup> For each Class I area within its borders, a state must then calculate the baseline, current, and natural visibility conditions for that area, as well as the visibility improvement made to date and the URP.<sup>36</sup> Each state having a Class I area and/or emissions that may affect visibility in a Class I area must then develop a long-term strategy that includes the enforceable emissions limitations, compliance schedules, and other measures that are necessary to make reasonable progress in such areas. A reasonable progress determination is based on applying the four factors in CAA section 169A(g)(1) to sources of visibility-impairing pollutants that the state has selected to assess for controls for the second implementation period. Additionally, as further explained below, the RHR at 40 CFR

51.308(f)(2)(iv) separately provides five “additional factors”<sup>37</sup> that states must consider in developing their long-term strategies.<sup>38</sup> A state evaluates potential emissions reduction measures for those selected sources and determines which

are necessary to make reasonable progress. Those measures are then incorporated into the state's long-term strategy. After a state has developed its long-term strategy, it then establishes RPGs for each Class I area within its borders by modeling the visibility impacts of all reasonable progress controls at the end of the second implementation period, *i.e.*, in 2028, as well as the impacts of other requirements of the CAA. The RPGs include reasonable progress controls not only for sources in the state in which the Class I area is located, but also for sources in other states that contribute to visibility impairment in that area. The RPGs are then compared to the baseline visibility conditions and the URP to ensure that progress is being made towards the statutory goal of preventing any future and remedying any existing anthropogenic visibility impairment in Class I areas.<sup>39</sup>

In addition to satisfying the requirements at 40 CFR 51.308(f) related to reasonable progress, the regional haze SIP revisions for the second implementation period must address the requirements in section 51.308(g)(1) through (5) pertaining to periodic reports describing progress towards the RPGs,<sup>40</sup> as well as requirements for FLM consultation that apply to all visibility protection SIPs and SIP revisions.<sup>41</sup>

A state must submit its regional haze SIP and subsequent SIP revisions to the EPA according to the requirements applicable to all SIP revisions under the CAA and the EPA's regulations.<sup>42</sup> Upon EPA approval, a SIP is enforceable by the Agency and the public under the CAA. If the EPA finds that a state failed to make a required SIP revision, or if the EPA finds that a state's SIP is incomplete or disapproves the SIP, the Agency must promulgate a federal implementation plan (FIP) that satisfies the applicable requirements.<sup>43</sup>

#### A. Identification of Class I Areas

The first step in developing a regional haze SIP is for a state to determine which Class I areas, in addition to those within its borders, “may be affected” by emissions from within the state. In the 1999 RHR, the EPA determined that all states contribute to visibility impairment in at least one Class I area,<sup>44</sup> and explained that the statute and regulations lay out an “extremely low triggering threshold” for determining

<sup>33</sup> CAA 169A(b)(2)(B).

<sup>34</sup> The EPA explained in the 2017 RHR Revisions that we were adopting new regulatory language in 40 CFR 51.308(f) that, unlike the structure in 51.308(d), “tracked the actual planning sequence.” 82 FR 3091 (January 10, 2017).

<sup>35</sup> See 40 CFR 51.308(f), (f)(2).

<sup>36</sup> See 40 CFR 51.308(f)(1).

<sup>37</sup> The five “additional factors” for consideration in section 51.308(f)(2)(iv) are distinct from the four factors listed in CAA section 169A(g)(1) and 40 CFR 51.308(f)(2)(i) that states must consider and apply to sources in determining reasonable progress.

<sup>38</sup> See 40 CFR 51.308(f)(2).

<sup>39</sup> 40 CFR 51.308(f)(2)–(3).

<sup>40</sup> 40 CFR 51.308(f)(5).

<sup>41</sup> 40 CFR 51.308(i).

<sup>42</sup> See CAA 169A(b)(2); CAA 110(a).

<sup>43</sup> CAA 110(c)(1).

<sup>44</sup> 64 FR 35720–22.



“whether States should be required to engage in air quality planning and analysis as a prerequisite to determining the need for control of emissions from sources within their State.”<sup>45</sup>

A state must determine which Class I areas must be addressed by its SIP by evaluating the total emissions of visibility impairing pollutants from all sources within the state. While the RHR does not require this evaluation to be conducted in any particular manner, the EPA’s 2019 Guidance provides recommendations for how such an assessment might be accomplished, including by, where appropriate, using the determinations previously made for the first implementation period.<sup>46</sup> In addition, the determination of which Class I areas may be affected by a state’s emissions is subject to the requirement in 40 CFR 51.308(f)(2)(iii) to “document the technical basis, including modeling, monitoring, cost, engineering, and emissions information, on which the State is relying to determine the emission reduction measures that are necessary to make reasonable progress in each mandatory Class I Federal area it affects.”

#### *B. Calculations of Baseline, Current, and Natural Visibility Conditions; Progress to Date; and the Uniform Rate of Progress*

As part of assessing whether a SIP submission for the second implementation period is providing for reasonable progress towards the national visibility goal, the RHR contains requirements in section 51.308(f)(1) related to tracking visibility improvement over time. The requirements of this section apply only to states that have Class I areas within their borders; the required calculations must be made for each such Class I area. The EPA’s 2018 Visibility Tracking Guidance<sup>47</sup> provides recommendations to assist states in satisfying their obligations under section 51.308(f)(1); specifically, in developing information on baseline, current, and natural visibility conditions, and in making optional adjustments to the URP to account for the impacts of international anthropogenic emissions and prescribed fires.

The RHR requires tracking of visibility conditions on two sets of days: the clearest and the most impaired days.

Visibility conditions for both sets of days are expressed as the average deciview index for the relevant five-year period (the period representing baseline or current visibility conditions). The RHR provides that the relevant sets of days for visibility tracking purposes are the 20 percent clearest (the 20 percent of monitored days in a calendar year with the lowest values of the deciview index) and 20 percent most impaired days (the 20 percent of monitored days in a calendar year with the highest amounts of anthropogenic visibility impairment).<sup>48</sup> A state must calculate visibility conditions for both the 20 percent clearest and 20 percent most impaired days for the baseline period of 2000–2004 and the most recent five-year period for which visibility monitoring data are available (representing current visibility conditions).<sup>49</sup> States must also calculate natural visibility conditions for the clearest and most impaired days,<sup>50</sup> by estimating the conditions that would exist on those two sets of days absent anthropogenic visibility impairment.<sup>51</sup> Using all these data, states must then calculate, for each Class I area, the amount of progress made since the baseline period (2000–2004) and how much improvement is left to achieve to reach natural visibility conditions.

Using the data for the set of most impaired days only, states must plot a line between visibility conditions in the baseline period and natural visibility conditions for each Class I area to determine the URP—the amount of visibility improvement, measured in deciviews, that would need to be achieved during each implementation period to achieve natural visibility conditions by the end of 2064. The URP is used in later steps of the reasonable progress analysis for informational purposes and to provide a non-enforceable benchmark against which to assess a Class I area’s rate of visibility

improvement.<sup>52</sup> Additionally, in the 2017 RHR Revisions, the EPA provided states the option of proposing to adjust the endpoint of the URP to account for impacts of anthropogenic sources outside the United States and/or impacts of certain types of wildland prescribed fires. These adjustments, which must be approved by the EPA, are intended to avoid any perception that states should compensate for impacts from international anthropogenic sources and to give states the flexibility to determine that limiting the use of wildland-prescribed fire is not necessary for reasonable progress.<sup>53</sup>

The EPA’s 2018 Visibility Tracking Guidance can be used to help satisfy the 40 CFR 51.308(f)(1) requirements, including in developing information on baseline, current, and natural visibility conditions, and in making optional adjustments to the URP. In addition, the 2020 Data Completeness Memo provides recommendations on the data completeness language referenced in section 51.308(f)(1)(i) and provides updated natural conditions estimates for each Class I area.

#### *C. Long-Term Strategy for Regional Haze*

The core component of a regional haze SIP submission is a long-term strategy that addresses regional haze in each Class I area within a state’s borders and each Class I area that may be affected by emissions from the state. The long-term strategy “must include the enforceable emissions limitations, compliance schedules, and other measures that are necessary to make reasonable progress, as determined pursuant to (f)(2)(i) through (iv).”<sup>54</sup> The amount of progress that is “reasonable progress” is based on applying the four statutory factors in CAA section 169A(g)(1) in an evaluation of potential control options for sources of visibility impairing pollutants, which is referred to as a “four-factor” analysis. The outcome of that analysis is the emissions reduction measures that a particular source or group of sources needs to implement to make reasonable progress towards the national visibility goal.<sup>55</sup> Emissions reduction measures that are necessary to make reasonable progress may be either new, additional control measures for a source, or they

<sup>48</sup> 40 CFR 51.301. This notice also refers to the 20 percent clearest and 20 percent most anthropogenically impaired days as the “clearest” and “most impaired” or “most anthropogenically impaired” days, respectively.

<sup>49</sup> 40 CFR 51.308(f)(1)(i), (iii).

<sup>50</sup> The RHR at 40 CFR 51.308(f)(1)(ii) contains an error related to the requirement for calculating two sets of natural conditions values. The rule says “most impaired days or the clearest days” where it should say “most impaired days and clearest days.” This is an error that was intended to be corrected in the 2017 RHR Revisions but did not get corrected in the final rule language. This is supported by the preamble text at 82 FR 3098: “In the final version of 40 CFR 51.308(f)(1)(ii), an occurrence of “or” has been corrected to “and” to indicate that natural visibility conditions for both the most impaired days and the clearest days must be based on available monitoring information.”

<sup>51</sup> 40 CFR 51.308(f)(1)(ii).

<sup>52</sup> Being on or below the URP is not a “safe harbor”; *i.e.*, achieving the URP does not mean that a Class I area is making “reasonable progress” and does not relieve a state from using the four statutory factors to determine what level of control is needed to achieve such progress. See, *e.g.*, 82 FR 3093.

<sup>53</sup> 82 FR 3107 footnote 116.

<sup>54</sup> 40 CFR 51.308(f)(2).

<sup>55</sup> See 40 CFR 51.308(f)(2)(i).

<sup>45</sup> *Id.* at 35721.

<sup>46</sup> 2019 Guidance, pp. 8–9.

<sup>47</sup> The 2018 Visibility Tracking Guidance references and relies on parts of the 2003 Tracking Guidance: “Guidance for Tracking Progress Under the Regional Haze Rule,” which can be found at <https://www.epa.gov/sites/default/files/2021-03/documents/tracking.pdf>.

may be the existing emissions reduction measures that a source is already implementing.<sup>56</sup> Such measures must be represented by “enforceable emissions limitations, compliance schedules, and other measures” (*i.e.*, any additional compliance tools) in a state’s long-term strategy in its SIP.<sup>57</sup>

Section 51.308(f)(2)(i) provides the requirements for the four-factor analysis. The first step of this analysis entails selecting the sources to be evaluated for emissions reduction measures; to this end, states should consider “major and minor stationary sources or groups of sources, mobile sources, and area sources” of visibility impairing pollutants for potential four-factor control analysis.<sup>58</sup> A threshold question at this step is which visibility impairing pollutants will be analyzed. As the EPA previously explained, consistent with the first implementation period, the EPA generally expects that each state will analyze at least SO<sub>2</sub> and NO<sub>x</sub> in selecting sources and determining control measures.<sup>59</sup> A state that chooses not to consider at least these two pollutants should demonstrate why such consideration would be unreasonable.<sup>60</sup>

While states have the option to analyze *all* sources, the 2019 Guidance explains that “an analysis of control measures is not required for every source in each implementation period,” and that “[s]electing a set of sources for analysis of control measures in each implementation period is . . . consistent with the Regional Haze Rule, which sets up an iterative planning process and anticipates that a state may not need to analyze control measures for all its sources in a given SIP revision.”<sup>61</sup> However, given that source selection is the basis of all subsequent control determinations, a reasonable source selection process “should be designed and conducted to ensure that source selection results in a set of pollutants and sources the evaluation of which has the potential to meaningfully reduce their contributions to visibility impairment.”<sup>62</sup>

The EPA explained in the 2021 Clarifications Memo that each state has an obligation to submit a long-term strategy that addresses the regional haze visibility impairment that results from emissions from within that state. Thus,

source selection should focus on the in-state contribution to visibility impairment and be designed to capture a meaningful portion of the state’s total contribution to visibility impairment in Class I areas. A state should not decline to select its largest in-state sources on the basis that there are even larger out-of-state contributors.<sup>63</sup>

Thus, while states have discretion to choose any source selection methodology that is reasonable, whatever choices they make should be reasonably explained. To this end, 40 CFR 51.308(f)(2)(i) requires that a state’s SIP submission include “a description of the criteria it used to determine which sources or groups of sources it evaluated.” The technical basis for source selection, which may include methods for quantifying potential visibility impacts such as emissions divided by distance metrics, trajectory analyses, residence time analyses, and/or photochemical modeling, must also be appropriately documented, as required by 40 CFR 51.308(f)(2)(iii).

Once a state has selected the set of sources, the next step is to determine the emissions reduction measures for those sources that are necessary to make reasonable progress for the second implementation period.<sup>64</sup> This is accomplished by considering the four factors—“the costs of compliance, the time necessary for compliance, and the energy and non-air quality environmental impacts of compliance, and the remaining useful life of any existing source subject to such requirements.”<sup>65</sup> The EPA has explained that the four-factor analysis is an assessment of potential emissions reduction measures (*i.e.*, control options) for sources; “use of the terms ‘compliance’ and ‘subject to such requirements’ in section 169A(g)(1) strongly indicates that Congress intended the relevant determination to be the requirements with which sources

would have to comply to satisfy the CAA’s reasonable progress mandate.”<sup>66</sup> Thus, for each source it has selected for four-factor analysis,<sup>67</sup> a state must consider a “meaningful set” of technically feasible control options for reducing emissions of visibility impairing pollutants.<sup>68</sup> The 2019 Guidance provides that “[a] state must reasonably pick and justify the measures that it will consider, recognizing that there is no statutory or regulatory requirement to consider all technically feasible measures or any particular measures. A range of technically feasible measures available to reduce emissions would be one way to justify a reasonable set.”<sup>69</sup>

The EPA’s 2021 Clarifications Memo provides further guidance on what constitutes a reasonable set of control options for consideration: “A reasonable four-factor analysis will consider the full range of potentially reasonable options for reducing emissions.”<sup>70</sup> In addition to add-on controls and other retrofits (*i.e.*, new emissions reduction measures for sources), the EPA explained that states should generally analyze efficiency improvements for sources’ existing measures as control options in their four-factor analyses, as in many cases such improvements are reasonable given that they typically involve only additional operation and maintenance costs. Additionally, the 2021 Clarifications Memo provides that states that have assumed a higher emissions rate than a source has achieved or could potentially achieve using its existing measures should also consider lower emissions rates as potential control options. That is, a state should consider a source’s recent actual and projected emissions rates to determine if it could reasonably attain lower emissions rates with its existing

<sup>66</sup> 82 FR 3091.

<sup>67</sup> “Each source” or “particular source” is used here as shorthand. While a source-specific analysis is one way of applying the four factors, neither the statute nor the RHR requires states to evaluate individual sources. Rather, states have “the flexibility to conduct four-factor analyses for specific sources, groups of sources or even entire source categories, depending on state policy preferences and the specific circumstances of each state.” 82 FR at 3088. However, not all approaches to grouping sources for four-factor analysis are necessarily reasonable; the reasonableness of grouping sources in any particular instance will depend on the circumstances and the manner in which grouping is conducted. If it is feasible to establish and enforce different requirements for sources or subgroups of sources, and if relevant factors can be quantified for those sources or subgroups, then states should make a separate reasonable progress determination for each source or subgroup. 2021 Clarifications Memo, pp. 7–8.

<sup>68</sup> *Id.* at 3088.

<sup>69</sup> 2019 Guidance, p. 29.

<sup>70</sup> 2021 Clarifications Memo, p. 7.

<sup>56</sup> See 2019 Guidance, p. 43; 2021 Clarifications Memo, pp. 8–10.

<sup>57</sup> 40 CFR 51.308(f)(2).

<sup>58</sup> 40 CFR 51.308(f)(2)(i).

<sup>59</sup> See 2019 Guidance, p. 12; 2021 Clarifications Memo, p. 4.

<sup>60</sup> 2021 Clarifications Memo, p. 4.

<sup>61</sup> 2019 Guidance, p. 9.

<sup>62</sup> 2021 Clarifications Memo, p. 3.

<sup>63</sup> *Id.* at 4. Similarly, in responding to comments on the 2017 RHR Revisions, the EPA explained that “[a] state should not fail to address its many relatively low-impact sources merely because it only has such sources and another state has even more low-impact sources and/or some high impact sources.” Responses to Comments on Protection of Visibility: Amendments to Requirements for State Plans; Proposed Rule (81 FR 26942, May 4, 2016), pp. 87–88.

<sup>64</sup> The CAA provides that, “[i]n determining reasonable progress there shall be taken into consideration” the four statutory factors. CAA 169A(g)(1). However, in addition to four-factor analyses for selected sources, groups of sources, or source categories, a state may also consider additional emissions reduction measures for inclusion in its long-term strategy, *e.g.*, from other newly adopted, on-the-books, or on-the-way rules and measures for sources not selected for four-factor analysis for the second planning period.

<sup>65</sup> CAA 169A(g)(1).

measures. If so, the state should analyze the lower emissions rate as a control option for reducing emissions.<sup>71</sup> The EPA's recommendations to analyze potential efficiency improvements and achievable lower emissions rates apply to both sources that have been selected for four-factor analysis and those that have forgone a four-factor analysis on the basis of existing "effective controls."<sup>72</sup>

After identifying a reasonable set of potential control options for the sources it has selected, a state then collects information on the four factors with regard to each option identified. The EPA has also explained that, in addition to the four statutory factors, states have flexibility under the CAA and RHR to reasonably consider visibility benefits as an additional factor alongside the four statutory factors.<sup>73</sup> The 2019 Guidance provides recommendations for the types of information that can be used to characterize the four factors (with or without visibility), as well as ways in which states might reasonably consider and balance that information to determine which of the potential control options is necessary to make reasonable progress.<sup>74</sup> The 2021 Clarifications Memo contains further guidance on how states can reasonably consider modeled visibility impacts or benefits in the context of a four-factor analysis.<sup>75</sup> Specifically, the EPA explained that while visibility can reasonably be used when comparing and choosing between multiple reasonable control options, it should not be used to summarily reject controls that are reasonable given the four statutory factors.<sup>76</sup> Ultimately, while states have discretion to reasonably weigh the factors and to determine what level of control is needed, section 51.308(f)(2)(i) provides that a state "must include in its implementation plan a description of . . . how the four factors were taken into consideration in selecting the measure for inclusion in its long-term strategy."

As explained above, section 51.308(f)(2)(i) requires states to determine the emissions reduction measures for sources that are necessary to make reasonable progress by considering the four factors. Pursuant to

section 51.308(f)(2), measures that are necessary to make reasonable progress towards the national visibility goal must be included in a state's long-term strategy and in its SIP.<sup>77</sup> If the outcome of a four-factor analysis is a new, additional emissions reduction measure for a source, that new measure is necessary to make reasonable progress towards remedying existing anthropogenic visibility impairment and must be included in the SIP. If the outcome of a four-factor analysis is that no new measures are reasonable for a source, continued implementation of the source's existing measures is generally necessary to prevent future emissions increases and thus to make reasonable progress towards the second part of the national visibility goal: preventing future anthropogenic visibility impairment.<sup>78</sup> That is, when the result of a four-factor analysis is that no new measures are necessary to make reasonable progress, the source's existing measures are generally necessary to make reasonable progress and must be included in the SIP. However, there may be circumstances in which a state can demonstrate that a source's existing measures are *not* necessary to make reasonable progress. Specifically, if a state can demonstrate that a source will continue to implement its existing measures and will not increase its emissions rate, it may not be necessary to have those measures in the long-term strategy to prevent future emissions increases and future visibility impairment. The EPA's 2021 Clarifications Memo provides further explanation and guidance on how states may demonstrate that a source's existing measures are not necessary to make reasonable progress.<sup>79</sup> If the state can make such a demonstration, it need not include a source's existing measures in the long-term strategy or its SIP.

As with source selection, the characterization of information on each of the factors is also subject to the documentation requirement in section 51.308(f)(2)(iii). The reasonable progress analysis, including source selection,

information gathering, characterization of the four statutory factors (and potentially visibility), balancing of the four factors, and selection of the emissions reduction measures that represent reasonable progress, is a technically complex exercise, but also a flexible one that provides states with bounded discretion to design and implement approaches appropriate to their circumstances. Given this flexibility, section 51.308(f)(2)(iii) plays an important function in requiring a state to document the technical basis for its decision making so that the public and the EPA can comprehend and evaluate the information and analysis the state relied upon to determine what emissions reduction measures must be in place to make reasonable progress. The technical documentation must include the modeling, monitoring, cost, engineering, and emissions information on which the state relied to determine the measures necessary to make reasonable progress. This documentation requirement can be met through the provision of and reliance on technical analyses developed through a regional planning process, so long as that process and its output has been approved by all state participants. In addition to the explicit regulatory requirement to document the technical basis of their reasonable progress determinations, states are also subject to the general principle that those determinations must be reasonably moored to the statute.<sup>80</sup> That is, a state's decisions about the emissions reduction measures that are necessary to make reasonable progress must be consistent with the statutory goal of remedying existing and preventing future visibility impairment.

The four statutory factors (and potentially visibility) are used to determine what emissions reduction measures for selected sources must be included in a state's long-term strategy for making reasonable progress. Additionally, the RHR at 40 CFR 51.3108(f)(2)(iv) separately provides five "additional factors"<sup>81</sup> that states must consider in developing their long-term strategies: (1) Emissions reductions due

<sup>77</sup> States may choose to, but are not required to, include measures in their long-term strategies beyond just the emission reduction measures that are necessary for reasonable progress. See 2021 Clarifications Memo, p. 16. For example, states with smoke management programs may choose to submit their smoke management plans to the EPA for inclusion in their SIPs but are not required to do so. See, e.g., 82 FR at 3108-09 (requirement to consider smoke management practices and smoke management programs under 40 CFR 51.308(f)(2)(iv) does not require states to adopt such practices or programs into their SIPs, although they may elect to do so).

<sup>78</sup> See CAA 169A(a)(1).

<sup>79</sup> See 2021 Clarifications Memo, pp. 8-10.

<sup>80</sup> See *Arizona ex rel. Darwin v. U.S. EPA*, 815 F.3d 519, 531 (9th Cir. 2016); *Nebraska v. U.S. EPA*, 812 F.3d 662, 668 (8th Cir. 2016); *North Dakota v. EPA*, 730 F.3d 750, 761 (8th Cir. 2013); *Oklahoma v. EPA*, 723 F.3d 1201, 1206, 1208-10 (10th Cir. 2013); cf. also *Nat'l Parks Conservation Ass'n v. EPA*, 803 F.3d 151, 165 (3d Cir. 2015); *Alaska Dep't of Env'tl. Conservation v. EPA*, 540 U.S. 461, 485, 490 (2004).

<sup>81</sup> The five "additional factors" for consideration in section 51.308(f)(2)(iv) are distinct from the four factors listed in CAA section 169A(g)(1) and 40 CFR 51.308(f)(2)(i) that states must consider and apply to sources in determining reasonable progress.

<sup>71</sup> Id. at 7.

<sup>72</sup> Id. at 5, 10.

<sup>73</sup> See, e.g., Responses to Comments on Protection of Visibility: Amendments to Requirements for State Plans; Proposed Rule (81 FR 26942, May 4, 2016), Docket Number EPA-HQ-OAR-2015-0531, U.S. Environmental Protection Agency at 186; 2019 Guidance, pp. 36-37.

<sup>74</sup> See 2019 Guidance, pp. 30-36.

<sup>75</sup> 2021 Clarifications Memo, pp. 12-15.

<sup>76</sup> Id. at 13.

to ongoing air pollution control programs, including measures to address reasonably attributable visibility impairment; (2) measures to reduce the impacts of construction activities; (3) source retirement and replacement schedules; (4) basic smoke management practices for prescribed fire used for agricultural and wildland vegetation management purposes and smoke management programs; and (5) the anticipated net effect on visibility due to projected changes in point, area, and mobile source emissions over the period addressed by the long-term strategy. The 2019 Guidance provides that a state may satisfy this requirement by considering these additional factors in the process of selecting sources for four-factor analysis, when performing that analysis, or both, and that not every one of the additional factors needs to be considered at the same stage of the process.<sup>82</sup> The EPA provided further guidance on the five additional factors in the 2021 Clarifications Memo, explaining that a state should generally not reject cost-effective and otherwise reasonable controls merely because there have been emissions reductions since the first planning period owing to other ongoing air pollution control programs or merely because visibility is otherwise projected to improve at Class I areas. Additionally, states generally should not rely on these additional factors to summarily assert that the state has already made sufficient progress and, therefore, no sources need to be selected or no new controls are needed regardless of the outcome of four-factor analyses.<sup>83</sup>

Because the air pollution that causes regional haze crosses state boundaries, section 51.308(f)(2)(ii) requires a state to consult with other states that also have emissions that are reasonably anticipated to contribute to visibility impairment in a given Class I area. Consultation allows for each state that impacts visibility in an area to share whatever technical information, analyses, and control determinations may be necessary to develop coordinated emissions management strategies. This coordination may be managed through inter- and intra-RPO consultation and the development of regional emissions strategies; additional consultations between states outside of RPO processes may also occur. If a state, pursuant to consultation, agrees that certain measures (e.g., a certain emissions limitation) are necessary to make reasonable progress at a Class I area, it must include those measures in

its SIP.<sup>84</sup> Additionally, the RHR requires that states that contribute to visibility impairment at the same Class I area consider the emissions reduction measures the other contributing states have identified as being necessary to make reasonable progress for their own sources.<sup>85</sup> If a state has been asked to consider or adopt certain emissions reduction measures, but ultimately determines those measures are not necessary to make reasonable progress, that state must document in its SIP the actions taken to resolve the disagreement.<sup>86</sup> The EPA will consider the technical information and explanations presented by the submitting state and the state with which it disagrees when considering whether to approve the state's SIP.<sup>87</sup> Under all circumstances, a state must document in its SIP submission all substantive consultations with other contributing states.<sup>88</sup>

#### D. Reasonable Progress Goals

Reasonable progress goals “measure the progress that is projected to be achieved by the control measures states have determined are necessary to make reasonable progress based on a four-factor analysis.”<sup>89</sup> Their primary purpose is to assist the public and the EPA in assessing the reasonableness of states' long-term strategies for making reasonable progress towards the national visibility goal.<sup>90</sup> States in which Class I areas are located must establish two RPGs, both in deciviews—one representing visibility conditions on the clearest days and one representing visibility on the most anthropogenically impaired days—for each area within their borders.<sup>91</sup> The two RPGs are intended to reflect the projected impacts, on the two sets of days, of the emissions reduction measures the state with the Class I area, as well as all other contributing states, have included in their long-term strategies for the second implementation period.<sup>92</sup> The RPGs also

account for the projected impacts of implementing other CAA requirements, including non-SIP based requirements. Because RPGs are the modeled result of the measures in states' long-term strategies (as well as other measures required under the CAA), they cannot be determined before states have conducted their four-factor analyses and determined the control measures that are necessary to make reasonable progress.<sup>93</sup>

For the second implementation period, the RPGs are set for 2028. Reasonable progress goals are not enforceable targets;<sup>94</sup> rather, they “provide a way for the states to check the projected outcome of the [long-term strategy] against the goals for visibility improvement.”<sup>95</sup> While states are not legally obligated to achieve the visibility conditions described in their RPGs, section 51.308(f)(3)(i) requires that “[t]he long-term strategy and the reasonable progress goals must provide for an improvement in visibility for the most impaired days since the baseline period and ensure no degradation in visibility for the clearest days since the baseline period.” Thus, states are required to have emissions reduction measures in their long-term strategies that are projected to achieve visibility conditions on the most impaired days that are better than the baseline period and shows no degradation on the clearest days compared to the clearest days from the baseline period. The baseline period for the purpose of this comparison is the baseline visibility condition—the annual average visibility condition for the period 2000–2004.<sup>96</sup>

So that RPGs may also serve as a metric for assessing the amount of progress a state is making towards the national visibility goal, the RHR requires states with Class I areas to compare the 2028 RPG for the most impaired days to the corresponding point on the URP line (representing visibility conditions in 2028 if visibility were to improve at a linear rate from conditions in the baseline period of 2000–2004 to natural visibility conditions in 2064). If the most impaired days RPG in 2028 is above the URP (i.e., if visibility conditions are improving more slowly than the rate described by the URP), each state that contributes to visibility impairment in the Class I area must demonstrate, based on the four-factor analysis required

schedules, as well as for adjusting RPGs using a post-modeling approach. 2019 Guidance, pp. 47–48.

