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DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

12 CFR Part 30

[Docket ID OCC–2024–0008]

RIN 1557–AF27

OCC Guidelines Establishing Standards for Recovery Planning by Certain Large Insured National Banks, Insured Federal Savings Associations, and Insured Federal Branches

AGENCY: Office of the Comptroller of the Currency, Treasury.

ACTION: Final guidelines.

SUMMARY: The Office of the Comptroller of the Currency is amending its enforceable recovery planning guidelines to apply them to insured national banks, insured Federal savings associations, and insured Federal branches of foreign banks with average total consolidated assets of $100 billion or more; incorporate a testing standard; and clarify the role of non-financial (including operational and strategic) risk in recovery planning.

DATES: The final guidelines are effective on January 1, 2025.

FOR FURTHER INFORMATION CONTACT: Kimberly Jameson, Lead Expert, Market Risk, (202) 322–8527; Andra Shuster, Senior Counsel, Karen McSweeney, Special Counsel, or Priscilla Benner, Counsel, Chief Counsel's Office, (202) 649–5490; 400 7th Street SW, Washington, DC 20219. If you are deaf or hard of hearing or have a speech disability, please dial 7–1–1 to access telecommunications relay services.

SUPPLEMENTARY INFORMATION:

I. Background

Large-scale financial crises have demonstrated the destabilizing effect that severe stress can have on financial entities, capital markets, the Federal banking system, and the U.S. and global economies. This is particularly true when a crisis places severe stress on large, complex financial institutions due to the systemic and contagion risks that they pose. For example, during the 2008 crisis, the Office of the Comptroller of the Currency (OCC) observed that many financial institutions were not prepared to respond effectively to the financial effects of severe stress. The lack of or inadequate planning threatened the viability of some financial institutions, and many were forced to take significant actions without the benefit of a well-developed plan for recovery.

For the OCC, this experience highlighted the importance of large, complex banks having strong risk governance frameworks, including plans for how to respond quickly and effectively to, and recover from, the financial effects of severe stress. The agency recognized that this type of advance planning would reduce a bank's risk of failure and increase the likelihood that it would return to a position of financial strength and viability following severe stress.

On September 29, 2016, the OCC issued Guidelines Establishing Standards for Recovery Planning by Certain Large Insured National Banks, Insured Federal Savings Associations, and Insured Federal Branches (Guidelines).[1] Under the Guidelines, an insured national bank, insured Federal savings association, or insured Federal branch (bank) subject to the standards (covered bank) should have a recovery plan that includes (1) quantitative or qualitative indicators of the risk or existence of severe stress that reflect its particular vulnerabilities; (2) a wide range of credible options that it could undertake in response to the stress to restore its financial strength and viability; and (3) an assessment and description of how these options would affect it. The Guidelines provide that a recovery plan should also address (1) the covered bank's overall organizational and legal entity structure and its interconnections and interdependencies; (2) procedures for escalating decision-making to senior management or the board of directors or an appropriate committee thereof (board); (3) management reports; (4) communication procedures; and (5) any other information the OCC communicates in writing. The Guidelines also set forth the responsibilities of management and the board with respect to the covered bank's recovery plan.

The 2016 Guidelines applied to banks with total consolidated assets of $50 billion or more. In 2018, the OCC amended the Guidelines to raise the threshold to $250 billion based on its view, at that time, that these larger, more complex, and potentially more interconnected banks presented greater systemic risk to the financial system and would benefit most from recovery planning.[2]

In March 2023, several insured depository institutions (IDIs) with total consolidated assets of $100 billion or more experienced significant withdrawals of uninsured deposits in response to underlying weaknesses in their financial position and failed. These events highlighted the risk, complexity, and interconnectedness of banks with average total consolidated assets between $100 billion and $250 billion and underscored that it is important for banks in this size range (which are not covered by the current Guidelines) to develop and maintain recovery plans to respond to the financial effects of severe stress.

In addition, since the issuance of the Guidelines in 2016, the agency has examined covered banks' recovery planning processes and reviewed numerous recovery plans. Based on this experience, the OCC has identified areas where the current Guidelines should be strengthened.

To address these issues, on July 3, 2024, the OCC published a proposal to expand the Guidelines to apply to banks with average total consolidated assets of $100 billion or more; incorporate a testing standard; and clarify the role of non-financial (including operational and strategic) risk in recovery planning.[3] The OCC received five comments on the proposal. Two comments were from banks, one was from an individual, one was from two trade associations, and one was from a

[1] 81 FR 66791. The Guidelines are codified at 12 CFR part 30, appendix E. They were issued pursuant to section 39 of the Federal Deposit Insurance Act, 12 U.S.C. 1831p–1, which authorizes the OCC to prescribe enforceable safety and soundness standards.

[2] 83 FR 66604 (Dec. 27, 2018).

[3] 89 FR 55114.

non-profit organization.[4] These comments are addressed in detail in the next section.

II. Description of the Proposal, Comments, and Final Guidelines

A. Covered Bank Threshold

Definition of covered bank. The current Guidelines generally apply to banks with average total consolidated assets of $250 billion or more. Based on the OCC's observations during the IDI failures in 2023, the agency proposed to expand the Guidelines to apply to banks with average total consolidated assets of $100 billion or more.[5] To make this change, the OCC proposed to revise the definition of ''covered bank'' in paragraph I.E.3. of the current Guidelines.

The OCC received several comments on this proposed change. While one commenter supported the proposed $100 billion threshold, another commenter suggested a $150 billion threshold. Commenters also recommended that the OCC include metrics in addition to asset size in its definition of covered bank, periodically adjust the threshold for inflation, notify covered banks when they become subject to the Guidelines, and tailor the Guidelines based on covered banks' size and complexity.

The OCC continues to believe that the $100 billion threshold is appropriate. As noted above, the agency has observed that banks at or above this size generally have a level of risk, complexity, and interconnectedness at which recovery planning is most beneficial. Narrowing the threshold to $150 billion would exclude some of these banks. With respect to additional metrics, the reservation of authority in paragraph I.C. of the Guidelines provides the OCC with sufficient flexibility to determine, based on factors other than asset size, that a bank is highly complex or otherwise presents a heightened risk and, thus, should be subject to the Guidelines.[6]

Regarding an inflation adjustment, the OCC has determined that it does not need to include this provision in the Guidelines, as the agency can revisit and amend the threshold through the rulemaking process as appropriate. The OCC has also concluded that it is not necessary to notify a bank when it becomes a covered bank because this is determined based on a bank's own Consolidated Reports of Condition and Income (Call Report) data.[7] Finally, the current Guidelines specifically state that each covered bank's recovery plan should be ''appropriate for its individual size, risk profile, activities, and complexity,'' and thus, they are inherently tailored.[8]

Therefore, the OCC is adopting the changes to the definition of ''covered bank'' as proposed.

Calculation of the threshold. The current Guidelines define ''average total consolidated assets'' in paragraph I.E.1. as ''the average total consolidated assets of the bank or the covered bank,'' as reported on its Call Report for the four most recent consecutive quarters. The OCC proposed a clarifying change to this definition to refer to the average ''of'' total consolidated assets of the bank or covered bank. This change was intended to clarify that the calculation of ''average total consolidated assets'' for purposes of the Guidelines is based on the ''total assets'' line, not the ''average total consolidated assets'' line, of the Call Report.[9] This change could have affected the quarter in which a bank became a covered bank and would have been consistent with the OCC Guidelines Establishing Heightened Standards for Certain Large Insured National Banks, Insured Federal Savings Associations, and Insured Federal Branches.[10] The OCC did not receive any comments on this proposed change and adopts it as proposed.

Reservation of authority. The reservation of authority in paragraph I.C.1. of the current Guidelines provides that the OCC has the discretion to apply the Guidelines, in whole or in part, to a bank with average total consolidated assets of less than $250 billion if it determines that the bank is highly complex or otherwise presents a heightened risk that warrants application of the Guidelines.[11] Consistent with the proposed threshold change described above, the proposal would have allowed the agency to apply the Guidelines to a bank with average total consolidated assets of less than $100 billion in these circumstances.[12]

The OCC received one comment on this proposed change, which stated that the reservation of authority should not be used for banks with under $100 billion in average total consolidated assets because recovery planning addresses issues similar to those already addressed in other contexts (*e.g.,* capital planning and stress testing). The OCC continues to believe that the agency should have the flexibility to apply the Guidelines to banks below the $100 billion threshold based on whether the bank is highly complex or otherwise presents a heightened risk. For this reason, the OCC is adopting this change as proposed.

B. Testing

Testing generally. As stated above, the OCC has many years of experience with administering the Guidelines, including reviewing covered banks' recovery plans. During this period, the agency has observed that covered banks would benefit from testing their recovery plans, which would allow them to proactively identify and address any weaknesses or deficiencies before they experience severe stress. This process would help a covered bank determine that its recovery plan is an effective tool that can realistically help restore the bank to financial strength and viability in response to severe stress. Not surprisingly, testing is already a key component of other regulatory frameworks addressing the stress continuum (*e.g.,* contingency funding planning[13] and stress testing[14]).

For these reasons, the OCC proposed to add a testing provision as a new paragraph II.D. of the Guidelines, which stated that a covered bank should validate the effectiveness of its recovery plan. The preamble explained that a covered bank may do this by simulating severe financial and non-financial stress scenarios (*e.g.,* the scenarios used to develop the plan) to confirm that the plan is likely to work as intended. This testing should include, for example, ensuring that the plan's triggers appropriately reflect the covered bank's particular vulnerabilities and will, in practice, provide timely notice of

[4] The OCC also received a comment letter from three trade associations requesting that the agency extend the comment period by 30 days. The OCC denied this request on July 25, 2024. *https://www.regulations.gov/document/OCC-2024-0008-0004.*

[5] In addition, the Federal Deposit Insurance Corporation (FDIC) recently amended its resolution planning rule to require covered IDIs with $100 billion or more in total assets to submit comprehensive resolution plans. 89 FR 56620 (July 9, 2024).

[6] The OCC also has authority to determine that a covered bank is no longer highly complex or no longer presents a heightened risk and thus should not be subject to the Guidelines.

[7] For banks that become subject to the Guidelines through the OCC's reservation of authority, the agency has already incorporated notice and response procedures at paragraph I.C.2.

[8] Paragraph II.A.

[9] Compare Schedule RC, item 12 and Schedule RC–R, item 27 of the Call Report.

[10] 12 CFR part 30, appendix D.

[11] Paragraph I.C.1.a.

[12] The proposal did not include changes to paragraph I.C.1.b. of the Guidelines (which provides that the OCC can determine that the Guidelines should not apply to a covered bank) because this paragraph does not reference asset size.

[13] 75 FR 13656 (March 22, 2010); Addendum to the Interagency Policy Statement on Funding and Liquidity Risk Management: Importance of Contingency Funding Plan (July 28, 2023).

[14] 12 CFR part 46.

increasingly severe stress, ranging from warnings of the likely occurrence of severe stress to its actual existence. Testing should also enable management and the board to verify that the covered bank has identified credible options that it is prepared to carry out during a period of severe stress. It should provide management and the board with similar assurances regarding other elements of the plan and, ultimately, the plan as a whole. The proposal did not specify a testing format or methodology but stated that testing should be risk-based and reflect the covered bank's size, risk profile, activities, and complexity.

The OCC received three comments on its proposed testing provision. One commenter stated that testing should be a flexible, risk-based ''capabilities assessment'' (*i.e.,* an assessment of a covered bank's capability to implement its recovery plan in a timely manner). The commenter also expressed concern that validation was not defined or explained and could require a covered bank to prove its plan's effectiveness by, for example, actually executing a recovery plan option (*e.g.,* divesting a business line). The commenter also argued that the inclusion of scenario analysis would duplicate the process that a covered bank used to develop or update a recovery plan. Another commenter supported the addition of testing to the Guidelines but stated that the OCC should provide more specific directions.

The OCC disagrees with several of these comments. While a capabilities assessment is an important aspect of testing, it is insufficient on its own to achieve the purpose of testing. For example, a capabilities assessment would not necessarily help a covered bank identify gaps in its recovery plan (*e.g.,* missing triggers or options) or determine if the plan can realistically help to restore the bank to financial strength and viability during periods of severe stress. With respect to the concept of validation, the OCC is using the term to convey that testing should confirm, to the extent possible, that the plan can accomplish its intended goals. Naturally, validation does not necessarily mean that a covered bank should actually execute a recovery option as part of testing. With respect to scenario analysis, the proposal would not have directed covered banks to use a specified testing format or methodology. Therefore, one covered bank could determine that a scenario analysis is an informative component of testing, while another may decide that it would unnecessarily duplicate its process for developing and updating its recovery plan. Accordingly, the OCC makes no change in the final Guidelines in response to these comments.

However, the OCC agrees that testing should be risk-based. A risk-based standard will provide each covered bank with the flexibility to develop and implement a testing framework that is consistent with its individual characteristics. To reflect this, the OCC is amending the final Guidelines to state that testing ''should be appropriate for the bank's individual size, risk profile, activities, and complexity, including the complexity of its organizational and legal entity structure'' and declines to establish a more prescriptive testing standard.

Testing of elements. The proposal stated that testing should include validation of the effectiveness of each element of the plan.[15] Two commenters questioned how a bank would validate the effectiveness of key aspects of recovery planning (*e.g.,* the ''Overview of covered bank,'' which describes a covered bank's overall organizational and legal entity structure and its interconnections and interdependencies). The OCC agrees that it may not be possible to validate the effectiveness of each plan element, particularly descriptive elements (*e.g.,* the covered bank's overview). The agency believes, however, that a covered bank should consider each element of its recovery plan as part of testing to validate the effectiveness of the overall plan. This consideration may include, for example, assessing the effectiveness, completeness, or accuracy of each element, as appropriate. To address any confusion, the OCC has revised the final Guidelines to state: ''Testing should validate the effectiveness of the recovery plan, including by considering each element set forth in paragraph II.B. of this appendix.''

Frequency of testing. The proposed testing provision provided that a covered bank should test its recovery plan periodically but not less than annually. Two commenters generally agreed that annual testing is appropriate while another commenter suggested that testing should be conducted at intervals and along timelines that are appropriate for each bank. In addition, a commenter said that the testing should be conducted in connection with, or as part of, resolution planning or other business-as-usual testing to avoid unnecessary duplication and that a provision for specific testing in response to a material change is unnecessary if testing is risk-based.

The OCC continues to believe that annual testing is appropriate and has concluded that a covered bank should also test its recovery plan following any significant changes to the recovery plan made in response to a material event. This frequency will ensure that management and the board can consider the results of testing during their recovery plan reviews under paragraphs III.A. and B. of the Guidelines, respectively.[16] Within this framework, the final Guidelines provide each bank with flexibility regarding when to test its plan, including whether to align this testing with other types of testing or to engage in continuous or regular testing throughout the testing cycle, provided that the bank meets the testing standard in the Guidelines. The OCC also reiterates that it does not expect a covered bank to consider every component of each element during each testing cycle (*e.g.,* considering the trigger element during a cycle does not necessarily mean considering every trigger during that cycle). Rather, as noted above, testing should be risk-based. Therefore, the final Guidelines provide that ''Each covered bank should test its recovery plan periodically but not less than annually and following any significant changes to the recovery plan made in response to a material event.''

Plan updates following testing. Finally, the proposed testing provision provided that a covered bank should revise its recovery plan as appropriate following testing. One commenter stated that the OCC should not require a bank to both test and make changes to its recovery plan based on the result of the testing in the same testing cycle. The OCC believes that covered banks should take a risk-based approach to updating their recovery plans following testing. For example, if testing reveals a critical deficiency in the plan, the covered bank should update it as soon as feasible. However, for less significant deficiencies, it may be appropriate to delay updates until the next annual review cycle. Therefore, the OCC adopts this provision of the Guidelines as proposed.

[15] As set forth in paragraph II.B. of the Guidelines, the elements of a recovery plan are (1) Overview of covered bank; (2) Triggers; (3) Options for recovery; (4) Impact assessments; (5) Escalation procedures; (6) Management reports; (7) Communication procedures; and (8) Other information.

[16] Paragraph III.A. provides that management should review the recovery plan at least annually and in response to a material event. Paragraph III.B. provides that the board should review and approve the recovery plan at least annually and as needed to address significant changes made by management. The OCC did not propose and is making no changes to these paragraphs.

C. Non-Financial Risk

In the OCC's experience with covered banks' implementation of the Guidelines, banks have generally been successful in considering and addressing financial risks in their recovery plans. For example, many covered banks' recovery plans address changes to the bank's financial position, such as profitability, funding sources, liquidity ratios, and capital ratios. The OCC has observed, however, that covered banks have been less consistent in considering or addressing non-financial risk, such as operational and strategic risks. By focusing a recovery plan exclusively on financial risks while neglecting non-financial risks, the covered bank may overlook the very real threats that non-financial risks can pose to its financial strength and viability.

Because the current Guidelines do not specifically reference non-financial risk, the proposal contained changes to ensure that covered banks appropriately address these risks in their recovery plans. Specifically, the OCC proposed to add language to paragraph II.A. stating that a covered bank ''should appropriately consider both financial risk and non-financial risk (including operational and strategic risk).'' The reference to financial risk was not because covered banks had not appropriately considered this type of risk but to highlight that both types of risk should be considered. The OCC also proposed conforming changes to the definitions of ''recovery'' and ''trigger'' in paragraphs I.E.4. and I.E.6., respectively, and to the recovery plan elements of ''trigger'' and ''impact assessment'' in paragraphs II.B.2. and II.B.4., respectively.[17] Finally, to provide an additional example of an operational risk plan with which a covered bank should align its recovery plan, the OCC proposed adding a reference to ''resilience program'' in paragraph II.C.

The OCC received one comment on the proposed non-financial risk language, which agreed that this type of risk should be considered but also observed that financial risk and non-financial risk have distinct roles in recovery planning. In particular, the commenter noted that the role of, and a covered bank's response to, non-financial risk differs from its response to financial risk and that breaches of non-financial triggers should not automatically lead to activation of the recovery plan and execution of recovery options.

The OCC agrees that financial risk and non-financial risk differ. However, both are important aspects of recovery planning, and the Guidelines provide covered banks with sufficient flexibility to account for these differences. Each covered bank's recovery plan can and should address financial risk and non-financial risk in a manner appropriate for that bank, including by ensuring that its recovery plan reflects their differences. Moreover, while the breach of any trigger (whether financial or non-financial) should always be escalated for purposes of initiating a response, a covered bank should not view a specific trigger as necessitating the execution of a particular option. Rather, a covered bank should use its judgment to determine what options, if any, to undertake during a period of severe stress. Therefore, the OCC is adopting these changes as proposed.

D. Compliance

When the OCC issued the proposal, it understood that covered banks would need time to implement the proposed changes. To this end, the agency proposed to amend paragraph I.B. of the Guidelines, entitled ''Compliance date,'' to provide affected banks with sufficient time to comply.

Specifically, under the proposal, a bank that is a covered bank under the current Guidelines would have had 12 months from the effective date of the amendments to comply with the changes. A bank that has $100 billion or more but less than $250 billion in average total consolidated assets on the effective date of the amendments to the Guidelines would have had to comply with the Guidelines within 12 months of the effective date, except for the testing requirements with which the bank would have had to comply within 18 months. A bank or other financial institution that is not a covered bank on the effective date of the amended Guidelines but that subsequently becomes a covered bank would have had 12 months from the date on which it became a covered bank to comply with the Guidelines, except that it would have had 18 months to comply with the testing requirements.[18]

The OCC received several comments on this topic. Two commenters stated that newly covered banks should have more time to comply (*e.g.,* 24 months), while another suggested that the proposal provided newly covered banks with too much time because of synergies with resolution and contingency planning requirements. One commenter said that the final Guidelines should have (1) one compliance date for a covered bank to develop the testing framework and (2) another compliance date to conduct the testing and, if necessary, revise its recovery plan based on the testing results. Finally, one commenter suggested that the OCC's compliance dates should not overlap with the FDIC's resolution planning rule.

The OCC agrees with commenters that covered banks should have time to both develop a testing framework and conduct testing. In order to provide sufficient time for both, the OCC is revising the proposed compliance dates. Specifically, under the final Guidelines, banks that are currently covered banks will have 12 months to amend their recovery plans to address non-financial risk and an additional 6 months to comply with the new testing provision. Banks that are not covered by the current Guidelines but that become covered banks on the effective date of the final Guidelines will have 12 months to develop their recovery plan and an additional 12 months to comply with the testing provision. Banks or other financial institutions that become covered banks after the effective date of the final Guidelines will have 12 months to develop their recovery plan and an additional 12 months to comply with the testing provision. These compliance dates provide banks and other financial institutions that are or become covered banks under the final Guidelines with sufficient time and flexibility to both develop a testing framework and conduct testing, and based on our supervisory experience, they strike the appropriate balance between the time needed to satisfy the final Guidelines and the risks that recovery planning is designed to address. The agency believes this addresses the other comments about the

[17] The OCC did not propose any changes to the ''options for recovery'' element in paragraph II.B.3. of the Guidelines, which provides that recovery plans ''should explain how the covered bank would carry out each option and describe the timing required for carrying out each option.'' The OCC believes, however, it is important to emphasize that this process should include an understanding of, and plan for mitigating, the non-financial challenges and risks, including operational challenges and risks, associated with executing each recovery option during severe stress. Without this, a covered bank's management and board cannot accurately assess whether the options identified in the recovery plan are, in fact, credible options that the covered bank could undertake to restore financial strength and viability.

[18] A financial institution could become a covered bank after the effective date of the amended Guidelines, for example, (1) if its average total consolidated assets grow to or above the threshold, (2) if it is a State bank with average total consolidated assets of $100 billion or more that converts to an OCC charter, or (3) through the OCC's exercise of its reservation of authority under paragraph I.C.

proposed compliance dates discussed above.[19]

In the proposal, the OCC also asked whether it should reserve authority to adjust an otherwise-applicable compliance date. In response, one commenter noted that if the OCC did so, it should reserve authority to both lengthen and shorten the applicable timeframes but should not specifically reference the context in which it might be appropriate to use this reservation of authority because the referenced examples could be interpreted as highly risky.

The OCC has determined that an additional reservation of authority for compliance date adjustments is unnecessary, as the agency already has sufficient tools to address this issue. For example, as a condition of approving a merger, the OCC can require that a bank comply with the Guidelines on a timeline other than the one specified in paragraph I.B. Therefore, the final Guidelines do not contain any changes in response to this question.

E. Other

In addition to the changes discussed above, the OCC has made technical and clarifying changes to the final Guidelines.

III. Regulatory Analysis

Paperwork Reduction Act of 1995

Under the Paperwork Reduction Act of 1995 (PRA),[20] the OCC may not conduct or sponsor, and a 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 OMB previously approved the collection of information in the current Guidelines, which are found in 12 CFR part 30, appendix E, at paragraphs II.B., II.C., and III. Specifically, paragraph II.B. lists the elements of the recovery plan, which are an overview of the covered bank; triggers; options for recovery; impact assessments; escalation procedures; management reports; communication procedures; and other information. Paragraph II.C. addresses the relationship of the plan to other covered bank processes and coordination with other plans, including the processes and plans of its bank holding company. Paragraph III. outlines management's and the board's responsibilities.

The final Guidelines include changes to the information collection.[21] Specifically, the threshold for applying the final Guidelines is reduced from $250 billion to $100 billion in average total consolidated assets. The final Guidelines also establish a testing standard, which provides that a covered bank should test its recovery plan. Additionally, the final Guidelines clarify the role of non-financial risk (including operational and strategic risk) in recovery planning.

The OCC has submitted the following revised information collection to the OMB for review.

Title: OCC Guidelines Establishing Standards for Recovery Planning by Certain Large Insured National Banks, Insured Federal Savings Associations, and Insured Federal Branches.

OMB Control No.: 1557–0333.

Affected Public: Businesses or other for-profit organizations.

Estimated Burden:

Frequency of Response: On occasion.

Total Number of Respondents: 21.

Total Burden per Respondent: 32,017 hours.[22]

Total Burden for Collection: 672,360 hours.

The OCC did not receive any PRA-related comments. The agency has a continuing interest in the public's opinions of information collections. Within 30 days of publication of this document, commenters may submit comments regarding the burden estimate, or any other aspect of this collection of information, including suggestions for reducing the burden, to the address listed in the **ADDRESSES** caption in the Notice of Proposed Rulemaking. All comments will become a matter of public record. Written comments and recommendations for the information collection should be sent within 30 days of publication of this document to *www.reginfo.gov/public/do/PRAMain.* Find this information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or using the search function.

Regulatory Flexibility Act

In general, the Regulatory Flexibility Act (RFA)[23] requires an agency, in connection with a proposed and final rulemaking, to prepare a Regulatory Flexibility Analysis describing the impact of the rule on small entities, which are defined by the U.S. Small Business Administration for purposes of the RFA to include commercial banks and savings institutions with total assets of $850 million or less and trust companies with total assets of $47 million or less. However, a Regulatory Flexibility Analysis is not required if the agency certifies that the rulemaking would not have a significant economic impact on a substantial number of small entities and publishes its certification and a short explanatory statement in the **Federal Register** along with its rulemaking.

The OCC currently supervises approximately 942 IDIs,[24] of which 636 are small entities.[25] The final Guidelines do not impact any small entities because they only apply to banks with average total consolidated assets of $100 billion or more. Accordingly, the OCC certifies that the final Guidelines will not have a significant economic impact on a substantial number of small entities.

Unfunded Mandates Reform Act of 1995

Under section 202 of the Unfunded Mandates Reform Act of 1995 (UMRA),[26] the OCC prepares a budgetary impact statement before promulgating a rulemaking 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 million or more (currently $183 million, as adjusted annually for inflation) in any one year. The OCC has determined that the expenditures associated with the final Guidelines' mandates will be approximately $86.7 million. Therefore, the OCC concludes that the final Guidelines will not result in an expenditure of $183 million or more annually by State, local, and Tribal governments, in the aggregate, or by the private sector. Accordingly, the

[19] One commenter asked a bank-specific question about how the proposed compliance dates would affect a bank that recently became subject to the current Guidelines (*i.e.,* crossed the $250 billion threshold) but has not yet completed its recovery plan under the currently applicable compliance date. Any bank in this unique situation may contact the appropriate OCC Supervisory Office for assistance in determining the applicable compliance dates.

[20] 44 U.S.C. 3501–3521.

[21] When the OCC proposed changes to the current Guidelines, as required, the agency submitted the changes to the OMB. Pursuant to 5 CFR 1320.11(c), the OMB filed a comment on the submission, instructing that the proposed changes would be reviewed again upon finalization of the Guidelines.

[22] This number includes burden hours for the implementation of the testing standard, which may occur during or after the 12-month period following the effective date of the final Guidelines.

[23] 5 U.S.C. 601 *et seq.*

[24] Based on data accessed using FINDRS on September 12, 2024.

[25] Consistent with the General Principles of Affiliation, 13 CFR 121.103(a), the OCC counts the assets of affiliated financial institutions when determining if it should classify an institution as a small entity. The OCC used December 31, 2023, to determine size because a ''financial institution's assets are determined by averaging the assets reported on its four quarterly financial statements for the preceding year.'' *See* footnote 8 of the U.S. Small Business Administration's *Table of Standards.*

[26] 2 U.S.C. 1532.

OCC has not prepared the budgetary impact statement described above.

Congressional Review Act

For purposes of the Congressional Review Act,[27] the OMB determines whether a final rule constitutes a major rule. If a rule is deemed a major rule by the OMB, the Congressional Review Act generally provides that the rule may not take effect until at least 60 days following its publication. The Congressional Review Act defines a ''major rule'' as any rule that the Administrator of the Office of Information and Regulatory Affairs of the OMB finds has resulted in or is likely to result in (1) an annual effect on the economy of $100 million or more; (2) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies or geographic regions; or (3) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets. The OCC submitted the final Guidelines to the OMB for this major rule determination, and the OMB determined that the final Guidelines are not a major rule. As required by the Congressional Review Act, the OCC is submitting the appropriate report to Congress and the Government Accountability Office for review.