<sup>82</sup> See 2019 Guidance, p. 21.

<sup>83</sup> See 2019 Guidance, p. 21.

<sup>84</sup> 2021 Clarifications Memo, p. 13.

<sup>84</sup> 40 CFR 51.308(f)(2)(ii)(A).

<sup>85</sup> 40 CFR 51.308(f)(2)(ii)(B).

<sup>86</sup> 40 CFR 51.308(f)(2)(ii)(C).

<sup>87</sup> See *id.*; 2019 Guidance, p. 53.

<sup>88</sup> 40 CFR 51.308(f)(2)(ii)(C).

<sup>89</sup> 82 FR 3091.

<sup>90</sup> See 40 CFR 51.308(f)(3)(iii)–(iv).

<sup>91</sup> 40 CFR 51.308(f)(3)(i).

<sup>92</sup> RPGs are intended to reflect the projected impacts of the measures all contributing states include in their long-term strategies. However, due to the timing of analyses and of control determinations by other states, other on-going emissions changes, a particular state's RPGs may not reflect all control measures and emissions reductions that are expected to occur by the end of the implementation period. The 2019 Guidance provides recommendations for addressing the timing of RPG calculations when states are developing their long-term strategies on disparate

<sup>93</sup> See 2021 Clarifications Memo, p. 6.

<sup>94</sup> 40 CFR 51.308(f)(3)(iii).

<sup>95</sup> 2019 Guidance, p. 46.

<sup>96</sup> See 40 CFR 51.308(f)(1)(i), 82 FR 3097–98.

under 40 CFR 51.308(f)(2)(i), that no additional emissions reduction measures would be reasonable to include in its long-term strategy.<sup>97</sup> To this end, 40 CFR 51.308(f)(3)(ii) requires that each state contributing to visibility impairment in a Class I area that is projected to improve more slowly than the URP provide “a robust demonstration, including documenting the criteria used to determine which sources or groups [of] sources were evaluated and how the four factors required by paragraph (f)(2)(i) were taken into consideration in selecting the measures for inclusion in its long-term strategy.” The 2019 Guidance provides suggestions about how such a “robust demonstration” might be conducted.<sup>98</sup>

The 2017 RHR, 2019 Guidance, and 2021 Clarifications Memo also explain that projecting an RPG that is on or below the URP based on only on-the-books and/or on-the-way control measures (*i.e.*, control measures already required or anticipated before the four-factor analysis is conducted) is not a “safe harbor” from the CAA’s and RHR’s requirement that all states must conduct a four-factor analysis to determine what emissions reduction measures constitute reasonable progress. The URP is a planning metric used to gauge the amount of progress made thus far and the amount left before reaching natural visibility conditions. However, the URP is not based on consideration of the four statutory factors and therefore cannot answer the question of whether the amount of progress being made in any particular implementation period is “reasonable progress.”<sup>99</sup>

#### *E. Monitoring Strategy and Other State Implementation Plan Requirements*

Section 51.308(f)(6) requires states to have certain strategies and elements in place for assessing and reporting on visibility. Individual requirements under this section apply either to states with Class I areas within their borders, states with no Class I areas but that are reasonably anticipated to cause or contribute to visibility impairment in any Class I area, or both. A state with Class I areas within its borders must submit with its SIP revision a monitoring strategy for measuring, characterizing, and reporting regional haze visibility impairment that is representative of all Class I areas within the state. SIP revisions for such states must also provide for the establishment of any additional monitoring sites or

equipment needed to assess visibility conditions in Class I areas, as well as reporting of all visibility monitoring data to the EPA at least annually. Compliance with the monitoring strategy requirement may be met through a state’s participation in the Interagency Monitoring of Protected Visual Environments (IMPROVE) monitoring network, which is used to measure visibility impairment caused by air pollution at the 156 Class I areas covered by the visibility program.<sup>100</sup> The IMPROVE monitoring data is used to determine the 20 percent most anthropogenically impaired and 20 percent clearest sets of days every year at each Class I area and tracks visibility impairment over time.

All states’ SIPs must provide for procedures by which monitoring data and other information are used to determine the contribution of emissions from within the state to regional haze visibility impairment in affected Class I areas.<sup>101</sup> Section 51.308(f)(6)(v) further requires that all states’ SIPs provide for a statewide inventory of emissions of pollutants that are reasonably anticipated to cause or contribute to visibility impairment in any Class I area; the inventory must include emissions for the most recent year for which data are available and estimates of future projected emissions. States must also include commitments to update their inventories periodically. The inventories themselves do not need to be included as elements in the SIP revision and are not subject to EPA review as part of the Agency’s evaluation of a SIP revision.<sup>102</sup> All states’ SIP revisions must also provide for any other elements, including reporting, recordkeeping, and other measures, that are necessary for states to assess and report on visibility.<sup>103</sup> Per the 2019 Guidance, a state may note in its regional haze SIP revision that its compliance with the in 40 CFR part 51 subpart A satisfies the requirement to provide for an emissions inventory for the most recent year for which data are available. To satisfy the requirement to provide estimates of future projected emissions, a state may explain in its SIP revision how projected emissions were developed for use in establishing RPGs for its own and nearby Class I areas.<sup>104</sup>

Separate from the requirements related to monitoring for regional haze purposes under 40 CFR 51.308(f)(6), the

RHR also contains a requirement at 40 CFR 51.308(f)(4) related to any additional monitoring that may be needed to address visibility impairment in Class I areas from a single source or a small group of sources. This is called “reasonably attributable visibility impairment.”<sup>105</sup> Under this provision, if the EPA or the FLM of an affected Class I area has advised a state that additional monitoring is needed to assess reasonably attributable visibility impairment, the state must include in its SIP revision for the second implementation period an appropriate strategy for evaluating such impairment.

#### *F. Requirements for Periodic Reports Describing Progress Towards the Reasonable Progress Goals*

Section 51.308(f)(5) requires a state’s regional haze SIP revision to address the requirements of paragraphs 40 CFR 51.308(g)(1) through (5) so that the plan revision due in 2021 will serve also as a progress report addressing the period since submission of the progress report for the first implementation period. The regional haze progress report requirement is designed to inform the public and the EPA about a state’s implementation of its existing long-term strategy and whether such implementation is in fact resulting in the expected visibility improvement.<sup>106</sup> To this end, every state’s SIP revision for the second implementation period is required to describe the status of implementation of all measures included in the state’s long-term strategy, including BART and reasonable progress emissions reduction measures from the first implementation period, and the resulting emissions reductions.<sup>107</sup>

A core component of the progress report requirements is an assessment of changes in visibility conditions on the clearest and most impaired days. For second implementation period progress reports, section 51.308(g)(3) requires states with Class I areas within their borders to first determine current visibility conditions for each area on the most impaired and clearest days,<sup>108</sup> and then to calculate the difference between those current conditions and baseline (2000–2004) visibility conditions to assess progress made to date.<sup>109</sup> States

<sup>105</sup> The EPA’s visibility protection regulations define “reasonably attributable visibility impairment” as “visibility impairment that is caused by the emission of air pollutants from one, or a small number of sources.” 40 CFR 51.301.

<sup>106</sup> See 81 FR 26942, 26950 (May 4, 2016); 82 FR 3119 (January 10, 2017).

<sup>107</sup> 40 CFR 51.308(g)(1) and (2).

<sup>108</sup> 40 CFR 51.308(g)(3)(i).

<sup>109</sup> See 40 CFR 51.308(g)(3)(ii).

<sup>97</sup> 40 CFR 51.308(f)(3)(ii).

<sup>98</sup> See 2019 Guidance, pp. 50–51.

<sup>99</sup> See 82 FR 3093, 3099–3100; 2019 Guidance, p. 22; 2021 Clarifications Memo, pp. 15–16.

<sup>100</sup> 40 CFR 51.308(f)(6), (f)(6)(i), (f)(6)(iv).

<sup>101</sup> 40 CFR 51.308(f)(6)(ii), (iii).

<sup>102</sup> See “Step 8: Additional requirements for regional haze SIPs” in 2019 Guidance, p. 55.

<sup>103</sup> 40 CFR 51.308(f)(6)(vi).

<sup>104</sup> *Id.*

must also assess the changes in visibility impairment for the most impaired and clearest days since they submitted their first implementation period progress reports.<sup>110</sup> Since different states submitted their first implementation period progress reports at different times, the starting point for this assessment will vary state by state.

Similarly, states must provide analyses tracking the change in emissions of pollutants contributing to visibility impairment from all sources and activities within the state over the period since they submitted their first implementation period progress reports.<sup>111</sup> Changes in emissions should be identified by the type of source or activity. Section 51.308(g)(5) also addresses changes in emissions since the period addressed by the previous progress report and requires states' SIP revisions to include an assessment of any significant changes in anthropogenic emissions within or outside the state. This assessment must explain whether these changes in emissions were anticipated and whether they have limited or impeded progress in reducing emissions and improving visibility relative to what the state projected based on its long-term strategy for the first implementation period.

#### G. Requirements for State and Federal Land Manager Coordination

CAA section 169A(d) requires that before a state holds a public hearing on a proposed regional haze SIP revision, it must consult with the appropriate FLM or FLMs; pursuant to that consultation, the state must include a summary of the FLMs' conclusions and recommendations in the notice to the public. Consistent with this statutory requirement, the RHR also requires that states "provide the [FLM] with an opportunity for consultation, in person and at a point early enough in the State's policy analyses of its long-term strategy emission reduction obligation so that information and recommendations provided by the [FLM] can meaningfully inform the State's decisions on the long-term strategy."<sup>112</sup> Consultation that occurs 120 days prior to any public hearing or public comment opportunity will be deemed "early enough," but the RHR provides that in any event the opportunity for consultation must be provided at least 60 days before a public hearing or comment opportunity. This consultation must include the opportunity for the FLMs to discuss their assessment of visibility impairment in any Class I area and their recommendations on the development

and implementation of strategies to address such impairment.<sup>113</sup> For the EPA to evaluate whether FLM consultation meeting the requirements of the RHR has occurred, the SIP submission should include documentation of the timing and content of such consultation. The SIP revision submitted to the EPA must also describe how the state addressed any comments provided by the FLMs.<sup>114</sup> Finally, a SIP revision must provide procedures for continuing consultation between the state and FLMs regarding the state's visibility protection program, including development and review of SIP revisions, five-year progress reports, and the implementation of other programs having the potential to contribute to impairment of visibility in Class I areas.<sup>115</sup>

#### IV. The EPA's Evaluation of Arizona's Regional Haze Submission for the Second Implementation Period

##### A. Background on Arizona's First Implementation Period SIP Submission

Arizona submitted its initial regional haze SIP under 40 CFR 51.308 to the EPA on February 28, 2011 (hereinafter "2011 Submittal").<sup>116</sup> The EPA actions following the 2011 Submittal are outlined in Table 1.

TABLE 1—SUMMARY OF EPA ACTIONS UNDER CAA SECTION 308 ON ARIZONA REGIONAL HAZE IN THE FIRST IMPLEMENTATION PERIOD

Date	EPA action
December 5, 2012 .....	"Phase 1" partial approval and partial disapproval of certain provisions of the 2011 Submittal and promulgation of partial federal implementation plan (FIP). <sup>a</sup>
July 30, 2013 .....	"Phase 2" partial approval and partial disapproval of remaining portions of Arizona Regional Haze 2011 Submittal. <sup>b</sup>
September 3, 2014 ....	"Phase 3" promulgation of FIP for remaining portions of Arizona Regional Haze program. <sup>c</sup>
April 10, 2015 .....	Approval of SIP revision for the Arizona Electric Power Cooperative (AEPCCO) Apache Generating Station. <sup>d</sup>
April 17, 2015 .....	FIP revision replacing the control technology demonstration requirements for NO <sub>x</sub> at Lhoist North America of Arizona, Inc. Nelson Lime Plant with revised recordkeeping and reporting requirements. <sup>e</sup>
April 13, 2016 .....	FIP revision revising NO <sub>x</sub> requirements for the Salt River Project Agricultural Improvement and Power District (SRP) Coronado Generating Station. <sup>f</sup>
November 21, 2016 ...	FIP revision replacing the control technology demonstration requirements for NO <sub>x</sub> at CalPortland Cement (CPC) Rillito Plant Kiln 4 and Phoenix Cement Company (PCC) Clarkdale Plant Kiln 4 with revised recordkeeping and reporting requirements. <sup>g</sup>
March 27, 2017 .....	Approval of SIP revision to replace FIP for Arizona Public Service (APS) Cholla Generating Station. <sup>h</sup>
October 10, 2017 .....	Approval of SIP revision to replace FIP for the SRP Coronado Generating Station. <sup>i</sup>

<sup>a</sup> 77 FR 72512 (December 5, 2012).

<sup>b</sup> 78 FR 46142 (July 30, 2013).

<sup>c</sup> 79 FR 52420 (September 3, 2014).

<sup>d</sup> 80 FR 19220 (April 10, 2015).

<sup>e</sup> 80 FR 21176 (April 17, 2015).

<sup>f</sup> 81 FR 21735 (April 13, 2016).

<sup>g</sup> 81 FR 83144 (November 21, 2016).

<sup>h</sup> 82 FR 15139 (March 27, 2017).

<sup>110</sup> See 40 CFR 51.308(g)(3)(iii), (f)(5).

<sup>111</sup> See 40 CFR 51.308(g)(4), (f)(5).

<sup>112</sup> 40 CFR 51.308(i)(2).

<sup>113</sup> 40 CFR 51.308(i)(2).

<sup>114</sup> 40 CFR 51.308(i)(3).

<sup>115</sup> 40 CFR 51.308(i)(4).

<sup>116</sup> On December 23, 2003, ADEQ submitted a Regional Haze plan under 40 CFR 51.309 ("309 Plan"). Letter dated December 23, 2003, from

Stephen A. Owens, Director, ADEQ, to Wayne Nastri, Regional Administrator, EPA, Region IX. On December 30, 2004, ADEQ submitted a revision to its 309 Plan, consisting of rules on emissions trading and smoke management, and a correction to the State's regional haze statutes. Letter dated December 30, 2004, from Stephen A. Owens, Director, ADEQ, to Wayne Nastri, Regional Administrator, EPA. On December 24, 2008, ADEQ

sent a letter resubmitting the 309 Plan revisions to the EPA. Letter dated December 24, 2008, from Stephen A. Owens, Director, ADEQ, to Wayne Nastri, Regional Administrator, EPA. On May 16, 2006 (71 FR 28270) and May 8, 2007 (72 FR 25973), the EPA approved the smoke management rules that were part of these submittals. On August 8, 2013 (78 FR 48326), the EPA disapproved the remainder of the State's submittals under 40 CFR 309.

<sup>182</sup> FR 46903 (October 10, 2017).

On November 12, 2015, the State of Arizona submitted its Progress Report to meet the requirements of 40 CFR 51.308(g) and (h).<sup>117</sup> The EPA approved the Progress Report on July 11, 2019.<sup>118</sup>

### B. Overview of Arizona's Second Implementation Period SIP Submission

In accordance with CAA sections 169A and the RHR at 40 CFR 51.308(f), on August 15, 2022, ADEQ submitted a revision to the Arizona SIP to address its regional haze obligations for the second implementation period, which runs through 2028. Arizona made its 2022 Regional Haze Plan submission available for public comment on June 13, 2022. ADEQ received and responded to public comments and included the comments and responses to those comments in their submission.

The following sections describe Arizona's SIP submission, including analyses conducted by the WRAP and Arizona, Arizona's assessment of progress made since the first implementation period in reducing emissions of visibility impairing pollutants, and the visibility improvement progress at its Class I areas and nearby Class I areas. This notice also provides the EPA's evaluation of Arizona's submission against the requirements of the CAA and RHR for the second implementation period of the regional haze program.

### C. Identification of Class I Areas

Section 169A(b)(2) of the CAA requires each state in which any Class I area is located or "the emissions from which may reasonably be anticipated to cause or contribute to any impairment of visibility" in a Class I area to have a plan for making reasonable progress toward the national visibility goal. The RHR implements this statutory requirement at 40 CFR 51.308(f), which provides that each state's plan "must address regional haze in each mandatory Class I Federal area located within the State and in each mandatory Class I Federal area located outside the State that may be affected by emissions from within the State," and (f)(2), which requires each state's plan to include a long-term strategy that addresses regional haze in such Class I areas.

The EPA explained in the 1999 RHR preamble that the CAA section 169A(b)(2) requirement that states

submit SIP revisions to address visibility impairment establishes "an 'extremely low triggering threshold' in determining which States should submit SIPs for regional haze."<sup>119</sup> In concluding that each of the contiguous 48 states and the District of Columbia meet this threshold,<sup>120</sup> the EPA relied on "a large body of evidence demonstrat[ing] that long-range transport of fine PM contributes to regional haze,"<sup>121</sup> including modeling studies that "preliminarily demonstrated that each State not having a Class I area had emissions contributing to impairment in at least one downwind Class I area."<sup>122</sup> In addition to the technical evidence supporting a conclusion that each state contributes to *existing* visibility impairment, the EPA also explained that the second half of the national visibility goal—preventing *future* visibility impairment—requires having a framework in place to address future growth in visibility-impairing emissions and makes it inappropriate to "establish criteria for excluding States or geographic areas from consideration as potential contributors to regional haze visibility impairment."<sup>123</sup> Thus, the EPA concluded that the agency's "statutory authority and the scientific evidence are sufficient to require all States to develop regional haze SIPs to ensure the prevention of any future impairment of visibility, and to conduct further analyses to determine whether additional control measures are needed to ensure reasonable progress in remedying existing impairment in downwind Class I areas."<sup>124</sup> The EPA's 2017 revisions to the RHR did not disturb this conclusion.<sup>125</sup>

Arizona has 12 Class I areas within its borders: the Chiricahua National Monument, Chiricahua Wilderness Area, Galiuro Wilderness Area, Grand Canyon National Park, Mazatzal Wilderness Area, Mount Baldy Wilderness Area, Petrified Forest National Park, Pine Mountain

Wilderness, Saguaro National Park,<sup>126</sup> Sierra Ancha Wilderness Area, Superstition Wilderness Area, and Sycamore Canyon Wilderness Area.

Arizona did not expressly identify within its SIP which Class I Federal areas located outside of Arizona may be affected by emissions from within Arizona. However, as part of its source selection process described in Chapter 8 and Appendix C, Section C2 of the 2022 Arizona Regional Haze Plan, Arizona included the Q/d<sup>127</sup> values associated with Class I areas outside the State. Further, ADEQ reviewed the source apportionment results of the "On the Books" ("2028OTBa2") projections scenario from the WRAP Regional Haze photochemical grid modeling platform.<sup>128</sup> ADEQ participated in interstate consultation with California, Utah, Nevada, Colorado, and New Mexico, which included discussion of the WRAP modeling and source apportionment products.<sup>129</sup> For New Mexico specifically, ADEQ also provided WRAP regional modeling platform source apportionment results for the 20 percent most impaired days at the four Class I areas in New Mexico that are closest to Arizona.<sup>130</sup>

As explained above, the EPA concluded in the 1999 RHR that "all [s]tates contain sources whose emissions are reasonably anticipated to contribute to regional haze in a Class I area,"<sup>131</sup> and this determination was not changed in the 2017 RHR. Critically, the statute and regulation both require that the cause-or-contribute assessment consider all emissions of visibility-impairing pollutants from a state, as opposed to emissions of a particular pollutant or emissions from a certain set

<sup>126</sup> Saguaro National Park was originally established in 1933 as a National Monument. In 1976, portions of Saguaro National Monument were designated as a Wilderness Area, and the Saguaro Wilderness Area was designated as a Mandatory Class I area in 1979. 44 FR 69124 (November 30, 1979). Congress officially elevated the area known as Saguaro National Monument to the current designation as a National Park in 1994.

<sup>127</sup> Q/d represents a source's annual emissions in tons (Q) divided by the distance in kilometers (d) between the source and the nearest Class I area. For regional haze purposes, only primary visibility-impairing pollutants were included in a source's total Q: NO<sub>x</sub>, SO<sub>2</sub>, and PM<sub>10</sub>.

<sup>128</sup> 2022 Arizona Regional Haze Plan, Chapter 7.4 and Appendix D. The Particle Source Apportionment Technology (PSAT) tool was applied at a regional level to separate U.S. anthropogenic contributions from those of fire, natural, and international anthropogenic contributions for a current period and a future year in 2028.

<sup>129</sup> Id. at Chapter 2.6.

<sup>130</sup> Id. at Table 2-3.

<sup>131</sup> 64 FR at 35721.

<sup>119</sup> 64 FR 35721.

<sup>120</sup> The EPA determined that "there is more than sufficient evidence to support our conclusion that emissions from each of the 48 contiguous states and the District of Columbia may reasonably be anticipated to cause or contribute to visibility impairment in a Class I area." 64 FR at 35721. Hawaii, Alaska, and the U.S. Virgin Islands must also submit regional haze SIPs because they contain Class I areas.

<sup>121</sup> Id.

<sup>122</sup> Id. at 35722.

<sup>123</sup> Id. at 35721.

<sup>124</sup> Id. at 35722.

<sup>125</sup> See 82 FR 3094.

<sup>117</sup> Letter dated November 12, 2015, from Eric C. Massey, Director, Air Quality Division, ADEQ, to Jared Blumenfeld, Regional Administrator, EPA Region IX.

<sup>118</sup> 84 FR 33002.

of sources. Consistent with these requirements, the 2019 Guidance makes it clear that “all types of anthropogenic sources are to be included in the determination” of whether a state’s emissions are reasonably anticipated to result in any visibility impairment.<sup>132</sup> As explained in Section IV.E.2 of this document, we are proposing to find that the 2022 Arizona Regional Haze Plan did not fully meet the requirements of 40 CFR 51.308(f)(2) related to the development of a long-term strategy. Although the State’s failure to identify specific out-of-state Class I areas is not the basis for this proposed disapproval, we recommend that ADEQ more clearly identify which out-of-state Class I areas may be affected by emissions from Arizona.

*D. Calculations of Baseline, Current, and Natural Visibility Conditions; Progress to Date; and the Uniform Rate of Progress*

Section 51.308(f)(1) requires states to determine the following for “each mandatory Class I Federal area located within the State”: baseline visibility conditions for the most impaired and clearest days, natural visibility conditions for the most impaired and clearest days, progress to date for the most impaired and clearest days, the differences between current visibility conditions and natural visibility conditions, and the URP. This section also provides the option for states to propose adjustments to the URP line for a Class I area to account for visibility impacts from anthropogenic sources outside the United States and/or the impacts from wildland prescribed fires that were conducted for certain, specified objectives.<sup>133</sup>

In the 2022 Arizona Regional Haze Plan, ADEQ used visibility data from IMPROVE monitoring sites for 2000–2004 for baseline visibility.<sup>134</sup> ADEQ also obtained visibility data from IMPROVE monitoring data for 2005–2019. The five-year average of 2015–2019 represents current visibility conditions. ADEQ also determined natural visibility by estimating the natural concentrations of visibility-impairing pollutants and then calculating total light extinction with the IMPROVE algorithm. Comparison of baseline conditions to natural visibility conditions shows the improvement necessary to attain natural visibility by 2064 measured in deciviews of improvement per year that represents the URP. The calculations of baseline,

current, and natural visibility conditions, as well as the progress to date, differences between current visibility conditions and natural visibility conditions, and the URP for each of the state’s Class I areas can be found in Chapter 5.2 of the 2022 Arizona Regional Haze Plan. The URP glidepaths and 2028 visibility projections are discussed further in Section 7 and Appendix D. A summary of Arizona’s visibility conditions and unadjusted URPs is also presented in Table 2 of this document. A summary of Arizona’s adjusted URPs is presented in Table 21 of this document.

Data for the Chiricahua National Monument, Chiricahua Wilderness Area, and the Galiuro Wilderness Area come from the CHIR1 monitoring site.<sup>135</sup> These three Class I areas have 2000–2004 baseline visibility conditions of 4.9 deciviews on the 20 percent clearest days and 10.5 deciviews on the 20 percent most impaired days. ADEQ calculated an estimated natural background visibility of 1.8 deciviews on the 20 percent clearest days and 4.9 deciviews on the 20 percent most impaired days for these three Class I areas. The current visibility conditions, which are based on 2015–2019 monitoring data, were 3.9 deciviews on the clearest days and 9.5 deciviews on the most impaired days, which are 2.1 deciviews and 4.6 deciviews greater than natural conditions on the respective sets of days. The progress to date, subtracting current conditions from baseline conditions, yields a 1.1 deciview improvement for the 20 percent clearest days and 1.0 deciview improvement for the 20 percent most impaired days. ADEQ calculated an annual URP of 0.09 deciviews per year needed to reach natural visibility on the 20 percent most impaired days by 2064. ADEQ also indicates that the visibility improvement needed to maintain the URP from the baseline to 2028 is 2.2 deciviews.

Data for the Grand Canyon National Park come from the GRCA2 site.<sup>136</sup> The Grand Canyon has 2000–2004 baseline visibility conditions of 2.2 deciviews on the 20 percent clearest days and 8 deciviews on the 20 percent most impaired days. ADEQ calculated an estimated natural background visibility

of 0.3 deciviews on the 20 percent clearest days and 4.2 deciviews on the 20 percent most impaired days for these three Class I areas. The current visibility conditions, which are based on 2015–2019 monitoring data, were 1.6 deciviews on the clearest days and 6.9 deciviews on the most impaired days, which are 1.3 deciviews and 2.7 deciviews greater than natural conditions on the respective sets of days. The progress to date, subtracting current conditions from baseline conditions, yields a 0.6 deciview improvement for the 20 percent clearest days and 1.1 deciview improvement for the 20 percent most impaired days. ADEQ calculated an annual URP of 0.06 deciviews per year needed to reach natural visibility on the 20 percent most impaired days by 2064. ADEQ also indicates that the visibility improvement needed to maintain the URP from the baseline to 2028 is 1.5 deciviews.

Data for the Mazatzal Wilderness Area and Pine Mountain Wilderness Area come from the IKBA1 monitoring site.<sup>137</sup> These two Class I areas have 2000–2004 baseline visibility conditions of 5.4 deciviews on the 20 percent clearest days and 11.2 deciviews on the 20 percent most impaired days. ADEQ calculated an estimated natural background visibility of 1.9 deciviews on the 20 percent clearest days and 5.2 deciviews on the 20 percent most impaired days for these two Class I areas. The current visibility conditions, which are based on 2015–2019 monitoring data, were 4.2 deciviews on the clearest days and 9.5 deciviews on the most impaired days, which are 2.3 deciviews and 4.3 deciviews greater than natural conditions on the respective sets of days. The progress to date, subtracting current conditions from baseline conditions, yields a 1.2 deciview improvement for the 20 percent clearest days and 1.7 deciview improvement for the 20 percent most impaired days. ADEQ calculated an annual URP of 0.10 deciviews per year needed to reach natural visibility on the 20 percent most impaired days by 2064. ADEQ indicates that the visibility improvement needed to maintain the URP from the baseline to 2028 is 2.4 deciviews.

Data for the Mount Baldy Wilderness Area come from the BALD1 monitoring

<sup>135</sup> Figure 5–2 in the 2022 Arizona Regional Haze Plan depicts the annual and 5-year average most impaired day and clearest day visibility in deciviews (dv), the unadjusted MID URP, and the clearest days threshold for the CHIR1 site.

<sup>136</sup> Figure 5–3 in the 2022 Arizona Regional Haze Plan depicts the annual and 5-year average most impaired day and clearest day visibility in dv, the unadjusted MID URP, and the clearest days threshold for the GRCA2 site.

<sup>137</sup> Figure 5–4 in the 2022 Arizona Regional Haze Plan depicts the annual and 5-year average most impaired day and clearest day visibility (dv), the unadjusted MID URP, and the clearest days threshold for the IKBA1 site.

<sup>132</sup> 2019 Guidance, p. 8.

<sup>133</sup> 40 CFR 51.308(f)(1)(vi)(B).

<sup>134</sup> 2022 Arizona Regional Haze Plan, Chapter 5.



site.<sup>138</sup> Mount Baldy has 2000–2004 baseline visibility conditions of 3.0 deciviews on the 20 percent clearest days and 8.8 deciviews on the 20 percent most impaired days. ADEQ calculated an estimated natural background visibility of 0.5 on the 20 percent clearest days and 4.2 deciviews on the 20 percent most impaired days. The current visibility conditions, which are based on 2015–2019 monitoring data, were 1.8 deciviews on the clearest days and 7.3 deciviews on the most impaired days, which are 1.3 deciviews and 3.1 deciviews greater than natural conditions on the respective sets of days. The progress to date, subtracting current conditions from baseline conditions, yields a 1.2 deciview improvement for the 20 percent clearest days and 1.5 deciview improvement for the 20 percent most impaired days. ADEQ calculated an annual URP of 0.08 deciviews per year needed to reach natural visibility on the 20 percent most impaired days by 2064. ADEQ indicates that the visibility improvement needed to maintain the URP from the baseline to 2028 is 1.8 deciviews.

Data for the Petrified Forest National Park come from the PEFO1 monitoring site.<sup>139</sup> The Class I area has 2000–2004 baseline visibility conditions of 5.0 deciviews on the 20 percent clearest days and 9.8 deciviews on the 20 percent most impaired days. ADEQ calculated an estimated natural background visibility of 1.1 deciviews on the 20 percent clearest days and 4.2 deciviews on the 20 percent most impaired days. The current visibility conditions, which are based on 2015–2019 monitoring data, were 3.3 deciviews on the clearest days and 8.1 deciviews on the most impaired days, which are 2.2 deciviews and 3.9 deciviews greater than natural conditions on the respective sets of days. The progress to date, subtracting current conditions from baseline conditions, yields a 1.8 deciview improvement for the 20 percent clearest days and 1.7 deciview improvement for the 20 percent most impaired days. ADEQ calculated an annual URP of 0.09 deciviews per year needed to reach natural visibility on the 20 percent most impaired days by 2064. ADEQ indicates that the visibility improvement needed to maintain the URP from the baseline to 2028 is 2.4 deciviews.

<sup>138</sup> 2022 Arizona Regional Haze Plan, Tables 5–1 through 5–3.

<sup>139</sup> Figure 5–5 in the 2022 Arizona Regional Haze Plan depicts the annual and 5-year average most impaired day and clearest day visibility in *dv*, the unadjusted MID URP, and the clearest days threshold for the PEFO1 site.

Data for the Saguaro National Park come from the SAGU1 monitoring site.<sup>140</sup> The Class I area has 2000–2004 baseline visibility conditions of 6.9 deciviews on the 20 percent clearest days and 12.6 deciviews on the 20 percent most impaired days. ADEQ calculated an estimated natural background visibility of 2.2 deciviews on the 20 percent clearest days and 5.1 deciviews on the 20 percent most impaired days. The current visibility conditions, which are based on 2015–2019 monitoring data, were 5.8 deciviews on the clearest days and 10.7 deciviews on the most impaired days, which are 3.6 deciviews and 5.6 deciviews greater than natural conditions on the respective sets of days. The progress to date, subtracting current conditions from baseline conditions, yields a 1.1 deciview improvement for the 20 percent clearest days and 1.9 deciview improvement for the 20 percent most impaired days. ADEQ calculated an annual URP of 0.12 deciviews per year needed to reach natural visibility on the 20 percent most impaired days by 2064. ADEQ indicates that the visibility improvement needed to maintain the URP from the baseline to 2028 is 3.0 deciviews.

Data for the Sierra Ancha Wilderness Area come from the SIAN1 monitoring site.<sup>141</sup> The Class I area has 2000–2004 baseline visibility conditions of 6.2 deciviews on the 20 percent clearest days and 10.8 deciviews on the 20 percent most impaired days. ADEQ calculated an estimated natural background visibility of 2.0 deciviews on the 20 percent clearest days and 5.1 deciviews on the 20 percent most impaired days. The current visibility conditions, which are based on 2015–2019 monitoring data, were 4.3 deciviews on the clearest days and 9.4 deciviews on the most impaired days, which are 2.3 deciviews and 4.3 deciviews greater than natural conditions on the respective sets of days. The progress to date, subtracting current conditions from baseline conditions, yields a 1.9 deciview improvement for the 20 percent clearest days and 1.4 deciview improvement for the 20 percent most impaired days. ADEQ calculated an annual URP of 0.09 deciviews per year needed to reach

<sup>140</sup> Figure 5–6 in the 2022 Arizona Regional Haze Plan depicts the annual and 5-year average most impaired day and clearest day visibility in *dv*, the unadjusted MID URP, and the clearest days threshold for the SAGU1 site.

<sup>141</sup> Figure 5–7 in the 2022 Arizona Regional Haze Plan depicts the annual and 5-year average most impaired day and clearest day visibility in *dv*, the unadjusted MID URP, and the clearest days threshold for the SIAN1 site. Data is not available for 2016–2020 for SIAN1.

natural visibility on the 20 percent most impaired days by 2064. ADEQ indicates that the visibility improvement needed to maintain the URP from the baseline to 2028 is 2.3 deciviews.

Data for the Superstition Wilderness Area come from the TONT1 monitoring site.<sup>142</sup> The Class I area has 2000–2004 baseline visibility conditions of 6.5 deciviews on the 20 percent clearest days and 11.7 deciviews on the 20 percent most impaired days. ADEQ calculated an estimated natural background visibility of 2.0 deciviews on the 20 percent clearest days and 5.1 deciviews on the 20 percent most impaired days. The current visibility conditions, which are based on 2015–2019 monitoring data, were 4.9 deciviews on the clearest days and 10.3 deciviews on the most impaired days, which are 2.9 deciviews and 5.2 deciviews greater than natural conditions on the respective sets of days. The progress to date, subtracting current conditions from baseline conditions, yields a 1.6 deciview improvement for the 20 percent clearest days and 1.3 deciview improvement for the 20 percent most impaired days. ADEQ calculated an annual URP of 0.09 deciviews per year needed to reach natural visibility on the 20 percent most impaired days by 2064. ADEQ indicates that the visibility improvement needed to maintain the URP from the baseline to 2028 is 2.6 deciviews.

Data for the Sycamore Canyon Wilderness Area come from the SYCA\_RHTS monitoring site.<sup>143</sup> The Class I area has 2000–2004 baseline visibility conditions of 5.6 deciviews on the 20 percent clearest days and 12.2 deciviews on the 20 percent most impaired days. ADEQ calculated an estimated natural background visibility of 1.0 deciview on the 20 percent clearest days and 4.7 deciviews on the 20 percent most impaired days. The current visibility conditions, which are based on 2015–2019 monitoring data, were 3.9 deciviews on the clearest days and 11.7 deciviews on the most impaired days, which are 2.9 deciviews and 7.0 deciviews greater than natural

<sup>142</sup> Figure 5–8 in the 2022 Arizona Regional Haze Plan depicts the annual and 5-year average most impaired day and clearest day visibility in *dv*, the unadjusted MID URP, and the clearest days threshold for the TONT1 site.

<sup>143</sup> Figure 5–9 in the 2022 Arizona Regional Haze Plan depicts the annual and 5-year average most impaired day and clearest day visibility in *dv*, the unadjusted MID URP, and the clearest days threshold for the SYCA\_RHTS site. The abbreviation “SYCA\_RHTS” is for Sycamore Regional Haze Tracking Site, and combines data from the SYCA1 IMPROVE site, which closed in 2015 during the baseline period, and data from the newer SYCA2 site.

conditions on the respective sets of days. The progress to date, subtracting current conditions from baseline conditions, yields a 1.6 deciview improvement for the 20 percent clearest

days and 0.4 deciview improvement for the 20 percent most impaired days. ADEQ calculated an annual URP of 0.12 deciviews per year needed to reach natural visibility on the 20 percent most

impaired days by 2064. ADEQ indicates that the visibility improvement needed to maintain the URP from the baseline to 2028 is 3.0 deciviews.

TABLE 2—VISIBILITY CONDITIONS AND UNIFORM RATE OF PROGRESS, IN DECIVIEWS (dv)

Class I Area	20% Clearest days				20% Most-impaired days				Maintain URP			
	Baseline	Current	Natural	Difference	Baseline	Current	Natural	Difference	dv per year	total dv (baseline to 2019)	total dv (baseline to 2028)	
Chiricahua NM												
WA .....	4.9	3.9	1.8	2.1	10.5	9.5	4.9	4.6	0.09	1.4	2.2	
Chiricahua WA ..	4.9	3.9	1.8	2.1	10.5	9.5	4.9	4.6	0.09	1.4	2.2	
Galiuro WA .....	4.9	3.9	1.8	2.1	10.5	9.5	4.9	4.6	0.09	1.4	2.2	
Grand Canyon												
NP .....	2.2	1.6	0.3	1.3	8.0	6.9	4.2	2.7	0.06	1.0	1.5	
Mazatzal WA .....	5.4	4.2	1.9	2.3	11.2	9.5	5.2	4.3	0.10	1.5	2.4	
Mount Baldy WA	3.0	1.8	0.5	1.3	8.8	7.3	4.2	3.1	0.08	1.2	1.8	
Petrified Forest												
NP .....	5.0	3.3	1.1	2.2	9.8	8.1	4.2	3.9	0.09	1.4	2.2	
Pine Mountain												
WA .....	5.4	4.2	1.9	2.3	11.2	9.5	5.2	4.3	0.10	1.5	2.4	
Saguaro NP .....	6.9	5.8	2.2	3.6	12.6	10.7	5.1	5.6	0.12	1.9	3.0	
Sierra Ancha WA	6.2	4.3	2.0	2.3	10.8	9.4	5.1	4.3	0.09	1.2	2.3	
Superstition WA	6.5	4.9	2.0	2.9	11.7	10.3	5.1	5.2	0.11	1.6	2.6	
Sycamore Canyon WA .....	5.6	3.9	1.0	2.9	12.2	11.7	4.7	7.0	0.12	1.9	3.0	

Source: 2022 Arizona Regional Haze Plan, p. 38, Tables 5–1, 5–2, and 5–3. Baseline conditions are for 2000–2004. Current Conditions are for 2015–2019; Difference is Current dv minus Natural Conditions. Maintain URP shows the deciviews per year and the total deciview improvements needed to maintain the Uniform Rate of Progress to 2019 and 2028.

ADEQ chose to adjust its URP to account for international anthropogenic impacts and for the impacts of wildland prescribed fires. The WRAP/WAQS Regional Haze modeling platform used scaled 2014 NEI wildland prescribed fire data for purposes of calculating the URP adjustments. ADEQ submits activity data related to wildland prescribed fires approved under its SIP approved Enhanced Smoke Management Program to the EPA for use in the development of the NEI. WRAP used the results from the CAMx 2028OTBa2 High-Level Source Apportionment run to obtain concentrations due to international emissions and to prescribed fire. These concentrations were then used in a relative sense to estimate the contributions for use in adjusting the URP. That is, the modeled relative effect of removing their emissions (relative response factors) was applied to projections of 2028 concentrations. The resulting concentration decrease was taken as the contribution of these sources. The international and prescribed fire contributions were therefore calculated in a fashion consistent with each other and with the 2028 projections. This approach is consistent with the default method described in the EPA’s September 2019 regional haze modeling Technical Support Document (“EPA 2019

Modeling TSD”) <sup>144</sup> and with the source apportionment approach described in EPA’s 2018 Visibility Tracking Guidance.<sup>145</sup> Two different adjusted glidepath options, “International Emissions Only (A)” and “International Emissions + Wildland Rx Fire (B),” were made available on the WRAP TSS to adjust the URP glidepath end points projections at 2064 for Class I federal areas on the most impaired days. ADEQ used the International Emissions + Wildland Rx Fire glidepath endpoint adjustment option. The choice of adjustment option made a negligible difference for five of the nine IMPROVE monitor locations, a small difference for three others, and a larger difference for the SYCA\_RHTS monitor covering the Sycamore Canyon Wilderness. The deciview values for the URP glidepaths, both unadjusted and adjusted, were

<sup>144</sup> Memorandum from Richard A. Wayland, Director, Air Quality Assessment Division, EPA, to Regional Air Division Directors, Subject: “Availability of Modeling Data and Associated Technical Support Document for the EPA’s Updated 2028 Visibility Air Quality Modeling,” September 19, 2019, available at <https://www.epa.gov/visibility/technical-support-document-epas-updated-2028-regional-haze-modeling>.

<sup>145</sup> Memorandum from Richard A. Wayland, Director, Air Quality Assessment Division, EPA, to Regional Air Division Directors, Subject: “Technical Guidance on Tracking Visibility Progress for the Second Implementation Period of the Regional Haze Program,” December 20, 2018, available at [https://www.epa.gov/sites/default/files/2018-12/documents/technical\\_guidance\\_tracking\\_visibility\\_progress.pdf](https://www.epa.gov/sites/default/files/2018-12/documents/technical_guidance_tracking_visibility_progress.pdf).

fairly close to values estimated in the EPA 2019 Modeling TSD. The choice of adjustment option made no difference in whether the RPG for each area was above or below its URP glidepath, which is discussed in the Section IV.F of this document.

The EPA is therefore proposing to find that Chapter 5 and Appendix A of the 2022 Arizona Regional Haze Plan meet the requirements of 40 CFR 51.308(f)(1) related to the calculations of baseline, current, and natural visibility conditions; progress to date; differences between current visibility conditions and natural visibility conditions; and the URPs for the second implementation period. We also propose to find that ADEQ has estimated the impacts from anthropogenic sources outside the United States and wildland prescribed fires using scientifically valid data and methods, and we therefore propose to approve the adjustments to the URPs pursuant to 40 CFR 51.308(f)(1)(vi)(B).

*E. Long-Term Strategy for Regional Haze*

1. Arizona’s Long-Term Strategy in the 2022 Arizona Regional Haze Plan

Each state having a Class I area within its borders or emissions that may affect visibility in a Class I area must develop a long-term strategy for making reasonable progress towards the national visibility goal. As explained in Section 3 of this notice, reasonable progress is achieved when all states contributing to visibility impairment in

a Class I area are implementing the measures determined—through application of the four statutory factors to sources of visibility impairing pollutants—to be necessary to make reasonable progress.<sup>146</sup> Each state's long-term strategy must include the enforceable emissions limitations, compliance schedules, and other measures that are necessary to make reasonable progress.<sup>147</sup> All new (*i.e.*, additional) measures that are the outcome of four-factor analyses are necessary to make reasonable progress and must be in the long-term strategy. If the outcome of a four-factor analysis and analysis of other measures necessary to make reasonable progress is that no new measures are reasonable for a source, that source's existing measures are necessary to make reasonable progress, unless the state can demonstrate that the source will continue to implement those measures and will not increase its emissions rate. Existing measures that are necessary to make reasonable progress must also be in the long-term strategy. In developing its long-term strategies, a state must also consider the five additional factors in section 51.308(f)(2)(iv). As part of its reasonable progress determinations, the state must describe the criteria used to determine which sources or group of sources were evaluated in a four-factor analysis for the second implementation period and how the four factors were taken into consideration in selecting the emissions reduction measures for inclusion in the long-term strategy.<sup>148</sup>

The consultation requirements of section 51.308(f)(2)(ii) provide that states must consult with other states that are reasonably anticipated to contribute to visibility impairment in a Class I area to develop and coordinate emissions management strategies containing the emissions reduction measures that are necessary to make reasonable progress. Section 51.308(f)(2)(ii)(A) and (B) require states to consider the emissions reduction measures identified by other states as necessary for reasonable progress and to include agreed upon measures in their SIPs, respectively. Section 51.308(f)(2)(ii)(C) speaks to what happens if states cannot agree on what measures are necessary to make reasonable progress.

The following sections summarize Arizona's long-term strategy for the second planning period, as set forth in the 2022 Arizona Regional Haze Plan. The EPA's evaluation with respect to

the requirements of 51.308(f)(2) is provided in Section IV.E.2.

#### a. Point Sources

##### i. Source Selection

PM is composed of different chemical constituents, including sulfates, nitrates, organic carbon, elemental carbon, coarse mass, and soil dust ("PM species" or "species"). ADEQ focused its source evaluation on the PM species that dominate visibility impairment at its Class I areas.<sup>149</sup> ADEQ evaluated light extinction for PM species by calculating total light extinction<sup>150</sup> and anthropogenic extinction<sup>151</sup> for each species on the most impaired days at its Class I areas. ADEQ indicated that when the anthropogenic portion of the impact is considered, the sulfate, nitrate, and coarse mass species collectively constitute 80 percent of total extinction on average across the Arizona Class I areas (ranging from 72.3 percent at the PEFO1 monitor to 88.8 percent at the CHIR1 monitor).<sup>152</sup> ADEQ also noted that, while organic carbon mass and light absorbing carbon account for more than 10 percent of the anthropogenic light extinction impact for at least one of the Class I areas, the emissions that contribute to these species are primarily from biogenic, wildfires, and onroad sources, for which the State has limited available control opportunities. Based on this analysis, ADEQ determined that sulfate, nitrate, and coarse mass are the three species that should be evaluated for source controls during this planning period in order to maximize the visibility benefit of controls. SO<sub>2</sub> emissions are a precursor to the formation of sulfate, and NO<sub>x</sub> emissions are a precursor to the formation of nitrate. Coarse mass emissions involve particulates with an aerodynamic diameter between 10 and 2.5 microns (*i.e.*, PM<sub>10</sub> less PM<sub>2.5</sub>). Because coarse mass is not commonly included in emissions inventories, states generally use particulate matter with an aerodynamic diameter under 10 microns (PM<sub>10</sub>) as a surrogate for coarse mass. Therefore, ADEQ conducted its screening based on NO<sub>x</sub>, SO<sub>2</sub>, and PM<sub>10</sub> emissions.

Arizona used the Q/d method to identify sources that are reasonably expected to contribute to visibility impairment at any Class I area. ADEQ used a Q/d threshold of 10 (combined NO<sub>x</sub>, SO<sub>2</sub> and PM<sub>10</sub> emissions) based on the 2014 National Emissions Inventory

(NEI) Version 2 ("2014v2") emissions. ADEQ's approach included additional steps in order to screen out processes within the identified sources that have installed or will install "effective controls" prior to the end of the second planning period.<sup>153</sup> ADEQ evaluated 2018 operational and emissions data to determine which processes have an effective control installed or incorporated within the last five years or will install or incorporate an effective control prior to 2028.<sup>154</sup>

ADEQ used following the criteria for determining what constitutes an effective control: (1) the control was installed within the last five years of this analysis (*i.e.*, during or since 2014) or will be installed prior to 2028; (2) the control was installed to meet (a) PSD requirements (or is otherwise considered a to be equivalent to the best available control technology (BACT)), (b) BART requirements (including BART reconsiderations and better-than-BART determinations),<sup>155</sup> (c) Regional Haze 1st planning period Reasonable Progress, requirements, or (d) other SIP requirements to achieve NAAQS compliance; and (3) process emissions must be controlled through routing those emissions through a newly constructed or recently upgraded pollution control device or "taking emission limits that would otherwise equate to the installation of a pollution control device."<sup>156</sup>

ADEQ further determined that the application of the effective control screening should be applied at the process level as opposed to the facility-wide level. Given an increase in resolution at the process level as compared to the unit level, ADEQ determined that examining facility processes was the most appropriate level of resolution for determining which emission sources at a facility would undergo a four-factor control determination. Additionally, given that some permitted sources submit emissions inventories containing hundreds of processes, including many that emit low levels of pollutants, ADEQ

<sup>153</sup> A full description of the methodology and determinations of effective controls and their treatment are included in Appendix C of the 2022 Arizona Regional Haze Plan. Figure 8–1 of the 2022 Arizona Regional Haze Plan presents a flowchart of ADEQ's major point source screening process.

<sup>154</sup> Arizona Regional Haze Plan, Appendix C, Section C.2.1.2.

<sup>155</sup> Pursuant to 40 CFR 51.308(e)(2), States have the flexibility to adopt alternatives that provide greater reasonable progress towards natural visibility conditions than BART for one or more subject-to-BART sources (commonly known as "better-than-BART" alternatives).

<sup>156</sup> Arizona Regional Haze Plan Appendix C, p. 30.

<sup>149</sup> 2022 Arizona Regional Haze Plan, Section 8.2.1.

<sup>150</sup> *Id.*, Appendix C, Table 3.

<sup>151</sup> *Id.* at Table 4.

<sup>152</sup> *Id.* at Table 5.

<sup>146</sup> 40 CFR 51.308(f)(2)(i).

<sup>147</sup> 40 CFR 51.308(f)(2).

<sup>148</sup> 40 CFR 51.308(f)(2)(iii).

determined that it was unnecessary to perform a control evaluation on all processes at each facility, but that at least the largest 80 percent of pollutant- and process-specific emissions at a source should be considered.

As shown in Table 3 of this document, ADEQ determined that 55 processes within the identified sources

were effectively controlled.<sup>157</sup> These include certain processes where no control has been installed within the last five years, but where new emissions limits were established, such as Tucson Electric Power (TEP) Company Irvington Generating Station (IGS) Unit 4 and AEP/CO Apache Generating Station Unit 2, both of which converted from coal to

natural gas as part of better-than-BART alternatives during the first planning period. ADEQ then screened out these effectively controlled processes from further consideration and indicated that these effectively controlled processes will be reevaluated in future rounds of Regional Haze planning.

TABLE 3—LIST OF EFFECTIVE CONTROLS IDENTIFIED BY ADEQ FOR ARIZONA MAJOR POINT SOURCES

Facility	Unit/process description	Control program	Comments
AEP/CO—Apache Generating Station.	Steam Unit 1 Gas	Regional Haze—BART Alternative.	NO <sub>x</sub> limit of 0.056 pounds per million British thermal unit (lb/MMBtu) stand-alone and 0.1 lb/MMBtu combined ST1/GT1 and a 30-calendar day average of 1,205 lb/day, PM <sub>10</sub> limit of 0.0075 lb/MMBtu, and SO <sub>2</sub> limit of 0.00064 lb/MMBtu.
AEP/CO—Apache Generating Station.	Steam Unit 2 Gas	Regional Haze—BART Alternative.	Conversion from coal to natural gas with NO <sub>x</sub> limit of 0.085 lb/MMBtu 30-day average, SO <sub>2</sub> limit of 0.00064 lb/MMBtu 30-day average, PM <sub>10</sub> limit of 0.008 lb/MMBtu 30-day average.
AEP/CO—Apache Generating Station.	Steam Unit 2 Coal	Regional Haze—BART Alternative.	Conversion from coal to natural gas w/NO <sub>x</sub> limit of 0.085 lb/MMBtu 30-day average, SO <sub>2</sub> limit of 0.00064 lb/MMBtu 30-day average, PM <sub>10</sub> limit of 0.008 lb/MMBtu 30-day average.
AEP/CO—Apache Generating Station.	Steam Unit 3 Coal	Regional Haze—BART Alternative.	Selective non-catalytic reduction (SNCR) installation w/a NO <sub>x</sub> 30-day average limit of 0.23 lb/MMBtu.
AEP/CO—Apache Generating Station.	Steam Unit 3 Gas	Regional Haze—BART Alternative.	SNCR installation w/a NO <sub>x</sub> 30-day average limit of 0.23 lb/MMBtu.
AEP/CO—Apache Generating Station.	Gas Combust Turbine #1.	Regional Haze—BART Alternative.	NO <sub>x</sub> limit of 0.056 lb/MMBtu stand-alone and 0.1 lb/MMBtu combined ST1/GT1 and a 30-calendar day average of 1,205 lb/day, PM <sub>10</sub> limit of 0.0075 lb/MMBtu, and SO <sub>2</sub> limit of 0.00064 lb/MMBtu.
APS—Cholla Power Plant.	Coal Combustion In Steam Unit #1.	Regional Haze—BART.	Cease operation or convert unit from coal to natural gas by April 30, 2025, with 20% annual capacity factor.
APS—Cholla Power Plant.	Coal Combustion in Steam Unit #2.	Regional Haze—BART.	Permanently shut down April 1, 2016.
APS—Cholla Power Plant.	Coal Combustion in Steam Unit #3.	Regional Haze—BART.	Permanently cease coal burning by April 30, 2025. Natural gas option with less than 20% average annual capacity factor (NO <sub>x</sub> , SO <sub>2</sub> , and PM <sub>10</sub> emissions limits specified).
APS—Cholla Power Plant.	Coal Combustion in Steam Unit #4.	Regional Haze—BART.	Permanently cease coal burning by April 30, 2025. Natural gas option with less than 20% average annual capacity factor (NO <sub>x</sub> , SO <sub>2</sub> , and PM <sub>10</sub> emissions limits specified).
Asarco—Hayden Smelter.	Flash Furnace, Converter.	SIP Action—Pb, SO <sub>2</sub> .	Converter retrofit & HSA Lime Injection/Baghouse.
Asarco—Hayden Smelter.	Paved Road Traffic	SIP Action—Pb .....	Limits on Lead Bearing Fugitive Dust from the Hayden smelter.
Asarco—Hayden Smelter.	Product Dryer Baghouses.	SIP Action—Pb, SO <sub>2</sub> .	Converter retrofit & HSA Lime Injection/Baghouse.
Asarco—Hayden Smelter.	Storage & Handling	SIP Action—Pb .....	Limits on Lead Bearing Fugitive Dust from the Hayden smelter.
Asarco—Hayden Smelter.	Unpaved Road Traffic.	SIP Action—Pb .....	Limits on Lead Bearing Fugitive Dust from the Hayden smelter.
Asarco—Hayden Smelter.	Flash Furnace/ Converter Primary Ventilation—Acid Plant Outlet.	SIP Action—SO <sub>2</sub> ...	Flash furnace fugitive SO <sub>2</sub> capture and control improvements made as part of the converter retrofit project.
Asarco—Hayden Smelter.	Converter Aisle Fugitives.	SIP Action—SO <sub>2</sub> ...	New tertiary ventilation system.
Asarco—Hayden Smelter.	Fines Crushing Circuit.	SIP Action—Pb .....	Limits on Lead Bearing Fugitive Dust from the Hayden smelter.
Asarco—Hayden Smelter.	Flash Furnace Fugitives.	SIP Action—SO <sub>2</sub> ...	Flash furnace fugitive SO <sub>2</sub> capture and control improvements made as part of the converter retrofit project.
Asarco—Hayden Smelter.	Flash Furnace Baghouse Outlet.	SIP Action—SO <sub>2</sub> ...	Flash furnace fugitive SO <sub>2</sub> capture and control improvements made as part of the converter retrofit project.
Asarco—Hayden Smelter.	Peirce Smith Converters.	SIP Action—SO <sub>2</sub> ...	New tertiary ventilation system.
Asarco—Hayden Smelter.	Peirce Smith Converters.	SIP Action—Pb, SO <sub>2</sub> .	Converter retrofit & HSA Lime Injection/Baghouse.
Asarco—Hayden Smelter.	Revert Crushing Circuit.	SIP Action—Pb .....	Limits on Lead Bearing Fugitive Dust from the Hayden smelter.
Asarco—Hayden Smelter.	Secondary Hood Baghouse.	SIP Action—SO <sub>2</sub> ...	New tertiary ventilation system.

<sup>157</sup> Id. at Exhibit CI.