Administrative Procedure Act

The Administrative Procedure Act [28] requires that publication of a substantive rule generally be made not less than 30 days before its effective date. Consistent with this requirement, the final Guidelines will be effective on January 1, 2025, which is more than 30 days after their publication in the **Federal Register**.

Riegle Community Development and Regulatory Improvement Act of 1994

Pursuant to section 302(a) of the Riegle Community Development and Regulatory Improvement Act of 1994,[29] in determining the effective date and administrative compliance requirements for new regulations that impose additional reporting, disclosure, or other requirements on IDIs, the OCC considers, consistent with the principles of safety and soundness and the public interest: (1) any administrative burdens that the rule will place on depository institutions, including small depository institutions and customers of depository institutions and (2) the benefits of a rulemaking. The OCC has considered the administrative burdens that the final Guidelines will place on IDIs, including small depository institutions and their customers, and the benefits of the final Guidelines. The agency believes that the effective date of January 1, 2025, is appropriate.

List of Subjects in 12 CFR Part 30

Banks, Banking, Consumer protection, National banks, Privacy, Safety and soundness, Reporting and recordkeeping requirements.

Authority and Issuance

For the reasons set forth in the preamble, and under the authority of 12 U.S.C. 93a and 12 U.S.C. 1831p–1, chapter I of title 12 of the Code of Federal Regulations is amended as follows:

PART 30—SAFETY AND SOUNDESS STANDARDS

■ 1. The authority citation for part 30 continues to read as follows:

Authority: 12 U.S.C. 1, 93a, 371, 1462a, 1463, 1464, 1467a, 1818, 1828, 1831p–1, 1881–1884, 3102(b) and 5412(b)(2)(B); 15 U.S.C. 1681s, 1681w, 6801, and 6805(b)(1).

■ 2. Amend appendix E by:
■ a. Revising and republishing paragraph I.B.
■ b. In paragraph I.C.1.a., removing the text ''$250 billion'' and adding the text ''$100 billion'' in its place; and
■ c. Revising and republishing paragraphs I.E. and II.

The revisions and republications read as follows:

Appendix E to Part 30—OCC Guidelines Establishing Standards for Recovery Planning by Certain Large Insured National Banks, Insured Federal Savings Associations, and Insured Federal Branches

* * * * *

I. Introduction

* * * * *

B. Compliance Date

1. A covered bank with average total consolidated assets, calculated according to paragraph I.E.1. of this appendix, equal to or greater than $250 billion as of January 1, 2025, should be in compliance with this appendix on January 1, 2025, except that the bank should be in compliance with:

a. the amended provisions on non-financial risk within 12 months from January 1, 2025, and

b. paragraph II.D. of this appendix within 18 months from January 1, 2025.

2. A covered bank with average total consolidated assets, calculated according to paragraph I.E.1. of this appendix, equal to or greater than $100 billion but less than $250 billion as of January 1, 2025, should be in compliance with this appendix within 12 months from January 1, 2025, except that the bank should be in compliance with paragraph II.D. of this appendix within 24 months from January 1, 2025.

3. A financial institution that is not a covered bank as of January 1, 2025, but which subsequently becomes a covered bank should comply with this appendix within 12 months of becoming a covered bank, except that the bank should be in compliance with paragraph II.D. of this appendix within 24 months of becoming a covered bank.

* * * * *

E. Definitions

1. *Average total consolidated assets* means the average of total consolidated assets of the bank or the covered bank, as reported on the bank's or the covered bank's Consolidated Reports of Condition and Income for the four most recent consecutive quarters.

2. *Bank* means any insured national bank, insured Federal savings association, or insured Federal branch of a foreign bank.

3. *Covered bank* means any bank:

a. With average total consolidated assets equal to or greater than $100 billion;

b. With average total consolidated assets less than $100 billion if the bank was previously a covered bank, unless the OCC determines otherwise; or

c. With average total consolidated assets less than $100 billion, if the OCC determines that such bank is highly complex or otherwise presents a heightened risk as to warrant the application of this appendix pursuant to paragraph I.C.1.a. of this appendix.

4. *Recovery* means timely and appropriate action that a covered bank takes to remain a going concern when it is experiencing or is likely to experience considerable financial stress or non-financial stress. A covered bank in recovery has not yet deteriorated to the point where liquidation or resolution is imminent.

5. *Recovery plan* means a plan that identifies triggers and options for responding to a wide range of severe internal and external stress scenarios to restore a covered bank that is in recovery to financial strength and viability in a timely manner. The options should maintain the confidence of market participants, and neither the plan nor the options may assume or rely on any extraordinary government support.

6. *Trigger* means a quantitative or qualitative indicator of the risk or existence of severe financial stress or non-financial stress, the breach of which should always be escalated to senior management or the board of directors (or appropriate committee of the board of directors), as appropriate, for purposes of initiating a response. The breach of any trigger should result in timely notice accompanied by sufficient information to enable management of the covered bank to take corrective action.

II. Recovery Plan

A. *Recovery plan.* Each covered bank should develop and maintain a recovery plan

[27] 5 U.S.C. 801 *et seq.*

[28] 5 U.S.C. 553(d).

[29] 12 U.S.C. 4802(a).

that is specific to that covered bank and appropriate for its individual size, risk profile, activities, and complexity, including the complexity of its organizational and legal entity structure. When developing and maintaining its recovery plan, each covered bank should appropriately consider both financial risk and non-financial risk (including operational and strategic risk).

B. *Elements of recovery plan.* A recovery plan under paragraph II.A. of this appendix should include the following elements:

1. *Overview of covered bank.* A recovery plan should describe the covered bank's overall organizational and legal entity structure, including its material entities, critical operations, core business lines, and core management information systems. The plan should describe interconnections and interdependencies:

(i) Across business lines within the covered bank;

(ii) With affiliates in a bank holding company structure;

(iii) Between a covered bank and its foreign subsidiaries; and

(iv) With critical third parties.

2. *Triggers.* A recovery plan should identify financial triggers and non-financial triggers that appropriately reflect the covered bank's particular vulnerabilities.

3. *Options for recovery.* A recovery plan should identify a wide range of credible options that a covered bank could undertake to restore financial strength and viability, thereby allowing the bank to continue to operate as a going concern and to avoid liquidation or resolution. A recovery plan should explain how the covered bank would carry out each option and describe the timing required for carrying out each option. The recovery plan should specifically identify the recovery options that require regulatory or legal approval.

4. *Impact assessments.* For each recovery option, a covered bank should assess and describe how the option would affect the covered bank. This impact assessment and description should specify the procedures the covered bank would use to maintain the financial strength and viability of its material entities, critical operations, and core business lines for each recovery option. For each option, the recovery plan's impact assessment should address the following:

a. The effect on the covered bank's capital, liquidity, funding, and profitability;

b. The effect on the covered bank's material entities, critical operations, and core business lines, including reputational impact;

c. The effect on the covered bank's risk profile as a result of changes to its financial risk and non-financial risk; and

d. Any legal or market impediment or regulatory requirement that must be addressed or satisfied in order to implement the option.

5. *Escalation procedures.* A recovery plan should clearly outline the process for escalating decision-making to senior management or the board of directors (or an appropriate committee of the board of directors), as appropriate, in response to the breach of any trigger. The recovery plan should also identify the departments and persons responsible for executing the decisions of senior management or the board of directors (or an appropriate committee of the board of directors).

6. *Management reports.* A recovery plan should require reports that provide senior management or the board of directors (or an appropriate committee of the board of directors) with sufficient data and information to make timely decisions regarding the appropriate actions necessary to respond to the breach of a trigger.

7. *Communication procedures.* A recovery plan should provide that the covered bank notify the OCC of any significant breach of a trigger and any action taken or to be taken in response to such breach and should explain the process for deciding when a breach of a trigger is significant. A recovery plan also should address when and how the covered bank will notify persons within the organization and other external parties of its action under the recovery plan. The recovery plan should specifically identify how the covered bank will obtain required regulatory or legal approvals.

8. *Other information.* A recovery plan should include any other information that the OCC communicates in writing directly to the covered bank regarding the covered bank's recovery plan.

C. *Relationship to other processes; coordination with other plans.* The covered bank should integrate its recovery plan into its risk governance functions. The covered bank also should align its recovery plan with its other plans, such as its strategic; operational (including business continuity and resilience program); contingency; capital (including stress testing); liquidity; and resolution planning. The covered bank's recovery plan should be specific to that covered bank. The covered bank also should coordinate its recovery plan with any recovery and resolution planning efforts by the covered bank's holding company, so that the plans are consistent with and do not contradict each other.

D. *Testing.* Each covered bank should test its recovery plan periodically but not less than annually and following any significant changes to the recovery plan made in response to a material event. Testing should validate the effectiveness of the recovery plan, including by considering each element set forth in paragraph II.B. of this appendix, and should be appropriate for the bank's individual size, risk profile, activities, and complexity, including the complexity of its organizational and legal entity structure. Each covered bank should revise its recovery plan as appropriate following completion of testing.

* * * * *

Michael J. Hsu,

Acting Comptroller of the Currency.

[FR Doc. 2024–24402 Filed 10–21–24; 8:45 am]

BILLING CODE 4810–33–P

FEDERAL DEPOSIT INSURANCE CORPORATION

12 CFR Part 328

RIN 3064–AF26

FDIC Official Signs and Advertising Requirements, False Advertising, Misrepresentation of Insured Status, and Misuse of the FDIC's Name or Logo

AGENCY: Federal Deposit Insurance Corporation (FDIC).

ACTION: Final rule; delay of compliance date.

SUMMARY: On December 20, 2023, the FDIC adopted a final rule that, among other things, amended the FDIC's sign and advertising requirements for insured depository institutions (IDIs). The amendments made by the final rule took effect on April 1, 2024; however, full compliance with the amendments was extended to January 1, 2025.

The FDIC is delaying the compliance date for the new sign and advertising requirements for IDIs in the final rule to May 1, 2025. This delay will provide additional opportunity for IDIs to establish processes and systems, and make technological updates, necessary to implement the new regulatory requirements.

DATES: The compliance date for the amendments to subpart A of 12 CFR part 328 in the final rule published at 89 FR 3504 on January 18, 2024, is delayed to May 1, 2025.

FOR FURTHER INFORMATION CONTACT: Division of Depositor and Consumer Protection: Luke H. Brown, Associate Director, 202–898–3842, *LuBrown@FDIC.gov;* Meron Wondwosen, Chief, Supervisory Policy, 202–898–7211, *MeWondwosen@FDIC.gov;* Edward J. Hof, Senior Policy Analyst, 202–898–7213, *EdwHof@FDIC.gov.* Legal Division: Chantal Hernandez, Counsel, 202–898–7388, *ChHernandez@FDIC.gov;* Shane Bogusz, Attorney, 202–898–6571, *SBogusz@FDIC.gov.*

SUPPLEMENTARY INFORMATION: On December 20, 2023, the FDIC Board of Directors adopted a final rule revising the sign and advertising regulations implementing section 18(a) of the Federal Deposit Insurance Act.[1] On January 18, 2024 (89 FR 3504), the final rule was published in the **Federal Register**.

The final rule became effective on April 1, 2024, and required full compliance with the rule by January 1, 2025. Based upon feedback from IDIs

[1] 12 U.S.C. 1828(a).

and other banking industry participants, the FDIC understands that some IDIs would find it beneficial to have additional time beyond the January 1, 2025, compliance date to implement the new regulatory requirements under subpart A of 12 CFR part 328. In particular, some IDIs have reported they continue to update online systems and platforms, and have requested additional time to meet the new requirements under subpart A. To provide additional opportunity for IDIs to put in place processes and systems, and make technological updates, the FDIC is delaying the compliance date for amendments to subpart A of 12 CFR part 328 from January 1, 2025, to May 1, 2025. The compliance date for the final rule amendments to subpart B of 12 CFR part 328 remains January 1, 2025.

The FDIC has also received a number of questions from industry participants regarding the application of the new requirements. In response, the FDIC has published two sets of ''Questions and Answers'' [2] addressing certain issues raised by industry participants. The FDIC has continued to receive requests for additional clarity. The FDIC will continue to evaluate questions that have been received and will endeavor to make any additional potential ''Questions and Answers'' publicly available by November 30, 2024, to facilitate effective compliance by the May 1, 2025, compliance date.

Federal Deposit Insurance Corporation.

By order of the Board of Directors.

Dated at Washington, DC, on October 17, 2024.

James P. Sheesley,

Assistant Executive Secretary.

[FR Doc. 2024–24433 Filed 10–21–24; 8:45 am]

BILLING CODE 6714–01–P

[2] *https://www.fdic.gov/deposit-insurance/questions-and-answers-related-fdics-part-328-final-rule.*

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2024–1889; Project Identifier MCAI–2024–00134–T; Amendment 39–22858; AD 2024–19–16]

RIN 2120–AA64

Airworthiness Directives; Deutsche Aircraft GmbH (Type Certificate Previously Held by 328 Support Services GmbH; AvCraft Aerospace GmbH; Fairchild Dornier GmbH; Dornier Luftfahrt GmbH) Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for all Deutsche Aircraft GmbH Model 328–100 and 328–300 airplanes. This AD was prompted by reports of a broken attachment eyebolt in a Collins Aerospace JB6 Commuter Class passenger seat. This AD requires a one-time detailed inspection of each affected part, and applicable corrective actions, and limits the installation of affected parts, as specified in a European Union Aviation Safety Agency (EASA) AD, which is proposed for incorporation by reference (IBR). The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective November 26, 2024.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of November 26, 2024.

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2024–1889; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

- For EASA material identified in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email *ADs@easa.europa.eu;* website *easa.europa.eu.* You may find this material on the EASA website at *ad.easa.europa.eu.*
- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available at *regulations.gov* under Docket No. FAA–2024–1889.

FOR FURTHER INFORMATION CONTACT: Todd Thompson, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 206–231–3228; email *todd.thompson@faa.gov.*

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to all Deutsche Aircraft GmbH Model 328–100 and 328–300 airplanes. The NPRM published in the **Federal Register** on July 17, 2024 (89 FR 58089). The NPRM was prompted by AD 2024–0051, dated February 23, 2024, issued by EASA, which is the Technical Agent for the Member States of the European Union (EASA AD 2024–0051) (also referred to as the MCAI). The MCAI states there have been reports of a broken attachment eyebolt in a Collins Aerospace JB6 Commuter Class passenger seat. The eyebolt is the connection between the reclining mechanism and the seat structure and connects the seat belt to the seat structure. Broken attachment eyebolts, if not detected and corrected, could prevent the correct operation of the safety belts, possibly resulting in injuries to seat occupants.

In the NPRM, the FAA proposed to require a one-time detailed inspection of each affected part, and applicable corrective actions, and to limit the installation of affected parts, as specified in EASA AD 2024–0051. The FAA is issuing this AD to address the unsafe condition on these products.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2024–1889.

Discussion of Final Airworthiness Directive

Comments

The FAA received no comments on the NPRM or on the determination of the cost to the public.

Conclusion

This product has been approved by the aviation authority of another country and is approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, it has notified the

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

Material Incorporated by Reference Under 1 CFR Part 51

EASA AD 2024–0051 specifies a one-time detailed inspection of affected eyebolt and spreader for correct installation and discrepancies (*i.e.,* cracks, traces of aluminum flakes or remainders of ripped-out threads in the tip threads, and damaged thread runs), and applicable corrective actions (obtaining and following repair instructions and replacing the affected parts). EASA AD 2024–0051 also specifies an affected part may be installed provided, before installation, that part passed an inspection (no damage detected).

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

Costs of Compliance

The FAA estimates this AD affects 30 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
12 work-hours × $85 per hour = $1,020	$0	$1,020	$30,600

The FAA estimates the following costs to do any necessary on-condition action that would be required based on the results of any required actions. The FAA has no way of determining the number of aircraft that might need this on-condition action:

ESTIMATED COSTS OF ON-CONDITION ACTIONS

Labor cost	Parts cost	Cost per product
1 work-hour × $85 per hour = $85	$1,126	$1,211

The FAA has received no definitive data on which to base the cost estimates for the on-condition repairs specified in this AD.

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

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

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

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

List of Subjects in 14 CFR Part 39

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

The Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2024–19–16 Deutsche Aircraft GmbH (Type Certificate Previously Held by 328 Support Services GmbH; AvCraft Aerospace GmbH; Fairchild Dornier GmbH; Dornier Luftfahrt GmbH): Amendment 39–22858; Docket No. FAA–2024–1889; Project Identifier MCAI–2024–00134–T.

(a) Effective Date

This airworthiness directive (AD) is effective November 26, 2024.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all Deutsche Aircraft GmbH Model 328–100 and 328–300 airplanes, certificated in any category.

(d) Subject

Air Transport Association (ATA) of America Code 25, Equipment/furnishings.

(e) Unsafe Condition

This AD was prompted by reports of a broken attachment eyebolt in a Collins Aerospace JB6 Commuter Class passenger seat. The FAA is issuing this AD to address broken attachment eyebolts. The unsafe condition, if not addressed, could prevent the

correct operation of the safety belts, possibly resulting in injuries to seat occupants.

(f) Compliance

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

(g) Requirements

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, European Union Aviation Safety Agency (EASA) AD 2024–0051, dated February 23, 2024 (EASA AD 2024–0051).

(h) Exceptions to EASA AD 2024–0051

(1) Where EASA AD 2024–0051 refers to its effective date, this AD requires using the effective date of this AD.

(2) Where paragraph (2) of EASA AD 2024–0051 specifies ''if, during the inspection required by paragraph (1) of this AD, discrepancies are detected, as defined in the ASB, before next flight, contact Deutsche Aircraft GmbH and Collins Aerospace for approved instructions and accomplish those instructions accordingly,'' this AD requires replacing that text with ''if, during the inspection as required by paragraph (1) of this AD, any discrepancy is detected, the discrepancy must be repaired before further flight using a method approved by the Manager, International Validation Branch, FAA; or EASA; or Deutsche Aircraft GmbH's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.''

(3) This AD does not adopt the ''Remarks'' section of EASA AD 2024–0051.

(i) No Reporting or Return of Parts Requirement

Although the service information referenced in EASA AD 2024–0051 specifies to submit certain information and send removed parts to the manufacturer, this AD does not include that requirement.

(j) Additional AD Provisions

The following provisions also apply to this AD:

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

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, International Validation Branch, FAA; or EASA; or Deutsche Aircraft GmbH's EASA DOA. If approved by the DOA, the approval must include the DOA-authorized signature.

(k) Additional Information

For more information about this AD, contact Todd Thompson, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 206–231–3228; email *todd.thompson@faa.gov.*

(l) Material Incorporated by Reference

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

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

(i) European Union Aviation Safety Agency (EASA) AD 2024–0051, dated February 23, 2024.

(ii) [Reserved]

(3) For EASA AD 2024–0051, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email *ADs@easa.europa.eu;* website *easa.europa.eu.* You may find this EASA AD on the EASA website *ad.easa.europa.eu.*

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

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

Issued on September 23, 2024.

Victor Wicklund,

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

[FR Doc. 2024–24386 Filed 10–21–24; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2024–0229; Project Identifier AD–2023–00485–T; Amendment 39–22848; AD 2024–19–06]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for certain The Boeing Company Model 737–8 and Model 737–9 airplanes. This AD was prompted by a Boeing review of the standby power system control unit (SPCU) design where a single point of failure exists internal to the SPCU. This AD requires installing four diodes and changing wire bundles in the P5 panel, as well as performing installation and power tests and applicable on-condition actions. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective November 26, 2024 .

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of November 26, 2024.

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2024–0229; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

- For Boeing material identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminster Blvd., MC 110–SK57, Seal Beach, CA 90740–5600; telephone 562–797–1717; website *myboeingfleet.com.*
- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available at *regulations.gov* under Docket No. FAA–2024–0229.

FOR FURTHER INFORMATION CONTACT: Raja Vengadasalam, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone 206–231–3537; email *Raja.Vengadasalam@faa.gov.*

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain The Boeing Company Model 737–8 and Model 737–9 airplanes. The NPRM published in the **Federal Register** on February 14, 2024 (89 FR 11231). The NPRM was prompted by a Boeing review of the SPCU design where a single point of failure exists internal to the SPCU. In the NPRM, the FAA proposed to require installing four diodes and changing wire bundles in the P5 panel, as well as

performing installation and power tests and applicable on-condition actions. The FAA is issuing this AD to address a potential single point of failure in the SPCU, which can result in a non-latent loss of the entire battery bus and consequent un-annunciated loss of control and indication of both engine anti-ice (EAI) systems.

Discussion of Final Airworthiness Directive

Comments

The FAA received comments from eight commenters who supported the NPRM without change.

The FAA received additional comments from Alaska Airlines and two individuals. The following presents the comments received on the NPRM and the FAA's response to each comment.

Request for a ''Credit for Previous Actions'' Paragraph

Alaska Airlines requested that the proposed AD be revised to include a ''Credit for Previous Actions'' paragraph that gives credit as specified in paragraph (h)(2), ''Exceptions to Service Information Specifications,'' of the proposed AD. Alaska requested credit for ''ACTION 3'' in the Action column of the table in the ''Compliance'' paragraph of Boeing Alert Requirements Bulletin 737–30A1083 RB, dated November 18, 2022, for airplanes on which the requirements bulletin was embodied prior to the effective date of this AD.

The FAA disagrees with revising this AD to include a ''Credit for Previous Actions'' paragraph in this AD. Paragraph (f), ''Compliance,'' of this AD provides credit for required actions performed before the effective date of this AD. The FAA has not changed this AD as a result of this comment.

Request for Clarification of AD Actions

An individual was supportive, but requested clarification of whether the proposed AD adequately addresses the unsafe condition to prevent the single point of failure addressed by the proposed AD. The commenter also questioned what is being done so this condition does not occur again, and whether this is the only issue with this airplane design. The commenter also requested clarification of whether the affected airplanes would be grounded until the proposed AD actions are completed.

The FAA worked with Boeing to develop appropriate actions, *i.e.,* the diode installation and wire bundle change, using the procedures specified in Boeing Alert Requirements Bulletin 737–30A083 RB, dated November 18, 2022, to address the identified unsafe condition in this AD. This particular issue is the only one addressed by this AD. The FAA continuously evaluates operator and manufacturer reports and other data in order to promote safe type certification and production. Operators are required to comply with all applicable actions of an AD within the required compliance time and cannot later undo those required actions. The FAA's safety analysis has determined that the compliance time for corrective action in this AD provides an acceptable level of safety. The FAA has not changed this AD as a result of this comment.

Request for FAA's Approach to Continued Operational Safety

Another individual stated that the AD ''prompted a review of'' the SPCU and ''found a design flaw.'' The commenter acknowledged that the proposed AD would address the underlying problem, but questioned how long the condition has existed, whether the SPCU review addresses all systems on these airplanes, and whether affected airplanes remain in service until the concerns are addressed. This commenter stated that a deeper review into other models and ways to address these issues must be investigated.

The FAA provides the following clarification. This AD did not prompt the SPCU review; rather, after the SPCU review conducted by Boeing, the FAA determined that an AD was necessary and appropriate to address the unsafe condition. The FAA continuously receives and evaluates performance and safety data from operators and manufacturers on all type-certificated airplanes. The FAA takes corrective action—whether advisory such as an advisory circular or mandatory such as an AD—as warranted by the facts. The FAA has not changed this AD as a result of this comment.

Conclusion

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

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed Boeing Alert Requirements Bulletin 737–30A083 RB, dated November 18, 2022. This material specifies procedures for installing four diodes and changing wire bundles in the P5 panel, as well as performing an anti-ice diode installation test and an engine anti-ice and wing anti-ice power test and applicable on-condition actions. On-condition actions include doing applicable corrective actions until the tests are passed.

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

Costs of Compliance

The FAA estimates that this AD affects 205 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Installation, Wiring bundle changes, and tests.	Up to 18 work-hours × $85 per hour = Up to $1,530.	Up to $3,760	Up to $5,290	Up to $1,084,450.

The FAA has received no definitive data on which to base the cost estimates for the on-condition actions specified in this AD.

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

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of

the FAA Administrator. Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency's authority.

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

Regulatory Findings

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

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

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

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

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

List of Subjects in 14 CFR Part 39

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

The Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2024–19–06 The Boeing Company: Amendment 39–22848; Docket No. FAA–2024–0229; Project Identifier AD–2023–00485–T.

(a) Effective Date

This airworthiness directive (AD) is effective November 26, 2024.

(b) Affected ADs

None.

(c) Applicability

This AD applies to The Boeing Company Model 737–8 and 737–9 airplanes, certificated in any category, having a line number identified in paragraph 1.A., ''Effectivity,'' of Boeing Alert Requirements Bulletin 737–30A1083 RB, dated November 18, 2022.

(d) Subject

Air Transport Association (ATA) of America Code 30, Ice/Rain Protection System.

(e) Unsafe Condition

This AD was prompted by a Boeing review of the standby power system control unit (SPCU) design that determined a potential single point of failure exists in the SPCU. The FAA is issuing this AD to address a potential single point of failure in the SPCU, which can result in a non-latent loss of the entire battery bus and consequent un-annunciated loss of control and indication of both engine anti-ice (EAI) systems. The unsafe condition, if not addressed, could result in loss of thrust on both engines due to damage from operation in icing conditions without EAI and can result in loss of continued safe flight and landing.

(f) Compliance

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

(g) Required Actions

Except as specified by paragraph (h) of this AD: At the applicable times specified in the ''Compliance'' paragraph of Boeing Alert Requirements Bulletin 737–30A1083 RB, dated November 18, 2022, do all applicable actions identified in, and in accordance with, the Accomplishment Instructions of Boeing Alert Requirements Bulletin 737–30A1083 RB, dated November 18, 2022.

Note 1 to paragraph (g): Guidance for accomplishing the actions required by this AD can be found in Boeing Alert Service Bulletin 737–30A1083, dated November 18, 2022, which is referred to in Boeing Alert Requirements Bulletin 737–30A1083 RB, dated November 18, 2022.

(h) Exceptions to Service Information Specifications

(1) Where the Compliance Time columns of the table in the ''Compliance'' paragraph of Boeing Alert Requirements Bulletin 737–30A1083 RB, dated November 18, 2022, uses the phrase ''the original issue date of Requirements Bulletin 737–30A1083 RB,'' this AD requires using the effective date of this AD.

(2) Where ''ACTION 3'' in the Action column of the table in the ''Compliance'' paragraph of Boeing Alert Requirements Bulletin 737–30A1083 RB, dated November 18, 2022, specifies to do applicable corrective actions and repeat the test until the test passes if any test fails, for this AD, the compliance time for those actions is before further flight after accomplishing the test.

(i) Alternative Methods of Compliance (AMOCs)

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

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

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

(j) Related Information

(1) For more information about this AD, contact Raja Vengadasalam, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone 206–231–3537; email *Raja.Vengadasalam@faa.gov.*

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

(k) Material Incorporated by Reference

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

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

(i) Boeing Alert Requirements Bulletin 737–30A1083 RB, dated November 18, 2022.

(ii) [Reserved]

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

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

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

ibr-locations.html or email *fr.inspection@nara.gov.*

Issued on September 13, 2024.