TABLE 3—LIST OF EFFECTIVE CONTROLS IDENTIFIED BY ADEQ FOR ARIZONA MAJOR POINT SOURCES—Continued

Facility	Unit/process description	Control program	Comments
Asarco—Hayden Smelter.	Tertiary Hood Ventilation Outlet.	SIP Action—SO <sub>2</sub> ...	New tertiary ventilation system.
CalPortland-Rillito Cement Plant.	Preheater & Kiln 4	Regional Haze—Reasonable Progress.	SNCR installation with a NO <sub>x</sub> limit of 3.46 lb/ton.
Chemical Lime Nelson Plant.	Baghouse .....	Regional Haze—BART.	SNCR NO <sub>x</sub> limit of 3.80 lb/ton. Use of lower sulfur fuel with SO <sub>2</sub> limit of 9.32 lb/ton.
Chemical Lime Nelson Plant.	Baghouse .....	Regional Haze—BART.	SNCR NO <sub>x</sub> limit of 2.61 lb/ton. Use of lower sulfur fuel with SO <sub>2</sub> limit of 9.73 lb/ton.
Coronado Generating Plant.	Coal Combustion Unit 1.	Regional Haze—BART.	Selective catalytic reduction (SCR) installation or shut down by 12/31/2025. 0.065 lb/MMBtu average NO <sub>x</sub> limit and 0.060 lb/MMBtu average SO <sub>2</sub> limit. Additional facility-wide cap on SO <sub>2</sub> emissions.
Coronado Generating Plant.	Fuel Oil Combustion Unit 1.	Regional Haze—BART.	SCR installation or shut down by 12/31/2025. 0.065 lb/MMBtu average NO <sub>x</sub> limit and 0.060 lb/MMBtu average SO <sub>2</sub> limit. Additional facility-wide cap on SO <sub>2</sub> emissions.
Coronado Generating Plant.	Coal Combustion Unit 2.	Regional Haze—BART.	SCR installation in June 2014.
Coronado Generating Plant.	Fuel Oil Combustion Unit 2.	Regional Haze—BART.	SCR installation in June 2014.
Freeport McMoran Miami Smelter.	Smelting: Isa & Elf	SIP Action—SO <sub>2</sub> ...	2018 environmental upgrades included capture of anode vessel process emissions, routing to baghouse and caustic scrubber.
Freeport McMoran Miami Smelter.	Captured Converter Fugitives and Anode Process Emissions.	SIP Action—SO <sub>2</sub> ...	Anode process emissions routed through baghouse and caustic scrubber, Converter fugitive emissions routed through caustic scrubber.
Freeport McMoran Miami Smelter.	Collected Fugitives	SIP Action—SO <sub>2</sub> ...	Vent fume system, including Wet Electrostatic Precipitator (ESP) and caustic scrubber.
Freeport McMoran Miami Smelter.	Bypass Stack .....	SIP Action—SO <sub>2</sub> ...	Bypass stack subject to facility-wide SO <sub>2</sub> limit in SO <sub>2</sub> and permit.
Freeport McMoran Miami Smelter.	Smelting Fugitives	SIP Action—SO <sub>2</sub> ...	Fugitive originating from IsaSmelt vessel, electric furnace, converters, and anode vessels, each of which have emissions capture and control systems.
Freeport McMoran Miami Smelter.	Natural Gas Combustion.	SIP Action—SO <sub>2</sub> ...	Majority of smelter natural gas combustion occurs within IsaSmelt, Electric Furnace, Converters and Anode Vessels and is co-mingled with process gas which is routed to the various control devices. Insignificant emissions originating from uncontrolled space heaters, small water heaters, etc.
Freeport McMoran Miami Smelter.	Anode Refining .....	SIP Action—SO <sub>2</sub> ...	2018 environmental upgrades included capture of anode vessel process emissions, routing to baghouse and caustic scrubber.
Phoenix Cement—Clarkdale.	Raw Mill/Kiln .....	Regional Haze—Reasonable Progress.	SNCR installation with a NO <sub>x</sub> limit of 2.67 lb/ton.
Phoenix Cement—Clarkdale.	Coal Milling .....	Regional Haze—Reasonable Progress.	SNCR installation with a NO <sub>x</sub> limit of 2.67 lb/ton.
Tucson Electric Power—Irvington.	U1 Boiler—Natural Gas.	PSD BACT .....	Replacement of unit with 10 upgraded reciprocating internal combustion engines (RICE) engines and a combined annual NO <sub>x</sub> limit of 170 tons per year (tpy).
Tucson Electric Power—Irvington.	U2 Boiler—Natural Gas.	PSD BACT .....	Replacement of unit with 10 upgraded RICE engines and a combined annual NO <sub>x</sub> limit of 170 tpy.
Tucson Electric Power—Irvington.	U4 Boiler—Natural Gas.	Regional Haze—BART Alternative.	Fuel switch with a 0.25 lb/MMBtu NO <sub>x</sub> limit, 0.57 lb/MMBtu SO <sub>2</sub> limit, and 0.010 lb/MMBtu PM <sub>10</sub> limit.
Tucson Electric Power—Irvington.	IGT1—Turbine—Natural Gas.	PSD BACT .....	Replacement of unit with 10 upgraded RICE engines and a combined annual NO <sub>x</sub> limit of 170 tpy.
Tucson Electric Power—Irvington.	IGT2—Turbine—Natural Gas.	PSD BACT .....	Replacement of unit with 10 upgraded RICE engines and a combined annual NO <sub>x</sub> limit of 170 tpy.

Source: 2022 Arizona Regional Haze Plan, Appendix C, Exhibit CI.

ADEQ then recalculated Q/d using a threshold of 10 for each facility utilizing the remaining processes and 2018 data.

Based on the source screening results, ADEQ determined that the 11 permitted sources listed in Table 4 of this

document would undergo a four-factor analysis.<sup>158</sup>

TABLE 4—ARIZONA SOURCE SCREENING RESULTS

Facility	Q (tpy)	d (km)	Q/d	Nearest Class I area
ASARCO LLC—Mission Complex .....	1,254	42	30	Saguaro National Park.
ASARCO LLC—Ray Operations .....	371	26	14	Superstition Wilderness Area.

<sup>158</sup> 2022 Arizona Regional Haze Plan, Table 8–2.

TABLE 4—ARIZONA SOURCE SCREENING RESULTS—Continued

Facility	Q (tpy)	d (km)	Q/d	Nearest Class I area
CalPortland—Rillito Cement Plant .....	246	8	30	Saguaro National Park.
Drake Cement LLC .....	375	22	17	Sycamore Canyon Wilderness Area.
El Paso Natural Gas—Willcox Compressor Station .....	321	27	12	Chiricahua Wilderness Area.
El Paso Natural Gas—Williams Compressor Station .....	786	19	40	Sycamore Canyon Wilderness Area.
Freeport-McMoran—Morenci .....	2,768	54	52	Gila Wilderness Area.
Freeport-McMoran—Sierrita Mine .....	869	42	21	Saguaro National Park.
Phoenix Cement—Clarkdale .....	136	10	14	Sycamore Canyon Wilderness Area.
Tucson Electric Power Co—Irvington .....	444	16	28	Saguaro National Park.
Tucson Electric Power Co—Springerville .....	17,044	50	339	Mount Baldy Wilderness Area.

Source: 2022 Arizona Regional Haze Plan, Table 8–2. The Q and Q/d values shown here exclude those processes that ADEQ screened out based on a finding that they were effectively controlled.

ii. Overall Approach to Four-Factor Analyses

For cost calculation interest rates, ADEQ requested that the sources undergoing a four-factor analysis provide source specific lending/interest rates in line with the general recommendations of the 7th Edition of the EPA Control Cost Manual.<sup>159</sup> In the absence of source-specific information, ADEQ relied on a 4.75 percent interest rate developed by analyzing and averaging historical bank prime rate data. ADEQ looked at 3-year average bank prime rates for the periods of 2017–2019 (4.83 percent) and April 2018–March 2020 (4.78 percent). These

dates were chosen as they were the most recent data at the time of the analysis. ADEQ determined, based on these 3-year averages, that a 3-year average bank prime rate of 4.75 percent was appropriate. ADEQ indicates that the use of a 3-year average was more appropriate than the utilization of the bank prime rate at a singular point in time due to the variability that can occur in bank prime rates over time. ADEQ also performed an analysis to determine a reasonable cost-effectiveness (cost/ton) threshold for Arizona emissions sources evaluated under the four-factor analysis in the regional haze second planning period,

based on the cost-effectiveness values for controls required in regional haze SIP revisions from the first planning period. ADEQ indicated that it found that none of the implemented cost-effectiveness values during the first planning period exceeded \$5,300/ton. Adjusting the cost for inflation to 2019 dollars based on Chemical Engineering Plant Cost Index values,<sup>160</sup> ADEQ determined that any controls having an average cost-effectiveness of more than \$6,500/ton would be cost excessive and could be rejected without further justification.

iii. Summary of Four-Factor Analyses

TABLE 5—SUMMARY OF FACILITIES AND PROCESSES EVALUATED UNDER FOUR-FACTOR ANALYSIS

Facility	Process	Pollutant	Projected 2028 emissions (tpy)	
ASARCO LLC—Mission Complex .....	Trucks hauling ore and waste rock .....	PM <sub>10</sub> .....	713	
	Rubber tire rigs traveling on unpaved roads .....	PM <sub>10</sub> .....	97	
ASARCO LLC—Ray Operations .....	Trucks hauling ore and waste rock .....	PM <sub>10</sub> .....	158	
	Miscellaneous vehicles traveling on unpaved roads ..	PM <sub>10</sub> .....	87	
	Dumps and tailings windblown dust .....	PM <sub>10</sub> .....	41	
	Dozing mine areas, dumps and stockpiles .....	PM <sub>10</sub> .....	21	
	Blasting ore and waste rock .....	NO <sub>x</sub> .....	89	
	Clinker From K234—Overhead Crane Building .....	PM <sub>10</sub> .....	62.5	
CalPortland—Rillito Cement Plant .....	Unpaved Roads .....	PM <sub>10</sub> .....	51.7	
	Plant Materials .....	PM <sub>10</sub> .....	17.3	
	Finish Milling—D2—PC .....	PM <sub>10</sub> .....	9.5	
	Iron Stockpile .....	PM <sub>10</sub> .....	8.5	
	Finish Milling—D3—1—DC2 .....	PM <sub>10</sub> .....	7.1	
	Cooler—Kiln 4 H2—GB .....	PM <sub>10</sub> .....	7.0	
	Quarry Materials .....	PM <sub>10</sub> .....	6.5	
	Paved Roads .....	PM <sub>10</sub> .....	5.8	
	Mining Operations—Blasting .....	NO <sub>x</sub> .....	5.7	
	Quarry Crusher System—B2—DC1 .....	PM <sub>10</sub> .....	5.3	
	Drake Cement LLC .....	Raw Mill and Kiln .....	NO <sub>x</sub> .....	<sup>a</sup> 316
		TURBINE-1 .....	NO <sub>x</sub> .....	134
	El Paso Natural Gas—Willcox Compressor Station ...	TURBINE-2 .....	NO <sub>x</sub> .....	157
TURBINE-1 .....		NO <sub>x</sub> .....	290	
El Paso Natural Gas—Williams Compressor Station ..	RECIP-1 .....	NO <sub>x</sub> .....	148	
	RECIP-2 .....	NO <sub>x</sub> .....	170	
	RECIP-5 .....	NO <sub>x</sub> .....	205	
	Haul Trucks Traveling on Mine Roads .....	PM <sub>10</sub> .....	1,552	
Freeport—McMoran—Morenci .....	Other Vehicles Traveling on Mine Roads .....	PM <sub>10</sub> .....	229	
	Loading Ores into Haul Trucks .....	PM <sub>10</sub> .....	120	

<sup>159</sup> 2022 Arizona Regional Haze Plan, Section 8.3.2.

<sup>160</sup> Available at <https://www.chemengonline.com/site/plant-cost-index/>.

TABLE 5—SUMMARY OF FACILITIES AND PROCESSES EVALUATED UNDER FOUR-FACTOR ANALYSIS—Continued

Facility	Process	Pollutant	Projected 2028 emissions (tpy)
Freeport—McMoran—Sierrita Mine .....	Unpaved Roads .....	PM <sub>10</sub> .....	449
	Loading Ores into Haul Trucks .....	PM <sub>10</sub> .....	82
	Sierrita Tailings .....	PM <sub>10</sub> .....	171
	Blasting Operations .....	NO <sub>x</sub> .....	97
Phoenix Cement—Clarkdale .....	Rock Sampling and Storage—Raw Storage Piles .....	PM <sub>10</sub> .....	31.4
	Coal/Coke Handling 2—Coal/Coke Storage Pile .....	PM <sub>10</sub> .....	12.1
	Gypsum Handling—Gypsum Storage Piles .....	PM <sub>10</sub> .....	7.4
	Cement Storage—DC510 .....	PM <sub>10</sub> .....	5.5
	Quarry Rds/Blast/Drill—Quarry—Blasting .....	NO <sub>x</sub> .....	3.5
	Raw Storage and Homog2—DC607 .....	PM <sub>10</sub> .....	3.1
	Kiln Feed System—DC409 .....	PM <sub>10</sub> .....	3.0
	Clinker Handling and STR3—DC352 .....	PM <sub>10</sub> .....	2.8
	Finish Milling—DC340 .....	PM <sub>10</sub> .....	2.6
	Cement Storage 2—DC512 .....	PM <sub>10</sub> .....	2.6
	Raw Mill—DC366 .....	PM <sub>10</sub> .....	2.2
	Rock Reclaimer and TPS—DC205 .....	PM <sub>10</sub> .....	2.4
	Cement Storage 2—DC508 .....	PM <sub>10</sub> .....	2.1
	Clinker Handling and STR3—DC350 .....	PM <sub>10</sub> .....	2.0
	Raw Storage and Homog1—DC601 .....	PM <sub>10</sub> .....	1.9
	Clinker Handling and STR1—DC447 .....	PM <sub>10</sub> .....	1.9
	Clinker Cooling—DC445 .....	PM <sub>10</sub> .....	1.7
	Clinker Handling and STR3—DC312 .....	PM <sub>10</sub> .....	1.6
	Raw Storage and Homog2—DC224 .....	PM <sub>10</sub> .....	1.6
	Raw Storage and Homog2—DC228 .....	PM <sub>10</sub> .....	1.6
	Raw Storage and Homog2—DC615 .....	PM <sub>10</sub> .....	1.6
	Raw Storage and Homog2—DC616 .....	PM <sub>10</sub> .....	1.6
	Coal/Coke Handling1—DC452 .....	PM <sub>10</sub> .....	1.4
Finish Milling—DC341 .....	PM <sub>10</sub> .....	1.3	
Paved Plant Roads .....	PM <sub>10</sub> .....	1.2	
Tucson Electric Power Co—Irrington .....	Unit 3 .....	NO <sub>x</sub> .....	251
	Tucson Electric Power Co—Springerville .....	Unit 1 Boiler .....	PM <sub>10</sub> .....
		NO <sub>x</sub> .....	2,099
		SO <sub>2</sub> .....	2,869
Unit 2 Boiler .....		PM <sub>10</sub> .....	107
	NO <sub>x</sub> .....	2,283	
	SO <sub>2</sub> .....	2,982	
Unit 3 Boiler .....	PM <sub>10</sub> .....	158	
	NO <sub>x</sub> .....	1,019	
	SO <sub>2</sub> .....	1,036	
Unit 4 Boiler .....	PM <sub>10</sub> .....	31	
	NO <sub>x</sub> .....	929	
	SO <sub>2</sub> .....	1,039	

<sup>a</sup> The Plan does not state the projected 2028 emissions for this unit. However, the highest annual facility-wide NO<sub>x</sub> emissions during the base-line period were 316 tpy in 2018, so this may be considered an upper-bound of emissions from the Raw Mill and Kiln. Source: 2022 Arizona Regional Haze Plan, Appendix C.

ASARCO LLC (Asarco) Mission Complex<sup>161</sup> is a copper mine located in Sahuarita, Arizona. The facility operates an open-pit copper mine, two concentrators, and a by-products molybdenum plant. Asarco Mission Complex was screened in with a Q/d value of 30, and the nearest Class I area is Saguaro National Park at 42 kilometers away. ADEQ identified two processes that are subject to the four-factor analysis for Asarco Mission

Complex: haul trucks hauling ore and waste rock, and rubber rigs traveling on unpaved roads. Using information supplied by Asarco, ADEQ conducted four-factor analyses for these two processes, the results of which are summarized in Table 6 of this document. Based on these results, ADEQ determined that the emissions controls that Asarco is implementing for the two processes, such as a speed limit of 35 miles per hour and application of

water, reflect current best management practices for the mining industry and that it is reasonable not to require additional controls during this planning period. Although ADEQ did not specify why no other controls were reasonable, cost appears to have been the determining factor, as the cost effectiveness of all feasible controls exceeded ADEQ's chosen cost-effectiveness threshold of \$6,500/ton.

<sup>161</sup> 2022 Arizona Regional Haze Plan, Chapter 8.3.3.1 and Appendix C, Section C3.3.

TABLE 6—SUMMARY OF CONTROL OPTIONS FOR ASARCO MISSION COMPLEX

Process	Control	Emission reduction	Cost-effectiveness (\$/ton)
Truck Hauling Ore and Waste Rock .....	Reduce the speed limit for haul trucks from 35 mph to 25 mph.	203.7 .....	\$80,544
	Apply additional water to haul roads (outside pit only).	71.3 .....	12,183
	Apply additional water to haul roads (inside and outside pit).	356.5 .....	10,117
	Increase freeboard in the haul trucks .....	Emissions reductions could not be quantified.	N/A
Rubber Tire Rigs Traveling on Unpaved Non-Haul Roads.	Reduce the speed limit for rubber tire rigs from 35 mph to 25 mph.	No reduction expected since average traveling speed of rubber tire rigs is 15 mph.	N/A
	Apply additional water to unpaved roads (non-haul roads only).	49.7 .....	18,043
	Apply additional water to unpaved roads (haul roads non-haul roads only).	59.4 .....	15,771
	Apply and maintain surface gravel on unpaved non-haul roads (decreasing the silt content from 6.9% to 6.4%).	5.1 .....	25,711
	Paving unpaved non-haul roads .....	73.7 .....	47,295

Source: 2022 Arizona Regional Haze Plan, Appendix C, Section C.3.3.

Asarco Ray Operations is located near Kearny, Arizona and consists of an open pit mine, concentrator, solvent extraction-electrowinning operation, and associated maintenance, warehouse, and administrative facilities.<sup>162</sup> The facility was screened in with a Q/d value of 14, and the nearest Class I area is Saguaro National Park at 26 kilometers away. ADEQ identified five processes that are subject to the four-factor analysis for Asarco Ray Operations: trucks hauling ore and waste rock, miscellaneous vehicles traveling on unpaved roads, dumps and tailings windblown dust, dozing mine areas, dumps and stockpiles, and blasting ore and waste rock. Asarco completed and submitted a four-factor analysis report for the five processes in December 2019 and provided additional

information in March 2020 through 2021. ADEQ’s determination in the 2022 Arizona Regional Haze Plan is that the emissions controls that Asarco is implementing for these processes, such as a speed limit of 35 miles per hour, water sprays, and application of chemical dust suppressants (on non-haul roads), reflect current best management practices for the mining industry and that it is reasonable not to require additional controls during this planning period.

CalPortland Rillito Cement Plant is a portland cement manufacturing plant in Rillito, Arizona.<sup>163</sup> The facility was screened in with a Q/d value of 30, and the nearest Class I area is Superstition Wilderness Area at 8 kilometers away. ADEQ evaluated potential controls at nine emissions sources at the

CalPortland Rillito Cement Plant and conducted a four-factor analysis for each control that it found to be feasible. The results of these analyses are shown in Table 7. While ADEQ’s was conducting its four-factor analysis for the Rillito facility, CalPortland took on a voluntary, enforceable air quality control permit condition for the location of its iron stockpile (horseshoe pit, three-sided artificial windbreak).<sup>164</sup> ADEQ subsequently found that no other controls were reasonable based the statutory four factors. Although ADEQ did not specify why no other controls were reasonable, cost appears to have been the determining factor, as the cost effectiveness of all feasible controls exceeded ADEQ’s chosen cost-effectiveness threshold of \$6,500/ton.

TABLE 7—SUMMARY OF CONTROL OPTIONS FOR CALPORTLAND CEMENT

Source	Control option	Technically feasible (Y/N)	Emissions reduction (tpy)	Cost-effectiveness (\$/ton)
Clinker to Overhead Crane Building .....	Fabric Filter Baghouse .....	N	N/A	N/A
Clinker to Overhead Crane Building .....	Full Enclosure .....	Y	9.38	\$13,605
Unpaved Road Vehicular Traffic .....	Traffic Management Plans .....	N	N/A	N/A
Unpaved Road Vehicular Traffic .....	Additional Watering .....	Y	44.34	23,955
Unpaved Road Vehicular Traffic .....	Surface Gravel .....	N	N/A	N/A
Unpaved Road Vehicular Traffic .....	Paving .....	N	N/A	N/A
Unpaved Road Vehicular Traffic .....	Chemical Dust Suppressant .....	N	N/A	N/A
Paved Road Vehicular Traffic .....	Cover Haul Trucks .....	N	N/A	N/A
Paved Road Vehicular Traffic .....	Stabilize Unpaved Points .....	Y	0	N/A
Paved Road Vehicular Traffic .....	Rapid Cleanup of Spills .....	N	N/A	N/A
Paved Road Vehicular Traffic .....	Curb or Pave Shoulders .....	N	N/A	N/A
Paved Road Vehicular Traffic .....	Street Sweepers .....	Y	1.5	28,146

<sup>162</sup> 2022 Arizona Regional Haze Plan, Chapter 8.3.3.2 and Appendix C, Section C3.4.

<sup>163</sup> 2022 Arizona Regional Haze Plan, Chapter 8.3.3.3 and Appendix C.

<sup>164</sup> ADEQ Air Quality Control Permit #85424 Attachment C Section XI Regional Haze Requirements of the 2022 Arizona Regional Haze

Plan. ADEQ has not submit the new permit condition as a SIP revision.



TABLE 7—SUMMARY OF CONTROL OPTIONS FOR CALPORTLAND CEMENT—Continued

Source	Control option	Technically feasible (Y/N)	Emissions reduction (tpy)	Cost-effectiveness (\$/ton)
Material Handling	Water Sprays	N	N/A	N/A
Material Handling	Baghouse	N	N/A	N/A
Material Handling	Enclosures	N	N/A	N/A
Iron Stockpile	Water Application	N	N/A	N/A
Iron Stockpile	Chemical Dust Suppressant	N	N/A	N/A
Iron Stockpile	Artificial Wind Break	Y	0	N/A
Iron Stockpile	Vegetative Wind Break	Y	0	N/A
Iron Stockpile	Compact Piles	N	N/A	N/A
Iron Stockpile	Cover with Tarps	N	N/A	N/A
Finish Mill	Improved Baghouses	Y	15.85–18.26	14,254–16,057
Clinker Cooler	Improved Baghouses	Y	21.19	16,210
Quarry Crusher	Improved Baghouses	Y	5.92	12,099
Blasting	N/A	N/A	N/A	N/A

Source: 2022 Arizona Regional Haze Plan Appendix C, Section C.3.5.

The Drake Cement Paulden facility is a Portland cement manufacturing facility in Paulden, Yavapai County, Arizona.<sup>165</sup> The facility was screened in with a Q/d value of 17, and the nearest Class I area is Sycamore Canyon Wilderness Area at 22 kilometers away. One emission source, the Main Baghouse Raw Mill and Kiln, contributed approximately 84 percent of the facility’s total NO<sub>x</sub>, SO<sub>2</sub>, and PM<sub>10</sub> combined emissions, and ADEQ evaluated this unit for regional haze controls. The Plan does not state the projected 2028 emissions for this unit. However, the highest annual facility-wide NO<sub>x</sub> emissions during the baseline period were 316 tpy in 2018, so this may be considered an upper-bound of emissions from the Raw Mill and Kiln. ADEQ indicated that Low NO<sub>x</sub> Burners,

Preheater Riser Duct Firing, and SNCR are currently implemented at the Drake Cement Paulden facility. The only remaining potential control available for implementation at the Paulden facility is SCR. Noting that SCR has been employed at only a handful of cement plants in Europe and one in the United States, ADEQ concluded that SCR was technically infeasible. Despite this, ADEQ conducted a four-factor analysis of SCR, using a control efficiency of 65 percent, which resulted in a reduction of 83.6 tons per year at approximately \$30,521/ton.<sup>166</sup> This cost exceeds ADEQ’s cost threshold and therefore, ADEQ determined that it is reasonable not to require additional controls on Drake Cement during this planning period.

EPNG Willcox Compressor Station is a natural gas compressor station facility

that provides natural gas compression to EPNG’s pipeline network.<sup>167</sup> The facility screened in with a Q/d value of 12, and the nearest Class I area is Chiricahua Wilderness Area at 27 kilometers away. The two units subject to four-factor analysis were TURBINE–1 and TURBINE–2, with 2028 emissions of 134.72 and 157.44 tons NO<sub>x</sub>, respectively.

ADEQ found that EPNG was already implementing Good Combustion Practices at both units, and that the following control options would be technically feasible: Combustion Liner Upgrade with Dry Low NO<sub>x</sub> (DLN; 68–71 percent control effectiveness) and SCR (77 percent control effectiveness). The results of ADEQ’s analysis of these two options are summarized in Table 8 of this document.

TABLE 8—SUMMARY OF CONTROL OPTIONS FOR EPNG WILLCOX

Process	Control	Emission reduction	Cost-effectiveness (\$/ton)
TURBINE–1	Lean Head End Combustion Liner Upgrade with Dry Low-NO <sub>x</sub> Control	91.24	\$12,764
	SCR	106	10,008
TURBINE–2	Lean Head End Combustion Liner Upgrade with Dry Low-NO <sub>x</sub> Control	115.82	10,524
	SCR	124	8,892

Source: 2022 Arizona Regional Haze Plan, Appendix C, Section C3.8.

ADEQ determined that neither the Combustion Liner Upgrade with DLN nor SCR are cost-effective options because they exceed ADEQ’s cost threshold. ADEQ found that EPNG should continue to implement Good Combustion Practices but did not consider whether or not this measure

was necessary to make reasonable progress.

El Paso Natural Gas (EPNG) Williams Compressor Station is a natural gas compressor station facility that provides natural gas compression to EPNG’s pipeline network.<sup>168</sup> The facility was screened in with a Q/d value of 40, and

the nearest Class I area is Sycamore Canyon Wilderness Area at 19 kilometers away. EPNG reviewed NO<sub>x</sub> control options for both the General Electric (GE) gas turbine (TURBINE–1, with 2028 emissions of 290.42 tons NO<sub>x</sub>) and three reciprocating engines (RECIP–1, RECIP–2, and RECIP–5, with

<sup>165</sup> 2022 Arizona Regional Haze Plan, Appendix C, Section C3.6.

<sup>166</sup> Drake Cement estimated a cost effectiveness of \$28,641/ton utilizing a 3 percent interest rate.

ADEQ updated the interest rate to 4.75 percent for consistency with other four-factor analyses in its SIP submittal. The cost is based on a 30-year lifespan of the SCR.

<sup>167</sup> 2022 Arizona Regional Haze Plan, Chapter 8.3.3.6 and Appendix C, Section C3.8.

<sup>168</sup> 2022 Arizona Regional Haze Plan, Chapter 8.3.3.5 and Appendix C, Section C3.7.

2028 emissions of 148.4, 179.4, and 205.16 tons NO<sub>x</sub>, respectively) located at the Williams Compressor Station.