Peter A. White,

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

[FR Doc. 2024–24369 Filed 10–21–24; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2024–0759; Project Identifier AD–2023–01040–T; Amendment 39–22857; AD 2024–19–15]

RIN 2120–AA64

Airworthiness Directives; Safran Aerosystems (Formerly AVOX Systems Inc.; Scott Aviation) Oxygen Cylinder and Valve Assemblies, and Oxygen Valve Assemblies

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is superseding Airworthiness Directive (AD) 2023–13–11, which applied to certain AVOX Systems Inc. (formerly Scott Aviation) oxygen cylinder and valve assemblies, and oxygen valve assemblies, installed on but not limited to various transport airplanes. AD 2023–13–11 required inspecting the oxygen valve assemblies, and oxygen cylinder and valve assemblies, to determine the serial number of the valve, cylinder, and entire assembly; inspecting certain assemblies and parts for correct spacing of the gap between the bottom of the packing retainer and top of the valve body on the assemblies, and replacing assemblies having unacceptable gaps. AD 2023–13–11 also limited the installation of affected parts and required reporting inspection results and returning certain assemblies to the manufacturer. This AD was prompted by the determination that additional assemblies and parts are subject to the unsafe condition. This AD requires the actions specified in AD 2023–13–11 and expands the list of affected assemblies and parts. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective November 26, 2024.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of November 26, 2024.

The Director of the Federal Register approved the incorporation by reference of certain other publications listed in this AD as of September 5, 2023 (88 FR 50011, August 1, 2023).

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2024–0759; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

- For AVOX and Safran Aerosystems material identified in this AD, contact AVOX Systems Inc., 225 Erie Street, Lancaster, NY 14086; telephone 716–683–5100; website *safranaerosystems.com.*
- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available at *regulations.gov* under Docket No. FAA–2024–0759.

FOR FURTHER INFORMATION CONTACT: Gabriel Kim, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300; email *9-avs-nyaco-cos@faa.gov.*

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to supersede AD 2023–13–11, Amendment 39–22496 (88 FR 50011, August 1, 2023) (AD 2023–13–11). AD 2023–13–11 applied to certain AVOX Systems Inc. (formerly Scott Aviation) oxygen cylinder and valve assemblies, and oxygen valve assemblies, installed on but not limited to various transport airplanes. AD 2023–13–11 was prompted by reports of cylinder and valve assemblies having oxygen leakage from the valve assembly vent hole, caused by the absence of a guide that maintains appropriate spacing between certain parts, and by a determination that additional assemblies and parts are affected by the unsafe condition addressed by AD 2022–04–09, Amendment 39–21951 (87 FR 10958, February 28, 2022) (AD 2022–04–09) (which was superseded by AD 2023–13–11).

The NPRM published in the **Federal Register** on March 25, 2024 (89 FR 20558). The NPRM was prompted by a report that the manufacturer identified additional assemblies and parts subject to the unsafe condition. In the NPRM, the FAA proposed to continue to require the actions specified in AD 2023–13–11 and require similar actions for those additional assemblies and parts. The FAA is issuing this AD to address oxygen leakage from the cylinder and valve assemblies, which could result in decreased or insufficient oxygen supply during a depressurization event; and heating or flow friction, which could cause an ignition event in the valve assembly.

Discussion of Final Airworthiness Directive

Comments

The FAA received comments from four commenters, including Alaska Airlines (Alaska), American Airlines, Cathay Pacific Airways, Delta Air Lines (Delta), and SIAEC (SIA Engineering Company). The following presents the comments received on the NPRM and the FAA's response to each comment.

Request To Reference Later Revisions of Material Identified as Credit

Alaska requested adding the required revisions of the material (identified in paragraphs (l)(1) through (3) of the proposed AD) to the group of material identified as acceptable material in paragraph (p)(3) of the proposed AD for actions accomplished before the effective date of this AD.

The FAA disagrees with the request to revise paragraph (p)(3) of this AD. A global alternative method of compliance (AMOC) letter, 753–23–00200, was issued for AD 2023–13–11 that identified the required material in paragraphs (l)(1) through (3) of this AD as an acceptable AMOC. Accomplishment of the required material before the effective date of this AD to comply with the requirements of this AD is addressed by paragraph (f) of this AD. Paragraph (f) of this AD allows for the use of the required material before the effective date of this AD. No change to the AD has been made in this regard.

Request for Clarification on Acceptable Material for Credit Conclusion

SIAEC asked if credit can be granted for the actions specified in paragraphs (h) and (i) of the proposed AD if Revision 03 of the material was used.

The FAA agrees to clarify. Paragraphs (h) and (i) of this AD still reference Revision 03 of the material as the primary means of compliance for those

parts identified in Appendices 1 or 2 of the referenced material. Paragraph (p) of this AD references the other revision levels that are acceptable for credit if they were used before certain effective dates. Paragraph (f) of this AD allows for the use of the required material before the effective date of this AD. No change to this AD is necessary in this regard.

Request To Require Actions for All Serial Numbers Instead of List of Affected Serial Numbers

American Airlines requested revising the applicability of the proposed AD to apply to all serial numbers of the affected part numbers, instead of adding groups of additional serial numbers in superseding ADs. Alaska requested revising the requirements for the serial number inspection, in particular, the ones in Appendix 3 of the required material referenced in paragraph (l) of the proposed AD. Alaska explained that the reading and recording of the serial numbers in three different places on the bottle leads to numerous discrepancies by personnel, which then leads to additional time spent trying to review all the numbers and identify the affected airplanes, possibly leading to affected bottles remaining on the airplane longer before being removed. Alaska suggested that a check for the manufacturer date, and then if a bottle has an affected manufacture date, an inspection to determine if the valve has a blue dot, would be sufficient to determine if an affected bottle is installed on the airplane. Alaska also suggested that once an affected bottle is found, the operator could then choose to accomplish the gap check and record the required serial numbers, or assume all affected bottles are suspect, and then send any suspected bottle back to the vendor instead of doing a gap check and subsequent serial number record-keeping.

The FAA does not agree to expand the applicability. Revising the applicability to refer to the date of manufacture instead of the serial numbers that must be inspected would increase the burden on some operators. However, operators choosing to inspect all the serial numbers of a part number may apply for an AMOC using the procedures specified in paragraph (q) of this AD. No changes to this AD have been made in this regard.

Request for Additional Compliance Time for Replacing Affected Parts

Alaska requested a revision to extend the compliance time to at least 90 days due to the large increase in number of affected bottles and potential effect on the limited supply of spare bottles. Alaska reasoned that a compliance time of 90 days would help repair vendors turn around the repair of faulty bottles in a timely manner. Although Alaska did not specify what action or paragraph the referenced compliance time would be for, the FAA infers that Alaska is referencing the replacement compliance time specified in paragraph (m)(2) of the proposed AD.

The FAA disagrees with the request. A global AMOC letter, 753–23–00200, was provided in December 2023 to provide relief for using later revisions of the material referenced in AD 2023–13–11, so knowledge of the additional numbers of affected bottles identified in the later revisions of the material would have been available since December 2023. In addition, the compliance time for most of the bottles affected by AD 2023–13–11 would have elapsed in early November 2023. Replacement before further flight ensures that airplanes are not knowingly flying with an unsafe condition. Operators may also apply for an AMOC under the provisions of paragraph (q) of this AD. The FAA has not changed the AD in this regard.

Request To Remove Inspection Report Requirement

Delta requested that the inspection report that was specified in paragraphs (j)(1) and (n)(1) of the proposed AD be removed. Delta pointed to guidance in the AD Manual (FAA–IR–M–8040.1C) (*https://drs.faa.gov/browse/excelExternalWindow/66DDD8E1D2E95DB3862577270062AABD.0001*) that describes the general conditions for requiring inspection reports, and contrasted that with the material's description of the problem with the affected valve assemblies and the proposed AD's proposed requirements as the rationale for removing the inspection report.

The FAA agrees to remove the inspection report that was proposed in paragraphs (j)(1) and (n)(1) of the proposed AD for the reasons provided by the commenter. The subsequent paragraph identifiers have been revised, and the cost estimate has been updated accordingly.

Request To Address Discrepancy in Serial Numbers in Appendix of Material

SIAEC stated that there is a discrepancy within the tables of Appendix 3 of Safran Aerosystems Alert Service Bulletin 10015804–35–01, Revision 04, dated November 9, 2023. SIAEC noted that some of the affected valve serial numbers are erroneously listed in the affected ''Cylinder Serial #'' columns in the tables for the Cylinder and Valve assemblies P/Ns 89794077 and 891511–14.

The FAA agrees there are discrepancies in the serial number lists. Paragraph (l)(1) of this AD has been revised to correct the discrepancies.

Request for Clarification of Credit

Cathay Pacific Airways noted that the expanded serial number list from the latest revision of the Safran/AVOX service bulletins has a manufacturing date range from 2011 to 2017. The commenter asked whether the actions specified in the latest Safran/AVOX service bulletin must be redone on an affected serial number if maintenance can show that the part has been overhauled already.

The FAA contacted Safran for additional information regarding the comment, and provides the following clarification. The ''overhaul kit'' does not always have the necessary parts and therefore does not meet the intent of this AD. P/N 10015804 is a guide part number. If this part is missing, the gap check will fail. However, if the tank undergoes an overhaul as outlined in the Component Maintenance Manual (specified in paragraph 1.K of the applicable service bulletin), it will be equipped with the necessary guide, reassembled, and tested for leaks and hydrostatic pressure. This process aligns with the intent of this AD.

Additional Changes to This Final Rule

The FAA corrected the name of the publisher of the material identified in paragraphs (l)(1) through (3) of this AD from AVOX Systems Inc. to Safran Aerosystems. The FAA has also revised references to the manufacturer's name specified throughout this final rule to identify the manufacturer name as published in the most recent material for the affected models.

Conclusion

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

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed the following material. This material specifies procedures for an inspection to

determine the serial numbers of the oxygen cylinder and valve assemblies, and the oxygen valve assemblies, a detailed inspection for correct spacing of the gap between the bottom of the packing retainer and top of the valve body on the assemblies, parts marking, inspection report, and return of parts to the manufacturer. These documents are distinct since they apply to different assembly part numbers.

- Safran Aerosystems Alert Service Bulletin 10015804–35–01, Revision 04, dated November 9, 2023.
- Safran Aerosystems Alert Service Bulletin 10015804–35–02, Revision 06, dated August 30, 2023.
- Safran Aerosystems Alert Service Bulletin 10015804–35–03, Revision 05, dated September 29, 2023.

This AD also requires the following material, which the Director of the Federal Register approved for incorporation by reference as of September 5, 2023 (88 FR 50011, August 1, 2023).

- AVOX Systems Inc. Alert Service Bulletin 10015804–35–01, Revision 03, dated June 7, 2021.
- AVOX Systems Inc. Alert Service Bulletin 10015804–35–02, Revision 03, dated March 11, 2022.
- AVOX Systems Inc. Alert Service Bulletin 10015804–35–03, Revision 03, dated June 18, 2021.

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

Costs of Compliance

The FAA estimates that this AD affects 3,777 oxygen cylinder and valve assemblies, and oxygen valve assemblies, installed on various transport category airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Serial number inspection (retained action from AD 2023-13-11).	1 work-hour × $85 per hour = $85	None	$85	$321,045

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

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Detailed inspection	1 work-hour × $85 per hour = $85	$0	$85
Replacement	1 work-hour × $85 per hour = $85	*	85
Return of parts	1 work-hour × $85 per hour = $85	** 50	135

* The FAA has received no definitive data on the parts cost for the on-condition replacement.
** The FAA has received no definitive data to provide cost estimates for the on-condition return of parts, except the FAA estimates that it would take about 1 work-hour per product to comply with the associated paperwork necessary for the return of parts and cost approximately $50 to ship.

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

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

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

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

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

List of Subjects in 14 CFR Part 39

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

The Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by:
■ a. Removing Airworthiness Directive (AD) 2013–13–11, Amendment 39–22496 (88 FR 50011, August 1, 2023); and

■ b. Adding the following new AD:

2024–19–15 Safran Aerosystems (formerly AVOX Systems Inc.; Scott Aviation): Amendment 39–22857; Docket No. FAA–2024–0759; Project Identifier AD–2023–01040–T.

(a) Effective Date

This airworthiness directive (AD) is effective November 26, 2024.

(b) Affected ADs

This AD replaces AD 2023–13–11, Amendment 39–22496 (88 FR 50011, August 1, 2023) (AD 2023–13–11).

(c) Applicability

This AD applies to Safran Aerosytems (formerly AVOX Systems Inc.; Scott Aviation) oxygen cylinder and valve assemblies having part number (P/N) 89794050, 89794077, 89794015, 891511–14, 806835–01, 807982–01, 808433–01, or 891311–14; and oxygen valve assemblies (body and gage assemblies) having P/N 807206–01. These assemblies might be installed on, but not limited to, the aircraft identified in paragraphs (c)(1) through (12) of this AD, certificated in any category.

(1) Airbus SAS Model A300 B2–1A, B2–1C, B2K–3C, B2–203, B4–2C, B4–103, and B4–203 airplanes.

(2) Airbus SAS Model A300 B4–601, B4–603, B4–620, B4–622, B4–605R, B4–622R, F4–605R, F4–622R, and C4–605R Variant F airplanes.

(3) Airbus SAS Model A310–203, –204, –221, –222, –304, –322, –324, and –325 airplanes.

(4) Airbus SAS Model A318–111, –112, –121, and –122 airplanes.

(5) Airbus SAS Model A319–111, –112, –113, –114, –115, –131, –132, –133, and –151N airplanes.

(6) Airbus SAS Model A320–211, –212, –214, –216, –231, –232, –233, –251N, –252N, –253N, –271N, –272N, and –273N airplanes.

(7) Airbus SAS Model A321–111, –112, –131, –211, –212, –213, –231, –232, –251N, –252N, –253N, –271N, –272N, –251NX, –252NX, –253NX, –271NX, and –272NX airplanes.

(8) Airbus SAS Model A330–201, –202, –203, –223, –243, –301, –302, –303, –321, –322, –323, –341, –342, –343, and –941 airplanes.

(9) Airbus Model A340–211, –212, –213, –311, –312, –313, –541, and –642 airplanes.

(10) ATR–GIE Avions de Transport Régional Model ATR42–200, –300, –320, and –500 airplanes.

(11) ATR–GIE Avions de Transport Régional Model ATR72–101, –102, –201, –202, –211, –212, and –212A airplanes.

(12) The Boeing Company Model 747–8 series airplanes.

(d) Subject

Air Transport Association (ATA) of America Code 35, Oxygen.

(e) Unsafe Condition

This AD was prompted by reports of cylinder and valve assemblies having oxygen leakage from the valve assembly vent hole, caused by the absence of a guide that maintains appropriate spacing between certain parts, and by the manufacturer identifying additional assemblies and parts affected by the unsafe condition. The FAA is issuing this AD to address oxygen leakage from cylinder and valve assemblies. The unsafe condition, if not addressed, could result in decreased or insufficient oxygen supply during a depressurization event; and heating or flow friction, which could cause an ignition event in the valve assembly.

(f) Compliance

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

(g) Retained Definition of Detailed Inspection, With No Changes

This paragraph restates the requirements of paragraph (g) of AD 2023–13–11, with no changes. For the purposes of this AD, a detailed inspection is an intensive examination of a specific item, installation, or assembly to detect damage, failure, or irregularity. Available lighting is normally supplemented with a direct source of good lighting at an intensity deemed appropriate. Inspection aids such as mirror, magnifying lenses, etc., may be necessary. Surface cleaning and elaborate procedures may be required.

(h) Retained Identification of Affected Cylinder and Valve Assemblies, With Updated Language

This paragraph restates the requirements of paragraph (h) of AD 2023–13–11, with updated language. Within 60 days after September 5, 2023 (the effective date of AD 2023–13–11), inspect the oxygen valve assemblies, and oxygen cylinder and valve assemblies, to determine if the serial numbers of the valve, cylinder, and entire assembly, are listed in Appendix 1 or Appendix 2, ''Affected Shipments,'' of the applicable material identified in paragraphs (h)(1) through (3) of this AD. A review of airplane maintenance records is acceptable in lieu of this inspection if the serial numbers can be conclusively determined from that review.

(1) AVOX Systems Inc. Alert Service Bulletin 10015804–35–01, Revision 03, dated June 7, 2021.

(2) AVOX Systems Inc. Alert Service Bulletin 10015804–35–02, Revision 03, dated March 11, 2022.

(3) AVOX Systems Inc. Alert Service Bulletin 10015804–35–03, Revision 03, dated June 18, 2021.

(i) Retained Inspection of the Gap, Parts Marking Actions, and Replacement, With Updated Language

This paragraph restates the requirements of paragraph (i) of AD 2023–13–11, with updated language. If, during any inspection or records review required by paragraph (h) of this AD, any oxygen valve assembly, valve or cylinder of an oxygen cylinder and valve assembly, or oxygen cylinder and valve assembly having an affected serial number is found: Before further flight, do a detailed inspection for correct spacing of the gap between the bottom of the packing retainer and top of the valve body, in accordance with paragraph 3.C. of the Accomplishment Instructions of the applicable material identified in paragraphs (h)(1) through (3) of this AD.

(1) If the gap is found to be acceptable, as defined in the applicable material identified in paragraphs (h)(1) through (3) of this AD, before further flight, do the parts marking actions in accordance with paragraph 3.D.(1) of the Accomplishment Instructions of the applicable material identified in paragraphs (h)(1) through (3) of this AD.

(2) If the gap is found to be unacceptable, as defined in the material identified in paragraphs (h)(1) through (3) of this AD, before further flight, remove the affected assembly, in accordance with paragraphs 3.D.(2) or 3.D.(3), as applicable, of the Accomplishment Instructions of the applicable material identified in paragraphs (h)(1) through (3) of this AD; and replace with a serviceable assembly.

(j) Retained Return of Parts, With Updated Language

This paragraph restates the requirement to return parts, as specified in paragraph (j)(2) of AD 2023–13–11, with updated language. If, during the inspection required by paragraph (i) of this AD, any gap is found to be unacceptable, within the applicable time specified in paragraph (j)(1) or (2) of this AD, return the assembly to the manufacturer in accordance with paragraph 3.D.(2) or 3.D.(3), as applicable, of the Accomplishment Instructions of the applicable material identified in paragraphs (h)(1) through (3) of this AD, except you are not required to contact AVOX Systems Inc. for shipping instructions.

(1) If the inspection was done on or after September 5, 2023 (the effective date of AD 2023–13–11): Return the assembly within 30 days after the inspection.

(2) If the inspection was done before September 5, 2023 (the effective date of AD 2023–13–11): Return the assembly within 30 days after September 5, 2023.

(k) Retained Parts Installation Limitation, With Updated Language

This paragraph restates the provisions of paragraph (k) of AD 2023–13–11, with updated language. As of September 5, 2023 (the effective date of AD 2023–13–11), no AVOX Systems Inc. oxygen valve assembly, or valve or cylinder that is part of an oxygen cylinder and valve assembly, or oxygen cylinder and valve assembly having an affected serial number identified in Appendix 1, ''Affected Shipments,'' or Appendix 2, ''Affected Shipments,'' of any AVOX Systems Inc. material identified in paragraphs (h)(1) through (3) of this AD may be installed on any airplane unless the requirements of paragraph (i) of this AD have been accomplished on that affected assembly.

(l) New Identification of Additional Affected Cylinder and Valve Assemblies

Within 60 days after the effective date of this AD, inspect the oxygen valve assemblies, and oxygen cylinder and valve assemblies, to determine if the serial numbers of the valve, cylinder, and entire assembly, are listed in Appendix 3, ''Affected Shipments,'' of the applicable material identified in paragraphs

(l)(1) through (3) of this AD. A review of airplane maintenance records is acceptable in lieu of this inspection if the serial numbers can be conclusively determined from that review.

(1) Safran Aerosystem Alert Service Bulletin 10015804–35–01, Revision 04, dated November 9, 2023, except as specified in paragraphs (l)(1)(i) and (ii).

(i) In rows 2 through 492 of table tab ''89794077'' in Appendix 3 of Safran Aerosystems Alert Service Bulletin 10015804–35–01, Revision 04, dated November 9, 2023, the list of numbers in the ''Valve Serial #'' and ''Cylinder Serial #'' columns have been transposed with each other and the list of numbers in the ''Valve Part #'' and ''Cylinder Part #'' columns have also been transposed with each other.

(ii) In rows 2 through 65 of table tab 891511–14 in Appendix 3 of Safran Aerosystems Alert Service Bulletin 10015804–35–01, Revision 04, dated November 9, 2023, the list of numbers in the ''Valve Serial #'' and ''Cylinder Serial #'' columns have been transposed with each other, and the list of numbers in the ''Valve Part #'' and ''Cylinder Part #'' columns have been transposed with each other.

(2) Safran Aerosystems Alert Service Bulletin 10015804–35–02, Revision 06, dated August 30, 2023.

(3) Safran Aerosystems Inc. Alert Service Bulletin 10015804–35–03, Revision 05, dated September 29, 2023.

(m) New Inspection of the Gap, Parts Marking Actions, and Replacement for Additional Parts

If, during any inspection or records review required by paragraph (l) of this AD, any oxygen valve assembly, valve or cylinder of an oxygen cylinder and valve assembly, or oxygen cylinder and valve assembly having an affected serial number is found: Before further flight, do a detailed inspection for correct spacing of the gap between the bottom of the packing retainer and top of the valve body, in accordance with paragraph 3.C. of the Accomplishment Instructions of the applicable material identified in paragraphs (l)(1) through (3) of this AD.

(1) If the gap is found to be acceptable, as defined in the applicable material identified in paragraphs (l)(1) through (3) of this AD, before further flight, do the parts marking actions in accordance with paragraph 3.D.(1) of the Accomplishment Instructions of the applicable material identified in paragraphs (l)(1) through (3) of this AD.

(2) If the gap is found to be unacceptable, as defined in the material identified in paragraphs (l)(1) through (3) of this AD, before further flight, remove the affected assembly, in accordance with paragraphs 3.D.(2) or 3.D.(3), as applicable, of the Accomplishment Instructions of the applicable material identified in paragraphs (l)(1) through (3) of this AD; and replace with a serviceable assembly.

(n) New Return of Additional Parts

If, during the inspection required by paragraph (m) of this AD, any gap is found to be unacceptable, within the applicable time specified in paragraph (n)(1) or (2) of this AD, return the assembly to the manufacturer in accordance with paragraph 3.D.(2) or 3.D.(3), as applicable, of the Accomplishment Instructions of the applicable material identified in paragraphs (l)(1) through (3) of this AD, except you are not required to contact Safran Aerosystems for shipping instructions.

(1) If the inspection was done on or after the effective date of this AD: Return the assembly within 30 days after the inspection.

(2) If the inspection was done before the effective date of this AD: Return the assembly within 30 days after the effective date of this AD.

(o) New Parts Installation Limitation

As of the effective date of this AD, no AVOX Systems Inc. or Safran Aerosystems oxygen valve assembly, or valve or cylinder that is part of an oxygen cylinder and valve assembly, or oxygen cylinder and valve assembly having an affected serial number identified in Appendix 3, ''Affected Shipments,'' of any Safran Aerosystems Inc. material identified in paragraphs (l)(1) through (3) of this AD may be installed on any airplane unless the requirements of paragraph (m) of this AD have been accomplished on that affected assembly.

(p) Credit for Previous Actions

(1) This paragraph provides credit for the actions specified in paragraphs (h) or (i) of this AD, if those actions were performed before September 5, 2023 (the effective date of AD 2023–13–11), using the material specified in paragraphs (p)(1)(i) through (iii) of this AD. This material is not incorporated by reference in this AD.

(i) AVOX Systems Inc. Service Bulletin 10015804–35–01, dated March 6, 2019; and AVOX Systems Inc. Alert Service Bulletin 10015804–35–01, Revision 01, dated July 9, 2019.

(ii) AVOX Systems Inc. Alert Service Bulletin 10015804–35–02, Revision 1, dated September 4, 2019.

(iii) AVOX Systems Inc. Service Bulletin 10015804–35–03, dated April 11, 2019; and AVOX Systems Inc. Alert Service Bulletin 10015804–35–03, Revision 01, dated May 21, 2019.

(2) This paragraph provides credit for the actions specified in paragraphs (h) or (i) of this AD, if those actions were performed before September 5, 2023 (the effective date of AD 2023–13–11), using the material specified in paragraphs (p)(2)(i) through (iii) of this AD, which was incorporated by reference in AD 2022–04–09.

(i) AVOX Systems Inc. Alert Service Bulletin 10015804–35–01, Revision 02, dated October 16, 2019.

(ii) AVOX Systems Inc. Alert Service Bulletin 10015804–35–02, Revision 2, dated October 31, 2019.

(iii) AVOX Systems Inc. Alert Service Bulletin 10015804–35–03, Revision 02, dated October 15, 2019.

(3) This paragraph provides credit for the actions specified in paragraphs (h), (i), (l), or (m) of this AD, if those actions were performed before the effective date of this AD, using the material specified in paragraphs (p)(3)(i) through (ii) of this AD. This material is not incorporated by reference in this AD.

(i) AVOX Systems Inc. Alert Service Bulletin 10015804–35–02, Revision 04, dated June 30, 2023; or Revision 05, dated August 14, 2023.

(ii) AVOX Systems Inc. Alert Service Bulletin 10015804–35–03, Revision 04, dated June 12, 2023.

(q) Alternative Methods of Compliance (AMOCs)

(1) The Manager, East Certification Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the East Certification Branch, send it to ATTN: Program Manager, Continuing Operational Safety, at the address identified in paragraph (r) of this AD or email to: *AMOC@faa.gov.*

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(3) AMOCs approved for AD 2023–13–11 are approved as AMOCs for the corresponding provisions of this AD.

(r) Related Information

(1) For more information about this AD, contact Gabriel Kim, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300; email *9-avs-nyaco-cos@faa.gov.*

(2) Material identified in this AD that is not incorporated by reference is available at the address specified in paragraph (s)(5) of this AD.

(s) Material Incorporated by Reference

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

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

(3) The following material was approved for IBR on November 26, 2024.

(i) Safran Aerosystems Alert Service Bulletin 10015804–35–01, Revision 04, dated November 9, 2023.

(ii) Safran Aerosystems Alert Service Bulletin 10015804–35–02, Revision 06, dated August 30, 2023.

(iii) Safran Aerosystems Alert Service Bulletin 10015804–35–03, Revision 05, dated September 29, 2023.

(4) The following material was approved for IBR on September 5, 2023 (88 FR 50011, August 1, 2023).

(i) AVOX Systems Inc. Alert Service Bulletin 10015804–35–01, Revision 03, dated June 7, 2021.

(ii) AVOX Systems Inc. Alert Service Bulletin 10015804–35–02, Revision 03, dated March 11, 2022.

(iii) AVOX Systems Inc. Alert Service Bulletin 10015804–35–03, Revision 03, dated June 18, 2021.

(5) For material identified in this AD, contact AVOX Systems Inc., 225 Erie Street,

Lancaster, NY 14086; telephone 716–683–5100; website *safranaerosystems.com.*

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

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

Issued on September 23, 2024.

Victor Wicklund,

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

[FR Doc. 2024–24370 Filed 10–21–24; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2024–1691; Project Identifier MCAI–2023–01269–E; Amendment 39–22847; AD 2024–19–05]

RIN 2120–AA64

Airworthiness Directives; Safran Helicopter Engines, S.A. (Type Certificate Previously Held by Turbomeca, S.A.) Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for all Safran Helicopter Engines, S.A. (Safran) (type certificate previously held by Turbomeca, S.A.) Model Makila 1A, Makila 1A1, and Makila 1A2 engines. This AD is prompted by a determination that the accumulated service life of certain critical parts was underestimated. This AD requires determining the recalculated service life of certain critical parts, replacing if necessary, and also specifies conditions for installing the parts, as specified in a European Union Aviation Safety Agency (EASA) AD, which is incorporated by reference. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective November 26, 2024.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of November 26, 2024.