Based on information provided by EPNG, ADEQ evaluated the following controls for the Williams compressor station TURBINE-1 for NO<sub>x</sub>: Water or Steam Injection, Combustion Liner Upgrade with Low NO<sub>x</sub> Burner Design, Good Combustion Practices, EMX™/SCONOX™ Technology, SCR, and SNCR. Of the list, ADEQ determined three of the control options to be technically feasible: water or steam injection (74 percent control effectiveness), SCR (80 percent control effectiveness), and combustion liner upgrade with low NO<sub>x</sub> burner design (78 percent control effectiveness). The results of this analysis are summarized in Table 9 of this document. After the evaluation of these costs of compliance,

ADEQ determined that the control options were not cost effective, and that the continued use of Good Combustion Practices is reasonable for TURBINE-1. ADEQ did not determine whether this measure was necessary to make reasonable progress.

Additionally, the following controls were evaluated for the three Williams compressor station reciprocating engines: SCR, Air-Fuel Ratio Adjustment with High Energy Ignition, Low-Emission Combustion (LEC) Retrofits, Replacement of Three Engines with one Low NO<sub>x</sub> Emissions Gas Turbine, Replacement of Three Engines with Electric Motors or a Gas Turbine, and Good Combustion Practices. The results of ADEQ's four-factor analysis for the engines are summarized in Table 9 of this document. Based on these results, ADEQ found that all LEC

options were cost-effective for every engine based on average cost-effectiveness. However, ADEQ also found that the incremental cost effectiveness of requiring LEC-3 on RECIP-1 as compared to requiring LEC-2 (\$11,120/ton) was "cost-excessive." Therefore, while ADEQ determined that LEC-3 was necessary to make reasonable progress for RECIP-2 and RECIP-5, it selected a less stringent control, LEC-2, for RECIP-1. ADEQ also found that replacement of the three engines with a gas turbine would be cost-effective but did not adopt this option due to issues and uncertainties with this option, such as the need for operational flexibility to control pipeline flowrate changes and a potential increase in fuel usage and emissions during low flow conditions.<sup>169</sup>

TABLE 9—SUMMARY OF CONTROL OPTIONS FOR EPNG WILLIAMS

Process	Control	Emission reduction	Cost-effectiveness (\$/ton)
TURBINE-1	Water Injection	201.54	\$6,536
	Steam Injection	201.54	7,601
	Combustion Liner Upgrade and Low NO <sub>x</sub> Burner Design	213.5	8,775
RECIP-1	SCR	219	8,051
	Air-Fuel Ratio Adjustment with High Energy Ignition	20.67	2,484
	LEC-1	76.46	4,058
	LEC-2	116.30	4,581
	LEC-3	131.45	5,334
	SCR	119.18	5,782
RECIP-2	Replacement with Electric Motors	140.21	20,880
	LEC-1	74.36	4,172
	LEC-2	127.42	4,181
	LEC-3	147.59	4,751
	SCR	135.37	5,553
RECIP-5	Replacement with Electric Motors	159.26	23,301
	LEC-1	87.51	3,645
	LEC-2	181.86	2,977
	LEC-3	217.72	3,302
	SCR	202.70	4,409
RECIP-1, 2, & 5	Replacement with Electric Motors	238.47	27,011
	Replacement of Three Engines with Low NO <sub>x</sub> Emissions Gas Turbine	484.21	3,905

Source: 2022 Arizona Regional Haze Plan, Appendix C, Section C.3.7.

Freeport-McMoRan Morenci Complex is located in Greenlee County, Arizona and consists of three major operations: mining operations, including the drilling and blasting of ore in open-pit copper mines, three in-pit crushers and an ore conveying system, the Morenci Concentrator and Metcalf Concentrator operations for production of copper and molybdenum concentrates through conventional milling and froth flotation operations, and the Metcalf Mine-for-Leach (MFL) plant and five Solution Extraction and four Electrowinning facilities (SX/EW) operations for

production of high quality copper cathodes through leaching and hydrometallurgy.<sup>170</sup> The facility was screened in with a Q/d value of 52 and the nearest Class I area is Gila Wilderness Area at 54 kilometers away.

ADEQ identified two processes that are subject to the four-factor analysis for Freeport-McMoRan Morenci: haul trucks and other vehicles travel on mine roads and loading ore into haul trucks. Using information supplied by Freeport-McMoRan, ADEQ conducted four-factor analyses for these two processes, the results of which are summarized in

Table 10 of this document. Based on these results, ADEQ determined that the emissions controls Freeport is already implementing for the two processes, such as a speed limit of 35 miles per hour and application of water, reflect current best management practices for the mining industry, and that it is reasonable not to require additional controls during this planning period. Although ADEQ did not specify why it found that no other controls were reasonable, cost appears to have been the determining factor, as the cost effectiveness of all feasible controls

<sup>169</sup>Id. at 126–127.

<sup>170</sup>2022 Arizona Regional Haze Plan, Chapter 8.3.3.7 and Appendix C, Section C3.9.

exceeded ADEQ’s chosen threshold of \$6,500/ton.

TABLE 10—SUMMARY OF CONTROL OPTIONS FOR FREEPORT-MCMORAN MORENCI

Process	Control	Emission reduction	Cost-effectiveness (\$/ton)
Haul Trucks and Other Vehicles Traveling on Mine Roads.	Reduce the speed limit for haul trucks to 25 mph ..	427 .....	\$383,018
	Apply additional water to unpaved mine roads .....	890.8 .....	10,949
Loading Ores into Haul Trucks .....	Increase freeboard in the haul trucks .....	Not quantifiable .....	N/A
	Apply additional water to ores .....	52.06 .....	406,990
	Ceasing operations during high wind hours .....	0.06 .....	14,625,548

Source: 2022 Arizona Regional Haze Plan, Appendix C, Section C.3.9.

Freeport-McMoRan Sierrita Complex is located in southern Pima County, Arizona and consists of three major operations: mining operations, including the drilling and blasting of ore in open-pit copper mines, the Sierrita concentrator operations for production of copper and molybdenum concentrates, and the run of mine (ROM) oxide-leaching plant and the Twin Buttes SX/EW operations for production of high quality copper cathodes.<sup>171</sup> The facility was screened in with a Q/d value of 21, and the

nearest Class I area is Saguaro National Park at 42 kilometers away. ADEQ identified four processes that are subject to the four-factor analysis for the Freeport-McMoRan Sierrita complex: vehicle travel on unpaved roads, tailings, loading/unloading ore into haul trucks, and blasting operations. Using information supplied by Freeport-McMoRan, ADEQ conducted four-factor analyses for these four processes, the results of which are summarized in Table 11 of this document. Based on these results, ADEQ determined that the

emissions controls Freeport-McMoRan is already implementing, such as a speed limit of 35 miles per hour and water application, reflect current best management practices for the mining industry, and that it is reasonable not to require additional controls during this planning period. Although ADEQ did not specify why it found that no other controls were reasonable, cost appears to have been the determining factor, as the cost effectiveness of all feasible controls exceeded ADEQ’s chosen threshold of \$6,500/ton.

TABLE 11—SUMMARY OF CONTROL OPTIONS FOR FREEPORT-MCMORAN SIERRITA

Process	Control	Emission reduction	Cost-effectiveness (\$/ton)
Vehicle Travel on Unpaved Mine Roads .....	Reduce the speed limit from 34.5 mph to 25 mph ..	124 .....	\$233,539
	Apply additional water to unpaved roads (increasing the control efficiency from 90% to 95%).	224.7 .....	12,021
	Increase freeboard in the haul trucks .....	Emissions reductions could not be quantified.	N/A
Loading Ores into Haul Trucks .....	Apply water to ores to increase the moisture content from 2% to 4.8%.	57.73 .....	240,703
	Ceasing loading operations during high wind hours	0.66 .....	8,081,366
Emissions from Tailings .....	No feasible controls .....	N/A .....	N/A
Blasting Operations .....	No feasible controls .....	N/A .....	N/A

Source: 2022 Arizona Regional Haze Plan, Appendix C, Section C.3.10.

Phoenix Cement Clarkdale Facility is a Portland cement plant and quarry near Clarkdale, Arizona that is owned by an enterprise division of the Salt River Pima-Maricopa Indian Community.<sup>172</sup> The facility was screened in with a Q/d value of 14, and the nearest Class I area is Sycamore Canyon Wilderness Area at 10 kilometers away. As shown in Table 3 of this document, ADEQ screened out the raw mill/kiln and coal

milling emissions sources because they were required to install SNCR as part of the first implementation period of the Regional Haze Rule and were deemed effectively controlled. The remaining emissions sources subject to a four-factor analysis included: raw storage piles, coal/coke storage piles, gypsum storage piles, paved plant roads, quarry blasting, and material handling processes. Based on the results of these

analyses, which are summarized in Table 12 of this document, ADEQ determined that no new controls were reasonable. Although ADEQ did not specify its reasoning, cost appears to have been the determining factor, as the cost effectiveness of all feasible controls exceeded ADEQ’s cost-effectiveness threshold of \$6,500/ton.

<sup>171</sup> 2022 Arizona Regional Haze Plan, Chapter 8.3.3.8 and Appendix C, Section C3.10.

<sup>172</sup> 2022 Arizona Regional Haze Plan, Chapter 8.3.3.9 and Appendix C, Section C3.11.

TABLE 12—SUMMARY OF CONTROL OPTIONS FOR PHOENIX CEMENT CLARKDALE

Process	Control	Emission reduction	Cost-effectiveness (\$/ton)
Raw Storage Piles	Enclosure	28.31	\$154,422
	Increase Moisture Content	Technically Infeasible	N/A
	Cover with Tarps	Technically Infeasible	N/A
Coal/Coke Storage Pile	Enclosure	10.94	228,410
	Increase Moisture Content	Technically Infeasible	N/A
Gypsum Storage Piles	Enclosure	6.64	44,441
	Increase Moisture Content	Technically Infeasible	N/A
	Cover with Tarps	Technically Infeasible	N/A
Paved Plant Roads	Berm Installation	Already Implemented	N/A
	Curbing/Paving or Shoulder Stabilization	Already Implemented	N/A
	Curbing with Gutters	Already Implemented	N/A
	Traffic Rerouting	Already Implemented	N/A
	Storm Water Drainage	Already Implemented	N/A
	Street Sweepers	Already Implemented	N/A
	Watering	1.10	77,438
	N/A	N/A	N/A
Quarry Blasting	N/A	N/A	N/A
Material Handling Processes	Fabric Filters	Already Implemented	N/A

Source: 2022 Arizona Regional Haze Plan, Appendix C, Section C.3.11.

Tucson Electric Power (TEP) Company Irvington Generating Station (IGS) is located in Tuscon, Arizona and includes two fossil fuel-fired electric utility steam-generating units, designated as Units 3 and 4; two simple cycle combustion turbines; ten RICE; and various ancillary units used to produce electricity for consumers.<sup>173</sup> The facility is permitted by the Pima Department of Environmental Quality (PDEQ), and was screened in with a Q/d value of 28, with the nearest Class I area 16 kilometers away at Saguaro National Park. As shown in Table 3, ADEQ screened out IGS Unit 4 as effectively controlled based on the fact that it was subject to a “better-than-BART” alternative determination, and the simple cycle turbines were replaced with ten RICE engines, leaving only Unit 3 subject to a four-factor analysis.

On January 18, 2021, TEP submitted a permit application to PDEQ for the following voluntary NO<sub>x</sub> emissions limits for Unit 3: 335 tons per 12-month rolling total, 753 tons per 36-month rolling total, and 1,285 cumulative tons for the remaining life of the unit. The unit must shut down permanently before the cumulative limit is exceeded. ADEQ updated the four-factor analysis for IGS to include these new emissions limits as the baseline emissions for control evaluation, as these limits will become enforceable upon finalization of the revised IGS permit and approval of ADEQ’s regional haze reasonable progress determination for IGS by the EPA. Specifically, ADEQ analyzed a range of different scenarios under which Unit 3 could meet the emissions limits, using a remaining useful life of between 6 and 20 years, as shown in Table 13 of this document. Under each of these

scenarios, the cost of all available control options (low NO<sub>x</sub> burners (LNB), SCR, and SCR+LNB) exceeded ADEQ’s cost threshold of \$6,500/ton. Therefore, ADEQ determined that with the emissions reductions associated with the new Unit 3 emissions caps, no additional controls are necessary to make reasonable progress towards natural visibility at Class I areas during this implementation period. ADEQ also indicated that despite the expected emissions reductions at IGS Unit 3, ADEQ cannot guarantee emissions reductions for the single year 2028 long-term strategy (2028LTS) modeling scenario as compared to the baseline. However, the limits in place will ensure no degradation as compared to the baseline.<sup>174</sup> Therefore, ADEQ indicated that they are conservatively assuming no change in NO<sub>x</sub> emissions in the 2028 RPG calculations.

TABLE 13—SUMMARY OF CONTROL OPTIONS FOR IGS UNIT 3 WITH LIFETIME CAP OF 1,285 TONS

Control	Remaining useful life (years)	Annual emissions with cap (tpy)	Emission reduction (tpy)	Cost-effectiveness (\$/ton)
LNB	20	64.25	33.23	\$10,355
	15	85.67	44.30	9,020
	10	128.50	66.45	7,729
SCR	6	214.17	110.75	6,730
	20	64.25	51.84	26,260
	15	85.67	69.12	23,231
SCR+LNB	10	128.50	103.68	20,318
	6	214.17	172.80	18,091
	20	64.25	58.05	29,253
	15	85.67	77.40	25,791
	10	128.50	116.09	22,482

<sup>173</sup> 2022 Arizona Regional Haze Plan, Chapter 8.3.3.10 and Appendix C, Section C3.12.

<sup>174</sup> 2022 Arizona Regional Haze Plan, Appendix B, Section B2.2.2.

TABLE 13—SUMMARY OF CONTROL OPTIONS FOR IGS UNIT 3 WITH LIFETIME CAP OF 1,285 TONS—Continued

Control	Remaining useful life (years)	Annual emissions with cap (tpy)	Emission reduction (tpy)	Cost-effectiveness (\$/ton)
	6	214.17	193.49	19,938

Source: 2022 Arizona Regional Haze Plan Appendix C, Section C3.12.

TEP Springerville Generating Station (SGS) is located near Springerville, Arizona, and consists of four coal-fired electric generating units with a combined, nominal, net generating capacity of 1,620 megawatts.<sup>175</sup> Units 1 and 2 at SGS are owned and operated by TEP. Unit 3 is owned by Tri-State

Generation and Transmission Association, Inc., and Unit 4 is owned by the Salt River Project Agricultural Improvement and Power District. All units are operated by TEP. The facility was screened in with a Q/d value of 339, and the nearest Class I area is Mount Baldy Wilderness Area at 50

kilometers away. Based on information from TEP, ADEQ completed four-factor analyses that considered emissions of PM<sub>10</sub>, NO<sub>x</sub>, and SO<sub>2</sub>, and associated control technologies, the results of which are summarized in Table 14 of this document.

TABLE 14—SUMMARY OF CONTROL OPTIONS FOR SPRINGERVILLE GENERATING STATION

Process	Control	Pollutant	Technically feasible (Y/N)	Emissions reduction (tpy)	Cost effectiveness (\$/ton)
Unit 1	Baghouse	PM <sub>10</sub>	Y	Already Implemented	N/A
	Wet ESP	PM <sub>10</sub>	Y	Not further considered	N/A
	ESP	PM <sub>10</sub>	Y	Not further considered	N/A
	LNB and overfire air (OFA)	NO <sub>x</sub>	Y	Already Implemented	N/A
	SNCR	NO <sub>x</sub>	Y	289	8,079.
	SCR	NO <sub>x</sub>	Y	1,375	9,194.
	Current Spray Dryer Absorber (SDA)	SO <sub>2</sub>	N/A	Already Implemented	N/A
	Upgraded SDA	SO <sub>2</sub>	Y	1,060	883 (20 years), 828 (30 years).
	Dry Sorbent Injection (DSI)	SO <sub>2</sub>	Y	699	11,976 (20 years), 11,544 (30 years).
	Circulating Dry Scrubber (CDS)	SO <sub>2</sub>	Y	2,025	8,230 (20 years), 6,670 (30 years).
Unit 2	Wet Flue Gas Desulfurization (FGD)	SO <sub>2</sub>	Y	2,508	8,185 (20 years), 6,393 (30 years).
	Baghouse	PM <sub>10</sub>	Y	Already Implemented	N/A
	Wet ESP	PM <sub>10</sub>	Y	Not further considered	N/A
	ESP	PM <sub>10</sub>	Y	Not further considered	N/A
	LNB and OFA	NO <sub>x</sub>	Y	Already Implemented	N/A
	SNCR	NO <sub>x</sub>	Y	364	6,769.
	SCR	NO <sub>x</sub>	Y	1,516	8,395.
	Current SDA	SO <sub>2</sub>	N/A	Already Implemented	N/A
	Upgraded SDA	SO <sub>2</sub>	Y	1,062	908 (20 years), 853 (30 years).
	DSI	SO <sub>2</sub>	Y	678	12,843 (20 years), 12,399 (30 years).
Unit 3	CDS	SO <sub>2</sub>	Y	2,086	7,995 (20 years), 6,480 (30 years).
	Wet FGD	SO <sub>2</sub>	Y	2,598	7,638 (20 years), 5,944 (30 years).
	Baghouse	PM <sub>10</sub>	Y	Already Implemented	N/A
	Wet ESP	PM <sub>10</sub>	Y	Not further considered	N/A
Unit 4	ESP	PM <sub>10</sub>	Y	Not further considered	N/A
	LNB, OFA and SCR	NO <sub>x</sub>	Y	Already Implemented	N/A
	Low sulfur coal and SDA	SO <sub>2</sub>	N/A	Not further considered	N/A
	Baghouse	PM <sub>10</sub>	Y	Already Implemented	N/A
	Wet ESP	PM <sub>10</sub>	Y	Not further considered	N/A
Unit 4	ESP	PM <sub>10</sub>	Y	Not further considered	N/A
	LNB, OFA and SCR	NO <sub>x</sub>	Y	Already Implemented	N/A
	Low sulfur coal and SDA	SO <sub>2</sub>	N/A	Not further considered	N/A
	Baghouse	PM <sub>10</sub>	Y	Already Implemented	N/A

Source: 2022 Arizona Regional Haze Plan Appendix C, Section C3.13.

<sup>175</sup> 2022 Arizona Regional Haze Plan, Chapter 8.3.3.11 and Appendix C, Section C3.13.

For PM<sub>10</sub>, ADEQ concluded that because Units 1–3 are already equipped with baghouses to control particulate matter emissions, further evaluation was not needed. However, ADEQ did not consider whether these measures were necessary to make reasonable progress and thus a part of their long-term strategy. For electrostatic precipitators (ESP) and wet ESP, ADEQ indicated that because ESP collection efficiency is comparable to or less than that of the current baghouses installed on the units, ADEQ determined that replacing the control device with an ESP, while technically feasible, should not be considered further.

For NO<sub>x</sub> at Units 1 and 2, ADEQ appears to have rejected new controls based on costs being above ADEQ’s \$6,500/ton threshold. ADEQ concluded that TEP should continue to implement the existing NO<sub>x</sub> controls but did not consider whether these measures were necessary to make reasonable progress and thus should be a part of their long-term strategy.

For NO<sub>x</sub> at Units 3 and 4, ADEQ concluded that the existing controls of combustion controls (LNB+OFA) and SCR is the most effective control technology available for NO<sub>x</sub> for coal fired EGUs, and thus, no further analysis for other control technologies was needed.

For SO<sub>2</sub> at Units 1 and 2, ADEQ evaluated control costs based on a remaining useful life of 20 and 30 years. For CDS and FGD at Units 1 and 2, ADEQ indicated that the average cost-effective values were near or exceeding ADEQ’s cost-effectiveness threshold of \$6,500/ton. ADEQ also calculated incremental costs for these measures that ranged from approximately \$9,400 to over \$13,500. ADEQ indicated that due to the high incremental costs and excessive capital cost of the controls, CDS and wet FGD were not reasonable. ADEQ also reported the results of visibility modeling performed by TEP and stated that, while it did not consider visibility impacts as a fifth

factor, “the small visibility benefits associated with the modeled SO<sub>2</sub> controls supports the determination that CDS and wet FGD control options are not necessary to make reasonable progress towards natural visibility at Class I areas during this implementation period.”<sup>176</sup> Therefore, ADEQ concluded that it was reasonable to require TEP to upgrade the current SDA systems. However, instead of setting a throughput-based limit (e.g., lb/MMBtu) corresponding to the upgraded SDA on each unit, ADEQ instead chose to set mass-based emissions caps that it determined to be “equivalent” to upgraded SDA. Specifically, ADEQ set a combined emissions limitation for Unit 1 and Unit 2 of 16.1 tons per day limit, on a 30-calendar-day rolling averaging period and 3,729 tons per year limit, on a 12-month rolling averaging period. ADEQ indicated that these caps would “provide compliance flexibility yet still guarantee that each unit is well controlled to protect and improve the visibility in Class I areas.”<sup>177</sup>

For SO<sub>2</sub> at Units 3 and 4, ADEQ indicated that these units were equipped with SDA systems subject to the 2012 Mercury Air Toxics Standards (MATS) rule. ADEQ reviewed the most recent 5 years (2016–2020) of the SO<sub>2</sub> emissions data for SGS. The SO<sub>2</sub> emissions rates for Unit 3 and Unit 4 ranged from 0.069 to 0.090 lb/MMBtu and from 0.076 to 0.10 lb/MMBtu on an annual basis, respectively. ADEQ indicated that this demonstrates that Unit 3 and Unit 4 have continuously complied with the applicable MATS rule SO<sub>2</sub> emission standard of 0.20 lb/MMBtu. ADEQ therefore determined that no new controls are reasonable. ADEQ did not address whether or not the existing measures were necessary to make reasonable progress and thus should be a part of its long-term strategy.

For each new control determined to be reasonable, ADEQ submitted revised permit conditions for EPA approval into the Arizona portion of the SIP. Table 20

of this document provides a summary of controls and permit conditions that ADEQ submitted for EPA approval.

b. Nonpoint Sources

i. Source Selection

ADEQ also determined that it was appropriate to examine nonpoint sources (also known as “area sources”) that emit visibility impairing pollutants, based on feedback from stakeholders to consider sources not previously controlled in the last round of planning. ADEQ used the following steps to select area sources for analysis:

1. Gather 2014 EPA NEIv2 county-level nonpoint datasets for the State of Arizona.
2. Isolate source classification code (SCC) annual emissions (tpy) for PM<sub>10</sub> primary, nitrogen oxide, and sulfur dioxide.
3. Remove PM<sub>10</sub> primary emissions from consideration for those counties that are not located within 50 km of a Class I area since PM<sub>10</sub> does not generally experience high transport distances.
4. Sum the remaining SCC-specific PM<sub>10</sub> primary, nitrogen oxide, and sulfur dioxide annual emissions to calculate “Q.”
5. Sort all SCCs from highest to lowest “Q.”
6. Determine the “Q”-threshold which achieved inclusion of the SCCs with the largest “Q’s” until >80 percent of total “Q” emissions across all SCCs are accounted for (i.e., “Q” >13,500 tpy includes 6 sectors which account for 81.6 percent of the total statewide).
7. Isolate those sources with a “Q” value greater than 13,500 tpy.

Following this process, ADEQ identified six nonpoint source sectors, as shown in Table 15 of this document. ADEQ removed locomotive and biogenic sectors from consideration, due to the majority of emissions from these sectors originating from sources which ADEQ is generally unable to control.

TABLE 15—SUMMARY OF SELECTED NON-POINT SOURCE CATEGORIES

SCC	NO <sub>x</sub>	PM <sub>10</sub>	SO <sub>2</sub>	Q	Sector
2285002006 .....	18,045	541	11	18,597	Mobile—Locomotives.
2294000000 .....	0	14,501	0	14,501	Dust—Paved Road Dust.
2296000000 .....	0	107,924	0	107,924	Dust—Unpaved Road Dust.
2311020000 .....	0	15,536	0	15,536	Dust—Industrial/Commercial/Institutional Construction Dust.
2325000000 .....	0	44,753	0	44,753	Industrial Processes—Mining.
2701220000 .....	13,912	0	0	13,912	Biogenics—Vegetation and Soil.

<sup>176</sup> 2022 Arizona Regional Haze Plan, Appendix C, p. 233.

<sup>177</sup> Id. at 239.

ii. Overall Approach to Four-Factor Analyses

Because the selected non-point source categories were all PM<sub>10</sub> sources, ADEQ focused on evaluating PM<sub>10</sub> controls on nonpoint sources in those Class I areas which monitors exhibited coarse mass impacts on the most impaired days of greater than 10 percent of the total anthropogenic extinction during the 2013–2017 period.<sup>178</sup> These Class I areas were: Chiricahua National Monument and Wilderness Area, Galiuro Wilderness Area, Saguaro National Park, and Superstition Wilderness Area. ADEQ indicated that because PM<sub>10</sub> is generally not transported long distances, it limited its evaluation of emissions reduction strategies for paved and unpaved roads, mining and quarrying, and non-residential construction on nonpoint sources within 50 km of these Class I areas.

ADEQ used a cost threshold of \$5,000/ton for cost effective measures for non-point sources.<sup>179</sup> ADEQ stated that it had selected a lower threshold for nonpoint sources compared to point sources, because (1) this threshold was used by Colorado in its first planning period action for nonpoint sources; (2) ADEQ considers the economic burden of control costs higher for nonpoint sources than point sources because these are generally smaller sources and less able to afford expensive control requirements; and (3) ADEQ “is able to achieve reasonable progress at Arizona Class I areas with the nonpoint control measures identified with a \$5,000/ton threshold.”<sup>180</sup>

iii. Summary of Four-Factor Analyses

ADEQ indicated that Industrial/Commercial/Institutional (ICI) construction dust was based on general construction activities, earthmoving, material handling, transport, and

storage, activity on disturbed surfaces, and emissions from uncovered haul trucks. ADEQ reviewed available controls and considered stakeholder input. ADEQ further relied on cost estimates derived from industry representatives such as the Associated General Contractors of Arizona (AGCA), vendor quotes, and estimates from Pinal County and Maricopa County control measure analyses. The results of ADEQ’s four-factor analysis for this source category are summarized in Table 16 of this document. The following control options were determined to be reasonable with cost effectiveness values below ADEQ’s cost threshold of \$5,000/ton: paving unpaved parking and staging areas, applying acrylic polymer to unpaved parking and staging areas, applying gravel to unpaved parking and staging areas, and limiting vehicle speed at work sites to 15 mph with signage.

TABLE 16—SUMMARY OF CONTROL OPTIONS FOR ICI CONSTRUCTION

Control measure	Technically feasible?	Cost-effectiveness (\$/ton)
Require dust control plans [permit] for construction or land clearing projects	Yes	\$5,076.
Require haul trucks to be covered/Control freeboard and spillage from haul vehicles. [material transport].	Yes	N/A.
Alter load-in load-out procedures (e.g., load on downwind side, watering, empty loader slowly, keep bucket close to truck while dumping). [material handling].	Yes	\$25,040–\$25,304.
Utilize trackout control device, gravel pad, or other means to stabilize access points where unpaved traffic surfaces adjoin paved roads.	Yes	\$24,875 for gravel pad—\$147,248 for pipe grid.
Provide for rapid clean-up of mud/dirt track out, material spills, on paved roads (Street Sweeping).	Yes	\$5,164.
Apply water to disturbed surfaces and dust generating operations (pre-watering, operational).	Yes	\$7,959–\$8,770 for unpaved traffic areas, \$1,194,223–\$1,375,027 for open areas.
Apply chemical stabilizers/dust suppressants to unpaved parking and staging areas	Yes	\$3,528 for acrylic polymer, \$2,139 for gravel, \$4,820 for paving.
Limit, restrict or reroute motor vehicle access to work site. [Reduce vehicle disturbance of unpaved surfaces (access/haul roads, staging areas, parking areas/lots, etc.)].	Yes	\$16,635.
Limit vehicle speed at work site	Yes	\$2,526–\$4,717.

Source: 2022 Arizona Regional Haze Plan, Appendix C, Section C.4.3.