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No.FAA–2024–1691; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

- For EASA material identified in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 8999 000; email: *ADs@easa.europa.eu;* website: *ad.easa.europa.eu.* It is also available at *regulations.gov* under Docket No. FAA–2024–1691.
- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 1200 District Avenue, Burlington, MA 01803. For information on the availability of this material at the FAA, call (817) 222–5110. It is also available at *regulations.gov* under Docket No. FAA–2024–1691.

FOR FURTHER INFORMATION CONTACT: David Bergeron, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (860) 386–1805; email: *David.J.Bergeron@faa.gov*.

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to all Safran Model Makila 1A, Makila 1A1, and Makila 1A2 engines. The NPRM published in the **Federal Register** on June 20, 2024 (89 FR 51858). The NPRM was prompted by EASA AD 2023–0218, dated December 19, 2023 (EASA AD 2023–0218) (also referred to as the MCAI), issued by EASA, which is the Technical Agent for the Member States of the European Union. The MCAI states that it has been determined that the accumulated service life of certain critical parts was underestimated. To address this potential unsafe condition, the manufacturer published service information that identifies the affected parts and provides instructions for recalculating the service life and replacing the affected parts. The MCAI specifies determining the recalculated service life of the affected parts and replacing if necessary. The MCAI also specifies conditions for installing the affected parts. This unsafe condition, if not addressed, could lead to operation of the affected parts beyond the part life, which could cause the failure of affected parts, possibly resulting in uncontained debris release with consequent damage to the helicopter and reduced control of the helicopter.

In the NPRM, the FAA proposed to require determining the recalculated service life of certain critical parts, replacing the parts if necessary, and specified conditions for installing the parts. The FAA is issuing this AD to address the unsafe condition on these products.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2024–1691.

Discussion of Final Airworthiness Directive

Comments

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

Conclusion

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

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed EASA AD 2023–0218, which specifies determining the recalculated service life of affected parts and replacing the affected parts, if necessary. EASA AD 2023–0218 also specifies conditions for installing the affected parts. This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

Costs of Compliance

The FAA estimates that this AD affects 0 engines installed on helicopters of U.S. registry.

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

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Recalculate cycle lives	2 work-hours × $85 per hour = $170	$0	$170	$0
Replace axial wheel 1	8 work-hours × $85 per hour = $680	118,703	119,383	0
Replace axial wheel 2	8 work-hours × $85 per hour = $680	74,023	74,703	0
Replace axial wheel 3	8 work-hours × $85 per hour = $680	86,939	87,619	0
Replace centrifugal impeller	8 work-hours × $85 per hour = $680	164,583	165,263	0
Replace high-pressure turbine (HPT) disk 1	8 work-hours × $85 per hour = $680	97,800	98,480	0
Replace HPT disk 2	8 work-hours × $85 per hour = $680	92,284	92,964	0
Replace injection wheel	8 work-hours × $85 per hour = $680	76,799	77,479	0

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

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

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

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

List of Subjects in 14 CFR Part 39

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

The Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2024–19–05 Safran Helicopter Engines, S.A. (Type Certificate Previously Held by Turbomeca, S.A.): Amendment 39–22847; Docket No. FAA–2024–1691; Project Identifier MCAI–2023–01269–E.

(a) Effective Date

This airworthiness directive (AD) is effective November 26, 2024.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Safran Helicopter Engines, S.A. (type certificate previously held by Turbomeca, S.A.) Model Makila 1A, Makila 1A1, and Makila 1A2 engines.

(d) Subject

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

(e) Unsafe Condition

This AD was prompted by a determination that the accumulated service life of certain critical parts was underestimated. The FAA is issuing this AD to prevent failure of critical parts. The unsafe condition, if not addressed, could result in uncontained release of high-energy debris from the engine, with consequent damage to the engine, damage to the helicopter, and reduced control of the helicopter.

(f) Compliance

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

(g) Required Actions

Except as specified in paragraph (h) and (i) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, European Union Aviation Safety Agency (EASA) AD 2023–0218, dated December 19, 2023 (EASA AD 2023–0218).

(h) Exceptions to EASA AD 2023–0218

(1) Where EASA AD 2023–0218 refers to its effective date, this AD requires using the effective date of this AD.

(2) Where the service information referenced in EASA AD 2023–0218 specifies to return certain parts to the manufacturer, this AD requires removing those parts from service.

(3) This AD does not adopt the Remarks paragraph of EASA AD 2023–0218.

(4) Where the service information referenced in EASA AD 2023–0218 specifies contacting the manufacturer for additional cycles for certain parts, this AD requires contacting the Manager, International Validation Branch, FAA, for additional cycles for certain parts, if those parts are installed on aircraft of U.S. Registry.

(i) No Reporting Requirement

Although the service information referenced in EASA AD 2023–0218 specifies to submit certain information to the manufacturer, this AD does not include that requirement.

(j) Alternative Methods of Compliance (AMOCs)

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

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

(k) Additional Information

For more information about this AD, contact David Bergeron, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (860) 386–1805; email: *david.j.bergeron@faa.gov.*

(l) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference of

the material listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

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

(i) European Union Aviation Safety Agency (EASA) AD 2023–0218, dated December 19, 2023.

(ii) [Reserved]

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

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

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

Issued on September 13, 2024.

Steven W. Thompson,

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

[FR Doc. 2024–24365 Filed 10–21–24; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2024–1685; Project Identifier MCAI–2024–00076–T; Amendment 39–22855; AD 2024–19–13]

RIN 2120–AA64

Airworthiness Directives; Airbus SAS Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is superseding Airworthiness Directive (AD) 2023–04–06 and AD 2024–04–07, which applied to certain Airbus SAS Model A318, A319, A320 and A321 series airplanes. AD 2023–04–06 and AD 2024–04–07 required revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations. This AD was prompted by a determination that new or more restrictive airworthiness limitations are necessary. This AD continues to require certain actions in AD 2023–04–06 and AD 2024–04–07 and requires revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations; as specified in the European Union Aviation Safety Agency (EASA) AD, which is incorporated by reference. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective November 26, 2024.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of November 26, 2024.

The Director of the Federal Register approved the incorporation by reference of a certain other publication listed in this AD as of April 22, 2024 (89 FR 19234, March 18, 2024).

The Director of the Federal Register approved the incorporation by reference of a certain other publication listed in this AD as of April 10, 2023 (88 FR 13665, March 6, 2023).

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2024–1685; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

- For EASA material identified in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email *ADs@easa.europa.eu;* website *easa.europa.eu.* You may find this material on the EASA website at *ad.easa.europa.eu.*
- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available at *regulations.gov* under Docket No. FAA–2024–1685.

FOR FURTHER INFORMATION CONTACT: Timothy Dowling, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 206–231–3367; email *timothy.p.dowling@faa.gov.*

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to supersede AD 2023–04–06, Amendment 39–22353 (88 FR 13665, March 6, 2023) (AD 2023–04–06), and AD 2024–04–07, Amendment 39–22686 (89 FR 19234, March 18, 2024). AD 2023–04–06 and AD 2024–04–07 applied to Airbus SAS Model A318–111, –112, –121, and –122 airplanes; Model A319–111, –112, –113, –114, –115, –131, –132, –133, –151N, –153N, and –171N airplanes; Model A320–211, –212, –214, –216, –231, –232, –233, –251N, –252N, –253N, –271N, –272N, and –273N airplanes; and Model A321–111, –112, –131, –211, –212, –213, –231, –232, –251N, –252N, –253N, –271N, –272N, –251NX, –252NX, –253NX, –271NX, and –272NX airplanes. AD 2023–04–06 and AD 2024–04–07 required revising the existing maintenance or inspection program, as applicable, to incorporate additional new or more restrictive airworthiness limitations. The FAA issued AD 2023–04–06 and AD 2024–04–07 to address a safety-significant latent failure.

The NPRM published in the **Federal Register** on June 18, 2024 (89 FR 51471). The NPRM was prompted by AD 2024–0030, dated January 31, 2024, issued by EASA, which is the Technical Agent for the Member States of the European Union (EASA AD 2024–0030) (also referred to as the MCAI). The MCAI states that new or more restrictive airworthiness limitations have been developed.

In the NPRM, the FAA proposed to require revising the existing maintenance or inspection program, as applicable, to incorporate additional new or more restrictive airworthiness limitations, as specified in EASA AD 2024–0030. The FAA is issuing this AD to address a safety significant latent failure (that is not annunciated), which, in combination with one or more other specific failures or events, could result in a hazardous or catastrophic failure condition.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2024–1685.

Discussion of Final Airworthiness Directive

Comments

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

Additional Changes Made To This AD

The proposed AD did not retain the terminating action specified in paragraph (j) of AD 2024–04–07. The FAA has added that terminating action to paragraph (j) of this AD and redesignated subsequent paragraphs of this AD accordingly.

Conclusion

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

Material Incorporated by Reference Under 1 CFR Part 51

EASA AD 2024–0030 specifies procedures for new or more restrictive airworthiness limitations for airplane structures and safe life limits.

This AD also requires EASA AD 2023–0138, dated July 13, 2023, which the Director of the Federal Register approved for incorporation by reference as of April 22, 2024 (89 FR 19234, March 18, 2024).

This AD also requires EASA AD 2022–0091, dated May 20, 2022, which the Director of the Federal Register approved for incorporation by reference as of April 10, 2023 (88 FR 13665, March 6, 2023).

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

Costs of Compliance

The FAA estimates that this AD affects 1,898 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

The FAA estimates the total cost per operator for the retained actions from AD 2023–04–06 and AD 2024–04–07 to be $7,650 (90 work hours × $85 per work hour) per AD.

The FAA has determined that revising the existing maintenance or inspection program takes an average of 90 work hours per operator, although the agency recognizes that this number may vary from operator to operator. Since operators incorporate maintenance or inspection program changes for their affected fleet(s), the FAA has determined that a per-operator estimate is more accurate than a per-airplane estimate.

The FAA estimates the total cost per operator for the new proposed actions to be $7,650 (90 work hours × $85 per work hour).

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

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

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

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

List of Subjects in 14 CFR Part 39

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

The Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by:

■ a. Removing Airworthiness Directive (AD) 2023–04–06, Amendment 39–22353 (88 FR 13665, March 6, 2023); and AD 2024–04–07, Amendment 39–22686 (89 FR 19234, March 18, 2024); and

■ b. Adding the following new AD:

2024–19–13 Airbus SAS: Amendment 39–22855; Docket No. FAA–2024–1685; Project Identifier MCAI–2024–00076–T.

(a) Effective Date

This airworthiness directive (AD) is effective November 26, 2024.

(b) Affected ADs

This AD replaces AD 2023–04–06, Amendment 39–22353 (88 FR 13665, March 6, 2023) (AD 2023–04–06); and AD 2024–04–07, Amendment 39–22686 (89 FR 19234, March 18, 2024) (AD 2024–04–07).

(c) Applicability

This AD applies to the Airbus SAS airplanes specified in paragraphs (c)(1) through (4) of this AD, certificated in any category, with an original airworthiness certificate or original export certificate of airworthiness issued on or before December 15, 2023.

(1) Model A318–111, –112, –121, and –122 airplanes.

(2) Model A319–111, –112, –113, –114, –115, –131, –132, –133, –151N, –153N, and –171N airplanes.

(3) Model A320–211, –212, –214, –216, –231, –232, –233, –251N, –252N, –253N, –271N, –272N, and –273N airplanes.

(4) Model A321–111, –112, –131, –211, –212, –213, –231, –232, –251N, –251NX, –252N, –252NX, –253N, –253NX, –271N, –271NX, –272N, and –272NX airplanes.

(d) Subject

Air Transport Association (ATA) of America Code 05, Time Limits/Maintenance Checks.

(e) Unsafe Condition

This AD was prompted by a determination that new or more restrictive airworthiness limitations are necessary. The FAA is issuing this AD to address a safety significant latent failure (that is not annunciated), which, in combination with one or more other specific failures or events, could result in a hazardous or catastrophic failure condition.

(f) Compliance

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

(g) Retained Revision of the Existing Maintenance or Inspection Program, With AD 2024–04–07, With No Changes

This paragraph restates the requirements of paragraph (g) of AD 2024–04–07, with no changes. For airplanes with an original airworthiness certificate or original export certificate of airworthiness issued on or before May 12, 2023: Except as specified in paragraph (h) of this AD, comply with all required actions and compliance times specified in, and in accordance with EASA AD 2023–0138, dated July 13, 2023 (EASA

AD 2023–0138). Accomplishing the revision of the existing maintenance or inspection program required by paragraph (n) of this AD terminates the requirements of this paragraph.

(h) Retained Exceptions to AD 2024–04–07, With No Changes

This paragraph restates the exceptions specified in paragraph (h) of AD 2024–04–07, with no changes.

(1) This AD does not adopt the requirements specified in paragraphs (1) and (2) of EASA AD 2023–0138.

(2) Paragraph (3) of EASA AD 2023–0138 specifies revising ''the approved AMP'' within 12 months after its effective date, but this AD requires revising the existing maintenance or inspection program, as applicable, within 90 days after April 22, 2024 (the effective date of AD 2024–04–07).

(3) The initial compliance time for doing the tasks specified in paragraph (3) of EASA 2023–0138 is at the applicable ''associated thresholds'' as incorporated by the requirements of paragraph (3) of EASA AD 2023–0138, or within 90 days after April 22, 2024 (the effective date of AD 2024–04–07), whichever occurs later.

(4) This AD does not adopt the provisions specified in paragraphs (4) of EASA AD 2023–0138.

(5) This AD does not adopt the ''Remarks'' section of EASA AD 2023–0138.

(i) Retained Restrictions on Alternative Actions and Intervals, With a New Exception

This paragraph restates the requirements of paragraph (i) of AD 2024–04–07, with a new exception. Except as required by paragraph (n) of this AD, after the existing maintenance or inspection program has been revised as required by paragraph (g) of this AD, no alternative actions (*e.g.,* inspections) and intervals are allowed unless they are approved as specified in the provisions of the ''Ref. Publications'' section of EASA AD 2023–0138.

(j) Retained Terminating Action for Certain Tasks Required by AD 2023–04–06

Accomplishing the actions required by paragraph (g) of this AD terminates the corresponding requirements of paragraph (k) of this AD for the tasks identified in the material referenced in EASA AD 2023–0138 only.

(k) Retained Revision of the Existing Maintenance or Inspection Program, With AD 2023–04–06, With No Changes

This paragraph restates the requirements of paragraph (o) of AD 2023–04–06, with no changes. For airplanes with an original airworthiness certificate or original export certificate of airworthiness issued on or before February 18, 2022: Except as specified in paragraph (l) of this AD, comply with all required actions and compliance times specified in, and in accordance with EASA AD 2022–0091, dated May 20, 2022 (EASA AD 2022–0091). Accomplishing the revision of the existing maintenance or inspection program required by paragraph (n) of this AD terminates the requirements of this paragraph.

(l) Retained Exceptions to AD 2023–04–06, With No Changes

This paragraph restates the exceptions specified in paragraph (p) of AD 2023–04–06, with no changes.

(1) The requirements specified in paragraphs (1) and (2) of EASA AD 2022–0091 do not apply to this AD.

(2) Paragraph (3) of EASA AD 2022–0091 specifies revising ''the approved AMP'' within 12 months after its effective date, but this AD requires revising the existing maintenance or inspection program, as applicable, within 90 days after April 10, 2023 (the effective date of AD 2023–04–06).

(3) The initial compliance time for doing the tasks specified in paragraph (3) of EASA AD 2022–0091 is at the applicable ''associated thresholds'' as incorporated by the requirements of paragraph (3) of EASA AD 2022–0091, or within 90 days after April 10, 2023 (the effective date of AD 2023–04–06), whichever occurs later.

(4) The provisions specified in paragraphs (4) and (5) of EASA AD 2022–0091 do not apply to this AD.

(5) This AD does not adopt the ''Remarks'' section of EASA AD 2022–0091.

(m) Retained Restrictions on Alternative Actions and Intervals, With a New Exception

This paragraph restates the requirements of paragraph (q) of AD 2023–04–06, with a new exception. Except as required by paragraphs (j) and (n) of this AD, after the existing maintenance or inspection program has been revised as required by paragraph (k) of this AD, no alternative actions (*e.g.,* inspections) and intervals are allowed unless they are approved as specified in the provisions of the ''Ref. Publications'' section of EASA AD 2022–0091.

(n) New Revision of the Existing Maintenance or Inspection Program

Except as specified in paragraph (o) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, EASA AD 2024–0030, dated January 31, 2024 (EASA AD 2024–0030). Accomplishing the revision of the existing maintenance or inspection program required by this paragraph terminates the requirements of paragraphs (g) and (k) of this AD.

(o) Exceptions to EASA AD 2024–0030

(1) This AD does not adopt the requirements specified in paragraphs (1) and (2) of EASA AD 2024–0030.

(2) Paragraph (3) of EASA AD 2024–0030 specifies revising ''the approved AMP,'' within 12 months after its effective date, but this AD requires revising the existing maintenance or inspection program, as applicable, within 90 days after the effective date of this AD.

(3) The initial compliance time for doing the tasks specified in paragraph (3) of EASA AD 2024–0030 is at the applicable ''associated thresholds'' as incorporated by the requirements of paragraph (3) of EASA AD 2024–0030, or within 90 days after the effective date of this AD, whichever occurs later.

(4) This AD does not adopt the provisions specified in paragraphs (4) and (5) of EASA AD 2024–0030.

(5) This AD does not adopt the ''Remarks'' section of EASA AD 2024–0030.

(p) New Provisions for Alternative Actions and Intervals

After the existing maintenance or inspection program has been revised as required by paragraph (n) of this AD, no alternative actions (*e.g.,* inspections) and intervals are allowed unless they are approved as specified in the provisions of the ''Ref. Publications'' section of EASA AD 2024–0030.

(q) Additional AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Validation Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the International Validation Branch, mail it to the address identified in paragraph (r) of this AD. Information may be emailed to: *9-AVS-AIR-730-AMOC@faa.gov.* Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, International Validation Branch, FAA; or EASA; or Airbus SAS's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(r) Additional Information

For more information about this AD, contact Timothy Dowling, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 206–231–3367; email *timothy.p.dowling@faa.gov.*

(s) Material Incorporated by Reference

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

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

(3) The following material was approved for IBR on November 26, 2024.

(i) European Union Aviation Safety Agency (EASA) AD 2024–0030, dated January 31, 2024.

(ii) [Reserved]

(4) The following material was approved for IBR on April 22, 2024 (89 FR 19234, March 18, 2024).

(i) EASA AD 2023–0138, dated July 13, 2023.

(ii) [Reserved]

(5) The following material was approved for IBR on April 10, 2023 (88 FR 13665, March 6, 2023).

(i) EASA AD 2022–0091, dated May 20, 2022.

(ii) [Reserved]

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

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

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

Issued on September 20, 2024.

Peter A. White,

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

[FR Doc. 2024–24385 Filed 10–21–24; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2024–1480; Project Identifier MCAI–2023–00930–A; Amendment 39–22851; AD 2024–19–09]

RIN 2120–AA64

Airworthiness Directives; DAHER (Type Certificate Previously Held by SOCATA) Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is superseding Airworthiness Directive (AD) 2016–08–08 for all SOCATA (type certificate now held by DAHER) Model MS 880B, MS 885, MS 892A–150, MS 892E–150, MS 893A, MS 893E, MS 894A, MS 894E, Rallye 100S, Rallye 150ST, Rallye 150T, Rallye 235C, and Rallye 235E airplanes. AD 2016–08–08 required doing repetitive detailed visual inspections of the intersection between the axle radius and the nose landing gear (NLG) fork area for chafing; doing repetitive dye penetrant inspections on the NLG wheel axle for cracks, distortion, and nicks or wear; doing corrective actions if necessary; and replacing the NLG wheel axle attachment screws with new screws. This AD is prompted by the introduction of a new inspection method and a new design for the affected NLG wheel axle that provides terminating action for the repetitive inspections, as specified in updated service information published by the manufacturer. This AD requires preparing, inspecting, replacing, reconditioning the NLG wheel axle, and prohibiting affected parts. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective November 26, 2024.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of November 26, 2024.

ADDRESSES:

AD Docket: You may examine the AD docket at regulations.gov under Docket No. FAA–2024–1480; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

- For Daher Aerospace material identified in this AD, contact Daher Aerospace, Customer Support, Airplane Division, 65921 Tarbes Cedex 9, France; phone: 33 (0)5 62.41.73.00; email: *tbmcare@daher.com;* website: *daher.com.*
- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 901 Locust, Kansas City, MO 64106. For information on the availability of this material at the FAA, call (817) 222–5110. It is also available at regulations.gov under Docket No. FAA–2024–1480.

FOR FURTHER INFORMATION CONTACT: Fred Guerin, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (206) 231–2346; email: *fred.guerin@faa.gov.*

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to supersede AD 2016–08–08, Amendment 39–18484 (81 FR 21711, April 13, 2016) (AD 2016–08–08). AD 2016–08–08 applied to SOCATA (type certificate now held by DAHER) Model MS 880B, MS 885, MS 892A–150, MS 892E–150, MS 893A, MS 893E, MS 894A, MS 894E, Rallye 100S, Rallye 150ST, Rallye 150T, Rallye 235C, and Rallye 235E airplanes.

AD 2016–08–08 was prompted by MCAI originated by European Union Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union. EASA issued AD 2015–0203, dated October 7, 2015 (EASA AD 2015–0203) to correct an unsafe condition identified as fatigue failure of the NLG wheel axle. EASA AD 2015–0203 was prompted by an NLG wheel axle failure that occurred in service. The investigation revealed that this failure was due to fatigue caused by premature wear. EASA AD 2015–0203 required retaining the requirements of Direction Générale de l'Aviation Civile (DGAC) France AD 91–163(A)R2, dated March 30, 1994, which was superseded, but required those actions to be accomplished within reduced intervals.

AD 2016–08–08 required doing repetitive detailed visual inspections of the intersection between the axle radius and the NLG fork area for chafing; doing repetitive dye penetrant inspections on the NLG wheel axle for cracks, distortion, and nicks or wear; corrective actions if necessary; and replacing the NLG wheel axle attachment screws with new screws. The FAA issued AD 2016–08–08 to address chafing and cracking of the NLG wheel axle, which could lead to failure of the NLG with consequent damage to the airplane and/or injury to occupants.

Since the FAA issued AD 2016–08–08, EASA superseded EASA AD 2015–0203 and issued EASA AD 2023–0080, dated April 17, 2023 (EASA AD 2023–0080) (also referred to as the MCAI) to correct an unsafe condition for all DAHER AEROSPACE Model MS 880 B, MS 880 B–D, MS 881, MS 883, MS 884, MS 885, MS 886, MS 887, MS 890 A, MS 890 B, MS 892 A.150, MS 892 B.150, MS 892 E.150, MS 892 E–D.150, MS 893 A, MS 893 B, MS 893 E, MS 893 E–D, MS 894 A, MS 894 E, RALLYE 100 S, RALLYE 100 S–D, RALLYE 100 ST, RALLYE 100 ST–D, RALLYE 110 ST, RALLYE 150 ST, RALLYE 150 ST–D, RALLYE 150 T, RALLYE 150 T–D, RALLYE 150 SV, RALLYE 150 SVS, RALLYE 180 T, RALLYE 180 TS, RALLYE 180 T–D, RALLYE 235 A, RALLYE 235 F, RALLYE 235 E, and RALLYE 235 E–D airplanes.

The MCAI states that it retains the requirements of EASA AD 2015–0203 but introduces a new inspection method and a new design of the NLG wheel axle as a terminating action for the repetitive detailed inspections. You may examine the MCAI in the AD docket at regulations.gov under Docket No. FAA–2024–1480.

The NPRM published in the **Federal Register** on June 4, 2024 (89 FR 47879). In the NPRM, the FAA proposed to

retain none of the requirements of AD 2016–08–08. The NPRM proposed to require repetitively inspecting the NLG wheel axle and, if chafing, cracking, or damage was found, installing the newly designed NLG wheel axle and attachment screws, which would terminate the actions specified in the proposed AD. The NPRM also proposed a magnetic particle inspection after a visual inspection if no damage was found, or when installing an airworthy part that was previously in service. The NPRM also proposed to require repetitively replacing the NLG wheel axle attachment screws.

Discussion of Final Airworthiness Directive

Comments

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

Change Since NPRM Was Published

The NPRM proposed to require repetitively replacing the NLG wheel axle attachment screws every 2,000 hours time-in-service (TIS). The FAA re-evaluated this requirement and determined that clarification of the intent of this requirement is needed. The FAA revised paragraph (i) of this AD to clarify that any screw found to be distorted, scratched, nicked, or worn during any repetitive inspection required by paragraph (h)(1) of this AD must be replaced before further flight. If no screw is found to be distorted, scratched, nicked, or worn during any repetitive inspection required by paragraph (h)(1) of this AD, all of the NLG wheel axle attachment screws must be replaced initially before exceeding 2,000 hours TIS total on the airplane; before exceeding 2,000 hours TIS since the last time the attachment screws were replaced; or within 50 hours TIS after the effective date of this AD, whichever occurs later, and repetitively thereafter at intervals not to exceed 2,000 hours TIS after the last replacement.

Conclusion

These products have been approved by the aviation authority of another country and are approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, it has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA reviewed the relevant data and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on these products. Except for the change described previously, this AD is adopted as proposed in the NPRM. This change will not increase the economic burden on any operator.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed Daher Service Bulletin SB 150, Revision 4, dated January 2023. This material specifies procedures for preparing, inspecting, replacing, and reconditioning the NLG wheel axle. This material also specifies procedures for replacing the NLG wheel axle attachment screws.

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

Differences Between This AD and the MCAI

The applicability of the MCAI includes DAHER AEROSPACE Model MS 886, MS 887, MS 890 A, MS 890 B, MS 892 B.150, MS 892 E–D.150, MS 893 B, MS 893 E–D, RALLYE 100 S–D, RALLYE 100 ST, RALLYE 100 ST–D, RALLYE 110 ST, RALLYE 150 ST–D, RALLYE 150 T–D, RALLYE 150 SV, RALLYE 150 SVS, RALLYE 180 T, RALLYE 180 TS, RALLYE 180 T–D, RALLYE 235 A, RALLYE 235 F, and RALLYE 235 E–D airplanes and the applicability of this AD does not because these models do not have an FAA type certificate.

Costs of Compliance

The FAA estimates that this AD affects 32 airplanes of U.S. registry.

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

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Magnetic particle inspection	1 work-hour × $85 per hour = $85.	$100	$185	$5,920.
Inspection of the NLG wheel bearing and axle surface and attachment screws.	2 work-hours × $85 per hour = $170 (per inspection cycle).	$100	$270 (per inspection cycle).	$8,640.
NLG wheel axle attachment screw replacement.	1 work-hour × $85 per hour = $85 (per cycle).	$50 (per cycle)	$135 (per cycle)	$4,320 (per cycle).

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

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Installation of a nose gear wheel axle (including NLG wheel spacer) and attachment screw replacement.	2 work-hours × $85 per hour = $170	$1,000	$1,170

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

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

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

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

List of Subjects in 14 CFR Part 39

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

The Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by:

■ a. Removing Airworthiness Directive 2016–08–08, Amendment 39–18484 (81 FR 21711, April 13, 2016); and

■ b. Adding the following new airworthiness directive:

2024–19–09 DAHER (Type Certificate previously held by SOCATA): Amendment 39–22851; Docket No. FAA–2024–1480; Project Identifier MCAI–2023–00930–A.

(a) Effective Date

This airworthiness directive (AD) is effective November 26, 2024.

(b) Affected ADs

This AD replaces AD 2016–08–08, Amendment 39–18484 (81 FR 21711, April 13, 2016).

(c) Applicability

This AD applies to DAHER (type certificate previously held by SOCATA) Model MS 880B, MS 885, MS 892A–150, MS 892E–150, MS 893A, MS 893E, MS 894A, MS 894E, Rallye 100S, Rallye 150ST, Rallye 150T, Rallye 235C, and Rallye 235E airplanes, all serial numbers, certificated in any category.

(d) Subject

Joint Aircraft System Component (JASC) Code 3220, Nose/Tail Landing Gear.

(e) Unsafe Condition

This AD was prompted by a report of a nose landing gear (NLG) wheel axle failure in service. The FAA is issuing this AD to address chafing and cracking of the NLG wheel axle. The unsafe condition, if not addressed, could lead to failure of the NLG with consequent damage to the airplane and injury to occupants.

(f) Compliance

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

(g) Definitions

For the purpose of this AD the following definitions apply:

(1) Group 1 Airplanes: Airplanes having any affected parts installed as of the effective date of this AD.

(2) Group 2 Airplanes: Airplanes that do not have any affected parts installed as of the effective date of this AD.

(3) Affected Parts: NLG wheel axles having part number (P/N) 8954200270 and NLG wheel spacer having P/N 8954200260.

(4) Serviceable Parts: NLG wheel axles having P/N AV–RAL–001–01 and NLG wheel spacer having P/N AV–RAL–002–01.

(5) New Part: Any part that has zero hours time-in-service (TIS).

(h) Inspections and Axle Replacement For Group 1 Airplanes

(1) Within 200 hours TIS after the effective date of this AD, and thereafter at intervals not to exceed 200 hours TIS, perform a detailed visual inspection for chafing and cracking between the NLG wheel bearing and axle surface in accordance with paragraphs B.1 and B.2 of Daher Service Bulletin SB 150, Revision 4, dated January 2023 (Daher SB 150, Revision 4).

(2) If any chafing or cracking is found during any inspection required by paragraph (h)(1) of this AD, before further flight, replace the NLG wheel axle with one of the following:

(i) An NLG wheel axle that is found to be free of chafing and cracking per the inspection required by paragraph (h)(1) of this AD and free of damage per the inspection required by paragraph (h)(3) of this AD.

(ii) Serviceable parts, as defined in this AD, in accordance with paragraphs C.2 through C.4 of Daher SB 150, Revision 4. This part installation makes the airplane a Group 2 airplane and terminates the inspection requirements in this AD.

(3) If no chafing or cracking is found during any inspection required by paragraph (h)(1) of this AD, before further flight, do a magnetic particle inspection of the NLG wheel axle for damage (distortion, nicks, wear, and cracking).

(4) If any damage is found during any magnetic particle inspection required by paragraph (h)(3) of this AD, before further flight, replace the NLG wheel axle with one of the following:

(i) An NLG wheel axle that is found to be free of chafing and cracking per the inspection required by paragraph (h)(1) of this AD and free of damage per the inspection required by paragraph (h)(3) of this AD.

(ii) Serviceable parts, as defined in this AD, in accordance with paragraphs C.2 through C.4 of Daher SB 150, Revision 4. This part installation makes the airplane a Group 2 airplane and terminates the inspection requirements in this AD.

(i) NLG Wheel Axle Attachment Screw Replacement For Group 1 and Group 2 Airplanes

Replace the NLG wheel axle attachment screws in accordance with paragraph C.2 of Daher SB 150, Revision 4, as follows:

(1) If no screw is found to be distorted, scratched, nicked, or worn during any repetitive inspection required by paragraph (h)(1) of this AD, replace all of the NLG wheel axle attachment screws as follows:

(i) Initially before exceeding 2,000 hours TIS total on the airplane; before exceeding 2,000 hours TIS since the last time the attachment screws were replaced; or within 50 hours TIS after the effective date of this AD, whichever occurs later; and

(ii) Repetitively thereafter at intervals not to exceed 2,000 hours TIS after the last replacement.

(2) If any screw is found to be distorted, scratched, nicked, or worn during any repetitive inspection required by paragraph (h)(1) of this AD, replace that screw before further flight.

(j) Installation Prohibition For Group 1 and Group 2 Airplanes

As of the effective date of this AD, do not install an affected NLG wheel axle, as defined in this AD, on any airplane, unless the criteria in paragraphs (j)(1) and (2) of this AD are met:

(1) The affected NLG wheel axle is found to be free of chafing and cracking per the inspection required by paragraph (h)(1) of this AD and free of damage per the inspection required by paragraph (h)(3) of this AD.

(2) The NLG wheel axle attachment screws are replaced with new screws.

(k) Credit for Previous Actions

You may take credit for the initial actions required by paragraphs (h) and (i) of this AD if you performed those actions before the effective date of this AD using SOCATA SB

150, Revision 2; or Daher-SOCATA SB 150, Revision 3.

(l) Alternative Methods of Compliance (AMOCs)

The Manager, International Validation Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the International Validation Branch, mail it to the address identified in paragraph (m)(1) of this AD or email to: *AMOC@faa.gov.* If mailing information, also submit information by email. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local Flight Standards Office.

(m) Additional Information

(1) For more information about this AD, contact Fred Guerin, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (206) 231–2346; email: *fred.guerin@faa.gov.*

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

(n) Material Incorporated by Reference

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

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

(i) Daher Service Bulletin SB 150, Revision 4, dated January 2023.

(ii) [Reserved]

(3) For Daher Aerospace material identified in this AD, contact Daher Aerospace, Customer Support, Airplane Division, 65921 Tarbes Cedex 9, France; phone: 33 (0)5 62.41.73.00; email: *tbmcare@daher.com;* website: *daher.com.*

(4) You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 901 Locust, Kansas City, MO 64106. For information on the availability of this material at the FAA, call (817) 222–5110.

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

Issued on October 10, 2024.

Steven W. Thompson,

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

[FR Doc. 2024–24368 Filed 10–21–24; 8:45 am]

BILLING CODE 4910–13–P

SECURITIES AND EXCHANGE COMMISSION

17 CFR Part 232

[Release Nos. 33–11304; 34–101023; 39–2556; IC–35322]

Adoption of Updated EDGAR Filer Manual

AGENCY: Securities and Exchange Commission.

ACTION: Final rule.

SUMMARY: The Securities and Exchange Commission (''Commission'') is adopting amendments to Volume II of the Electronic Data Gathering, Analysis, and Retrieval system Filer Manual (''EDGAR Filer Manual'' or ''Filer Manual'') and related rules and forms. EDGAR Release 24.3 will be deployed in the EDGAR system on September 16, 2024.

DATES: Effective October 22, 2024. The incorporation by reference of the revised Filer Manual is approved by the Director of the Federal Register as of October 22, 2024.

FOR FURTHER INFORMATION CONTACT: For questions regarding the amendments to Volume II of the Filer Manual, please contact Rosemary Filou, Deputy Director and Chief Counsel, Jane Patterson, Senior Special Counsel, or Lidian Pereira, Senior Special Counsel, in the EDGAR Business Office at (202) 551–3900. For questions regarding the addition of the ability to include a co-registrant on a draft registration statement submission, please contact Robert Errett, Sean Harrison, or Joseph Lonergan in the Disclosure Management Office, in the Division of Corporation Finance at (202) 551–3225. For questions regarding filing Security-Based Swap Execution Facilities' Chief Compliance Officer reports, financial resource reports, and their respective amendments using Inline XBRL, please contact Michael Coe, Assistant Director, in the Division of Trading and Markets at (202) 551–4875. For questions regarding the addition of the XBRL Taxonomy for cybersecurity disclosures required to be included in Forms 6–K, 8–K, 10–K, and 20–F (and the variants 10–KT, 10–K/A, 10–KT/A, 20–F/A, 8–K/A, and 6–K/A), please contact the Office of Structured Disclosure in the Division of Economic and Risk Analysis at (202) 551–5494.

SUPPLEMENTARY INFORMATION: We are adopting an updated Filer Manual, Volume II: ''EDGAR Filing,'' Version 71 (September 2024) and amendments to 17 CFR 232.301 (''Rule 301''). The updated Filer Manual is incorporated by reference into the Code of Federal Regulations.

I. Background

The Filer Manual contains information needed for filers to make submissions on EDGAR. Filers must comply with the applicable provisions of the Filer Manual in order to assure the timely acceptance and processing of filings made in electronic format.[1] Filers must consult the Filer Manual in conjunction with our rules governing mandated electronic filings when preparing documents for electronic submission.

II. EDGAR System Changes and Associated Modifications to Volume II of the Filer Manual

EDGAR is being updated in EDGAR Release 24.3 and corresponding amendments to Volume II of the Filer Manual are being made to reflect these changes, as described below.[2]

Allowance of Co-registrants in a Draft Registration Statement in Certain Circumstances

On January 24, 2024, the SEC adopted rules related to initial public offerings by special purpose acquisition companies (''SPACs'') and subsequent business combination transactions between SPACs and private operating companies (''de-SPAC transactions'').[3] Under the rules, the private operating company in a de-SPAC transaction would be, in some instances, a co-registrant for purposes of the registration statement filed in connection with the de-SPAC transaction. EDGAR will be updated to permit co-registrants in a draft registration submission.

Registered Security-Based Swap Execution Facilities' Chief Compliance Officer Reports and Financial Resource Reports Using Inline XBRL

EDGAR will be updated to allow registered security-based swap execution facilities (''SBSEFs'') to file chief compliance officer reports and financial resource reports using Inline XBRL. Chief compliance officer reports and amendments will be filed as SBSEF–CCO–RPT and SBSEF–CCO–RPT/A submissions, respectively. Quarterly financial resource reports and amendments, and financial resource reports pursuant to Commission requests and amendments will be filed

[1] See Rule 301 of Regulation S–T.

[2] EDGAR Release 24.2 was deployed on July 1, 2024.

[3] Special Purpose Acquisition Companies, Shell Companies, and Projections, Release No. 33–11265 (Jan. 24, 2024) [89 FR 14158 (Feb. 26, 2024)].

as SBSEF–FIN–QTR, SBSEF–FIN–QTR/A, SBSEF–FIN–REQ, and SBSEF–FIN–REQ/A submissions, respectively.[4]

Addition of XBRL Taxonomy for Cybersecurity Disclosures

EDGAR will be updated to allow filers to use the appropriate XBRL Taxonomy for cybersecurity disclosures required to be included in Forms 6–K, 8–K, 10–K, and 20–F (and the variants 10–KT, 10–K/A, 10–KT/A, 20–F/A, 8–K/A, and 6–K/A).[5]

Removal of the Index From Volume II of the EDGAR Filer Manual

Volume II of the Filer Manual will be updated to remove the Index. Filers may continue to use the Table of Contents which links directly to chapters and topics, and the document search function of this online manual.

III. Amendments to Rule 301 of Regulation S–T

Along with the adoption of the updated Filer Manual, we are amending Rule 301 of Regulation S–T to provide for the incorporation by reference into the Code of Federal Regulations of the current revisions. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.

The updated EDGAR Filer Manual is available at *https://www.sec.gov/edgar/filerinformation/current-edgar-filer-manual.*

IV. Administrative Law Matters

Because the Filer Manual and rule amendments relate solely to agency procedures or practice and do not substantially alter the rights and obligations of non-agency parties, publication for notice and comment is not required under the Administrative Procedure Act (''APA'').[6] It follows that the amendments do not require analysis under requirements of the Regulatory Flexibility Act[7] or a report to Congress under the Small Business Regulatory Enforcement Fairness Act of 1996.[8]

The effective date for the updated Filer Manual and related rule amendments is October 22, 2024. In accordance with the APA,[9] we find that there is good cause to establish an effective date less than 30 days after publication of these rules. The Commission believes that establishing an effective date less than 30 days after publication of these rules is necessary to coordinate the effectiveness of the updated Filer Manual with the related system upgrades.

V. Statutory Basis

We are adopting the amendments to Regulation S–T under the authority in sections 6, 7, 8, 10, and 19(a) of the Securities Act of 1933,[10] sections 3, 12, 13, 14, 15, 15B, 23, and 35A of the Securities Exchange Act of 1934,[11] section 319 of the Trust Indenture Act of 1939,[12] and sections 8, 30, 31, and 38 of the Investment Company Act of 1940.[13]

List of Subjects in 17 CFR Part 232

Incorporation by reference, Reporting and recordkeeping requirements, Securities.

Text of the Amendments

In accordance with the foregoing, title 17, chapter II of the Code of Federal Regulations is amended as follows:

PART 232—REGULATION S–T—GENERAL RULES AND REGULATIONS FOR ELECTRONIC FILINGS

■ 1. The general authority citation for part 232 continues to read as follows:

Authority: 15 U.S.C. 77c, 77f, 77g, 77h, 77j, 77s(a), 77z–3, 77sss(a), 78c(b), 78*l,* 78m, 78n, 78n–1,78*o*(d), 78w(a), 78*ll,* 80a–6(c), 80a–8, 80a–29, 80a–30, 80a–37, 7201 *et seq.;* and 18 U.S.C. 1350, unless otherwise noted.

* * * * *

■ 2. Section 232.301 is revised to read as follows:

§ 232.301 EDGAR Filer Manual.

Filers must prepare electronic filings in the manner prescribed by the EDGAR Filer Manual, promulgated by the Commission, which sets forth the technical formatting requirements for electronic submissions. The requirements for becoming an EDGAR Filer and updating company data are set forth in the EDGAR Filer Manual, Volume I: ''General Information,'' Version 41 (December 2022). The requirements for filing on EDGAR are set forth in the updated EDGAR Filer Manual, Volume II: ''EDGAR Filing,'' Version 71 (September 2024). All of these provisions have been incorporated by reference into the Code of Federal Regulations, which action was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. You must comply with these requirements in order for documents to be timely received and accepted. The EDGAR Filer Manual is available for inspection at the Commission and at the National Archives and Records Administration (NARA). The EDGAR Filer Manual is available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Operating conditions may limit access to the Commission's Public Reference Room. For information on the availability of the EDGAR Filer Manual at NARA, visit *www.archives.gov/federal-register/cfr/ibr-locations.html* or email *fr.inspection@nara.gov.* The EDGAR Filer Manual may also be obtained from *https://www.sec.gov/edgar/filerinformation/current-edgar-filer-manual.*

By the Commission.

Dated: September 16, 2024.

Vanessa A. Countryman,

Secretary.

[FR Doc. 2024–24355 Filed 10–21–24; 8:45 am]

BILLING CODE 8011–01–P

[4] Security-Based Swap Execution and Registration and Regulation of Security-Based Swap Execution Facilities, Release No. 34–98845 (Nov. 2, 2023) [88 FR 87156 (Dec. 15, 2023)].

[5] Cybersecurity Risk Management, Strategy, Governance, and Incident Disclosure, Release No. 33–11216 (July 26, 2023) [88 FR 51896 (Aug. 4, 2023)].

[6] 5 U.S.C. 553(b)(A).

[7] 5 U.S.C. 601 through 612.

[8] 5 U.S.C. 804(3)(c).

[9] 5 U.S.C. 553(d)(3).

[10] 15 U.S.C. 77f, 77g, 77h, 77j, and 77s(a).

[11] 15 U.S.C. 78c, 78*l,* 78m, 78n, 78*o,* 78*o*–4, 78w, and 78*ll.*

[12] 15 U.S.C. 77sss.

[13] 15 U.S.C. 80a–8, 80a–29, 80a–30, and 80a–37.

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1308

[Docket No. DEA–1142]

Schedules of Controlled Substances: Placement of Ethylphenidate in Schedule I

AGENCY: Drug Enforcement Administration, Department of Justice.

ACTION: Final rule.

SUMMARY: With the issuance of this final rule, the Drug Enforcement Administration places ethylphenidate (chemical name: ethyl 2-phenyl-2-(piperidin-2-yl)acetate), including its salts, isomers, and salts of isomers, in schedule I of the Controlled Substances Act. This action is being taken, in part, to enable the United States to meet its obligations under the 1971 Convention on Psychotropic Substances. When finalized, this action would impose the regulatory controls and administrative, civil, and criminal sanctions applicable to schedule I controlled substances on persons who handle (manufacture, distribute, reverse distribute, import,

export, engage in research, conduct instructional activities or chemical analysis with, or possess) or propose to handle ethylphenidate.

DATES: *Effective date:* November 21, 2024.

FOR FURTHER INFORMATION CONTACT: Dr. Terrence L. Boos, Drug and Chemical Evaluation Section, Diversion Control Division, Drug Enforcement Administration; Telephone: (571) 362–3249.

SUPPLEMENTARY INFORMATION:

Legal Authority

The United States is a party to the 1971 United Nations Convention on Psychotropic Substances (1971 Convention), Feb. 21, 1971, 32 U.S.T. 543, 1019 U.N.T.S. 175, as amended. Procedures respecting changes in drug schedules under the 1971 Convention are governed domestically by 21 U.S.C. 811(d)(2)–(4). When the United States receives notification of a scheduling decision pursuant to Article 2 of the 1971 Convention indicating that a drug or other substance has been added to a schedule specified in the notification, the Secretary of Health and Human Services (Secretary),[1] after consultation with the Attorney General, shall first determine whether existing legal controls under subchapter I of the Controlled Substances Act (CSA) and the Federal Food, Drug, and Cosmetic Act meet the requirements of the schedule specified in the notification with respect to the specific drug or substance.[2] In the event that the Secretary did not so consult with the Attorney General, and the Attorney General did not issue a temporary order, as provided under 21 U.S.C. 811(d)(4), the procedures for permanent scheduling set forth in 21 U.S.C. 811(a) and (b) control.

Pursuant to 21 U.S.C. 811(a)(1) and (2), the Attorney General (as delegated to the Administrator of the Drug Enforcement Administration (DEA) pursuant to 28 CFR 0.100) may, by rule, and upon the recommendation of the Secretary, add to such a schedule or transfer between such schedules any drug or other substance, if he finds that such drug or other substance has a potential for abuse, and makes with respect to such drug or other substance the findings prescribed by 21 U.S.C. 812(b) for the schedule in which such drug or other substance is to be placed.

Background

Ethylphenidate is a central nervous system stimulant and shares structural and pharmacological similarities with other schedule II stimulants, such as methylphenidate. On April 21, 2017, the Secretary-General of the United Nations advised the Secretary of State of the United States that, during its 60th session on March 16, 2017, the Commission on Narcotic Drugs (CND) voted to place ethyl 2-phenyl-2-(piperidin-2-yl)acetate (ethylphenidate) in Schedule II of the 1971 Convention (CND Dec/60/7). Because the procedures in 21 U.S.C. 811(d)(3) and (4) for consultation and issuance of a temporary order for ethylphenidate were not followed, as discussed above in the legal authority section, DEA is utilizing the procedures for permanent scheduling set forth in 21 U.S.C. 811(a) and (b) to control ethylphenidate. Permanently scheduling ethylphenidate satisfies the United States' international obligations.

DEA and HHS Eight Factor Analyses

In a letter dated October 26, 2020, in accordance with 21 U.S.C. 811(b), and in response to DEA's April 3, 2019 request, HHS provided to DEA a scientific and medical evaluation and scheduling recommendation for ethylphenidate. DEA reviewed the scientific and medical evaluation and scheduling recommendation for schedule I placement provided by HHS, and all other relevant data, pursuant to 21 U.S.C. 811(b) and (c), and conducted its own analysis under the eight factors stipulated in 21 U.S.C. 811(c). DEA found, under 21 U.S.C. 811(b)(1), that this substance warrants control in schedule I. Both DEA and HHS Eight-Factor analyses are available in their entirety under the tab Supporting Documents of the public docket for this action at *https://www.regulations.gov* under docket number DEA–1142.

Notice of Proposed Rulemaking To Schedule Ethylphenidate

On September 22, 2023, DEA published a notice of proposed rulemaking (NPRM) to permanently control ethylphenidate in schedule I.[3] Specifically, DEA proposed to add ethylphenidate to the list of stimulant substances under 21 CFR 1308.11(f). The NPRM provided an opportunity for interested persons to file a request for hearing in accordance with DEA regulations on or before October 23, 2023. DEA did not receive any requests for such a hearing. The NPRM also provided an opportunity for interested persons to submit comments on or before November 21, 2023.

Comments Received

DEA received ten comments in response to the notice of proposed rulemaking for the placement of ethylphenidate into schedule I of the CSA. The submissions were from individuals or anonymous commenters. Five commenters provided support for the notice of proposed rulemaking, four commenters were against the placement of ethylphenidate in schedule I of the CSA, and one commenter expressed statements that were neither for nor against the proposed rule.

DEA received five comments in support of the placement of ethylphenidate in schedule I.

DEA Response: DEA appreciates these comments in support of this rulemaking.

DEA received four comments against the placement of ethylphenidate in schedule I of the CSA. The following are DEA's responses to the individual comments against the proposed rulemaking.

DEA received a comment asserting that methylphenidate is already controlled under schedule II of the CSA, thus, ethylphenidate is considered controlled under the Controlled Substances Analogue Act due to their similarities. This commenter concluded that the government should not dictate what researchers may study for legitimate scientific use.

DEA Response: DEA appreciates this comment and would like to provide further clarification regarding the control of ethylphenidate. Ethylphenidate has been placed under international control. In order to comply with treaty obligations, DEA must place ethylphenidate under the most appropriate schedule, taking into consideration all appropriate scientific data. This is true even if this substance could be treated under the Controlled Substances Analogue provision. Additionally, as set forth in the NPRM, ethylphenidate has no currently accepted medical use in treatment in the United States. Therefore, ethylphenidate must be placed in schedule I of the CSA along with other substances which have no currently accepted medical use, lack

[1] As discussed in a memorandum of understanding entered into by the FDA and the National Institute on Drug Abuse (NIDA), FDA acts as the lead agency within HHS in carrying out the Secretary's scheduling responsibilities under the CSA, with the concurrence of NIDA. 50 FR 9518 (Mar. 8, 1985). The Secretary has delegated to the Assistant Secretary for Health of HHS the authority to make domestic drug scheduling recommendations. *Comprehensive Drug Abuse Prevention and Control Act of 1970, Public Law 91–513, As Amended; Delegation of Authority,* 58 FR 35460 (July 1, 1993).

[2] 21 U.S.C. 811(d)(3).

[3] *Schedules of Controlled Substances: Placement of Ethylphenidate in Schedule* I, 88 FR 65330 (Sept. 22, 2023).

accepted safety for use under medical supervision, and possess a high potential for abuse. With respect to scientific research, the placement of substances in schedule I of the CSA does not preclude academic research on these substances. DEA registrants wishing to conduct research on schedule I substances may apply for permission to do so through the schedule I researcher registration program.[4]

DEA received a comment comparing ethylphenidate to methylphenidate. The commenter questioned the reasonable nature of placing ethylphenidate in schedule I of the CSA considering it is a weaker substance when compared to methylphenidate, a schedule II substance.

DEA Response: DEA appreciates this comment and asserts the following: Ethylphenidate belongs to the stimulant class of drugs and possesses abuse liability similar to that of methylphenidate; however, unlike methylphenidate, ethylphenidate has no currently accepted medical use in treatment in the United States. A qualification for placing substances in schedules II thorough IV of the CSA is that they must have a currently accepted medical use in treatment in the United States. Thus, DEA asserts that the placement of ethylphenidate in schedule I of the CSA is warranted.

DEA received a comment with statements against the NPRM placing ethylphenidate in schedule I of the CSA. The commenter stated that, in the NPRM, DEA failed to provide a reason for the placement of ethylphenidate in a more restrictive schedule (here, schedule I) than methylphenidate, considering the two drugs share significant pharmacological similarities and are considered analogues of one another. The commenter further stated that because ethylphenidate is an analog of methylphenidate, it may be possible in the future for ethylphenidate to be marketed as an alternative to methylphenidate. In particular, the commenter stated the placement of ethylphenidate in schedule I of the CSA would completely hamper future legitimate research regarding its medical efficacy. Thus, the commenter states, by imposing criminal sanctions on those who engage in research or chemical analysis of the drug, DEA would prevent the future discovery of its possible medical use.

DEA Response: DEA appreciates this comment and asserts the following: As stated above, ethylphenidate has been placed under international control. In order to comply with treaty obligations, DEA must place ethylphenidate under the most appropriate schedule, taking into consideration all appropriate scientific data. Additionally, a qualification for placing substances in schedules II thorough IV of the CSA is that they must have a currently accepted medical use in treatment in the United States. Ethylphenidate has no currently accepted medical use in treatment in the United States, lacks accepted safety for use under medical supervision, and possesses a high potential for abuse. Thus, DEA asserts that the placement of ethylphenidate in schedule I of the CSA is warranted. With respect to research, the placement of substances in schedule I of the CSA does not preclude research into this substance. DEA registrants wishing to conduct research on schedule I substances, including ethylphenidate, may apply for permission to do so through the schedule I researcher registration program.

DEA received a comment expressing that ethylphenidate should be categorized as a schedule II drug ''until further research has been conducted to prove its viability.''

DEA Response: DEA appreciates this comment and asserts the following: According to the CSA, schedule I substances are defined as drugs that have no known medical use in treatment in the United States, and have a high potential for abuse. Additionally, according to the CSA, schedule II substances also have a high potential for abuse but have a currently accepted medical use in treatment. Accordingly, DEA proposed to place ethylphenidate in schedule I of the CSA, due to its lack of a currently accepted medical use in treatment in the United States, its lack of accepted safety for use under medical supervision, and its high potential for abuse.

DEA received one comment that provided statements that were neither explicitly for nor against the proposed rule.

In this comment, the commenter suggested that instead of creating a new rule for the control of ethylphenidate, DEA should simply clarify the existing rule which controlled methylphenidate. According to this commenter, this suggested amendment would extend control to all derivatives of methylphenidate. The commenter also expressed an understanding of DEA's intent to schedule ethylphenidate but questioned whether a standard notice-and-comment procedure was needed for an action that could be addressed by clarifying existing rulemaking.

DEA Response: DEA appreciates this suggestion and asserts the following: Ethylphenidate was placed under international control on March 16, 2017, during the CND's 60th session. As a signatory to the 1971 Convention on Psychotropic Substances, it is incumbent upon DEA to place ethylphenidate in its most appropriate schedule under the CSA. Therefore, DEA proposed to place ethylphenidate in schedule I of the CSA because it has no currently accepted medical use in treatment in the United States, lacks accepted safety for use under medical supervision, and has an abuse potential similar to that of methylphenidate. As explained in the NPRM, because the procedures in 21 U.S.C. 811(d)(3) and (4) for consultation and issuance of a temporary order for ethylphenidate were not followed, DEA utilized the procedures for permanent scheduling set forth in 21 U.S.C. 811(a) and (b) to control ethylphenidate, which required notice and an opportunity for hearing.

Scheduling Conclusion

After consideration of the public comments, scientific and medical evaluation and accompanying scheduling recommendation from HHS, and after its own eight-factor evaluation, DEA finds that these facts and all relevant data constitute substantial evidence of potential for abuse of ethylphenidate. As such, DEA is permanently scheduling ethylphenidate as a controlled substance under schedule I of the CSA. The permanent scheduling of ethylphenidate will fulfill the United States' obligations as a party to the 1971 Convention.

Determination of Appropriate Schedule

The CSA establishes five schedules of controlled substances known as schedules I, II, II, IV, and V. The CSA also specifies the findings requires to place a drug or other substance in any particular schedule, 21 U.S.C. 812(b). After consideration of the analysis and recommendation of the Acting Assistant Secretary for Health of HHS and review of all other available data, the Administrator of DEA, pursuant to 21 U.S.C. 812(b)(1), finds that:

(1) Ethylphenidate has a high potential for abuse that is comparable to other scheduled substances, such as methylphenidate (a schedule II substance);

(2) Ethylphenidate has no currently accepted medical use in treatment in the United States. In HHS' 2020 recommendation to control ethylphenidate, it was noted there are no approved New Drug Applications for ethylphenidate and no known therapeutic applications for ethylphenidate in the United States. DEA is not aware of any other evidence suggesting that ethylphenidate has

[4] *https://apps.deadiversion.usdoj.gov/webforms2/spring/main?execution=e1s2.*

a currently accepted medical use in treatment in the United States.[5]

(3) There is a lack of accepted safety for use of ethylphenidate under medical supervision. Because ethylphenidate has no approved medical use and has not been investigated as a new drug, its safety for use under medical supervision has not been determined.