For nonpoint mining and quarrying, ADEQ evaluated three activities: earthmoving, including overburden removal and replacement; drilling and blasting; and material handling, including loading and unloading. Relying on cost estimates derived from industry representatives such as the

Arizona Rock Products Association and vendor quotes, ADEQ conducted a four-factor analysis of available controls, the results of which are summarized in Table 17 of this document. Because the controls were either not technically feasible or the cost-effectiveness values far exceeded ADEQ’s \$5,000/ton cost

threshold (\$18,308/ton for additional watering and purchasing an additional water truck being the lowest cost effectiveness value), ADEQ determined it is not reasonable to require additional nonpoint mining and quarrying controls during this planning period.

<sup>178</sup> 2022 Arizona Regional Haze Plan, Chapter 8.3.4.

<sup>179</sup> Id. at Appendix C, p. 242.

<sup>180</sup> Id. at footnote 207.

TABLE 17—SUMMARY OF CONTROL OPTIONS FOR MINING AND QUARRYING

Activity	Control measure	Technically feasible?	Cost-effectiveness (\$/ton)
Earthmoving & Excavating.	Additional Watering—Purchase Additional Water Truck .....	Yes .....	\$18,308
	Additional Watering—Rent Additional Water Truck .....	Yes .....	24,496
	Implement Additional Watering with Available Trucks .....	N/A .....	.....
	Water in Operational Areas—Other Water Distribution Systems (besides trucks).	N/A .....	.....
	Applying dust suppressants (other than water) .....	No .....	.....
Material Handling—Bulk Loading.	Avoid clearing during wind gusts .....	N/A .....	.....
	Partial Closure with Hanging Curtains and the use of Water Spraying at Primary Dump.	Yes .....	101,309
	Regularly Apply Water Through Wetting of Material at the Pit .....	Yes .....	204,319
	Regularly Apply Water Through Water Sprays .....	N/A .....	.....
	Reduce Falling Distance .....	N/A .....	.....
	Use of Loading Spouts .....	No .....	.....
	Use of Loading Spout Equipped with Dust Control System .....	No .....	.....
	Use of Cascading Loading Spouts .....	No .....	.....
	Use of Cascading Loading Spouts Equipped with Wind Shrouds and Discharge Skirts.	No .....	.....
	Use of Conical Loading Hoppers (Dust Suppression Hopper) .....	No .....	.....
Material Handling—Stockpiles.	Use of Dry Fog Dust Suppression System at Loading/Unloading Points	No .....	.....
	Wetting Product with Plain Water and/or Wetting Agents as it is Loaded/Unloaded Onto Stockpile Through Use Of New Water Truck.	Yes .....	204,319
	Continuous Watering with New Water Truck .....	N/A .....	.....
	Continuous Watering with Existing Water Truck .....	N/A .....	.....
	Wetting Product with Plain Water and/or Wetting Agents as it is Loaded/Unloaded onto Stockpile Through Use of Spray Bars.	N/A .....	.....
Blasting .....	Dry Fog Dust Suppression System during Material Loading/Unloading onto Pile.	N/A .....	.....
	Reduce Falling Distance .....	N/A .....	.....
	Utilize Good Design (i.e., Drilling Fewer Holes) .....	N/A .....	.....
	Temporarily Cease Operations Until Conditions Improve .....	N/A .....	.....
	Employ BMPs .....	N/A .....	.....
	Wet Down Blasting Area .....	No .....	.....
	Water Cartridges (Underground Blasting) .....	No .....	.....
	Fogger Spray .....	No .....	.....
	Air Filtration System (Underground Blasting) .....	No .....	.....
	Minimize Area to Be Blasted at Any One Time .....	N/A .....	.....

Source: 2022 Arizona Regional Haze Plan, Appendix C, Section C.4.3.

For paved road dust, ADEQ indicated that emissions estimates were based on re-entrained road dust emissions from paved road surfaces, re-entrained road dust emissions from unpaved shoulders of paved roads, re-entrained road dust emissions from medians of paved roads, re-entrained road dust emissions and track out from access points where unpaved traffic surfaces adjoin paved roads, and re-entrained road dust

emissions from material spills. ADEQ conducted a four-factor analysis of available controls, the results of which are summarized in Table 18 of this document. Based on these results, ADEQ determined the following two control measures to be reasonable: paving access points where unpaved traffic surfaces adjoin paved roads and providing for traffic rerouting or rapid cleanup of temporary (and not readily

preventable) sources of dust on paved roads (trackout, spills, water erosion, runoff, and skid control sand). Therefore, ADEQ indicated that these new measures were considered to be a part of Arizona’s long-term strategy for the second planning period.<sup>181</sup> ADEQ rejected other evaluated controls because they exceeded ADEQ’s \$5,000/ton threshold.

TABLE 18—SUMMARY OF CONTROL OPTIONS FOR PAVED ROAD DUST

Control measure	Technically feasible?	Cost-effectiveness (\$/ton)
Pave, cover with aggregate, or chemically stabilize access points where unpaved traffic surfaces adjoin paved roads. (Aggregate Coverage).	Yes .....	\$5,058
Pave, cover with aggregate, or chemically stabilize access points where unpaved traffic surfaces adjoin paved roads. (Paving).	Yes .....	2,351
Pave, cover with aggregate, or chemically stabilize access points where unpaved traffic surfaces adjoin paved roads. (Chemical Stabilization).	Yes .....	221
Require haul trucks to be covered .....	Yes .....	N/A
Provide for traffic rerouting or rapid cleanup of temporary (and not readily preventable) sources of dust on paved roads (trackout, spills, water erosion, runoff, and skid control sand).	Yes .....	3,614

<sup>181</sup> 2022 Arizona Regional Haze Plan, p. 96.



TABLE 18—SUMMARY OF CONTROL OPTIONS FOR PAVED ROAD DUST—Continued

Control measure	Technically feasible?	Cost-effectiveness (\$/ton)
Reduced usage of skid control sand or salt and improved material specification (e.g., require use of coarse, non-friable material during snow and ice season).	N/A	N/A
Require curbing and pave or stabilize shoulders of paved roads. (Asphalt Concrete)	Yes	9,434
Require curbing and pave or stabilize shoulders of paved roads. (Chemical Stabilization)	Yes	14,144
Stabilize medians of paved roads. (Asphalt Concrete)	Yes	9,434
Stabilize medians of paved roads. (Chemical Stabilization)	Yes	14,144
Ensure stabilization during work on unpaved shoulders of paved roads (e.g., weed abatement/vegetation management).	Yes	31,877
Provide for storm water drainage to prevent water erosion onto paved roads	No	N/A
Employ PM <sub>10</sub> certified street sweepers on principal arterials.	Yes	5,164
Reduce speed limits	No	N/A

Source: 2022 Arizona Regional Haze Plan, Appendix C, Section C.4.4.

For unpaved road dust, ADEQ evaluated re-entrained road dust emissions from unpaved roads as part of its analysis. ADEQ conducted a four-factor analysis of available controls, the results of which are summarized in

Table 19 of this document. Based on these results, ADEQ determined that it is not reasonable to require additional unpaved road dust controls during this planning period. Although ADEQ did not specify why no other controls were

reasonable, cost appears to have been the determining factor, as the cost effectiveness of all feasible controls exceeded ADEQ’s chosen cost-effectiveness threshold of \$5,000/ton.

TABLE 19—SUMMARY OF CONTROL OPTIONS FOR UNPAVED ROAD DUST

Control measure	Technically feasible?	Cost-effectiveness (\$/ton)
Develop traffic reduction plans for unpaved roads. Use of speed bumps, low speed limits, etc., to encourage use of other (paved) roads.	No	N/A
Pave unpaved roads (chip-seal) 800 average daily trips (ADT)	Yes	\$19,545
Pave unpaved roads (asphalt) 800 ADT	Yes	26,227
Pave unpaved roads (concrete) 800 ADT	Yes	33,571
Chemically stabilize unpaved roads (dust suppressants other than water). 800 ADT	Yes	47,528
Apply and maintain surface gravel. 800 ADT	Yes	223,420
Prohibit [limit] construction of new unpaved roads chip seal	Yes	19,545
Prohibit [limit] construction of new unpaved roads asphalt	Yes	26,227
Prohibit [limit] construction of new unpaved roads concrete	Yes	33,571

Source: 2022 Arizona Regional Haze Plan, Appendix C, Section C.4.5.

In the 2023 Arizona Regional Haze Rules Supplement, ADEQ submitted “Nonpoint Rules to Supplement Arizona’s 2022 Regional Haze SIP.” ADEQ added three new rules to Arizona Administrative Code (A.A.C.) Title 18, Chapter 2, Article 13 to incorporate measures intended to reduce emissions of fugitive dust from nonpoint sources in and around the following Class I areas: Chiricahua National Monument and Wilderness Area, Galiuro Wilderness Area, Saguaro National Park, and Superstition Wilderness Area. The rules limit emissions from certain dust generating activities at nonresidential construction sites and from paved roads to implement ADEQ’s control determinations for the nonpoint sources. The three rules submitted are: A.A.C. R18–2–D1301 (Definitions for R18–2–D1302 and R18–2–D1303),

A.A.C. R18–2–D1302 (Fugitive Dust Emissions from Nonresidential Construction), and A.A.C. R18–2–D1303 (Fugitive Dust Emissions from Paved Roads). The EPA will act on these three rules in a separate rulemaking.

Arizona is not using the anticipated emissions reductions from the nonpoint source emissions reduction measures in the state’s 2028 RPG calculations and in the estimate of emissions reductions from their long-term strategy. ADEQ indicated that while the new emissions reduction measures are reasonable on a per event/location basis, the agency does not currently have enough information to quantify the total number of track out events and access points to which these controls would be applicable. ADEQ indicated that it intends to gather additional information through the implementation of these

measures and take emissions reduction credits in future Regional Haze planning periods.

c. Summary of Control Determinations

Arizona’s control measure determinations, including the specific permit conditions and rules submitted to the EPA for approval into the Arizona SIP by incorporation by reference, are summarized in Table 20 of this proposed rulemaking document. Some emissions controls are included in the modeling of 2028 RPGs of Arizona’s long-term strategy, and ADEQ estimated the emissions reductions to be: 2,122 tpy SO<sub>2</sub> for SGS 1 & 2, and 499 tpy NO<sub>x</sub> for Williams Compressor Station. ADEQ indicated that the State’s calculation of 2028 RPGs does not include anticipated emissions reductions from IGS Unit 3 nor the nonpoint sources.

TABLE 20—ARIZONA REGIONAL HAZE NEW CONTROL MEASURE DETERMINATIONS

Source	Unit	Control	Pollutant	Compliance deadline	Permit conditions or rules submitted for approval into the Arizona SIP
Springerville Generating Station.	Units 1 and 2 Units 1 and 2	Combined annual SO <sub>2</sub> cap for Units 1 & 2 of 3,729 tpy. Combined 16.1 tons/day SO <sub>2</sub> 30-day rolling average.	SO <sub>2</sub> ..... SO <sub>2</sub> .....	One year after SIP approval. One year after SIP approval.	Arizona Department of Environmental Quality Significant Permit Revision No. 91093 to Operating Permit No. 65614 Cover Page and Attachment “E” Regional Haze Provisions: Tucson Electric Power Plant—Springerville Generating Station.
Williams Compressor Station.	RECIP–1 .....	Low Emission Combustion (LEC–2) controls.	NO <sub>x</sub> .....	18 months after SIP approval.	Arizona Department of Environmental Quality Significant Permit Revision No. 93062 to Operating Permit No. 77575 Cover Page and Attachment “D”: Regional Haze Provisions.
	RECIP–2 .....	Low Emission Combustion (LEC–3) controls.	NO <sub>x</sub> .....	18 months after SIP approval.	
	RECIP–5 .....	LEC–3 controls .....	NO <sub>x</sub> .....	18 months after SIP approval.	
Irvington Generating Station.	Unit 3 .....	Useful life NO <sub>x</sub> cap of 1,285 tons .....	NO <sub>x</sub> .....	One year after SIP approval.	Pima Department of Environmental Quality Air Quality Permit No. 1052 Cover Page and Section VI. Unit EGU–I3 Regional Haze State Implementation Plan.
		Rolling 3-year average NO <sub>x</sub> cap of 251 tpy. Single year annual NO <sub>x</sub> cap of 392 tpy ..	NO <sub>x</sub> ..... NO <sub>x</sub> .....	One year after SIP approval. One year after SIP approval.	
Industrial, Commercial, and Institutional Construction.	N/A .....	(1) Paving unpaved parking and staging areas, (2) applying acrylic polymer to unpaved parking and staging areas, (3) applying gravel to unpaved parking and staging areas, and (4) limiting vehicle speed at work site to 15 mph with signage.	PM <sub>10</sub> .....	January 1, 2025 .....	A.A.C. R18–2–D1301 (Definitions for R18–2–D1302 and R18–2–D1303) and A.A.C. R18–2–D1302 (Fugitive Dust Emissions from Nonresidential Construction).
Paved Roads .....	N/A .....	(1) Paving access points where unpaved traffic surfaces adjoin paved roads; (2) Providing for traffic rerouting or rapid cleanup of temporary (and not readily preventable) sources of dust on paved roads (trackout, spills, water erosion, runoff, and skid control sand).	PM <sub>10</sub> .....	September 10, 2023	A.A.C. R18–2–D1301 (Definitions for R18–2–D1302 and R18–2–D1303) and A.A.C. R18–2–D1303 (Fugitive Dust Emissions from Paved Roads).

Source: 2022 Arizona Regional Haze Plan and 2023 Arizona Regional Haze Rules Supplement.

Note: ADEQ is not claiming emissions reduction credit in calculating RPGs for IGS or for the nonpoint sources. ADEQ stated that it intends to claim emissions reduction credit stemming from the enactment of the nonpoint emissions reduction measures in future Regional Haze planning periods.

d. Additional Long-Term Strategy Requirements

Arizona indicates in its submittal that the State consulted with other WRAP states in development of this SIP.<sup>182</sup> The majority of state consultation in the development of the regional haze SIPs was conducted through the WRAP’s Regional Haze Planning group, as Arizona participated in regular calls with WRAP states.

Arizona also had individual consultations with California, Utah, Nevada, Colorado, and New Mexico regarding source screening, approaches to four factor analyses, and general SIP preparation. ADEQ indicated that these states were selected by Arizona for consultation in anticipation that they may contribute to visibility impairment in the State’s mandatory Class I Federal areas given their proximity to the Arizona border. No other states approached Arizona for regional haze consultation during this planning

period. Pursuant to 40 CFR 51.308(f)(2)(ii)(A), ADEQ and the above agencies did not agree on any measures during their state-to-state consultations. Pursuant to 40 CFR 51.308(f)(2)(ii)(B), the agencies confirmed that they shared the measures they have identified as being necessary to make reasonable progress in a mandatory Class I Federal area with ADEQ, and that the Agencies have not requested for ADEQ to consider any measures necessary to make reasonable progress in any mandatory Class I Federal areas. Pursuant to 40 CFR 51.308(f)(2)(ii)(C), ADEQ indicates that there are currently no disagreements between ADEQ and other state agencies on Arizona’s emissions reduction measures. ADEQ also documented outreach efforts with the New Mexico Environmental Department but indicated that no feedback was received from New Mexico.

In its submittal, Arizona also commits to continue consultation with California, Nevada, Utah, Colorado, New Mexico, and any other state which

may reasonably be anticipated to cause or contribute to visibility impairment in Class I Federal areas located within Arizona.<sup>183</sup> As part of this commitment, Arizona will also continue consultation with any state for which Arizona’s emissions may reasonably be anticipated to cause or contribute to visibility impairment in those states’ Class I areas. With regard to the established or updated goal for reasonable progress, should disagreement arise between another state or group of states, Arizona indicated that it will describe the actions taken to resolve the disagreement in future regional haze SIP revision. With regard to assessing or updating long-term strategies, Arizona also committed to coordinate its emissions management strategies with affected states and to continue to include in its future regional haze SIP revisions all measures agreed to during state-to-state consultations or a regional

<sup>182</sup> 2022 Arizona Regional Haze Plan, Chapters 2.3 and 2.6.

<sup>183</sup> 2022 Arizona Regional Haze Plan, Chapter 2.6.3.

planning process, or measures that will provide equivalent visibility improvement.<sup>184</sup>

## 2. The EPA's Evaluation of Arizona's Long-Term Strategy

The EPA is proposing to find that, due to flaws in some of its analyses and conclusions, Arizona has not fully satisfied the long-term strategy requirements of section 51.308(f)(2). In the following sections we summarize the most significant shortcomings in Arizona's source selection process, four-factor analyses, and control determinations, which form the basis for this proposed finding.

### a. Source Selection

The EPA finds that many aspects of ADEQ's source selection process, such as its focus on sulfate, nitrate, and coarse mass and its use of a Q/d value of 10 for point sources, were reasonable and adequately explained and documented. However, ADEQ did not provide an adequate justification for screening out certain sources and units from conducting a four-factor analysis on the basis that they are "effectively controlled" as part of its source selection process.<sup>185</sup> Specifically, in some cases, ADEQ did not identify the controls for each pollutant at each unit or process, the associated limits, or where the controls/limits currently exist in the Arizona SIP. In other cases, ADEQ listed the controls, but did not clearly explain why it is reasonable to assume, without conducting a four-factor analysis, that no additional controls would be reasonable.<sup>186</sup> For example, ADEQ cites better-than-BART determinations from the first planning period for Apache Generating Station Units 2 and 3 and IGS Unit 4 as a rationale that it is not necessary to conduct a four factor analysis.<sup>187</sup> However, despite ADEQ providing some of the limits associated with these determinations, the mere fact that a unit installed BART (or better-than-BART) controls in the first planning period is not a sufficient justification on its own that no new controls are necessary for reasonable progress in the second

planning period.<sup>188</sup> Indeed, the evaluation and control of BART sources under the reasonable progress requirements in the second planning period may be necessary to achieve the national goal of the prevention of any future, and the remedying of any existing, manmade impairment of visibility in Class I areas.<sup>189</sup> Accordingly, ADEQ should have identified where the existing limits are found in the SIP or FIP and clearly explained why no additional controls would likely be reasonable under a four-factor reasonable progress analysis for the second planning period. Therefore, ADEQ also did not adequately explain whether these facilities' existing controls were necessary for reasonable progress and therefore a part of the state's long-term strategy.<sup>190</sup>

### b. Four-Factor Analyses

The EPA finds that many of ADEQ's four-factor analyses included flaws in the cost analyses, which in some instances, significantly affected the resulting cost effectiveness values that ADEQ used to determine what measures are necessary to make reasonable progress. These flaws are detailed in the following sections.

#### i. Controlled Emission Rates

The emission rates used in some of Arizona's four-factor analyses did not appropriately reflect the emissions rate achievable with the relevant controls. For example, in the NO<sub>x</sub> four-factor analysis for SGS Units 1 and 2, ADEQ determined that the emission rates of 0.060 lb/MMBtu and 0.15 lb/MMBtu provide a reasonable estimate of the achievable rates for SCR and SNCR, respectively. ADEQ noted considerations related to more frequent startup/shutdown cycles occurrences at SGS and higher baseline NO<sub>x</sub> emissions compared to other similar units, as reasons for using these emissions rates.

SCR has been demonstrated to achieve 0.05 lb/MMBtu (or up to 90

percent reduction) a retrofit basis,<sup>191</sup> and achieving this emission rate at Units 1 and 2 instead of 0.06 lb/MMBtu would result in approximately 150 tpy of additional NO<sub>x</sub> reductions per unit (based upon 2028 emissions provided in Table 5 of this document). We acknowledge that the startup/shutdown considerations noted by ADEQ are relevant, particularly for establishing emissions limits on a short-term averaging period (such as 24-hour average or rolling 30-day), where startup and shutdown emissions can represent a larger portion of a unit total emission rate. However, ADEQ has not demonstrated why these startup/shutdown considerations would be significant enough at SGS Units 1 and 2 on an annual average basis, which is the averaging period used to calculate ton/year emissions reductions for cost effectiveness calculations, to preclude them from achieving this emissions reduction level with SCR. Similarly, while these factors could also be relevant to SNCR performance, it has not been demonstrated why they would cause SNCR on these units to achieve as little as a 15 percent reduction. Use of lower emissions rates that more accurately reflect the rates achievable with the associated control technologies on an annual basis would have resulted in greater emissions reductions and thus lower cost per ton values associated with these control options. The State's failure to analyze such lower limits in their four-factor analyses, combined with other flaws discussed in Section IV.E.2.b.ii of this document, render the State's analyses insufficient to support reasoned control determinations.

#### ii. Deviations From Control Cost Manual

When developing a long-term strategy for making reasonable progress, states must consider the four statutory factors.<sup>192</sup> In considering these factors, including the costs of compliance and the remaining useful life of affected sources, it is important to use consistent methods in order to allow for comparisons between different sources within a state, and cost analyses in other states. Therefore, as part of any four-factor analysis, the EPA has recommended that costs of compliance should be calculated consistent with the

<sup>184</sup> Id.

<sup>185</sup> See 40 CFR 51.308(f)(2)(i) ("... The State must include in its implementation plan a description of the criteria is used to determine which sources or groups of sources it evaluated and how the four factors were taken into consideration in selecting the measures for inclusion in its long-term strategy").

<sup>186</sup> Id., see also 2021 Clarifications Memo, p. 5, 2019 Guidance, p. 23.

<sup>187</sup> 2022 Arizona Regional Haze Plan, pp. 109 and 114.

<sup>188</sup> See 40 CFR 51.308(e)(5) ("After a State has met the requirements for BART or implemented an emissions trading program or other alternative measure that achieves more reasonable progress than the installation and operation of BART, BART-eligible sources will be subject to the requirements of [40 CFR 51.308(d) and (f)], as applicable, in the same manner as other sources.").

<sup>189</sup> See 2019 Guidance, p. 25 ("[S]tates may not categorically exclude all BART-eligible sources, or all sources that installed BART controls, as candidates for analysis of control measures.").

<sup>190</sup> 40 CFR 51.308(f)(2) ("Each State must submit a long-term strategy that addresses regional haze visibility impairment... the long-term strategy must include the enforceable emissions limitations... that are necessary to make reasonable progress."); see also 2021 Clarifications Memo, pp. 8–9.

<sup>191</sup> Ravi K. Srivastava, Robert E. Hall, Sikander Khan, Kevin Culligan & Bruce W. Lani (2005) Nitrogen Oxides Emission Control Options for Coal-Fired Electric Utility Boilers, *Journal of the Air & Waste Management Association*, 55:9, 1367–1388, DOI: 10.1080/10473289.2005.10464736. Available at: <https://www.tandfonline.com/action/showCitFormats?doi=10.1080/10473289.2005.10464736>.

<sup>192</sup> See CAA 169A(b)(2)(B), CAA 169A(g)(7), and 40 CFR 51.308(f)(2)(i).

methods set forth in the EPA's Control Cost Manual.<sup>193</sup> As we have previously noted in relation to BART determinations, “[w]ithout an ‘apples-to-apples’ comparison of costs, it is impossible to draw rational conclusions about the reasonableness of the costs of compliance for particular control options. Use of the [Control Cost Manual] methodology is intended to allow a fair comparison of pollution control costs between similar applications for regulatory purposes.”<sup>194</sup> The same principle applies to the evaluation of the cost of compliance as part of a four-factor analysis.<sup>195</sup> Therefore, where a state deviates from these methods, it should explain how its alternative approach is appropriate and consistent with the regulations and the statutory requirement to make reasonable progress towards the national goal. Arizona did not do so.

One important element of a cost-effectiveness analysis is the remaining useful life of the equipment. The equipment life used to calculate costs for each control technology option, unless constrained by an enforceable retirement date for the source contained in the SIP, should be consistent with that found in the respective chapter of the Control Cost Manual. Any deviations from the Control Cost Manual should be documented and an appropriate rationale provided.<sup>196</sup> ADEQ did not provide appropriate documentation of the remaining useful life (*i.e.*, the control equipment life) used to calculate the costs of controls for some of the facilities it analyzed. For example, in its analysis for EPNG Williams TURBINE-1, ADEQ assumed a useful life of 25 years for NO<sub>x</sub> controls, including for SCR, based on the expected life of the turbine. However, an enforceable shutdown date is not associated with the turbine, and in situations where an enforceable shutdown date does not exist, the remaining useful life of a control under consideration should be the full period of the useful life of that control as recommended by the EPA's Control Cost Manual.<sup>197</sup> Similarly, in its analysis for

the compressor engines at EPNG Williams, ADEQ amortized SCR and other control options over a 20-year period. This assumption is not supported with any additional information in either ADEQ's TSD or in the original source document from EPNG.

Another important element of the cost effectiveness analysis is the interest rate used. In its cost calculations for EPNG Willcox and Williams, ADEQ used an interest rate of 8.53 percent (for most control options such as SCR) and 9 percent for water/steam injection. These values were well above the bank prime interest rates at the time these analyses were developed, and above the source-specific interest rates used in other facilities' analyses. While the TSD notes that 8.53 percent is based upon site specific information provided by EPNG, that information is not in the TSD or the original source document from EPNG. Additional documentation is needed to support the use of the 8.53 percent and 9 percent interest rates in cost calculations.<sup>198</sup>

In the absence of adequate documentation supporting deviations from the Control Cost Manual, we find that ADEQ's cost analyses are not sufficiently reliable to support its control determinations.

#### c. Control Determinations

In addition to the issues with source selection and four-factor analyses noted in the previous sections, we find that ADEQ did not reasonably weigh the statutory factors in reaching its control determinations for certain sources, as detailed in the following paragraphs. In addition, where ADEQ determined that no additional measures were necessary to make reasonable progress for a particular source, it did not determine whether the source's existing measures are necessary to make reasonable progress and therefore, whether they should be a part of its long-term strategy.

##### i. Application of Cost Thresholds

As described in Sections IV.E.1.a.ii and IV.E.1.b of this document, ADEQ set an average cost-effectiveness threshold of \$6,500/ton for point sources. Generally, ADEQ did not provide an adequate justification for how this threshold resulted in a reasonable set of

control measures.<sup>199</sup> In a few instances, ADEQ rejected controls for which the average cost effectiveness was below this chosen threshold based on incremental cost effectiveness (*i.e.*, the cost-effectiveness of a more expensive control compared to a less expensive control). Specifically, ADEQ rejected wet FGD on SGS 1 and 2, and LEC-3 on Williams RECIP-1, on the grounds that the incremental costs of these controls, relative to less stringent controls, were excessive. Although states may choose to consider incremental costs in a reasonable manner,<sup>200</sup> we find it was unreasonable for ADEQ to do so only for specific units and only as a reason to reject controls that otherwise met the state's chosen cost-effectiveness threshold. In addition, while ADEQ conducted an analysis of numerous first planning period control determinations to set its threshold of \$6,500/ton, it considered only a single BART determination to determine that incremental costs of \$11,120/ton (for LEC-3 on Williams Units RECIP-1), and \$9,400-13,500/ton (for wet WGD on SGS 1 and 2) were excessive.<sup>201</sup> We find that the use of incremental cost in this way, without adequate support or consistent application, is not reasonable.

In addition, we note that several controls were rejected by ADEQ on the grounds that they were marginally above the chosen cost threshold (\$6,500/ton for point sources and \$5,000/ton for nonpoint sources). For example, the cost effectiveness for water injection at Williams TURBINE-1 was close to ADEQ's cost effectiveness threshold of \$6,500/ton, with a difference of \$36. The cost effectiveness threshold for SNCR on SGS Unit 2 was also marginally above the \$6,500/ton threshold, with a \$269 difference. Additionally, a few nonpoint source controls were also marginally above ADEQ's \$5,000/ton threshold but rejected based on cost, such as a dust control plan (\$76 difference) and sweeping (\$164 difference) for ICI construction and sweeping (\$164 difference) for paved road dust. Given the flaws in the cost-effectiveness analyses noted in Section IV.E.2.b, which may have resulted in inflated cost-effectiveness values, we

<sup>193</sup> 2019 Guidance, p. 31.

<sup>194</sup> 77 FR 72512, 72518. See also *Arizona ex rel. Darwin v. EPA*, 815 F.3d 519, 540 (9th Cir. 2016); (upholding this interpretation as reasonable).

<sup>195</sup> 2019 Guidance, p. 31.

<sup>196</sup> *Id.* at pp. 33-34. See also 40 CFR 51.308(f)(2)(iii) (“The State must document the technical basis, including modeling, monitoring, cost, engineering, and emissions information, on which the State is relying to determine the emission reduction measures that are necessary to make reasonable progress in each mandatory Class I Federal area it affects”).

<sup>197</sup> *Id.*

<sup>198</sup> Control Cost Manual, Chapter 2, p. 15. See also 40 CFR 51.308(f)(2)(iii) (“The State must document the technical basis, including modeling, monitoring, cost, engineering, and emissions information, on which the State is relying to determine the emission reduction measures that are necessary to make reasonable progress in each mandatory Class I Federal area it affects”).

<sup>199</sup> “As the Ninth Circuit explained in *NPCA v. EPA*, 788 F.3d at 1142, the Regional Haze Rule does not prevent states from implementing ‘bright line’ rules, such as thresholds, when considering costs and visibility benefits. However, the state must explain the basis for any thresholds or other rules (see 40 CFR 51.308(f)(2)).” 2019 Guidance, p. 38.

<sup>200</sup> *Id.* p. 40.

<sup>201</sup> 2022 Arizona Regional Haze Plan, Appendix C, pp. 121 and 229.

recommend that ADEQ revisit these control determinations in particular.

ii. Use of Visibility as a Factor To Avoid Controls

The EPA has explained that states choosing to consider visibility benefits as an optional additional factor should not use visibility to summarily dismiss cost-effective potential controls, and that a state that has identified cost-effective controls but rejects most or all of them based on visibility benefits is likely to be improperly using visibility as an additional factor.<sup>202</sup> Arizona has not considered visibility benefits for most of its sources, but appears to have considered visibility modeling submitted by TEP for SGS. In the SGS analysis, ADEQ stated that “[a]ny controls having an average cost-effectiveness of 6,500 \$/ton are cost excessive unless there [is] compelling evidence that the controls would result in a significant visibility improvement at Class I areas.”<sup>203</sup> In addition, ADEQ pointed to “small visibility benefits” associated with the modeled NO<sub>x</sub> and SO<sub>2</sub> controls to support its determinations that no new NO<sub>x</sub> controls and a less stringent SO<sub>2</sub> control (SDA upgrades) are necessary to make reasonable progress with respect to SGS Units 1 and 2.<sup>204</sup> However, ADEQ has not defined what it considers to be a significant visibility improvement or how its analysis comports with the regional haze regulations.

Whether a particular visibility impact is meaningful should be assessed in context and cannot be used to undermine the four statutory factors that are to be analyzed in order to determine what measures are necessary for reasonable progress.<sup>205</sup> As many of the largest individual visibility impairing sources have either already been controlled (under the RHR or other CAA or state programs) or have retired, the remaining individual sources are often smaller and better controlled, with each source making relatively smaller contributions to a Class I area as a proportion of total impairment. This does not mean, however, that additional emissions reductions are not needed in the second planning period and beyond, and the remaining sources need not be analyzed for additional controls. To the contrary, the evaluation and control of such smaller sources may be necessary to achieve the national goal of the prevention of any future, and the

remediating of any existing, anthropogenic impairment of visibility in Class I areas.

With a Q of 17,044 and a Q/d of 339, SGS is by far the largest emissions source analyzed by ADEQ in the 2022 Arizona Regional Haze Plan. ADEQ found that Units 3 and 4, as well as Units 1 and 2 for PM<sub>10</sub>, were effectively controlled, leaving only NO<sub>x</sub> and SO<sub>2</sub> at Units 1 and 2 as providing an opportunity for further control. In the absence of any opportunities for larger emissions reductions and corresponding visibility benefits, we find that ADEQ’s reliance on “small” visibility benefits as an additional justification for not adopting more stringent controls at these units is not persuasive.

We also have concerns with certain aspects of the modeling for SGS. In particular, the analysis considered visibility benefits from a NO<sub>x</sub> control on Units 1 and 2 with an emission factor of 0.08 lb/MMBtu, roughly half that resulting from SNCR (0.15 lb/MMBtu) and 25 percent higher than that resulting from SCR (0.06 lb/MMBtu). In addition, the analyses focused on the average over the 20 percent most impaired days and concluded the visibility benefits from installing SCR were small. While it is reasonable to consider visibility impacts on the most impaired days, due to variability in daily transport patterns, the EPA’s guidance recommends that for individual sources, the maximum daily visibility impact on all days may be a more meaningful metric.<sup>206</sup>

In sum, we find that ADEQ’s consideration of visibility benefits of potential controls at SGS Units 1 and 2 did not provide meaningful support of its rejection of more stringent NO<sub>x</sub> and SO<sub>2</sub> controls at these two units.

iii. Mass-Based Emissions Caps at SGS

For SGS Units 1 and 2, ADEQ determined that “emission reductions equivalent to SDA upgrades at Unit 1 and Unit 2 are necessary to make reasonable progress” and established two combined emissions limits for Unit 1 and Unit 2: 3,729 tons per year on 12-month rolling average; and 16.1 tons per day (tpd) on a 30-calendar-day rolling average. ADEQ stated that “establishing the two capped emission limits within the two emission units can provide compliance flexibility yet still guarantee that each unit is well controlled to protect and improve the visibility in Class I areas.”<sup>207</sup> For the reasons that follow, the EPA proposes to find that

these limits will not ensure implementation of the emissions reduction measures that are necessary to make reasonable progress at these units.

First, as noted in the preceding section, ADEQ rejected wet FGD for SGS 1 and 2 in part due to incremental cost effectiveness compared to SDA.<sup>208</sup> However, as ADEQ acknowledged in the SIP submittal, the proposed emissions caps will not, in fact, require TEP to upgrade the SDA controls at these units. Instead, “TEP will be very likely to manage its operating level strategically instead of completing the upgrades to the SDA systems for meeting the RP requirements.”<sup>209</sup> Given that TEP will not be required to implement SDA upgrades, we find it was not reasonable to reject wet FGD on the basis of incremental cost relative to SDA.

Second, the cost of SDA upgrades was well below ADEQ’s established cost threshold of \$6,500/ton, ranging from \$828–\$883/ton for SGS Unit 1 and \$853–\$908/ton for SGS Unit 2. Therefore, even if TEP meets the proposed annual and 30-day limits, it appears that SDA upgrades would still be cost-effective, based on ADEQ’s established cost threshold.

Third, because the limits are set across two units and the tpd limit is set on a 30-calendar-day basis (rather than a 30-day-boiler-operating day),<sup>210</sup> they would not meaningfully constrain the emissions from one unit during periods when the other unit is not operating. In particular, the annual SO<sub>2</sub> cap of 3,739 tpy is significantly higher than ADEQ’s projected 2028 SO<sub>2</sub> emissions for either Unit 1 or Unit 2 (2,869 and 2,982 tpy, respectively) and nearly double each unit’s recent emissions (1,980 and 1,988 tpy respectively on average 2021–2023).<sup>211</sup> Similarly, the daily SO<sub>2</sub> cap of 16.1 tpd is greater than half of the *maximum* combined 30-calendar-day emissions of both Unit 1 and Unit 2 over the baseline period of 2016–2019.<sup>212</sup> As noted by ADEQ in their submission and confirmed in TEP’s most recent Integrated Resources Plan, TEP intends to retire Unit 1 in 2027.<sup>213</sup> If this occurs,

<sup>208</sup> Id. at p. 229.

<sup>209</sup> Id. at p. 236.

<sup>210</sup> A limit based on boiler operating days would effectively exclude days with zero emissions from the calculation of the 30-day average whereas a limit based on calendar days does not.

<sup>211</sup> Emissions information can be publicly accessed through the EPA Clean Air Markets Program data, available at <https://campd.epa.gov/>.

<sup>212</sup> 2022 Arizona Regional Haze Plan, Appendix C, Figure 5: Comparison 30–CD Rolling Average Emission Rates over Baseline Years against Emission Limit. ADEQ did not provide separate daily emissions data for Units 1 and 2.

<sup>213</sup> As part of its preferred alternative in its 2023 Integrated Resources Plan, p. 56, TEP states that

<sup>202</sup> 2021 Clarifications Memo, p. 13.

<sup>203</sup> 2022 Arizona Regional Haze Plan, Appendix C, p. 216.

<sup>204</sup> Id. at 234.

<sup>205</sup> 40 CFR 51.308(f)(2)(i); 2021 Clarifications Memo, p. 14.

<sup>206</sup> 2019 Guidance, pp. 15–16.

<sup>207</sup> 2022 Arizona Regional Haze Plan, Appendix C, p. 239.

Unit 2 would be able to emit 3,739 tpy SO<sub>2</sub> in 2028, nearly double what it emitted on average in 2021–2023 and significantly more than the 2,982 tpy it is projected to emit in the absence of a cap. In contrast, a lb/MMBtu limit representing SDA set on each unit would ensure emissions from Unit 2 would be reduced by approximately 1/3 from recent emissions levels even if Unit 1 ceases operation.

By comparison, the NO<sub>x</sub> emission limits ADEQ proposed for IGS Unit 3 are also mass-based limits and share some similar elements with the proposed SGS Unit 1 and 2 limits. We note that the IGS Unit 3 NO<sub>x</sub> limits differ primarily because the proposed limits are not relied upon to implement the control determination of a four-factor analysis. Rather, the IGS Unit 3 limits, which consist of a combination of limitations on unit capacity and total lifetime emissions, are subsequently reflected in the unit's four-factor analysis and have the effect of increasing the cost effectiveness of additional controls into a cost per ton range that ADEQ considered to be not cost effective. However, we also note that as currently established in the permit revision submitted by ADEQ, the IGS Unit 3 limits would become effective only upon approval of ADEQ's regional haze reasonable progress determination for IGS by the EPA. Because these limits are not yet enforceable, we find that they are not an appropriate basis for modifying the baseline control scenario for a four-factor analysis.<sup>214</sup>

Finally, we note that ADEQ's proposed determination is that "emission reductions equivalent to SDA upgrades at SGS Unit 1 and Unit 2 are necessary to make reasonable progress,"<sup>215</sup> rather than that the SDA upgrades themselves are necessary to make reasonable progress. This conclusion is not supported by the four-factor analysis, which examines specific control measures (including SDA upgrades), rather than total emissions reductions levels and, which concludes "it is reasonable to require TEP to upgrade the current SDA systems to further reduce the SO<sub>2</sub> emissions at Unit

1 and Unit 2."<sup>216</sup> In particular, as noted above, ADEQ rejected the use of a more stringent control (wet FGD), based on incremental costs compared to the cost of actual SDA upgrades, not emission reductions "equivalent" to such upgrades.

For all of these reasons, we propose to find that the SO<sub>2</sub> emissions caps adopted for SGS Units 1 and 2 will not ensure implementation of the emissions reduction measures that are necessary to make reasonable progress at these units.

#### iv. Analysis of Existing Measures Necessary for Reasonable Progress

As described in Section III.C of this document, where a state determines that no additional measures are necessary to make reasonable progress for a particular source, the state must then determine whether the source's existing measures are necessary to make reasonable progress. Generally, a source's existing measures are needed to prevent future emissions increases and are thus needed to make reasonable progress. If the existing controls at a selected source are necessary to make reasonable progress, the state must adopt emissions limits based on those controls as part of its long-term strategy for the second planning period and include those limits in its SIP (to the extent they do not already exist in the SIP).

ADEQ has not addressed whether any of the existing measures relied upon in its four-factor analyses or its "effective controls" determinations are necessary to make reasonable progress and thus should be a part of the State's long-term strategy for the second planning period. For example, for SGS Units 3 and 4, ADEQ determined that no new measures were necessary to make reasonable progress for any pollutant. Similarly, ADEQ found that no additional controls were necessary for NO<sub>x</sub> or PM<sub>10</sub> at SGS Units 1 and 2. However, ADEQ did not evaluate nor determine whether any of the existing measures for these units and pollutants were necessary to make reasonable progress and therefore should be a part of its long-term strategy. The same is true for the many other emissions processes for which ADEQ determined that no new measures were necessary to make reasonable progress. Additionally, in general, an emissions limit reflecting a source's existing measures that are necessary to make reasonable progress should be in the form of the emissions rate achieved when implementing those measures (e.g., pounds per million British thermal units or lbs/MMBtu,

pounds per hour or lbs/hr, or pounds per ton or lbs/ton of produced material) and should correspond to the emissions rate that was determined to be necessary to make reasonable progress.<sup>217</sup> It is therefore unclear what measures the State is relying on to make reasonable progress, and which are a part of its long-term strategy for the second planning period.

As part of its analysis of whether existing effective measures are necessary to make reasonable progress, the State should have considered whether the relevant sources are subject to enforceable emissions limits that ensure their emissions rates will not increase.<sup>218</sup>

#### e. Conclusions

As explained in the preceding sections, due to flaws and omissions in its source selection and four-factor analyses and the resulting control determinations, the EPA proposes to find that Arizona failed to reasonably "evaluate and determine the emission reduction measures that are necessary to make reasonable progress" by considering the four statutory factors as required by 40 CFR 51.308(f)(2)(i) and CAA section 169A(g)(1). We also propose to find that Arizona failed to adequately document the technical basis that it relied upon to determine these emissions reduction measures, as required by 40 CFR 51.308(f)(2)(iii). In so doing, Arizona failed to submit to the EPA a long-term strategy that includes "the enforceable emissions limitations, compliance schedules, and other measures that are necessary to make reasonable progress" as required by 40 CFR 51.308(f)(2).<sup>219</sup>

Consequently, the EPA is proposing to find that the 2022 Arizona Regional Haze Plan does not satisfy the requirements of 40 CFR 51.308(f)(2). Therefore, we are proposing to disapprove Chapters 2, 6.1–6.3, 8, and 9 and Appendices B, C, E, F, G, and H of the 2022 Arizona Regional Haze Plan.

#### F. Reasonable Progress Goals

Section 51.308(f)(3) contains the requirements pertaining to RPGs for each Class I area. Because Arizona is host to Class I areas, it is subject to

<sup>214</sup> Initially, the units will alternate idling between spring and fall (both seasons include the adjacent winter months). TEP plans to transition Unit 1 to summer-only operations prior to full retirement at the end of 2027."

<sup>215</sup> See 40 CFR 51.231(b) (SIP must show the State has the authority to carry out the SIP at the time of submittal); 2019 Guidance, p. 29 ("[e]nforceable requirements are one reasonable basis for projecting a change in operating parameters and thus emissions").

<sup>216</sup> 2022 Arizona Regional Haze Plan, p. 236.

<sup>217</sup> Id. at 232.

<sup>217</sup> See Clarifications Memo, p. 11.

<sup>218</sup> See Section III.C of this document.

<sup>219</sup> See also CAA 169A(b)(2), 169(b)(2)(B) (the CAA requires that each implementation plan for a State in which the emissions from may reasonably be anticipated to cause or contribute to visibility impairment in a Class I area "contain such emission limits, schedules of compliance and other measures as may be necessary to make reasonable progress toward meeting the national goal, . . . including . . . a long-term . . . strategy for making reasonable progress[.]")

section 51.308(f)(3)(i) and potentially subject to 51.308(f)(3)(ii). Section 51.308(f)(3)(i) requires a state in which a Class I area is located to establish RPGs—one each for the most impaired and clearest days—reflecting the visibility conditions that will be achieved at the end of the implementation period as a result of the emissions limitations, compliance schedules, and other measures required under paragraph (f)(2) to be in states’ long-term strategies, as well as implementation of other CAA requirements. The long-term strategies as reflected by the RPGs must provide for an improvement in visibility on the most impaired days relative to the baseline period and ensure no degradation on the clearest days relative to the baseline period. Section 51.308(f)(3)(ii) applies in circumstances in which a Class I area’s RPGs for the most impaired days represents a slower rate of visibility improvement than the uniform rate of progress calculated under 40 CFR 51.308(f)(1)(vi). Under section 51.308(f)(3)(ii)(A), if the state in which a mandatory Class I area is located establishes an RPG for the most impaired days that provides for a slower rate of visibility improvement than the URP, the state must demonstrate that there are no additional emissions reduction measures for anthropogenic sources or groups of sources in the state

that would be reasonable to include in its long-term strategy. Section 51.308(f)(3)(ii)(B) requires that if a state contains sources that are reasonably anticipated to contribute to visibility impairment in a Class I area in another state, and the RPG for the most impaired days in that Class I area is above the URP, the upwind state must provide the same demonstration. Independent of the URP endpoint adjustments, WRAP used three different visibility projection methods to estimate visibility conditions in 2028 (EPA, EPAwoF, and ModMID) for initial calculation of RPGs. These represent, respectively, the standard approach recommended in EPA photochemical modeling guidance,<sup>220</sup> the same approach except without fire (“woF”) emissions, and a further variant in which the model is used to select the most impaired days (“Mod”, “MID”), rather than selecting them using baseline monitoring data. The approach ultimately relied upon by ADEQ was EPAwoF. Excluding fire emissions from the model runs used to calculate the relative change in concentrations between 2014 and 2028 has the effect of focusing the projection on the changes in anthropogenic emissions over the period. (Including fire emissions would make the impairment projection less responsive to changes in anthropogenic emissions.) While this is not the

standard procedure, it is consistent with the use of anthropogenic impairment from IMPROVE monitor data. These 2028 estimates are described in Appendix D of the 2022 Arizona Regional Haze Plan and are calculated following “Procedures for Making Visibility Projections and Adjusting Glidepaths using the WRAP-WAQS 2014 Modeling Platform”<sup>221</sup> to post-process model results from the 2028OTBa2 projections scenario. ADEQ’s RPGs for its Class I areas (shown by the IMPROVE monitor), as compared with baseline conditions and the 2028 Adjusted URP (for the most-impaired days) are set out in Tables 10–1 and 10–2 of the 2022 Arizona Regional Haze Plan and shown in Table 21 of this document. As compared to the 2028 projections illustrated in plan figures 7–11 through 7–19 as “2028OTBa2 EPA w/o Fire Projection—MID”, these RPGs account for point-source controls resulting from ADEQ’s four factor analyses. Appendix D, section D6 of the plan describes how SO<sub>x</sub> and NO<sub>x</sub> emissions reductions due to the controls were used to scale extinction as used in the IMPROVE equation, then summed and converted to deciviews. While the decreases in the RPGs from this procedure were quite small, the result better fits the regulatory definition of RPG as reflecting the effect of controls.

TABLE 21—ARIZONA BASELINE CONDITIONS, ADJUSTED URP AND 2028 RPGS

Site	20% Most-impaired days		20% Clearest days		
	2000–2004 Baseline	2028 adjusted URP	2028 RPG	2000–2004 Baseline	2028 RPG
BALD1 .....	8.80	7.85	6.71	2.98	1.46
CHIR1 .....	10.50	9.39	8.90	4.91	3.63
GRCA2 .....	7.98	7.33	6.37	2.18	1.29
IKBA1 .....	11.19	9.65	8.63	5.40	3.77
PEFO1 .....	9.82	8.37	7.41	5.02	2.78
SAGU1 .....	12.64	10.65	10.33	6.94	5.77
SIAN1 ** .....	10.76	9.35	8.41	6.16	3.98
SYCA_RHTS .....	12.16	10.14	10.73	5.58	3.43
TONT1 .....	11.65	10.00	9.68	6.46	4.48

Source: 2022 Arizona Regional Haze Plan, Tables 10–1 and 10–2.

\*\* 2013–2017 data is presented instead of 2014–2018 data for SIAN1 as it contains the most recent, complete 3-years dataset for SIAN1.

As described in Section IV.E.2 of this document, we find that ADEQ’s determination of emissions reduction measures that are necessary to make reasonable progress does not meet the requirements of section 51.308(f)(2). Section 51.308(f)(3)(i) specifies that RPGs must reflect “enforceable

emissions limitations, compliance schedules, and other measures required under paragraph (f)(2) of this section.” We commend ADEQ for setting reasonable progress goals in an effort to meet the requirements of 51.308(f)(3) in Chapter 3 of the 2022 Arizona Regional Haze Plan. However, in the absence of

an approved long-term strategy, we cannot approve the associated RPGs.

We also note that for this planning period, all but one Arizona IMPROVE monitor are projected to have RPGs for the 20 percent most impaired days that provide for a greater rate of improvement in visibility than the

<sup>220</sup> Modeling Guidance for Demonstrating Air Quality Goals for Ozone, PM<sub>2.5</sub>, and Regional Haze, EPA 454/R–18–009, EPA OAQPS, November 2018, available at [https://www.epa.gov/scram/state-](https://www.epa.gov/scram/state-implementation-plan-sip-attainment-demonstration-guidance)

[implementation-plan-sip-attainment-demonstration-guidance](https://www.epa.gov/scram/state-implementation-plan-sip-attainment-demonstration-guidance).

<sup>221</sup> “Procedures for Making Visibility Projections and Adjusting Glidepaths using the WRAP-WAQS 2014 Modeling Platform,” Ramboll, March 1, 2021,

final draft, available at the WRAP Regional Technical Operations Work Group website, <https://www.wrapair2.org/RTOWG.aspx>; direct link: [https://www.wrapair2.org/pdf/2028\\_Vis\\_Proj\\_Glidepath\\_Adj\\_2021-03-01draft\\_final.pdf](https://www.wrapair2.org/pdf/2028_Vis_Proj_Glidepath_Adj_2021-03-01draft_final.pdf).

adjusted uniform rate of progress. The IMPROVE visibility monitor for the Sycamore Canyon Wilderness Class I area is projected to have a 0.59 dv slower rate of visibility improvement than the uniform rate of progress by 2028.<sup>222</sup> Section 51.308(f)(3)(ii) of the Regional Haze Rule requires that if a state adopts an RPG for the most impaired days that provides for a slower rate of improvement in visibility than the uniform rate of progress, *i.e.*, if the RPG is above the URP glidepath, it must include within its SIP submission an assessment of the number of years it would take to attain natural visibility conditions if visibility improvement were to continue at the rate of progress selected by the state as reasonable for the implementation period. ADEQ provided a discussion in its submission that explains how the monitor was relocated in 2015 and experienced increases in soil and coarse mass extinction.<sup>223</sup> However, the rule requires the state with the Class I area and any other state with sources affecting that area to make a “robust demonstration” that there are no additional emissions reduction measures for sources that may reasonably be anticipated to contribute to visibility impairment that would be

reasonable to include in the long-term strategy. The robust demonstration requires an analysis to ensure there are no additional emissions reduction measures that would be reasonable to include in the long-term strategy. Because we are proposing to find that ADEQ has not met the requirements of 51.308(f)(2), we also propose to find that it has not satisfied 51.308(f)(3)(ii) with respect to Sycamore Canyon.

Finally, we also note that Arizona has not considered whether sources in Arizona are reasonably anticipated to contribute to visibility impairment in a Class I area in another state whose RPG for the most impaired days in that Class I area is above the URP, as required under 40 CFR 51.308(f)(3)(ii)(B).

For these reasons, we propose to disapprove Chapters 7 and 10 and Appendix D of the 2022 Arizona Regional Haze Plan for not meeting the requirements of 40 CFR 51.308(f)(3) pertaining to RPGs.

*G. Additional Monitoring To Assess Reasonably Attributable Visibility Impairment*

The EPA and FLMs have not previously advised Arizona that additional monitoring is needed to assess reasonably attributable visibility

impairment. Therefore, the requirements under 40 CFR 51.308(f)(4) are not applicable to Arizona.

*H. Monitoring Strategy and Other Implementation Plan Requirements*

Section 51.308(f)(6) specifies that each comprehensive revision of a state’s regional haze SIP must contain or provide for certain elements, including monitoring strategies, emissions inventories, and any reporting, recordkeeping, and other measures needed to assess and report on visibility. A main requirement of this section is for states with Class I areas to submit monitoring strategies for measuring, characterizing, and reporting on visibility impairment. Compliance with this requirement may be met through participation in the IMPROVE network.

According to Chapter 4 of the 2022 Arizona Regional Haze Plan, there are nine IMPROVE monitors and 12 Class I areas in Arizona, as summarized in Table 22 of this document. The monitoring sites are operated and maintained through a formal cooperative relationship between the EPA, NPS, FWS, USFS, and Bureau of Land Management.

TABLE 22—ARIZONA IMPROVE MONITORS

IMPROVE monitor	Class I area	FLM
BALD1 .....	Mount Baldy Wilderness .....	USFS.
CHIR1 .....	Chiricahua National Monument .....	NPS.
	Chiricahua Wilderness, Galiuro Wilderness .....	USFS.
GRCA2 .....	Grand Canyon National Park .....	NPS.
IKBA1 .....	Mazatzal Wilderness, Pine Mountain Wilderness .....	USFS.
PEFO1 .....	Petrified Forest National Park .....	NPS.
SAGU1 .....	Saguaro National Park .....	NPS.
SIAN1 .....	Sierra Ancha Wilderness .....	USFS.
SYCA2 .....	Sycamore Canyon Wilderness .....	USFS.
TONT1 .....	Superstition Wilderness .....	USFS.

Source: 2022 Arizona Regional Haze Plan, Table 4–1.

Section 51.308(f)(6)(i) requires SIPs to provide for the establishment of any additional monitoring sites or equipment needed to assess whether reasonable progress goals to address regional haze for all mandatory Class I Federal areas within the state are being achieved. Regional haze data for each Class I area in Arizona is collected by an IMPROVE monitor that is operated and maintained by the FLMs specified in Table 22 of this document. Pursuant to 40 CFR 51.308(f)(6)(i), ADEQ does not recommend the establishment of any additional monitoring sites or equipment to assess whether reasonable

progress goals to address regional haze for all Class I Federal areas within the State are being achieved. ADEQ also indicated that there have been incomplete years of data and temporarily closed sites. Arizona has engaged in discussions with IMPROVE, USFS, and the EPA on improving data collection at closed sites and hopes future site changes will increase data reliability.

Section 51.308(f)(6)(ii) requires SIPs to provide for procedures by which monitoring data and other information are used in determining the contribution of emissions from within the state to

regional haze visibility impairment at mandatory Class I Federal areas both within and outside the state.

ADEQ indicates that pursuant to 40 CFR 51.308(f)(6)(ii), Chapters 5, 6.4, and 9 of the 2022 Arizona Regional Haze Plan describe the procedures used in developing this SIP revision. These chapters include the procedures to assess the quantitative impact of emissions from Arizona on Class I Federal areas in Arizona and on Class I Federal areas that Arizona’s emissions affect in other states. In general, the WRAP has analyzed and provided information on relative contributions to

<sup>222</sup> 2022 Arizona Regional Haze Plan, Chapter 10.1.

<sup>223</sup> 2022 Arizona Regional Haze Plan, Appendix A.



visibility impairment for Arizona. Arizona has also used data reported by the IMPROVE program as input into the regional technical support analysis tool found at the Visibility Information Exchange Web System and WRAP's Technical Support System, as well as other analysis tools and efforts sponsored by the WRAP.

Section 51.308(f)(6)(iii) does not apply to Arizona, as it has a Class I area.

Section 51.308(f)(6)(iv) requires the SIP to provide for the reporting of all visibility monitoring data to the Administrator at least annually for each Class I area in the state. ADEQ indicates that it does not directly collect or handle IMPROVE data, and that ADEQ will continue to participate in the IMPROVE Visibility Information Exchange Web System for reporting monitoring data. As noted in Table 22 of this document, the IMPROVE monitors are operated and maintained by FLMs. The monitoring strategy for Arizona relies upon the continued availability of the IMPROVE network.

Section 51.308(f)(6)(v) requires SIPs to provide for a statewide inventory of emissions of pollutants that are reasonably anticipated to cause or contribute to visibility impairment, including emissions for the most recent year for which data are available and estimates of future projected emissions. It also requires a commitment to update the inventory periodically.