Based on these findings, the Administrator of DEA concludes that ethylphenidate, as well as its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible, warrants control in schedule I of the CSA.

Requirements for Handling Ethylphenidate

Ethylphenidate is subject to the CSA's schedule I regulatory controls and administrative, civil, and criminal sanctions applicable to the manufacture, distribution, reverse distribution, import, export, engagement in research, conduct instructional activities or chemical analysis with, and possession of schedule I controlled substances, including the following:

[5] When placing a substance in schedule I, DEA must consider whether the substance has a currently accepted medical use in treatment in the United States. 21 U.S.C. 812(b)(1)(B) There is no evidence suggesting that ethylphenidate has a currently accepted medical use in treatment in the United States. To determine whether a drug or other substance has a currently accepted medical use, DEA has traditionally applied a five-part test to a drug or substance that has not been approved by the FDA: i. The drug's chemistry must be known and reproducible; ii. there must be adequate safety studies; iii. there must be adequate and well-controlled studies proving efficacy; iv. the drug must be accepted by qualified experts; and v. the scientific evidence must be widely available. See *Marijuana Scheduling Petition; Denial of Petition; Remand,* 57 FR 10499 (Mar. 26, 1992), pet. for rev. denied, *Alliance for Cannabis Therapeutics* v. *Drug Enforcement Admin.,* 15 F.3d 1131, 1135 (D.C. Cir. 1994). DEA and HHS applied the traditional five-part test for currently accepted medical use in this matter. In a recent published letter in a different context, HHS applied an additional two-part test to determine currently accepted medical use for substances that do not satisfy the five-part test: (1) whether there exists widespread, current experience with medical use of the substance by licensed health care practitioners operating in accordance with implemented jurisdiction-authorized programs, where medical use is recognized by entities that regulate the practice of medicine, and, if so, (2) whether there exists some credible scientific support for at least one of the medical conditions for which part (1) is satisfied. On April 11, 2024, the Department of Justice's Office of Legal Counsel (OLC) issued an opinion, which, among other things, concluded that HHS's two-part test would be sufficient to establish that a drug has a currently accepted medical use. Office of Legal Counsel, Memorandum for Merrick B. Garland Attorney General Re: Questions Related to the Potential Rescheduling of Marijuana at 3 (April 11, 2024). For purposes of this final rule, there is no evidence that health care providers have widespread experience with medical use of ethylphenidate or that the use of ethylphenidate is recognized by entities that regulate the practice of medicine under either the traditional five-part test or the two-part test.

1. *Registration.* Any person who handles (manufactures, distributes, reverse distributes, imports, exports, engages in research, or conducts instructional activities or chemical analysis with, or possesses), or who desires to handle, ethylphenidate must register with DEA to conduct such activities pursuant to 21 U.S.C. 822, 823, 957, and 958, and in accordance with 21 CFR parts 1301 and 1312. Any person who currently handles ethylphenidate and is not registered with DEA must submit an application for registration and may not continue to handle ethylphenidate, unless DEA has approved that application for registration pursuant to 21 U.S.C. 822, 823, 957, 958, and in accordance with 21 CFR parts 1301 and 1312. Retail sales of schedule I controlled substances to the general public are not allowed under the CSA. Possession of any quantity in a manner not authorized by the CSA is unlawful and those in possession of any quantity may be subject to prosecution pursuant to the CSA.

2. *Disposal of stocks.* Any person unwilling or unable to obtain a schedule I registration must surrender or transfer all quantities of currently held ethylphenidate to a person registered with DEA before the effective date of a final scheduling action in accordance with all applicable Federal, State, local, and tribal laws. Ethylphenidate must be disposed of in accordance with 21 CFR part 1317, in addition to all other applicable Federal, State, local, and tribal laws.

3. *Security.* Ethylphenidate is subject to schedule I security requirements and must be handled and stored pursuant to 21 U.S.C. 823, and in accordance with 21 CFR 1301.71–1301.76, as of the effective date of this final scheduling action. Non-practitioners handling ethylphenidate must comply with the employee screening requirements of 21 CFR 1301.90–1301.93.

4. *Labeling and Packaging.* All labels, labeling, and packaging for commercial containers of ethylphenidate must comply with 21 U.S.C. 825, and be in accordance with 21 CFR part 1302.

5. *Quota.* Only registered manufacturers are permitted to manufacture ethylphenidate in accordance with a quota assigned pursuant to 21 U.S.C. 826, and in accordance with 21 CFR part 1303.

6. *Inventory.* Every DEA registrant who possesses any quantity of ethylphenidate must take an inventory of ethylphenidate on hand, pursuant to 21 U.S.C. 827 and in accordance with 21 CFR 1304.03, 1304.04, and 1304.11(a) and (d).

Any person who registers with DEA must take an initial inventory of all stocks of controlled substances (including ethylphenidate) on hand on the date the registrant first engages in the handling of controlled substances, pursuant to 21 U.S.C. 827 and in accordance with 21 CFR 1304.03, 1304.04, and 1304.11(a) and (b).

After the initial inventory, every DEA registrant must take an inventory of all controlled substances (including ethylphenidate) on hand every two years, pursuant to 21 U.S.C. 827 and in accordance with 21 CFR 1304.03, 1304.04, and 1304.11.

7. *Records and Reports.* Every DEA registrant must maintain records and submit reports for ethylphenidate, or products containing ethylphenidate, pursuant to 21 U.S.C. 827 and in accordance with 21 CFR 1301.74(b) and (c), 1301.76(b), and parts 1304, 1312 and 1317. Manufacturers and distributors must submit reports regarding ethylphenidate to the Automation of Reports and Consolidated Order System pursuant to 21 U.S.C. 827 and in accordance with 21 CFR parts 1304 and 1312.

8. *Order Forms.* Every DEA registrant who distributes ethylphenidate must comply with the order form requirements, pursuant to 21 U.S.C. 828 and 21 CFR part 1305.

9. *Importation and Exportation.* All importation and exportation of ethylphenidate must comply with 21 U.S.C. 952, 953, 957, and 958, and in accordance with 21 CFR parts 1304 and 1312.

10. *Liability.* Any activity involving ethylphenidate not authorized by, or in violation of, the CSA or its implementing regulations, is unlawful, and may subject the person to administrative, civil, and/or criminal sanctions.

Regulatory Analyses

Executive Orders 12866 (Regulatory Planning and Review), 13563 (Improving Regulation and Regulatory Review), and 14094 (Modernizing Regulatory Review)

In accordance with 21 U.S.C. 811(a), this final scheduling action is subject to formal rulemaking procedures performed ''on the record after opportunity for a hearing,'' which are conducted pursuant to the provisions of 5 U.S.C. 556 and 557. The CSA sets forth the procedures and criteria for scheduling a drug or other substance. Such actions are exempt from review by the Office of Management and Budget pursuant to section 3(d)(1) of Executive Order (E.O.) 12866 and the principles

reaffirmed in E.O. 13563. E.O. 14094 modernizes the regulatory review process to advance policies that promote the public interest and address national priorities.

Executive Order 12988, Civil Justice Reform

This regulation meets the applicable standards set forth in sections 3(a) and 3(b)(2) of E.O. 12988 to eliminate drafting errors and ambiguity, minimize litigation, provide a clear legal standard for affected conduct, and promote simplification and burden reduction.

Executive Order 13132, Federalism

This rulemaking does not have federalism implications warranting the application of E.O. 13132. The proposed rule does 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.

Executive Order 13175, Consultation and Coordination With Indian Tribal Governments

This rule does not have tribal implications warranting the application of E.O. 13175. It does not 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.

Paperwork Reduction Act of 1995

This action does not impose a new collection of information requirement under the Paperwork Reduction Act of 1995.[6] Also, this proposed rule would not impose new or modify existing recordkeeping or reporting requirements on state or local governments, individuals, businesses, or organizations. However, this proposed rule would require compliance with the following existing OMB collections: 1117–0003, 1117–0004, 1117–0006, 1117–0008, 1117–0009, 1117–0010, 1117–0012, 1117–0014, 1117–0021, 1117–0023, 1117–0029, and 1117–0056. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Regulatory Flexibility Act

The Administrator of DEA, in accordance with the Regulatory Flexibility Act, 5 U.S.C. 601–612, has reviewed this final rule, and by approving it, certifies that it will not have a significant economic impact on a substantial number of small entities.

DEA is placing the substance ethylphenidate (chemical name: ethyl 2-phenyl-2-(piperidin-2-yl)acetate), including its salts, isomers, and salts of isomers, in schedule I of the CSA to enable the United States to meet its obligations under the 1971 Convention. This action imposes the regulatory controls and administrative, civil, and criminal sanctions applicable to schedule I controlled substances on persons who handle (manufacture, distribute, reverse distribute, import, export, engage in research, conduct instructional activities or chemical analysis with, or possess) or propose to handle ethylphenidate.

Based on the review of HHS's scientific and medical evaluation and all other relevant data, DEA determined that ethylphenidate has high potential for abuse, has no currently accepted medical use in treatment in the United States, and lacks accepted safety for use under medical supervision. DEA's research confirms that there is no legitimate commercial market for ethylphenidate in the United States. Therefore, this final rule will not have a significant economic impact on a substantial number of small entities.

Unfunded Mandates Reform Act of 1995

On the basis of information contained in the ''Regulatory Flexibility Act'' section above, DEA has determined pursuant to the Unfunded Mandates Reform Act (UMRA) of 1995 (2 U.S.C. 1501 *et seq.)* that this final rule would not result in 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 1 year . . . .'' Therefore, neither a Small Government Agency Plan nor any other action is required under UMRA of 1995.

Congressional Review Act

This rule is not a major rule as defined by the Congressional Review Act (CRA), 5 U.S.C. 804. However, pursuant to the CRA, DEA is submitting a copy of the final rule to both Houses of Congress and to the Comptroller General.

List of Subjects in 21 CFR Part 1308

Administrative practice and procedure, Drug traffic control, Reporting and recordkeeping requirements.

For the reasons set out above, 21 CFR part 1308 is amended as follows:

PART 1308—SCHEDULES OF CONTROLLED SUBSTANCES

■ 1. The authority citation for part 1308 continues to read as follows:

Authority: 21 U.S.C. 811, 812, 871(b), 956(b), unless otherwise noted.

■ 2. In § 1308.11:
■ a. Redesignate paragraphs (f)(6) through (f)(12) as (f)(7) through (f)(13); and
■ b. Add a new paragraph (f)(6)
The addition reads as follows:

§ 1308.11 Schedule I.

* * * * *

(f) * * *

*	*	*	*	*	*	*
(6) Ethylphenidate (ethyl 2-phenyl-2-(piperidin-2-yl)acetate)						1727
*	*	*	*	*	*	*

* * * * *

Signing Authority

This document of the Drug Enforcement Administration was signed on October 10, 2024, by Administrator Anne Milgram. That document with the original signature and date is maintained by DEA. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DEA Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of DEA. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

[6] 44 U.S.C. 3501–3521.

Heather Achbach,

Federal Register Liaison Officer, Drug Enforcement Administration.

[FR Doc. 2024–24083 Filed 10–21–24; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2024–0924]

Safety Zone: Fireworks Displays Within the Fifth Coast Guard District; The Wharf, Washington, DC

AGENCY: Coast Guard, DHS.

ACTION: Notification of enforcement of regulation.

SUMMARY: The Coast Guard will enforce a safety zone for a fireworks display at ''The Wharf DC,'' in Washington, DC, to provide for the safety of life on navigable waterways during this event. Our regulation, ''Safety Zones; Fireworks Displays within the Fifth Coast Guard District,'' identifies the precise location. During the enforcement period, vessels may not enter, remain in, or transit through the safety zone unless authorized to do so by the COTP or his representative, and vessels in the vicinity must comply with directions from the Patrol Commander or any Official Patrol displaying a Coast Guard ensign.

DATES: The regulation in 33 CFR 165.506 will be enforced for the location identified in line no. 1 of table 2 to 33 CFR 165.506(h)(2) from 8 p.m. until 9:30 p.m. on December 7, 2024, or if necessary, due to inclement weather, from 8 p.m. until 9:30 p.m. on December 8, 2024.

FOR FURTHER INFORMATION CONTACT: If you have questions about this notification of enforcement, call or email LCDR Kate M. Newkirk, Sector Maryland-NCR, Waterways Management Division, U.S. Coast Guard: telephone 410–576–2596, email *MDNCRMarineEvents@uscg.mil.*

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the safety zone regulation for a fireworks display at The Wharf DC from 8 p.m. to 9:30 p.m. on December 7, 2024, or, if necessary due to inclement weather, from 8 p.m. until 9:30 p.m. on December 8, 2024. This action is being taken to provide for the safety of life on navigable waterways during this event. Our regulation, ''Safety Zones; Fireworks Displays within the Fifth Coast Guard District,'' § 165.506, specifies the location of the safety zone for the fireworks show, which encompasses portions of the Washington Channel in the Upper Potomac River. As reflected in 33 CFR 165.23, vessels in the vicinity of the safety zone may not enter, remain in, or transit through the safety zone during the enforcement period unless authorized to do so by the COTP or his representative, and they must comply with directions from the Patrol Commander or any Official Patrol displaying a Coast Guard ensign.

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

Dated: October 7, 2024.

Patrick C. Burkett,

Captain, U.S. Coast Guard, Captain of the Port, Sector Maryland-National Capital Region.

[FR Doc. 2024–24284 Filed 10–21–24; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 51 and 52

[EPA–HQ–OAR–2024–0234; FRL–11945–01–OAR]

Prevention of Significant Deterioration (PSD): Paragraph Designation Corrections

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is amending its Prevention of Significant Deterioration (PSD) regulations to correct the fourth-level paragraph designations to conform with the Office of the Federal Register (OFR) requirements. This is a ministerial final rule action that involves minor technical corrections.

DATES: This rule is effective October 22, 2024.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA–HQ–OAR–2024–0234. All documents in the docket are listed on the *https://www.regulations.gov* website. Publicly available docket materials are available either electronically through *https://www.regulations.gov* or in hard copy at the EPA Docket Center, WJC West Building, Room 3334, 1301 Constitution Avenue NW, Washington, DC 20004. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding federal holidays. The telephone number for the Public Reading Room is (202) 566–1744, and the telephone number for the Office of Air and Radiation Docket is (202) 566–1742.

FOR FURTHER INFORMATION CONTACT: Questions concerning this final rule should be addressed to Mr. Peter Keller, Air Quality Policy Division, Office of Air Quality Planning and Standards (C539–04), U.S. Environmental Protection Agency, Post Office Box 12055, Research Triangle Park, NC 27711; telephone number: (919) 541–2065; email address: *keller.peter@epa.gov.*

SUPPLEMENTARY INFORMATION: The information presented in this preamble is organized as follows:

I. Does this action apply to me?
II. Background and Rationale for This Action
III. Final Action
IV. Statutory and Executive Order Reviews
V. Statutory Authority
VI. Judicial Review

I. Does this action apply to me?

No entities will be affected by this final action. The EPA is amending its PSD regulations to correct the fourth-level paragraph designations from the Code of Federal Regulations (CFR) to conform with the OFR requirements. The EPA is responsible for making the required paragraph codification corrections in the EPA PSD regulations and communicating those corrections to stakeholders, including state, local, and Tribal (SLT) permitting authorities and regulated entities. SLT permitting authorities are not required to make corresponding corrections to any of their regulations implementing the PSD program including those approved by the EPA into a State Implementation Plan (SIP).

II. Background and Rationale for This Action

Part C of title I of the Clean Air Act (CAA), 42 U.S.C. 7470 *et seq.,* contains the requirements for a component of the major New Source Review (NSR) program known as the PSD program. This program sets forth procedures for the preconstruction review and permitting of new and modified stationary sources of air pollution located in areas meeting the National Ambient Air Quality Standards (NAAQS) (''attainment'' areas) and areas for which there is insufficient information to classify an area as either attainment or nonattainment (''unclassifiable'' areas). The EPA's PSD regulations are contained in 40 CFR

51.166 (applicable to air agencies that issue permits under EPA-approved SIPs) and 40 CFR 52.21 (applicable to permits issued by the EPA or air agencies that have received delegation to implement the federal PSD program).

In 2019, the OFR identified that the paragraph codification scheme of these PSD regulations was inconsistent with OFR requirements, and the EPA committed to correcting this inconsistency. However, recently as part of OFR's review of the proposed rule: ''Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NNSR): Regulations Related to Project Emissions Accounting'' (RIN 2060–AV62), the OFR determined that the EPA had not yet made the corrections. To resolve the OFR's concerns, the EPA is revising the PSD regulations to conform with the OFR requirements [1] through this ministerial final rule action to correct the fourth-level paragraph designations. Specifically, this rule will correct the fourth-level paragraph codification in 40 CFR 51.166 and 40 CFR 52.21 from (*a*), *et seq.,* to (A), *et seq.* In other words, the fourth-level paragraph designations will be changed from lowercase italicized letters to uppercase non-italicized letters.

The error in the fourth-level paragraph codification in the EPA's PSD regulations can be traced back to their inception in the 1970s. On December 5, 1974, the EPA published the first set of PSD regulations under the CAA Amendments of 1970.[2] These regulations were codified at 40 CFR 52.21 and established a program for protecting areas with air quality either in attainment with the NAAQS or unclassifiable. A comprehensive set of new PSD requirements were later adopted by Congress as part of the CAA Amendments of 1977.[3] The EPA amended the PSD regulations to incorporate those new statutory requirements on June 19, 1978 (43 FR 26380 and 43 FR 26388). These regulations were codified at 40 CFR 51.24 (minimum requirements for state plans, later codified at 40 CFR 51.166 [4]) and 40 CFR 52.21 (federal PSD regulations). The PSD regulations were subsequently revised numerous times, but the fourth-level paragraph designations have remained inconsistent with the OFR requirements.[5] This ministerial final rule will correct the paragraph designation inconsistencies that were established decades ago in the EPA's PSD regulations to conform with the OFR requirements.

III. Final Action

The EPA is promulgating this rule as a final rule without prior notice or opportunity for public comment pursuant to the good cause exemption under the Administrative Procedure Act (APA) section 553(b)(B). 5 U.S.C. 553(b)(B). Generally, the APA requires that general notice of proposed rulemaking be published in the **Federal Register** and such notice must provide an opportunity for public participation in the rulemaking process. However, the APA also allows an agency to directly promulgate a final rulemaking when an agency for good cause finds (and incorporates the finding and a brief statement of reasons in the rule issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest. 5 U.S.C. 553(b)(3)(B).

The EPA has determined that this final action meets the ''unnecessary'' basis for using the good cause exemption since amendments promulgated in this action are very minor and do not substantively alter the regulation in any way that would be of interest to the regulated community or the public. This final action involves purely ministerial revisions to the PSD regulations in 40 CFR 51.166 and 40 CFR 52.21 involving minor structural corrections to conform with the OFR paragraph designation requirements. Specifically, the fourth-level paragraph designations will be corrected from lowercase italicized letters to uppercase non-italicized letters. The OFR paragraph designation requirements are established by the OFR; therefore, EPA has no discretion but to correct the affected paragraph designations in the EPA PSD regulations. Notice and comment requirements are unnecessary because seeking public comment on this issue would neither inform the public of agency action that may be of interest nor provide the agency with information that would be helpful in developing a final rule.

IV. Statutory and Executive Order Reviews

Additional information about these statutes and Executive Orders can be found at *https://www2.epa.gov/laws-regulations/laws-and-executive-orders.*

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

This action is not a significant regulatory action as defined in Executive Order 12866, as amended by Executive Order 14094, and was, therefore, not subject to Executive Order 12866 review.

B. Paperwork Reduction Act (PRA)

This action involves very minor technical corrections and does not impose any new information collection burden under the PRA. The Office of Management and Budget (OMB) has previously approved the information collection activities contained in the existing regulations and has assigned OMB control number 2060–0003.

C. Regulatory Flexibility Act (RFA)

This action is not subject to the RFA. The RFA applies only to rules subject to notice and comment rulemaking requirements under the APA, 5 U.S.C. 553, or any other statute. This rule is not subject to notice and comment requirements because the Agency has invoked the APA ''good cause'' exemption under 5 U.S.C. 553(b).

D. Unfunded Mandates Reform Act (UMRA)

This action does not contain an unfunded mandate as described in UMRA, 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments. The action implements mandate(s) specifically and explicitly set forth in 44 U.S.C. 15 and 1 CFR chapter I without the exercise of any policy discretion by the EPA.

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: Consultation and Coordination With Indian Tribal Governments

This action does not have tribal implications, as specified in Executive Order 13175. This action only makes very minor technical amendments to correct non-substantive errors in existing regulations. None of these very minor technical amendments has a substantial direct effect on any tribal

[1] Document Drafting Handbook, August 2018 Edition (Revised 2.1, dated October 2023), Office of the Federal Register, National Archives and Records Administration.

[2] CAA Amendments of 1970, Public Law 91–604, 84 Stat. 1676 (1970); 39 FR 42510.

[3] CAA Amendments of 1977, Public Law 95–95, 91 Stat. 685 (1977).

[4] 51 FR 40656 (November 7, 1986).

[5] See 40 CFR 51.166 and 40 CFR 52.21 (July 1, 2023).

land. 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 does not concern an environmental health risk or safety risk. Since this action does not concern human health, EPA's Policy on Children's Health also does not apply.

H. Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution or Use

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

I. National Technology Transfer and Advancement Act

This rulemaking does not involve technical standards.

J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations and Executive Order 14096: Revitalizing Our Nation's Commitment to Environmental Justice for All

The EPA finds that this action does not concern human health or environmental conditions and therefore cannot be evaluated with respect to potentially disproportionate and adverse effects on communities with environmental justice concerns. This action changes the fourth-level paragraph designation of the EPA's PSD regulations contained in 40 CFR 51.166 and 40 CFR 52.21 to conform with OFR requirements. This action makes very minor technical amendments to correct non-substantive errors in existing rules.

K. Congressional Review Act (CRA)

This action is subject to the CRA, and the EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. The CRA allows the issuing agency to make a rule effective sooner than otherwise provided by the CRA if the agency makes a good cause finding that notice and comment rulemaking procedures are impracticable, unnecessary or contrary to the public interest. 5 U.S.C. 808(2). The EPA has made a good cause finding for this rule as discussed in the Final Action section of this rulemaking, including the basis for that finding.

V. Statutory Authority

Statutory authority to issue the amendments finalized in this action is provided by the same CAA provisions that provided authority to issue the regulations being amended: 42 U.S.C. 7401 *et seq.* Statutory authority for the rulemaking procedures followed in this action is provided by APA section 553, 5 U.S.C. 553.

VI. Judicial Review

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the D.C. Circuit within 60 days from October 22, 2024. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review, nor does it extend the time within which a petition for judicial review may be filed and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements (section 307(b)(2) of the CAA).

List of Subjects in 40 CFR Parts 51 and 52

Environmental protection, Administrative practices and procedures, Air pollution control, New source review, Preconstruction permitting, Prevention of significant deterioration.

Michael S. Regan,

Administrator.

For the reasons stated in the preamble, title 40, Chapter I of the Code of Federal Regulations is amended as follows:

PART 51—REQUIREMENTS FOR PREPARATION, ADOPTION, AND SUBMITTAL OF IMPLEMENTATION PLANS

■ 1. The authority citation for part 51 continues to read as follows:

Authority: 23 U.S.C. 101; 42 U.S.C. 7401–7671q.

Subpart I—Review of New Sources and Modifications

§ 51.166 [Amended]

■ 2. In § 51.166 revise the paragraph level designation for the 4th paragraph level from lowercase italic letters to uppercase non-italic letters.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

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

Subpart A—General Provisions

§ 52.21 [Amended]

■ 4. In § 52.21, revise the paragraph level designation for the 4th paragraph level from lowercase italic letters to uppercase non-italic letters.

[FR Doc. 2024–24281 Filed 10–21–24; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R03–OAR–2023–0301; FRL–10191–02–R3]

Approval and Promulgation of Air Quality Implementation Plan; Delaware; Regional Haze State Implementation Plan for the Second Implementation Period

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving the regional haze State implementation plan (SIP) revision submitted by Delaware on August 8, 2022, and supplemented on March 7, 2024, as satisfying applicable requirements under the Clean Air Act (CAA) and the EPA's Regional Haze Rule (RHR) for the program's second implementation period. Delaware'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.

DATES: This final rule is effective on November 21, 2024.

ADDRESSES: EPA has established a docket for this action under Docket ID Number EPA–R03–OAR–2023–0301. All documents in the docket are listed on the *www.regulations.gov* website. Although listed in the index, some information is not publicly available, *e.g.,* confidential business information

(CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available through *www.regulations.gov*, or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information.

FOR FURTHER INFORMATION CONTACT: Adam Yarina, Planning & Implementation Branch (3AD30), Air & Radiation Division, U.S. Environmental Protection Agency, Region 3, 1600 John F. Kennedy Boulevard, Philadelphia, Pennsylvania 19103–2852. The telephone number is (215) 814–2108. Mr. Yarina can also be reached via electronic mail at *yarina.adam@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

On August 8, 2022, the Delaware Department of Natural Resources and Environmental Control (DNREC) submitted a revision to its SIP to address regional haze for the second implementation period; with a supplement submitted on March 7, 2024 which included title V permit provisions for three facilities owned by Calpine Mid-Atlantic Generation, LLC to be incorporated into the Delaware SIP. EPA reviewed and evaluated the State's selection and modification of the applicable title V permits to incorporate the regional haze requirements of the second implementation period. DNREC updated Title V permits for Calpine Christiana Energy Center, Calpine Delaware City Energy Center, and Calpine West Energy Center after conducting four-factor analyses and added the 88 ppm NO_X emission limit during April and October. Delaware issued the new permits on May 19, 2021 and included them in appendix 10–2 of its SIP submittal; redacted copies of these permits were subsequently resubmitted to EPA with an effective date of December 19, 2023 so that the portions relevant to compliance with the regional haze requirements of the second planning period could be incorporated into the Delaware SIP.[1] DNREC made this SIP submission to satisfy the requirements of the CAA's regional haze program pursuant to CAA sections 169A and 169B and 40 Code of Federal Regulations (CFR) 51.308. The full substance of the Delaware's regional haze SIP submission for the second planning period is discussed at length in the notice of proposed rulemaking (NPRM).

On August 19, 2024 (89 FR 67018), EPA published an NPRM proposing approval of Delaware's August 8, 2022 SIP submission and its March 7, 2024 supplement as satisfying the regional haze requirements for the second implementation period contained in the CAA and 40 CFR 51.308. EPA is now determining that the Delaware regional haze SIP submission for the second implementation period meets the applicable statutory and regulatory requirements and is thus approving Delaware's submission into its SIP.

II. EPA's Response to Comments Received

EPA received three comments in response to the NPRM, two of which were unique. One comment originated from the Mid-Atlantic/Northeast Visibility Union (MANE–VU) in support of the EPA's proposed action, and the other comment originated from an individual and was not relevant. These comments are available in the docket for this action via Docket ID Number EPA–R03–OAR–2023–0301 on the *www.regulations.gov* website. EPA's summary of and response to the relevant comment is provided below.