Chapter 6 and Appendix B of the 2022 Arizona Regional Haze Plan describe the procedures used to produce the statewide emissions inventory of pollutants reasonably anticipated to cause or contribute to visibility impairment in the Class I Federal areas that Arizona's emissions affect. ADEQ indicates that their plan relies primarily upon four different emissions inventory scenarios: 2014v2, RepBase2, 2028OTBa2, and 2028LTS. Three of those scenarios (2014v2, RepBase2, 2028OTBa2) were developed by WRAP utilizing methods agreed upon by member states, local air agencies, and western Tribal organizations and in coordination with FLMs and the EPA. The WRAP 2014v2 inventory is based on the 2014v2 NEI plus updates provided by western states through the WRAP Regional Haze workgroup's Emissions and Modeling Protocol subcommittee. The Representative Baseline (RepBase2) emissions scenario updates the 2014v2 inventory to account for changes and variation in emissions between 2014 and 2018 for key WRAP source sectors, as defined by the WRAP Emissions and Modeling Protocol subcommittee.

Section 51.308(f)(6)(v) also requires states to include estimates of future projected emissions and include a commitment to update the inventory periodically.

ADEQ described its 2028 emissions projection methodology in Chapter 6 and Appendix B Section B3 of the 2022 Arizona Regional Haze Plan. ADEQ indicates that the WRAP 2028OTBa emissions inventory projection follows the methods applied in the EPA 2019 Modeling TSD. The WRAP states updated source sectors to account for implementation of all applicable federal and state requirements for U.S. anthropogenic emissions by 2028.

The 2028LTS is an emissions inventory developed by ADEQ with the 2028OTBa2 as a base. The scenario adjusts 2028OTBa2 emissions to account for those controls included within ADEQ's long-term strategy for which statewide emission reductions could be estimated. Arizona has also committed in its SIP submittal to periodically update the emissions inventories which will include incorporation of emissions reductions from any new or ongoing air pollution control programs and any new source retirement/replacement schedules.<sup>224</sup>

The EPA proposes to find that Arizona has met the requirements of 40 CFR 51.308(f)(6) as described above, including through its continued participation in the IMPROVE network, continued inventory work with the WRAP, and commitment to update the inventory periodically, and that no further elements are necessary at this time for Arizona to assess and report on visibility pursuant to 40 CFR 51.308(f)(6)(vi). The EPA therefore is proposing to approve Chapters 4 and 6.4 of the 2022 Arizona Regional Haze Plan as meeting the requirements of 40 CFR 51.308(f)(6).

#### *I. Requirements for Periodic Reports Describing Progress Towards the Reasonable Progress Goals*

Section 51.308(f)(5) requires that periodic comprehensive revisions of states' regional haze plans also address the progress report requirements of 40 CFR 51.308(g)(1)–(5). The purpose of these requirements is to evaluate progress towards the applicable RPGs for each Class I area within the state and each Class I area outside the state that may be affected by emissions from within that state. Sections 51.308(g)(1) and (2) apply to all states and require a description of the status of implementation of all measures included in a state's first

implementation period regional haze plan and a summary of the emissions reductions achieved through implementation of those measures. Section 51.308(g)(3) applies only to states with Class I areas within their borders and requires such states to assess current visibility conditions, changes in visibility relative to baseline (2000–2004) visibility conditions, and changes in visibility conditions relative to the period addressed in the first implementation period progress report. Section 51.308(g)(4) applies to all states and requires an analysis tracking changes in emissions of pollutants contributing to visibility impairment from all sources and sectors since the period addressed by the first implementation period progress report. This provision further specifies the year, or years, through which the analysis must extend depending on the type of source and the platform through which its emissions information is reported. In addition, section 51.308(g)(5), which also applies to all states, requires an assessment of any significant changes in anthropogenic emissions within or outside the state have occurred since the period addressed by the first implementation period progress report, including whether such changes were anticipated and whether they have limited or impeded expected progress towards reducing emissions and improving visibility.

Section 51.308(f)(5) specifies that a progress report submitted as part of a comprehensive regional haze SIP revision must address the time period since the most recent progress report. Arizona submitted its most recent progress report to the EPA on November 12, 2015, which presented data analysis for the period 2009 through 2013.<sup>225</sup> Therefore, for Arizona, the time period required to be addressed in the progress report began in 2014.

Arizona's submission also describes the status of measures of the long-term strategy from the first implementation period, explaining the controls required under both the SIP and FIP and how those controls have been implemented.<sup>226</sup>

Arizona's submission also contains a summary of the emissions from the long-term strategy from the first implementation period for NO<sub>x</sub>, SO<sub>2</sub>, and PM<sub>10</sub> at BART facilities.<sup>227</sup> In total, ADEQ estimated reductions of 21,296

<sup>225</sup> 84 FR 33002 (July 11, 2019).

<sup>226</sup> 2022 Arizona Regional Haze Plan, Chapter 11 and 2023 Arizona Regional Haze Technical Supplement.

<sup>227</sup> 2022 Arizona Regional Haze Plan, Table 11–8.

tpy NO<sub>x</sub>, 34,533–38,999 tpy SO<sub>2</sub>, and 849 tpy PM<sub>10</sub>.

The EPA therefore proposes to find that Arizona has met the requirements of 40 CFR 51.308(g)(1) and (2) because its SIP submission describes the measures included in the long-term strategy from the first implementation period, as well as the status of their implementation and the emission reductions achieved through such implementation.

Arizona's SIP submission included summaries of the visibility conditions and the trend of the 5-year averages at the Class I areas.<sup>228</sup> The SIP submission included the 5-year baseline (2000–2004) visibility conditions and current conditions (2015–2019) for the clearest and most impaired days, as discussed in Section IV.D of this document. The EPA therefore proposes to find that Arizona has met the requirements of 40 CFR 51.308(g)(3).

In a technical supplement sent on November 22, 2023 (“2023 Arizona Regional Haze Technical Supplement”),<sup>229</sup> ADEQ provided additional supporting information to address the requirements of 40 CFR 51.308(g)(4)–(5). Pursuant to section 51.308(g)(4), Arizona provided a summary of emissions of NO<sub>x</sub>, SO<sub>2</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, VOC, and NH<sub>3</sub> from all sources and activities, including from point, nonpoint, non-road mobile, and on-road mobile sources for the progress report period, using the 2014 and 2017 NEI. ADEQ also provided 2014–2019 Clean Air Markets Program Data (CAMPD) data for all sources with emissions of visibility impairing pollutants. The reductions achieved by Arizona emissions control measures are seen in the emissions inventory and visibility progress. The EPA is therefore proposing to find that Arizona has met the requirements of section 51.308(g)(4) by providing emissions information for NO<sub>x</sub>, SO<sub>2</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, VOC, and NH<sub>3</sub> broken down by type of sources and activities within the state.

Pursuant to section 51.308(g)(5), Arizona provided an assessment of any significant changes in anthropogenic emissions within or outside the state that have occurred since the period, including whether or not these changes in anthropogenic emissions were anticipated in that most recent plan, and whether they have limited or impeded progress in reducing pollutant

emissions and improving visibility.<sup>230</sup> ADEQ noted overall reductions of 21 percent in NO<sub>x</sub>, 11 percent in SO<sub>2</sub>, and 48 percent in VOC using NEI data. ADEQ also noted overall reductions of 45 percent NO<sub>x</sub> and 47 percent SO<sub>2</sub> in CAMPD EGU emissions during the progress report period. ADEQ indicated that these reductions have met or exceeded the downward trend predicted from the regional haze plan in the first round. For NH<sub>3</sub>, ADEQ noted increases from the agriculture sector, but primarily from a different methodology used to calculate the emissions. ADEQ noted that the increases in NH<sub>3</sub> have not limited or impeded visibility progress. The EPA is proposing to find that Arizona has met the requirements of section 51.308(g)(5).

Additionally, the 2022 Arizona Regional Haze SIP includes a commitment to submit periodic progress reports in accordance with section 51.308(f)<sup>231</sup> and a commitment to evaluate progress towards the reasonable progress goal for each mandatory Class I Federal area located within the state and in each mandatory Class I Federal area located outside the state that may be affected by emissions from within the state in accordance with section 51.308(g).<sup>232</sup>

For these reasons, the EPA proposes to approve Chapter 11 of the 2022 Arizona Regional Haze Plan (as supplement by the 2023 Arizona Regional Haze Technical Supplement) as meeting the requirements of 40 CFR 51.308(f)(5) and 40 CFR 51.308(g)(1)–(5) for periodic progress reports.

#### *J. Requirements for State and Federal Land Manager Coordination*

CAA section 169A(d) requires states to consult with FLMs before holding the public hearing on a proposed regional haze SIP, and to include a summary of the FLMs' conclusions and recommendations in the notice to the public. In addition, the FLM consultation provision in section 51.308(i)(2) requires a state to provide FLMs with an opportunity for consultation that is early enough in the state's policy analyses of its emissions reduction obligation so that information and recommendations provided by the FLMs can meaningfully inform the state's decisions on its long-term strategy. If the consultation has taken

place at least 120 days before a public hearing or public comment period, the opportunity for consultation will be deemed early enough. Regardless, the opportunity for consultation must be provided at least sixty days before a public hearing or public comment period at the state level. Section 51.308(i)(2) also provides two substantive topics on which FLMs must be provided an opportunity to discuss with states: assessment of visibility impairment in any Class I area and recommendations on the development and implementation of strategies to address visibility impairment. Section 51.308(i)(3) requires states, in developing their implementation plans, to include a description of how they addressed FLMs' comments.

ADEQ met with USFS and NPS and communicated with the FLMs via email on multiple occasions before providing the draft SIP to those agencies for comment.<sup>233</sup> ADEQ indicated that the purpose of these meetings was to discuss source screening methodologies, selection of particulate matter species for analysis, effective control determinations, initial control determinations, and general consultation on the formation of the long-term strategy. ADEQ also indicated that FWS was invited to these events but did not participate.

On January 4, 2022, Arizona submitted a draft Regional Haze SIP to the FLMs for a 60-day review and comment period pursuant to 40 CFR 51.308(i)(2).<sup>234</sup> ADEQ also met with USFS and NPS on January 13, 2022, to present the draft SIP revision, answer questions, and receive initial feedback. Arizona received comments from the USFS on March 10, 2022, and from the NPS on March 11, 2022. ADEQ responded to the FLM comments and included the responses in Appendix L of their submission to the EPA, in accordance with section 51.308(i)(3).

However, as explained above, because the EPA is proposing to disapprove certain elements of Arizona's SIP revision, namely the long-term strategy under 51.308(f)(2) and the reasonable progress goals under 51.308(f)(3), the EPA is also proposing to disapprove the Plan with respect to the FLM consultation requirements under 51.308(i). While Arizona did take administrative steps to provide the FLMs the requisite opportunity to review and provide feedback on the state's initial draft plan, the EPA cannot approve the requirements under

<sup>230</sup> 2023 Arizona Regional Haze Technical Supplement, Section 3.

<sup>231</sup> 40 CFR 51.308(f) (“ . . . The [regional haze SIP] revision due on or before July 31, 2021, must include a commitment by the State to meet the requirements of paragraph (g) of this section. . . . ”)

<sup>232</sup> 2022 Arizona Regional Haze Plan, Chapter 11.4.

<sup>233</sup> 2022 Arizona Regional Haze Plan, Chapter 2.4.2 and Table 2–2.

<sup>234</sup> 2022 Arizona Regional Haze Plan, Chapter 2.4.

<sup>228</sup> 2022 Arizona Regional Haze Plan, Chapter 5.

<sup>229</sup> Letter dated November 22, 2023, from Hether Krause, Deputy Assistant Director, ADEQ Air Quality Division, to Martha Guzman, Regional Administrator, EPA Region IX (submitted electronically November 22, 2023).

51.308(f)(i) because Arizona's consultation was based on a SIP revision that did not meet the required statutory and regulatory requirements of the CAA and the RHR, respectively. Additionally, we note that ADEQ did not indicate whether the 2023 Arizona Regional Haze Rules Supplement went through the FLM 60-day review period pursuant to 40 CFR 51.308(i)(2). In addition, if the EPA finalizes the partial approval and partial disapproval of the Plan, as proposed in this document, in the process of correcting the deficiencies outlined above with respect to the RHR and statutory requirements, the state (or the EPA in the case of an eventual FIP) will be required to again satisfy the FLM consultation requirement under 51.308(i). Therefore, we are proposing to disapprove Section 2.4 ("Consultation with Federal Land Managers") and Appendix L of the 2022 Arizona Regional Haze Plan for not meeting the requirements under 40 CFR 51.308(i) as outlined in this section.

#### V. Prong 4 (Visibility) of the 2012 PM<sub>2.5</sub> NAAQS and 2015 Ozone NAAQS Infrastructure SIPs

##### A. Infrastructure SIPs

Under CAA sections 110(a)(1) and 110(a)(2), each state is required to submit a SIP that provides for the implementation, maintenance, and enforcement of each primary or secondary NAAQS. Moreover, CAA section 110(a)(1) and section 110(a)(2) require each state to make this new SIP submission within three years (or less, if the Administrator so prescribes) after promulgation of a new or revised NAAQS. This type of SIP submission is commonly referred to as an "infrastructure SIP." The overall purpose of the infrastructure SIP requirements is to ensure that the necessary structural components of each state's air quality management program are adequate to meet the state's responsibilities for the new or revised NAAQS. Overall, the infrastructure SIP submission process provides an opportunity for the responsible air agency, the public, and the EPA to review the basic structural requirements of the air agency's air quality management program in light of each new or revised NAAQS.

Section 110(a)(2)(D) has two components: 110(a)(2)(D)(i) and 110(a)(2)(D)(ii). Section 110(a)(2)(D)(i) includes four distinct components, commonly referred to as "prongs," that must be addressed in infrastructure SIP submissions. The first two prongs, which are codified in section 110(a)(2)(D)(i)(I), prohibit any source or

other type of emissions activity in one state from contributing significantly to nonattainment of the NAAQS in another state (prong 1) and from interfering with maintenance of the NAAQS in another state (prong 2). The third and fourth prongs, which are codified in section 110(a)(2)(D)(i)(II), prohibit emissions activity in one state from interfering with measures required to prevent significant deterioration of air quality in another state (prong 3) or from interfering with measures to protect visibility in another state (prong 4).

##### B. Prong 4 Requirements

Section 110(a)(2)(D)(i)(II) requires SIPs to contain provisions prohibiting sources in that state from emitting pollutants in amounts that interfere with any other state's efforts to protect visibility under part C of the CAA (which includes sections 169A and 169B). The EPA issued guidance on infrastructure SIPs in a September 13, 2013 memorandum from Stephen D. Page titled "Guidance on Infrastructure State Implementation Plan (SIP) Elements under Clean Air Act Sections 110(a)(1) and 110(a)(2)" ("2013 Guidance"). The 2013 Guidance states that these prong 4 requirements can be satisfied by approved SIP provisions that the EPA has found to adequately address any contribution of that state's sources that impact the visibility program requirements in other states. The 2013 Guidance also states that the EPA interprets this prong to be pollutant-specific, such that the infrastructure SIP submission need only address the potential for interference with protection of visibility caused by the pollutant (including precursors) to which the new or revised NAAQS applies.

The 2013 Guidance lays out how a state's infrastructure SIP may satisfy prong 4. In the second planning period, confirmation that the state has a fully approved regional haze SIP that fully meets the requirements of 40 CFR 51.308 or 51.309 will satisfy the requirements of prong 4.<sup>235</sup> The regulations at 40 CFR 51.308 and 51.309 specifically require that a state participating in a regional planning process include all measures needed to achieve its apportionment of emission

<sup>235</sup> The EPA acknowledges that in the 2013 Guidance, we indicate that the EPA may find it appropriate to supplement the guidance regarding the relationship between regional haze SIPs and prong 4 after second planning SIPs become due, which occurred on July 31, 2021. After a review of the 2013 guidance and the second planning period regional haze requirements, the EPA maintains the interpretation that a fully approved regional haze SIP satisfies Prong 4 requirements in the second planning period.

reduction obligations agreed upon through that process. A fully approved regional haze SIP<sup>236</sup> will ensure that emissions from sources under an air agency's jurisdiction are not interfering with measures required to be included in other air agencies' plans to protect visibility.

Through this action, the EPA is proposing to disapprove the prong 4 portion of Arizona's infrastructure SIP submissions for the 2012 PM<sub>2.5</sub> and 2015 ozone NAAQS. All other applicable infrastructure SIP requirements for these SIP submissions have been or will be addressed in separate rulemakings. A brief background regarding the NAAQS relevant to this proposal is provided in the following sections.

##### 1. 2012 PM<sub>2.5</sub> NAAQS

On December 14, 2012, the EPA revised the annual primary PM<sub>2.5</sub> NAAQS to 12 µg/m<sup>3</sup>.<sup>237</sup> States were required to submit infrastructure SIP submissions for the 2012 PM<sub>2.5</sub> NAAQS to the EPA within three years of promulgation of the revised NAAQS. Arizona submitted its infrastructure SIP for the 2012 PM<sub>2.5</sub> NAAQS on December 11, 2015 ("2015 PM<sub>2.5</sub> I-SIP submittal").<sup>238</sup> This proposed rulemaking only addresses the prong 4 element of 2015 PM<sub>2.5</sub> I-SIP submittal.

##### 2. 2015 Ozone NAAQS

On October 26, 2015, the EPA revised the 8-hour ozone NAAQS to 70 parts per billion.<sup>239</sup> States were required to submit infrastructure SIPs within three years of promulgation of the revised NAAQS. Arizona submitted its infrastructure SIP for the 2015 ozone NAAQS on September 24, 2018 ("2018 Ozone I-SIP submittal").<sup>240</sup> This proposed rulemaking only addresses the prong 4 element of the 2018 Ozone I-SIP submittal.<sup>241</sup>

<sup>236</sup> Since second planning period SIPs became due, a "fully approved regional haze SIP" would necessarily include fully approved first and second planning period regional haze SIPs.

<sup>237</sup> 78 FR 3086 (January 15, 2013).

<sup>238</sup> Letter dated December 11, 2015, from Eric Massey, Director, Air Quality Division, ADEQ, to Jared Blumenfeld, Regional Administrator, EPA Region IX.

<sup>239</sup> 80 FR 65292 (October 26, 2015).

<sup>240</sup> Letter dated September 24, 2018, from Timothy S. Franquist, Director, Air Quality Division, ADEQ, to Michael Stoker, Regional Administrator, EPA Region IX (submitted electronically September 24, 2018).

<sup>241</sup> The EPA proposed action on the rest of the 2018 Ozone I-SIP submittal in two separate rulemakings. See 87 FR 37776 (June 24, 2022) and 87 FR 74349 (December 5, 2022). On February 16, 2024, the EPA issued a supplemental proposal regarding transport prongs 1 and 2 (88 FR 12666). The EPA proposed to partially approve the 2018 Ozone I-SIP submittal with respect to Prong 1 and

### C. Arizona's Prong 4 Elements

Arizona's 2018 Ozone I-SIP submittal and 2015 PM<sub>2.5</sub> I-SIP submittal acknowledge that Arizona does not currently have a fully approved Regional Haze SIP. They therefore rely, in part, on regulations imposed by FIPs during the first planning period to address visibility impairment in Class I Areas caused by NO<sub>x</sub>, SO<sub>2</sub>, and PM.<sup>242</sup> The FIPs include emissions limits for the following facilities: Freeport McMoran Miami Smelter,<sup>243</sup> Asarco Hayden Smelter,<sup>244</sup> Sundt Generating Station Unit 4,<sup>245</sup> Nelson Lime Plant Kilns 1 and 2,<sup>246</sup> CPC Rillito Kiln 4,<sup>247</sup> and PCC Clarkdale Kiln 4.<sup>248</sup> Emissions limits have been incorporated into the state SIP, replacing previous FIPs, at AEPSCO Apache Generating Station Units 1, 2, and 3,<sup>249</sup> APS Cholla Power Plant Units 1-4,<sup>250</sup> and SRP Coronado Generating Station Units 1 and 2.<sup>251</sup>

### D. The EPA's Evaluation of Arizona's Submittal

Because Arizona does not have a fully approved regional haze plan for the first or second planning period, it cannot rely on a fully approved regional haze SIP in order to fulfill the prong 4 requirements for the 2012 PM<sub>2.5</sub> and 2015 ozone NAAQS. Consequently, the EPA is proposing to disapprove the prong 4 portion of Arizona's 2018 Ozone I-SIP submittal and 2015 PM<sub>2.5</sub> I-SIP submittal.

### VI. Proposed Action

For the reasons discussed in this notice, under CAA section 110(k)(3), the EPA is proposing to partially approve and partially disapprove the 2022 Arizona Regional Haze Plan. We propose to approve the following portions of the 2022 Arizona Regional Haze Plan:

- Chapter 5 and Appendix A of the 2022 Arizona Regional Haze Plan as meeting the 40 CFR 51.308(f)(1) requirements related to calculations of baseline, current, and natural visibility conditions, progress to date, and the uniform rate of progress;

- Chapters 4 and 6.4 of the 2022 Arizona Regional Haze Plan as meeting the 40 CFR 51.308(f)(4) requirements for additional monitoring to assess reasonably attributable visibility impairment, which is not applicable to Arizona;

- Chapter 11 of the 2022 Arizona Regional Haze Plan and the 2023 Arizona Regional Haze Technical Supplement as meeting the 40 CFR 51.308(f)(5) requirements for the plan to serve as a progress report;

- Chapters 4 and 6.4 of the Arizona Regional Haze Plan as meeting the 40 CFR 51.308(f)(6) monitoring strategy requirements; and

- Chapter 11 of the 2022 Arizona Regional Haze Plan and the 2023 Arizona Regional Haze Technical Supplement as meeting the 40 CFR 51.308 (g)(1)-(5) progress report requirements.

Additionally, the EPA is proposing to approve Chapters 1 ("Regional Haze Program Overview") and 3 ("Description of Arizona Class I Federal Areas") as supporting information. The EPA is excluding Appendix I ("Authorizing Statutes") of the 2022 Arizona Regional Haze Plan, which provides information on the authorizing statutes in Arizona, from our action.

The EPA is proposing to disapprove the following portions of the 2022 Arizona Regional Haze Plan:

- Chapters 2, 6.1-6.3, 8, and 9 and Appendices B, C, E, F, G, H, and J of the 2022 Arizona Regional Haze Plan for not meeting the 40 CFR 51.308(f)(2) long-term strategy requirement;

- Chapters 7 and 10, and Appendix D of the 2022 Arizona Regional Haze Plan for not meeting the 40 CFR 51.308(f)(3) reasonable progress goals requirement;

- Chapter 2.4 ("Consultation with Federal Land Managers") and Appendix L of the 2022 Arizona Regional Haze Plan for not meeting the 40 CFR 51.308(i)(2)-(4) FLM consultation requirements.

Further, the EPA is proposing to disapprove the interstate transport requirements of CAA section 110(a)(2)(D)(i)(II) prong 4 (visibility) for the 2018 Ozone I-SIP submittal and 2015 PM<sub>2.5</sub> I-SIP submittal.

Under section 179(a) of the CAA, final disapproval of a submittal that addresses a requirement of part D, title I of the CAA or is required in response to a finding of substantial inadequacy as described in CAA section 110(k)(5) (SIP Call) starts a sanctions clock. Arizona's 2022 Regional Haze Plan, 2018 Ozone I-SIP submittal, and 2015 PM<sub>2.5</sub> I-SIP submittal were not submitted to meet any of these requirements. Therefore, if finalized, these disapprovals would not

trigger any offset or highway sanctions clocks. Disapproving a SIP submission also establishes a two-year deadline for the EPA to promulgate a FIP to address the relevant requirements under CAA section 110(c), unless the EPA approves a subsequent SIP submission that meets these requirements. We anticipate that, if these disapprovals are finalized, any SIP or FIP that remedies the disapprovals with respect to Regional Haze requirements, would also, in conjunction with the existing Arizona Regional Haze FIP, remedy the disapproval for the interstate transport visibility requirement of CAA section 110(a)(2)(D)(i)(II) for the 2018 Ozone I-SIP submittal and 2015 PM<sub>2.5</sub> I-SIP submittal.

### VII. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to review state choices, and approve those choices if they meet the minimum criteria of the rule. Accordingly, this proposed rulemaking proposes to partially approve and partially disapprove state law as meeting federal requirements and does not impose additional requirements beyond those imposed by state law.

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. Paperwork Reduction Act (PRA)

This action does not impose an information collection burden under the PRA because this action does not impose additional requirements beyond those imposed by state law.

#### C. Regulatory Flexibility Act (RFA)

I certify that this action will not have a significant economic impact on a substantial number of small entities under the RFA. This action will not impose any requirements on small entities beyond those imposed by state law.

to partially disapprove the 2018 Ozone I-SIP submittal with respect to Prong 2.

<sup>242</sup> Arizona Infrastructure SIP for the 2012 PM<sub>2.5</sub> NAAQS, p. 11; Arizona Infrastructure SIP for the 2015 Ozone NAAQS, pp. 15-16.

<sup>243</sup> 79 FR 52420 (September 3, 2014).

<sup>244</sup> Id.

<sup>245</sup> Id. Sundt Generating Station is also known as Irvington Generating Station.

<sup>246</sup> Id.

<sup>247</sup> 81 FR 83144 (November 21, 2016).

<sup>248</sup> Id.

<sup>249</sup> 80 FR 19220 (April 10, 2015).

<sup>250</sup> 82 FR 15139 (March 27, 2017).

<sup>251</sup> 82 FR 46903 (October 10, 2017).

*D. Unfunded Mandates Reform Act (UMRA)*

This action does not contain any unfunded mandate as described in UMRA, 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments. This action does not impose additional requirements beyond those imposed by state law. Accordingly, no additional costs to state, local, or Tribal governments, or to the private sector, will result from this action.

*E. 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.

*F. Executive Order 13175: Coordination With Indian Tribal Governments*

This action does not have Tribal implications, as specified in Executive Order 13175, because the SIP is not approved to apply on any Indian reservation land or in any other area where the EPA or an Indian Tribe has demonstrated that a Tribe has jurisdiction, and will not impose substantial direct costs on Tribal governments or preempt Tribal law. Thus, Executive Order 13175 does not apply to this action.

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

The EPA interprets Executive Order 13045 as applying only to those regulatory actions that concern environmental health or safety risks that the EPA has reason to believe may

disproportionately affect children, per the definition of “covered regulatory action” in section 2–202 of the Executive Order. Therefore, this action is not subject to Executive Order 13045 because it merely proposes to partially approve and partially disapprove state law as meeting federal requirements. Furthermore, the EPA’s Policy on Children’s Health does not apply to this action.

*H. Executive Order 13211: Actions 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.

*I. National Technology Transfer and Advancement Act (NTTAA)*

Section 12(d) of the NTTAA directs the EPA to use voluntary consensus standards in its regulatory activities unless to do so would be inconsistent with applicable law or otherwise impractical. The EPA believes that this action is not subject to the requirements of section 12(d) of the NTTAA because application of those requirements would be inconsistent with the CAA.

*J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Population*

Executive Order 12898 (Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations, 59 FR 7629, Feb. 16, 1994) directs Federal agencies to identify and address “disproportionately high and adverse human health or environmental effects” of their actions on minority populations and low-income populations to the greatest extent practicable and

permitted by law. The EPA defines environmental justice (EJ) as “the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.” The EPA further defines the term fair treatment to mean that “no group of people should bear a disproportionate burden of environmental harms and risks, including those resulting from the negative environmental consequences of industrial, governmental, and commercial operations or programs and policies.”

The State did not evaluate environmental justice considerations as part of its SIP submittals; the CAA and applicable implementing regulations neither prohibit nor require such an evaluation. The EPA did not perform an EJ analysis and did not consider EJ in this action. Due to the nature of the action being taken here, if finalized, this action is expected to have a neutral to positive impact on the air quality of the affected area. Consideration of EJ is not required as part of this action, and there is no information in the record inconsistent with the stated goal of E.O. 12898 of achieving environmental justice for people of color, low-income populations, and Indigenous peoples.

**List of Subjects in 40 CFR Part 52**

Environmental protection, Air pollution control, Incorporation by reference, Nitrogen dioxide, Ozone, Particulate matter, Sulfur oxides.

Dated: May 23, 2024.

**Martha Guzman Aceves,**

*Regional Administrator, Region IX.*

[FR Doc. 2024–11807 Filed 5–30–24; 8:45 am]

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