Comment: MANE–VU submitted comments in support of the EPA's proposed action, stating:

> MANEVU supports EPA's proposal to approve Delaware's regional haze State implementation plan (SIP) revision submitted on August 8, 2022, and supplemented on March 7, 2024, as satisfying applicable requirements under the Clean Air Act (CAA) and EPA's Regional Haze Rule (RHR) for the second implementation period of the regional haze program. MANEVU agrees that Delaware's haze SIP revision meets the requirements of CAA sections 169A and 169B and the RHR at 40 CFR 51.308. MANEVU appreciates EPA's careful evaluation of Delaware's SIP submittal, as well as the constructive input and review that the federal land managers provided to Delaware and the other MANEVU States as they developed their regional haze SIPs. MANEVU notes that reducing haze-forming pollutants improves scenic vistas in our national parks and wilderness areas while also providing other economic, ecosystem and public health co-benefits.

Response: EPA appreciates and agrees with this comment.[2]

III. Final Action

For the reasons set forth at length in the NPRM, EPA is approving, as a SIP revision, Delaware's August 8, 2022 SIP submission and its March 7, 2024 supplement as satisfying the regional haze requirements for the second implementation period contained in 40 CFR 51.308(f).

IV. Incorporation by Reference

In this document, EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, EPA is finalizing the incorporation by reference of specific provisions of the revised title V permits for Calpine Christiana Energy Center, Calpine Delaware City Energy Center, and Calpine West Energy Center, dated and effective December 19, 2023, between DNREC and Calpine Mid-Atlantic Generation, LLC, which includes emission limits and associated permit conditions for these facilities to comply with Regional Haze requirements for the 2nd Planning Period, as discussed in section I of this document and included in the amendments to 40 CFR part 52 set forth below. These permit revisions are contained in DNREC's supplemental SIP submittal dated March 7, 2024, submitted on behalf of the State of Delaware; the portions of these permit revisions that will be incorporated by reference into the SIP are clarified by the DNREC Air Quality Division Director via a letter dated May 28, 2024. EPA has made, and will continue to make, these materials generally available through *www.regulations.gov* and at the EPA Region 3 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information). Therefore, these materials have been approved by EPA for inclusion in the SIP, have been incorporated by reference by EPA into that plan, are fully federally enforceable under sections 110 and 113 of the CAA as of the effective date of the final rule of EPA's approval, and will be incorporated by reference in the next update to the SIP compilation.[3]

V. Statutory and Executive Order Reviews

A. General Requirements

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the

[1] DNREC provided a clarification of this supplemental SIP submittal on May 28, 2024, that specified which provisions of the title V permits it intended to be incorporated by reference into the Delaware SIP. As a result, the 88 ppm NO_X emission limit as extended to April and October and related permit conditions will be federally enforceable.

[2] To the extent that MANE–VU mentions EPA's review of other States' responses to the MANE–VU Asks and submits a list of States that MANE–VU's technical analysis found to be reasonably anticipated to contribute to visibility impairment at one or more MANE–VU Class I areas, EPA views that comment as beyond the scope of this action such that no response is warranted.

[3] 62 FR 27968 (May 22, 1997).

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

- Is not a ''significant regulatory action'' subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and

In addition, this rule does not have Tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the State, and EPA notes that it will not impose substantial direct costs on Tribal governments or preempt Tribal law.

Executive Order 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 59 FR 7629, February 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. 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.'' 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.''

DNREC did not evaluate environmental justice considerations as part of its SIP submittal; the CAA and applicable implementing regulations neither prohibit nor require such an evaluation. 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, 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 Executive Order 12898 of achieving environmental justice for people of color, low-income populations, and Indigenous peoples.

B. Submission to Congress and the Comptroller General

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

C. Petitions for Judicial Review

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by December 23, 2024. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements (See section 307(b)(2)).

List of Subjects in 40 CFR Part 52

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

Adam Ortiz,

Regional Administrator, Region III.

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

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

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

Subpart I—Delaware

■ 2. Amend § 52.420:

■ a. In the table in paragraph (d) by adding entries for ''Calpine Mid-Atlantic Generation, LLC—Christiana Energy Center''; ''Calpine Mid-Atlantic Generation, LLC—Delaware City Energy Center''; and ''Calpine Mid-Atlantic Generation, LLC—West Energy Center'' at the end of the table; and

■ b. In the table in paragraph (e) by adding an entry for ''Regional Haze Plan from 2018–2028'' at the end of the table.

The additions read as follows:

§ 52.420 Identification of plan.

* * * * *

(d) * * *

EPA-APPROVED DELAWARE SOURCE-SPECIFIC REQUIREMENTS

Name of source	Permit No.	State effective date	EPA approval date	Additional explanation
* *	*	*	*	* *
Calpine Mid-Atlantic Generation, LLC—Christiana Energy Center.	AQM–003/00317 (Renewal 5).	12/19/2023	October 22, 2024 [INSERT **FEDERAL REGISTER** CITATION].	Approved via Docket EPA–R03–OAR–2023–0301, as an element of Delaware's August 8, 2022, Regional Haze Plan from 2018–2028 and March 7, 2024, supplement.
Calpine Mid-Atlantic Generation, LLC—Delaware City Energy Center.	AQM–003/00005 (Renewal 5).	12/19/2023	October 22, 2024 [INSERT **FEDERAL REGISTER** CITATION].	Approved via Docket EPA–R03–OAR–2023–0301, as an element of Delaware's August 8, 2022, Regional Haze Plan from 2018–2028 and March 7, 2024, supplement.
Calpine Mid-Atlantic Generation, LLC—West Energy Center.	AQM–003/00006 (Renewal 5).	12/19/2023	October 22, 2024 [INSERT **FEDERAL REGISTER** CITATION].	Approved via Docket EPA–R03–OAR–2023–0301, as an element of Delaware's August 8, 2022, Regional Haze Plan from 2018–2028 and March 7, 2024, supplement.

* * * * * (e) * * *

Name of non-regulatory SIP revision	Applicable geographic area	State submittal date	EPA approval date	Additional explanation
* *	* *	*	*	*
Regional Haze Plan from 2018–2028.	State-wide	8/8/2022	October 22, 2024 [INSERT **Federal Register** CITATION].	

[FR Doc. 2024–24196 Filed 10–21–24; 8:45 am]
BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 63

[EPA–HQ–OAR–2023–0406; FRL–10652–02–OAR]

RIN 2060–AV97

Removal of Affirmative Defense Provisions From the National Emission Standards for Hazardous Air Pollutants for the Oil and Natural Gas Production Facility and Natural Gas Transmission and Storage Facility Source Categories

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The EPA is finalizing amendments to the National Emission Standards for Hazardous Air Pollutants for the oil and gas industry issued under the Clean Air Act (CAA). Specifically, the EPA is finalizing removal of the affirmative defense provisions in the National Emission Standards for Hazardous Air Pollutants for both the Oil and Natural Gas Production source category and the Natural Gas Transmission and Storage source category.

DATES: This final rule is effective October 22, 2024.

ADDRESSES: The EPA has established a docket for this rulemaking under Docket ID No. EPA–HQ–OAR–2023–0406. All documents in the docket are listed on the *https://www.regulations.gov/* website. Although listed, some information is not publicly available, *e.g.,* Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only as pdf versions that can only be accessed on the EPA computers in the docket office reading room. Certain databases and physical items cannot be downloaded from the docket but may be requested by contacting the docket office at 202–566–1744. The docket office has up to 10 business days to respond to these requests. With the exception of such material, publicly available docket materials are available electronically at *https://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Matthew Witosky, Sector Policies and Programs Division (E143–05), Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, 109 T.W. Alexander Drive, P.O. Box 12055, Research Triangle Park, North Carolina, 27711; telephone number: (919) 541–2865; email address: *witosky.matthew@epa.gov.*

SUPPLEMENTARY INFORMATION:

Organization of this document. The information in this preamble is organized as follows:

I. General Information
  A. Does this action apply to me?
  B. Where can I get a copy of this document and other related information?
  C. Judicial and Administrative Review
II. Final Rule Summary
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H. Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use
I. National Technology Transfer and Advancement Act (NTTAA)
J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations and Executive Order 14096: Revitalizing Our Nation's Commitment to Environmental Justice for All
K. Congressional Review Act (CRA)

I. General Information

A. Does this action apply to me?

Categories and entities potentially regulated by this action are shown in table 1 of this preamble.

TABLE 1—NESHAP AND INDUSTRIAL SOURCE CATEGORIES AFFECTED BY THIS FINAL ACTION

Source category	NAICS [1]	NAICS code
Industry	211111	Crude Petroleum and Natural Gas Extraction.
	211112	Natural Gas Liquid Extraction.
	221210	Natural Gas Distribution.
	486110	Pipeline Distribution of Crude Oil.
	486210	Pipeline Transportation of Natural Gas.
Federal Government		Not affected.
State/Local/Tribal Government		Not affected.

[1] North American Industry Classification System (NAICS).

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. To determine whether your facility would be regulated by this action, you should examine the applicability criteria in the regulations. If you have any questions regarding the applicability of this action to a particular entity, contact the person listed in the preceding **FOR FURTHER INFORMATION CONTACT** section.

B. Where can I get a copy of this document and other related information?

In addition to being available in the docket, at Docket ID No. EPA–HQ–OAR–2023–0406 located at *https://www.regulations.gov/,* an electronic copy of this final rulemaking is available on the internet at *https://www.epa.gov/controlling-air-pollution-oil-and-natural-gas-operations.* Following signature by the EPA Administrator, the EPA will post a copy of this final rulemaking at this same website. Following publication in the **Federal Register**, the EPA will post the **Federal Register** version of the final rulemaking.

C. Judicial and Administrative Review

Under Clean Air Act (CAA) section 307(b)(1), judicial review of this final rulemaking is available only by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit by December 23, 2024. Under CAA section 307(b)(2), the requirements established by this final rulemaking may not be challenged separately in any civil or criminal proceedings brought by the EPA to enforce the requirements. Section 307(d)(7)(B) of the CAA further provides that ''[o]nly an objection to a rule or procedure which was raised with reasonable specificity during the period for public comment (including any public hearing) may be raised during judicial review.'' This section also provides a mechanism for the EPA to convene a proceeding for reconsideration, ''[i]f the person raising an objection can demonstrate to the EPA that it was impracticable to raise such objection within [the period for public comment] or if the grounds for such objection arose after the period for public comment, (but within the time specified for judicial review) and if such objection is of central relevance to the outcome of the rule.''Any person seeking to make such a demonstration to us should submit a Petition for Reconsideration to the Office of the Administrator, U.S. Environmental Protection Agency, Room 3000, WJC West Building, 1200 Pennsylvania Ave. NW, Washington, DC 20460, with a copy to both the person(s) listed in the preceding **FOR FURTHER INFORMATION CONTACT** section, and the Associate General Counsel for the Air and Radiation Law Office, Office of General Counsel (Mail Code 2344A), U.S. Environmental Protection Agency, 1200 Pennsylvania.

II. Final Rule Summary

In a proposal published December 1, 2023 (88 FR 83889), the EPA proposed to remove the provisions of an affirmative defense to civil penalties in the National Emission Standards for Hazardous Air Pollutants for the Oil and Natural Gas Production source category and the Natural Gas Transmission and Storage source category, 40 CFR 63.762(d) and 63.1272(d) in 40 CFR part 63, subparts HH and HHH, respectively. The EPA is finalizing removal of these affirmative defense provisions as proposed.

III. Rationale for the Final Rule

In 1998, the EPA promulgated National Emission Standards for Hazardous Air Pollutants for the Oil and Natural Gas Production Facility and Natural Gas Transmission and Storage Facility Source Categories, 40 CFR part 63, subparts HH and HHH (64 FR 32610; June 17, 1999) (''Oil and Gas NESHAP''). In 2012, the EPA amended the Oil and Gas NESHAP (77 FR 49490; August 16, 2012). The 2012 amendments included provisions allowing owners and operators to assert an affirmative defense to civil penalties for violations caused by malfunctions. See 40 CFR 63.762 and 63.1672, *Id.* at 49569 and 49585. A malfunction is a sudden, infrequent, and not reasonably preventable failure of air pollution control and monitoring equipment, process equipment, or a process to operate in a normal or usual manner. See 40 CFR 63.2. As defined in 40 CFR part 63, subparts HH and HHH, ''affirmative defense'' means, ''in the context of an enforcement proceeding, a response or defense put forward by a defendant, regarding which the defendant has the burden of proof, and the merits of which are independently and objectively evaluated in a judicial or administrative proceeding.'' See 40 CFR 63.761 and 63.1271. The EPA established an affirmative defense to civil penalties in 40 CFR part 63, subparts HH and HHH in an effort to create a system that incorporates some flexibility, recognizing that there is a

tension, inherent in many types of air regulation, to ensure adequate compliance while simultaneously recognizing that despite the most diligent of efforts, emission standards may be violated under circumstances entirely beyond the control of the source (77 FR 49508). Under these affirmative defense provisions, if a source could demonstrate in a judicial or administrative proceeding that it had met the requirements of the affirmative defense in the regulation, civil penalties would not be assessed.

In 2014, the United States Court of Appeals for the District of Columbia Circuit (the D.C. Circuit Court) vacated the affirmative defense in one of the EPA's CAA section 112 regulations. *NRDC* v. *EPA,* 749 F.3d 1055 (D.C. Cir., 2014) (vacating affirmative defense provisions in the CAA section 112 rule establishing emission standards for portland cement kilns) (*NRDC*). Like the affirmative defense provisions in the Oil and Gas NESHAP, the affirmative defense at issue in *NRDC* similarly provided that civil penalties may be assessed only if violators ''fail to meet [their] burden of proving all of the requirements in the affirmative defense.'' 749 F.3d at 1062; see also 78 FR 10039, § 63.1344. The D.C. Circuit Court found that the EPA lacked authority to establish an affirmative defense for penalties in private civil suits brought under CAA section 304(a) and held that the authority to determine civil penalty amounts in such cases lies exclusively with the courts, not the EPA. 749 F.3d at 1063. Specifically, the D.C. Circuit Court found: ''As the language of the statute makes clear, the courts determine, on a case-by-case basis, whether civil penalties are 'appropriate.' '' *Id.* (''[U]nder this statute, deciding whether penalties are 'appropriate' in a given private civil suit is a job for the courts, not EPA.'').[1]

In light of the *NRDC* decision, the EPA proposed and is now finalizing removal of the affirmative defense provisions from the Oil and Gas NESHAP which, like the rule at issue in the *NRDC* decision, is also a CAA section 112 rule. These provisions imply legal authority that the D.C. Circuit Court has stated that the EPA does not have.[2] As the EPA explained in the proposed rule, if a source is unable to comply with emissions standards as a result of a malfunction, the EPA may use its case-by-case enforcement discretion to provide flexibility, as appropriate (88 FR 83889, 83891). Further, as the D.C. Circuit Court recognized, in a citizen enforcement action brought under CAA section 304(a), the courts have the discretion to consider any defense raised and determine whether penalties are appropriate. *NRDC,* 749 F.3d at 1064 (arguments that a violation was caused by unavoidable technology failure can be made to the courts in future civil cases when the issue arises). The same is true for the presiding officer in EPA administrative enforcement actions.[3]

IV. Response to Comments

EPA received one comment on the proposal. Below is a summary of the comment and the EPA response thereto.

Comment: The commenter requests that the EPA retain the affirmative defense provisions in the Oil and Gas NESHAP. The commenter first argues that the decision in *NRDC* v. *EPA,* 749 F.3d 1055 (D.C. Cir. 2014), which the EPA has identified as the basis of its proposed rule, does not compel the EPA to remove the affirmative defense at issue because the affirmative defense provision at issue in *NRDC* provided defense against civil penalties after liability has been established; the commenter claims that, in contrast, the affirmative defense in subparts HH and HHH provides for defense against liability, not civil penalties, and is therefore unaffected by the *NRDC* decision. The commenter argues that, to the extent the EPA is asserting that there is no distinction between an affirmative defense to liability and an affirmative defense to penalties at issue in NRDC, such a position is ''ill-considered'' and ''wholly unsupported.''

The commenter next argues that, even if the EPA were to remove the affirmative defense in these two NESHAP from judicial proceedings, the EPA should retain it in administrative enforcement matters. In support, the commenter first notes that the *NRDC* decision addressed only judicial proceedings and therefore does not compel the EPA to remove affirmative defense from administrative enforcement matters. Next, the commenter disputes the EPA's assertion that ''such an affirmative defense is not necessary,'' claiming that the defense ''provides an essential measure of flexibility to sources facing real challenges with malfunctions in their operations that are beyond their control.'' The commenter expresses concern that ''without the specificity provided by the regulation, the ability to raise these real-world practical challenges is left to the unspecified 'discretion' of EPA enforcement officials or the presiding officer (an EPA employee) in an administrative proceeding.'' The commenter claims the EPA recognized such an approach as lacking a formalized approach and regulatory clarity, citing the proposal preamble describing the EPA's position at the time it established the affirmative defense at issue (88 FR 83891). The commenter further claims that both the EPA and the courts have ''long understood that it is fundamentally unfair to penalize a source for unavoidable emissions,'' citing *Essex Chem. Corp.* v. *Ruckelshaus,* 486 F.2d 427, 433 (D.C. Cir. 1973).[4] The commenter argues that ''it would be unjust to penalize a source for emissions that were beyond its control as this neither serves the purposes of punishment nor deterrence.'' The commenter claims that the proposed rule ''provides no explanation as to why, after decades of finding an affirmative defense for emergency-related emissions to be necessary, justice no longer requires it.''

The commenter then notes the EPA's explanation in the proposed rule that the ''assessment of penalties for violations caused by malfunctions in administrative proceedings and judicial proceedings should be consistent'' but asks that the EPA reconsider. The commenter claims that the EPA's reasoning, which refers to CAA section

[1] The D.C. Circuit Court's reasoning in *NRDC* focuses on civil judicial actions. The D.C. Circuit Court noted that ''EPA's ability to determine whether penalties should be assessed for CAA violations extends only to administrative penalties, not to civil penalties imposed by a court.'' *Id.*

[2] EPA notes that in 2012, concurrent with the review of 40 CFR part 63, subparts HH and HHH, EPA promulgated New Source Performance Standards for Crude Oil and Natural Gas Facilities, 40 CFR part 60, subpart OOOO (''NSPS OOOO''), which also included an affirmative defense. See 77 FR 49557. In a subsequent rulemaking following the *NRDC* decision, the EPA removed the affirmative defense provision from NSPS OOOO. 79 FR 79018 (Dec. 31, 2014).

[3] Although the *NRDC* case does not address the EPA's authority to establish an affirmative defense to penalties that are available in administrative enforcement actions, we are not including such an affirmative defense in this rule because for the same reasons explained above, such an affirmative defense is not necessary. Moreover, assessment of penalties for violations caused by malfunctions in administrative proceedings and judicial proceedings should be consistent. *Cf.* CAA section 113(e) (requiring both the Administrator and the court to take specified criteria into account when assessing penalties).

[4] The case involved challenges to various aspects of an EPA regulation establishing new source performance standards for certain stationary source categories, including ''equal'' standards during normal operations and periods of startup, shutdown and malfunction. *Id.* The D.C. Circuit Court remanded the rule record to the EPA on the ''equal standard,'' noting that ''variant provisions appear necessary to preserve the reasonableness of the standards as a whole and that the record does not support the 'never to be exceeded' standard currently in force.'' *Id.*

113(e) specifying ''penalty assessment criteria'' for both the EPA and the courts to consider, as appropriate (88 FR 83891, footnote 3), is ''wrong and not sound policy.'' In support, the commenter reiterates its argument that ''[f]oremost, as noted above, the affirmative defenses at issue go to questions of liability, not civil penalties. Thus, whether the penalty criteria in CAA section 113(e) are the same or not is entirely beside the point in deciding whether an affirmative defense to liability should be retained.'' The commenter further argues that ''even if the affirmative defense here goes to the question of penalties, there is no principle of 'consistency' between judicial and administrative proceedings.'' The commenter cites CAA section 113(d) (''Administrative Assessment of Civile Penalties''), specifically section 113(d)(2)(B) which ''affords the EPA entirely separate authority to 'compromise, modify, or remit, with or without conditions, any administrative penalty,' '' as evidence that ''Congress did not envision, let alone require, that judicial and administrative proceedings 'should be consistent.' '' The comment faults the proposed rule for ''[giving] no consideration to the discretion provided under section 113(d), in particular the authority 113(d)(2)(B).'' The Commenter argues that ''by contrast, civil judicial proceedings are bound by the common rules of civil judicial procedure.''

Lastly, the commenter argues that there ''is [not] any EPA precedent to consider *only* factors listed in CAA section 113(e) when determining administrative penalties, as that would contradict EPA's current administrative penalty policies'' [*Emphasis added*]. The commenter cites to several EPA decisions and policies that the commenter claims did not rely on CAA section 113(e) criteria in determining administrative penalties. According to the commenter, ''EPA has used policies governing administrative penalties for decades without any consideration of CAA section 113(e) and it continues to do so today.'' The commenter argues that ''EPA's interpretation of how section 113(e) limits its own authority appears to be arbitrarily selective in this instance'' because ''the Proposed Rule does not consider these contradictory practices and gives no indication that EPA will now abandon these policies and guidance documents in administrative proceedings.''

Response: For the reasons explained below, none of the commenter's arguments justify retaining the affirmative defense provisions in the Oil and Gas NESHAP. The commenter's main argument is that the affirmative defense in the Oil and Gas NESHAP provides for a defense against *liability* and, as such, is unaffected by the *NRDC* decision that held unlawful an affirmative defense to *penalties* in private civil suits. However, the commenter's interpretation of the affirmative defense in the Oil and Gas NESHAP is clearly incorrect as it contradicts the clear language of the affirmative defense in these NESHAP at 40 CFR 63.762(d) and 63.1272(d), which specifically state that ''you may assert an affirmative defense *to a claim for civil penalties* for violations of such standards that are caused by malfunction as defined at 40 CFR 63.2. *Appropriate penalties* may be assessed if you fail to meet your burden of proving all of the requirements in the affirmative defense.'' [*Emphasis added*]. Furthermore, this is the same wording as the affirmative defense in *NRDC,*[5] and the commenter does not explain how it interprets the same wording differently. We therefore find this argument to be totally without merit.[6]

The EPA is also unpersuaded by the commenter's argument that the EPA should retain the affirmative defense in the Oil and Gas NESHAP in administrative cases even if not in judicial proceedings. The commenter claims that the EPA's view that ''assessment of penalties for violations caused by malfunctions in administrative proceedings and judicial proceedings should be consistent'' is based on CAA section 113(e) and therefore flawed. The commenter argues that CAA section 113(e), which requires both the Administrator and the courts to take specified criteria into consideration when assessing penalties, is ''entirely beside the point in deciding whether to retain the affirmative defense to liability'' that the commenter claims is in Oil and Gas NESHAP. However, as discussed above, the affirmative defense in the Oil and Gas NESHAP goes to penalty assessment; accordingly, the commenter's argument that CAA section 113(e) is not relevant is incorrect.

The EPA also disagrees with the commenter's argument that retaining the affirmative defense in administrative cases is necessary in light of CAA section 113(d), which the commenter claims leaves ''the ability to raise these real-world practical challenges . . . to the unspecified 'discretion' of EPA enforcement officials or the presiding officer (an EPA employee) in an administrative proceeding.'' But Congress already rejected this view; in enacting CAA section 113(d), Congress was clearly confident with entrusting the EPA with broad authority and discretion in assessing penalty. Further, as the EPA explained in the proposal preamble, ''if a source is unable to comply with emissions standards as a result of a malfunction, the EPA may use its case-by-case enforcement discretion to provide flexibility, as appropriate.'' 88 FR 83891. In any event, the commenter appears to be expressing a hypothetical concern, as the commenter has not claimed or provided any information indicating that the EPA prohibited or otherwise limited one's ability to raise ''real-world concerns'' in the penalty assessment stage during an administrative proceeding.

Lastly, contrary to the commenter's assertion, the EPA does not claim that *only* factors listed in CAA section 113(e) may be considered when determining administrative penalties, nor is there inconsistency between the EPA's interpretation of CAA section 113(e) (as explained in this rulemaking) and the EPA's long-standing policies and practices in penalty assessment. CAA section 113(e) makes clear that, in determining the amount of penalty, the EPA and the courts are not limited to consider only the factors enumerated in that section; they shall also consider ''*such other factors as justice may require.*'' Accordingly, to the extent that the EPA has focused on other factors, as the commenter claims, the EPA's action is in accordance with the CAA. For the same reason, the EPA rejects the commenter's accusation that the EPA has been determining administrative penalties ''without any consideration of CAA section 113(e);'' the commenter also offers no evidence that the EPA declined to consider the factors in CAA section 113(e).

For the reasons stated above, the EPA finds that the commenter has not justified retaining the affirmative defense in the Oil and Gas NESHAP.

[5] See 749 F.3d at 1062, which identifies 40 CFR 63.1344 at 78 FR 10039 as the affirmative defense at issue in *NRDC.* 40 CFR 63.1344, as promulgated in that 2013 rule, provided that ''[i]n response to an action to enforce the standards . . . you may assert an affirmative defense *to a claim for civil penalties* for violations of such standards that are caused by malfunction, as defined at 40 CFR 63.2. *Appropriate penalties* may be assessed if you fail to meet your burden of proving all of the requirements in the affirmative defense. The affirmative defense shall not be available for claims for injunctive relief.'' [*Emphasis added*].

[6] The commenter also claims that the EPA is incorrect *to the extent* it is asserting that there is no distinction between affirmative defense to liability and affirmative defense to penalties. The EPA did not make such assertion. The proposed rule does not address an affirmative defense to liability as that is not the regulatory provision at issue in this rulemaking.

V. Summary of Cost, Environmental, and Economic Impacts

A. What are the affected sources?

Sources subject to subparts HH and HHH under 40 CFR part 63, as amended in 1990, section 112.

B. What are the air quality impacts?

There are no air quality impacts associated with this action. The affirmative defense provisions did not affect the stringency of the standards in 40 CFR part 63, subparts HH or HHH. The removal of the provisions does not have a material impact on the obligation for sources to comply with current existing standards, or the ability of Federal or state agencies to enforce standards.

C. What are the cost impacts?

There are no cost impacts associated with this action. The affirmative defense provisions did not affect the stringency of the standards in the Oil and Gas NESHAP. The removal of the provisions does not have a material impact on the obligation for sources to comply with current existing standards, or the ability of Federal or state agencies to enforce standards. The EPA estimated a small administrative burden to report deviations from standards as a result of malfunctions that included the option for an owner or operator to offer an affirmative defense. The removal of the affirmative defense provisions does not affect that burden because sources will still be required to report malfunctions that result in a failure to meet the standards. Since the option to invoke an affirmative defense was voluntary, there may be a negligible cost savings for reporting malfunctions by removing these provisions.

D. What are the economic impacts?

There are no economic impacts associated with this action. The affirmative defense provisions did not affect the stringency of the standards in the Oil and Gas NESHAP. The removal of the provisions does not have a material impact on the obligation for sources to comply with current existing standards, or the ability of Federal or state agencies to enforce standards. The EPA estimated a small administrative burden to report deviations from standards as a result of malfunctions that included the option for an owner or operator to offer an affirmative defense. The removal of the affirmative defense provisions does not affect that burden because sources will still be required to report malfunctions that could have resulted in a failure to meet the standards. Since the option to invoke an affirmative defense was voluntary, there may be a negligible cost savings for reporting malfunctions by removing these provisions.

E. What are the benefits?

There are no environmental benefits associated with this action. The affirmative defense provisions did not affect the stringency of the standards in the Oil and Gas NESHAP. The removal of the provisions does not have a material impact on the obligation for sources to comply with current existing standards, or the ability of Federal or state agencies to enforce standards.

VI. Statutory and Executive Order Reviews

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

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

This action is not a significant regulatory action as defined in Executive Order 12866, as amended by Executive Order 14094, and was therefore not subject to a requirement for review under Executive Order 12866.

B. Paperwork Reduction Act (PRA)

This action does not impose any new information collection burden under the PRA. OMB has previously approved the information collection activities contained in the existing regulations and has assigned OMB control number 2060–0417. The removal of provisions for affirmative defense does not change any mandatory recordkeeping, reporting, or other activity previously established under prior final rules.

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. There are no economic impacts associated with this action. The affirmative defense provisions did not affect the stringency of the standards in 40 CFR part 63, subparts HH or HHH. The removal of the provisions does not have a material impact on the obligation for sources to comply with current existing standards, or the ability of Federal or State agencies to enforce standards. We have therefore concluded that this action will have no net regulatory burden for all directly regulated small entities.

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. The action imposes no enforceable duty on any state, local or Tribal governments or the private sector.

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: Consultation and Coordination With Indian Tribal Governments

This action does not have Tribal implications as specified in Executive Order 13175. It will not have substantial direct effects on Tribal governments, 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, as specified in Executive Order 13175. Thus, Executive Order 13175 does not apply to this action.

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

EPA interprets Executive Order 13045 as applying only to those regulatory actions that concern environmental health or safety risks that EPA has reason to believe may disproportionately affect children, per the definition of ''covered regulatory action'' in section 2–202 of the Executive Order. Therefore, this action is not subject to Executive Order 13045 because it does not concern an environmental health risk or safety risk. Since this action does not concern human health, EPA's Policy on Children's Health also does not apply.

H. Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use

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

I. National Technology Transfer and Advancement Act (NTTAA)

This rulemaking does not involve technical standards.

J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations and Executive Order 14096: Revitalizing Our Nation's Commitment to Environmental Justice for All

Executive Order 12898 (59 FR 7629, February 16, 1994) directs Federal agencies, to the greatest extent practicable and permitted by law, to make environmental justice part of their mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on communities with environmental justice concerns.

The EPA believes that this action does not concern human health or environmental conditions and therefore cannot be evaluated with respect to potentially disproportionate and adverse effects on communities with environmental justice concerns. This action does not change the underlying standards that have an impact on human health and the environment.

K. Congressional Review Act (CRA)

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

List of Subjects in 40 CFR Part 63

Environmental protection, Air pollution control, Hazardous substances, Reporting and recordkeeping requirements.

Michael S. Regan,
Administrator.

For the reasons stated in the preamble, the Environmental Protection Agency (EPA) amends Title 40, chapter I, of the Code of Federal Regulations (CFR) as follows:

PART 63—NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORIES

■ 1. The authority citation for part 63 continues to read as follows:

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

Subpart HH—National Emission Standards for Hazardous Air Pollutants From Oil and Natural Gas Production Facilities

■ 2. Section 63.760 is amended by adding paragraph (i) to read as follows:

§ 63.760 Applicability and designation of affected source.

* * * * *

(i) Emissions standards in this subpart apply at all times.

§ 63.761 [Amended]

■ 3. Section 63.761 is amended by removing the definition ''Affirmative defense''.

§ 63.762 [Removed and Reserved]

■ 4. Section 63.762 is removed and reserved.

Subpart HHH—National Emission Standards for Hazardous Air Pollutants From Natural Gas Transmission and Storage Facilities

■ 5. Section 63.1270 is amended by adding paragraph (g) to read as follows.

§ 63.1270 Applicability and designation of affected source.

* * * * *

(g) Emissions standards in this subpart apply at all times.

§ 63.1271 [Amended]

■ 6. Section 63.1271 is amended by removing the definition ''Affirmative defense''.

§ 63.1272 [Removed and Reserved]

■ 7. Section 63.1272 is removed and reserved.

[FR Doc. 2024–24288 Filed 10–21–24; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[Docket No. 221206–0261]

RIN 0648–BN32

Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 2023–2024 Biennial Specifications and Management Measures; Inseason Adjustments

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

ACTION: Final rule; inseason adjustments to biennial groundfish management measures.

SUMMARY: This final rule announces routine inseason adjustments to management measures in commercial groundfish fisheries. This action is intended to allow fishing vessels to access more abundant groundfish stocks while protecting rebuilding stocks.

DATES: This final rule is effective October 22, 2024.

ADDRESSES: *Electronic Access:* This rule is accessible via the internet at the Office of the Federal Register website at *https://www.federalregister.gov.* Background information and documents are available at the Pacific Fishery Management Council's website at *https://www.pcouncil.org/.*

FOR FURTHER INFORMATION CONTACT: Dr. Sean Matson, phone: 206–526–6187 or email: *sean.matson@noaa.gov.*

SUPPLEMENTARY INFORMATION:

Background

The Pacific Coast Groundfish Fishery Management Plan (PCGFMP) and its implementing regulations at title 50 in the Code of Federal Regulations (CFR), part 660, subparts C through G, regulate fishing for over 90 species of groundfish seaward of Washington, Oregon, and California. The Pacific Fishery Management Council (Council) develops groundfish harvest specifications and management measures for 2-year periods (biennia). NMFS published the final rule to implement harvest specifications and management measures for the 2023–2024 biennium for most species managed under the PCGFMP on December 16, 2022 (87 FR 77007). The management measures set at the start of the biennial harvest specifications cycle help the various sectors of the fishery attain, but not exceed, the catch limits for each stock. The Council, in coordination with Pacific Coast Treaty Indian Tribes and the States of Washington, Oregon, and California, recommends adjustments to the management measures during the fishing year to achieve this goal.

At its September 2024 meeting, the Council recommended an assortment of modifications that included corrections and adjustments, to commercial fixed gear trip limits and incidental catch limits, for limited entry (LE) and open access (OA) fisheries for the remainder of 2024. Stocks and complexes with recommended changes included the other fish complex south of 40°10′ N lat., minor nearshore rockfish south of 40°10′ N lat., and cabezon in California. Potential changes were analyzed and ultimately recommended after updated information regarding projected catch and attainment became available, as well as requests from industry.

Pacific Coast groundfish fisheries are managed using harvest specifications or limits (*e.g.,* overfishing limits,

acceptable biological catch, annual catch limits and harvest guidelines) recommended biennially by the Council and based on the best scientific information available at that time (50 CFR 660.60(b)). During development of the harvest specifications, the Council also recommends management measures (*e.g.,* trip limits, area closures, and bag limits) that are meant to control catch so as not to exceed the harvest specifications. The harvest specifications and management measures developed for the 2023–2024 biennium used data through the 2021 fishing year. Each of the adjustments to management measures discussed below are based on updated fisheries information that was unavailable when the analysis for the current harvest specifications was completed. As new fisheries data becomes available, adjustments to management measures are projected so as to help harvesters achieve but not exceed the harvest limits.

Other Fish Limited Entry Trip Limit South of 40°10′ N Lat. (Correction)

In the September 2024 meeting, the Council recommended that the trip limit for the ''other fish'' complex be changed from zero pounds (lb) per 2 months, to unlimited for the limited entry fixed gear (LEFG) fishery south of 40°10′ N lat. during November and December of 2024 (table 1), to correct an inadvertent change made in the inseason action from November 2023, which became effective in January 2024.

TABLE 1—TRIP LIMIT STRUCTURE FOR LE FG ''OTHER FISH'' COMPLEX SOUTH OF 40°10′ N LAT., IN CURRENT REGULATION AND RECOMMENDED BY COUNCIL IN SEPTEMBER 2024

Option	January–October	November–December
Current regulation	0 lb (0 kg)/2 months	0 lb (0 kg)/2 months.
Recommended	0 lb (0 kg)/2 months	Unlimited.

LEFG and OA Minor Nearshore Rockfish South of 40°10′ N Lat., and Cabezon in California

The Council recommended at their September 2024 meeting, in agreement with analyses by the Council's Groundfish Management Team (GMT) and the California Department of Fish and Wildlife (CDFW), discussion with the Groundfish Advisory Subpanel and enforcement consultants, to change the management lines on LEFG and open access (OA) trip limits in Federal regulation for cabezon in California, as well as shallow and deeper nearshore rockfish (within the minor nearshore rockfish south of 40°10′ N lat. complex) from 36° N lat. to 37°07′ N lat. (tables 2 and 3). This was done to align trip limits with current non-trawl rockfish conservation area boundaries (implemented April 1, 2024), align State and Federal regulations, prevent regulatory and enforcement confusion, and to better serve conservation needs of quillback rockfish (recently designated as overfished), while minimizing corresponding constraints to fishery participants by utilizing more spatially precise management measures. Similar changes were recommended in March 2024 (implemented April 2024) for lingcod, shelf rockfish, and other flatfish, to allow more spatially precise management measures, for both better quillback conservation, and better concurrent access to other target species. CDFW has taken State action to move their latitude line for quillback related closures from 36° to 37°07′ N lat. for the same reasons (State/Federal coordination, and benefits of spatially precise management).

TABLE 2—TRIP LIMIT STRUCTURE FOR LEFG AND OA MINOR NEARSHORE ROCKFISH SOUTH OF 40°10′ N LAT., IN CURRENT REGULATION AND RECOMMENDED BY COUNCIL IN SEPTEMBER 2024

Option	Habitat	Management area	Trip limits
Current regulation.	Shallow nearshore	40°10′ N lat.–36° N lat	0 lb (0 kg)/2 months.
		South of 36° N lat	2,000 lb (907 kg)/2 months.
	Deeper nearshore	40°10′ N lat.–36° N lat	0 lb (0 kg)/2 months.
		South of 36° N lat	2,000 lb (907 kg)/2 months, of which no more than 75 lb (34 kg) may be copper rockfish.
Council recommended.	Shallow nearshore	40°10′ N lat.–37°07′ N lat	0 lb (0 kg)/2 months.
		South of 37°07′ N lat	2,000 lb (907 kg)/2 months.
	Deeper nearshore	40°10′ N lat.–37°07′ N lat	0 lb (0 kg)/2 months.
		South of 37°07′ N lat	2,000 lb (907 kg)/2 months, of which no more than 75 lb (34 kg) may be copper rockfish.

TABLE 3—TRIP LIMIT STRUCTURE FOR LE FG AND OA CABEZON IN CALIFORNIA, SOUTH OF 40°10′ N LAT., IN CURRENT REGULATION AND RECOMMENDED BY COUNCIL IN SEPTEMBER 2024

Option	Management area	Trip limits
Current regulation	40°10′ N lat.–36° N lat	0 lb (0 kg)/2 months.
	South of 36° N lat	Unlimited.
Council recommended	40°10′ N lat.–37°07′ N lat	0 lb (0 kg)/2 months.
	South of 37°07′ N lat	Unlimited.

Therefore, the Council recommended and NMFS is implementing, by modifying table 2 South to part 660, subpart E, and table 3 South to part 660, subpart F, changes to the management lines on LEFG and OA trip limits in Federal regulation for cabezon in California, as well as shallow and deeper nearshore rockfish (both part of

the minor nearshore rockfish south of 40°10′ N lat. complex) from 36° N lat. to 37°07′ N lat. (tables 2 and 3). These changes will start with Period 5 (November and December) and remain in place through the end of 2024 and beyond, unless otherwise modified.

Retention Limits for Incidental Catch of Pacific Halibut North of Pt. Chehalis

Pacific halibut is internationally managed by the International Pacific Halibut Commission and NMFS. A catch sharing plan is published each year by NMFS; the 2024 plan (89 FR 19275, March 18, 2024) states that the non-treaty incidental catch in sablefish fishery (north of Pt. Chehalis) is 50,000 lb (22.7 metric tons). At the September 2024 meeting, the Council recommended to increase retention limits for the remainder of 2024, for incidental catch of Pacific halibut in the primary sablefish fishery north of Pt. Chehalis. This would represent an increase from the current limit in regulation of 130 lb (59 kg) of halibut per 1,000 lb (454 kg) of dressed sablefish plus two halibut, to 150 lb (68 kg) of halibut per 1,000 lb (454 kg) of dressed sablefish plus two halibut. This action was requested in order to help sablefish fishers north of Pt. Chehalis increase the utilization of their sablefish allocation without exceeding the halibut allocation. The GMT projected an inconsequential increase in already low attainment of the incidental halibut limit, from 52 to 55 percent, if the measure were implemented (table 4).

TABLE 4—PROJECTED INCIDENTAL PACIFIC HALIBUT LANDINGS IN THE PRIMARY SABLEFISH FISHERY NORTH OF POINT CHEHALIS UNDER CURRENT REGULATION AND COUNCIL RECOMMENDED INCIDENTAL TRIP LIMITS

Option	Landing ratio	Projected landings (net wt. lb) through December 7	Allocation (net wt. lb)	Attainment (%)
Status Quo	130 lb (59 kg) halibut per 1,000 lb sablefish landed and up to 2 halibut in excess of limit.	25,871 (11,735 kg)	50,000 lb (22,680 kg).	52
Alternative 1	150 lb (68 kg) halibut per 1,000 lb sablefish landed and up to 2 halibut in excess of limit.	27,609 (12,523 kg)		55

Therefore, the Council recommended and NMFS is implementing, by modifying regulation text in § 660.60, paragraph (b)(3)(iv) to read as follows: ''Incidental Pacific halibut retention north of Pt. Chehalis, WA (46°53.30′ N lat.). From April 1 through the closure date set by the International Pacific Halibut Commission for Pacific halibut in all commercial fisheries, vessels authorized to participate in the sablefish primary fishery, licensed by the International Pacific Halibut Commission for commercial fishing in Area 2A (waters off Washington, Oregon, California), and fishing with longline gear north of Pt. Chehalis, WA (46°53.30′ N lat.) may possess and land up to 150 lb (68 kg) dressed weight of Pacific halibut for every 1,000 lb (454 kg) dressed weight of sablefish landed, and up to two additional Pacific halibut in excess of the 150-lb-per-1,000-lb limit per landing. NMFS publishes the International Pacific Halibut Commission's regulations setting forth annual management measures, including the closure date for Pacific halibut in all commercial fisheries, in the **Federal Register** by March 15 each year, 50 CFR 300.62. ''Dressed'' Pacific halibut in this area means halibut landed eviscerated with their heads on. Pacific halibut taken and retained in the sablefish primary fishery north of Pt. Chehalis may only be landed north of Pt. Chehalis and may not be possessed or landed south of Pt. Chehalis.''

Classification

This final rule makes routine inseason adjustments to groundfish fishery management measures, based on the best scientific information available, consistent with the PCGFMP and its implementing regulations.

This action is taken under the authority of 50 CFR 660.60(c) and is exempt from review under Executive Order 12866.

The aggregate data upon which these actions are based, are available for public inspection by contacting Dr. Sean Matson in NMFS West Coast Region (see **FOR FURTHER INFORMATION CONTACT**, above), or view at the NMFS West Coast Groundfish website: *https://www.fisheries.noaa.gov/species/west-coast-groundfish.*

Pursuant to 5 U.S.C. 553(b), NMFS finds good cause to waive prior public notice and an opportunity for public comment on this action, as notice and comment would be impracticable and contrary to the public interest. The adjustments to management measures in this document update management line designations on trip limits for cabezon in California, and minor nearshore rockfish south of 40°10′ N lat., and allow additional incidental retention of bycaught Pacific halibut north of Pt. Chehalis to allow additional economic opportunity while keeping catch within allocations established by the 2023–2024 harvest specifications, and the 2024 halibut catch sharing plan, respectively.

The latitude line changes on trip limits in the LE and OA sectors are necessary to enable and spatially precise management for adequate conservation, and to minimize catch of quillback rockfish, which was recently determined to be overfished (NMFS notified the Council of the overfished status determination for quillback rockfish on December 14, 2023), while allowing fishing for other species to continue in areas where it may otherwise need to be closed if the changes were not made. The changes also are necessary to enable effective enforcement by aligning spatial management for these species across State and Federal waters boundaries. Increases to retention of incidentally caught halibut are necessary to enable more effective attainment of the sablefish allocation without exceeding the halibut allocation.

Delaying implementation to allow for public comment would likely reduce the economic benefits to the commercial fishing industry and the businesses that rely on that industry, because it is unlikely the new regulations would publish and could be implemented in time to realize the projected benefits to fishing communities and the resource. A delay in implementation could also contribute to unnecessarily discarded and largely wasted fish, which could otherwise be landed to provide food and revenue, and responsible use of the resource. Therefore, providing a comment period for this action could significantly limit the economic benefits to the fishery, and would hamper the achievement of optimum yield from the affected fisheries.

Therefore, the NMFS finds reason to waive the 30-day delay in effectiveness pursuant to 5 U.S.C. 553(d)(1) so that this final rule may become effective upon publication in the **Federal Register**. The adjustments to management measures in this document affect fisheries by increasing opportunity and allowing greater economic benefit. These adjustments were requested by the Council's advisory bodies, as well as members of industry during the Council's September 2024 meeting, and recommended unanimously by the Council. No aspect of this action is controversial, and changes of this nature were anticipated in the biennial harvest specifications and management measures established through a notice and comment rulemaking for 2023–2024 (87 FR 77007).

List of Subjects in 50 CFR Part 660

Fisheries, Fishing, Indian fisheries.

Dated: October 16, 2024.

Karen H. Abrams,

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

For the reasons set out in the preamble, NMFS amends 50 CFR part 660 as follows:

PART 660—FISHERIES OFF WEST COAST STATES

■ 1. The authority citation for part 660 continues to read as follows:

Authority: 16 U.S.C. 1801 *et seq.,* 16 U.S.C. 773 *et seq.,* and 16 U.S.C. 7001 *et seq.*

■ 2. In § 660.231, revise paragraph (b)(3)(iv) to read as follows:

* * * * *

(b) * * *

(3) * * *

(iv) *Incidental Pacific halibut retention north of Pt. Chehalis, WA (46°53.30′ N lat.).* From April 1 through the closure date set by the International Pacific Halibut Commission for Pacific halibut in all commercial fisheries, vessels authorized to participate in the sablefish primary fishery, licensed by the International Pacific Halibut Commission for commercial fishing in Area 2A (waters off Washington, Oregon, California), and fishing with longline gear north of Pt. Chehalis, WA (46°53.30′ N lat.) may possess and land up to 150 lb (68 kg) dressed weight of Pacific halibut for every 1,000 lb (454 kg) dressed weight of sablefish landed, and up to two additional Pacific halibut in excess of the 150-lb-per-1,000-lb limit per landing. NMFS publishes the International Pacific Halibut Commission's regulations setting forth annual management measures, including the closure date for Pacific halibut in all commercial fisheries, in the **Federal Register** by March 15 each year, 50 CFR 300.62. ''Dressed'' Pacific halibut in this area means halibut landed eviscerated with their heads on. Pacific halibut taken and retained in the sablefish primary fishery north of Pt. Chehalis may only be landed north of Pt. Chehalis and may not be possessed or landed south of Pt. Chehalis.

* * * * *

■ 3. Revise table 2 (South) to part 660, subpart E, to read as follows:

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Table 2 (South) to Part 660, Subpart E -- Non-Trawl Rockfish Conservation Areas and Trip Limits for Limited Entry Fixed Gear South of 40°10' N lat.

Other limits and requirements apply -- Read §§660.10 through 660.399 before using this table 11/1/2024

			JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
	Rockfish Conservation Area (RCA)[1/]:							
1	40°10' N lat. - 37°07' N lat.		Shoreward EEZ[1/] - 75 fm line[1/]					
2	37°07' N lat. - 34°27' N lat.		50 fm line[1/] - 75 fm line[1/]					
3	South of 34°27' N lat.		100 fm line[1/] - 150 fm line[1/] (also applies around islands and banks)					
	See §§660.60 and 660.230 for additional gear, trip limit and conservation area requirements and restrictions. See §§660.70-660.74 and §§660.76-660.79 for conservation area descriptions and coordinates (including RCAs, YRCAs, Farallon Islands, Cordell Bank, and EFHCAs).							
4	**Minor Slope rockfish[2/] & Darkblotched rockfish**		40,000 lb/ 2 months, of which no more than 6,000 lb may be blackgill rockfish					
5	**Splitnose rockfish**		40,000 lb/ 2 months					
6	**Sablefish**							
7	40°10' N lat. - 36°00' N lat.		4,500 lb/ week, not to exceed 9,000 lb /2 months			7,000 lb/ week, not to exceed 14,000 lb /2 months		
8	South of 36°00' N lat.		2,500 lb/ week					
9	**Longspine thornyhead**		10,000 lb/ 2 months					
10	**Shortspine thornyhead**							
11	40°10' N lat. - 34°27' N lat.		2,000 lb/ 2 months			2,500 lb/ 2 months		
12	South of 34°27' N lat.		3,000 lb/ 2 months					
13	**Dover sole, arrowtooth flounder, petrale sole, English sole, starry flounder**		10,000 lb/ month					
14	**Other Flatfish[3/]**							
15		40°10' N lat. - 37°07' N lat.	10,000 lb/ month seaward of the non-trawl RCA; 0 lb/month inside the non-trawl RCA					
16		South of 37°07' N lat.	10,000 lb/ month					
17	**Whiting**		10,000 lb/ trip					
18	**Minor Shelf Rockfish[2/]**							
19		40°10' N lat. - 37°07' N lat.	6,000 lb/ 2 months, of which no more than 500 lb may be vermilion/sunset					
20		37°07' N lat. - 34°27' N lat.	8,000 lb /2 month period, of which no more than 500 lb may be vermilion/sunset					
21		South of 34°27' N lat.	5,000 lb/ 2 months, of which no more than 3,000 lb may be vermilion/sunset					
22	**Widow rockfish**							
23		40°10' N lat. - 34°27' N lat.	10,000 lb/ 2 months					
24		South of 34°27' N lat.	8,000 lb/ 2 months					
25	**Chilipepper rockfish**							
26		40°10' N lat. - 34°27' N lat.	10,000 lb. / 2 months					
27		South of 34°27' N lat.	8,000 lb. / 2 months					
28	**Canary rockfish**		3,500 lb/ 2 months					
29	**Yelloweye rockfish**		CLOSED					
30	**Quillback rockfish**		0 lb/ 2 months					
31	**Cowcod**		CLOSED					
32	**Bronzespotted rockfish**		CLOSED					
33	**Bocaccio**		8,000 lb/ 2 months					
34	**Minor Nearshore Rockfish**							
35	40°10' N lat. - 37°07' N lat. Shallow nearshore[4/]		0 lb/ 2 months					
36	South of 37°07' N lat. Shallow nearshore[4/]		2,000 lb/ 2 months					
37	40°10' N lat. - 37°07' N lat. Deeper nearshore[5/]		0 lb/ 2 months					
38	South of 37°07' N lat. Deeper nearshore[5/]		2,000 lb/ 2 months, of which no more than 75 lb may be copper rockfish					
39	**California Scorpionfish**		3,500 lb/ 2 months					
40	**Lingcod[6/]**							
41		40°10' N lat. - 37°07' N lat.	1,600 lb / 2 months seaward of the Non-Trawl RCA; 0 lb / 2 months inside the non-trawl RCA					
42		South of 37°07' N lat.	1,600 lb / 2 months					
43	**Pacific cod**		1,000 lb/ 2 months					
44	**Spiny dogfish**		200,000 lb/ 2 months		150,000 lb/ 2 months	100,000 lb/ 2 months		
45	**Longnose skate**		Unlimited					
46	**Other Fish[7/]**		0 lb / 2 months					Unlimited
47	**Cabezon in California**							
48	40°10' N lat. - 37°07' N lat.		0 lb/ 2 months					
49	South of 37°07' N lat.		Unlimited					
50	**Big Skate**		Unlimited					

TABLE 2 (South)

1/ The Rockfish Conservation Area is an area closed to fishing by particular gear types, bounded by lines specifically defined by latitude and longitude coordinates set out at §§ 660.71-660.74. This RCA is not defined by depth contours (with the exception of the 20-fm depth contour boundary south of 42° N lat.), and the boundary lines that define the RCA may close areas that are deeper or shallower than the depth contour. Vessels that are subject to RCA restrictions may not fish in the RCA, or operate in the RCA for any purpose other than transiting. LEFG vessels may be allowed to fish inside groundfish conservation areas using non-bottom contact hook and line only. See § 660.230 (d) of the regulations for more information.

2/ Minor Shelf and Slope Rockfish complexes are defined at § 660.11. Pacific ocean perch is included in the trip limits for Minor Slope Rockfish. Blackgill rockfish have a species specific trip sub-limit within the Minor Slope Rockfish cumulative limit. Yellowtail rockfish are included in the trip limits for Minor Shelf Rockfish. Bronzespotted rockfish have a species specific trip limit.

3/ "Other Flatfish" are defined at § 660.11 and include butter sole, curlfin sole, flathead sole, Pacific sanddab, rex sole, rock sole, and sand sole.

4/ "Shallow Nearshore" are defined at § 660.11 under "Groundfish" (7)(i)(B)(*1*).

5/ "Deeper Nearshore" are defined at § 660.11 under "Groundfish" (7)(i)(B)(*2*).

6/ The commercial mimimum size limit for lingcod is 22 inches (56 cm) total length South of 42° N lat.

7/ "Other Fish" are defined at § 660.11 and include kelp greenling off California and leopard shark.

To convert pounds to kilograms, divide by 2.20462, the number of pounds in one kilogram.

■ 4. Revise table 3 (South) to part 660, subpart F, to read as follows:

Table 3 (South) to Part 660, Subpart F -- Non-Trawl Rockfish Conservation Areas and Trip Limits for Open Access Gears South of 40°10' N lat.

Other limits and requirements apply -- Read §§660.10 through 660.399 before using this table 11/1/2024

			JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
	Rockfish Conservation Area (RCA)[1/]:							
1	40°10' N lat. - 37°07' N lat.		Shoreward EEZ[1/] - 75 fm line[1/]					
2	37°07' N lat. - 34°27' N lat.		50 fm line[1/] - 75 fm line[1/]					
3	South of 34°27' N lat.		100 fm line[1/] - 150 fm line[1/] (also applies around islands and banks)					
	See §§660.60 and 660.230 for additional gear, trip limit and conservation area requirements and restrictions. See §§660.70-660.74 and §§660.76-660.79 for conservation area descriptions and coordinates (including RCAs, YRCAs, Farallon Islands, Cordell Bank, and EFHCAs).							
4	**Minor Slope Rockfish[2/] & Darkblotched rockfish**		10,000 lb/ 2 months, of which no more than 2,500 lb may be blackgill rockfish					
5	**Splitnose rockfish**		200 lb/ month					
6	**Sablefish**							
7		40°10' N lat. - 36°00' N lat.	3,000 lb/ week, not to exceed 6,000 lb/ 2 months			3,500 lb/ week, not to exceed 7,000 lb/ 2 months		
8		South of 36°00' N lat.	2,000 lb/ week, not to exceed 6,000 lb/ 2 months					
9	**Shortpine thornyheads**							
10		40°10' N lat. - 34°27' N lat.	50 lb/ month					
11	**Longspine thornyheads**							
12		40°10' N lat. - 34°27' N lat.	50 lb/ month					
13	**Shortpine thornyheads and longspine thornyheads**							
14		South of 34°27' N lat.	100 lb/ day, no more than 1,000 lb/ 2 months					
15	**Dover sole, arrowtooth flounder, petrale sole, English sole, starry flounder[3/8/]**		5,000 lb/ month					
16	**Other Flatfish[3/]**							
17		40°10' N lat. - 37°07' N lat.	5,000 lb/ month seaward of the Non-Trawl RCA; 0 lb/month inside the Non-Trawl RCA					
18		South of 37°07' N lat.	5,000 lb/ month					
19	**Whiting**		300 lb/ month					
20	**Minor Shelf Rockfish[2/]**							
21		40°10' N lat. - 37°07' N lat.	3,000 lb/ 2 months, of which no more than 300 lb may be vermilion/sunset					
22		37°07' N lat. - 34°27' N lat.	4,000 lb/ 2 month, of which no more than 300 lb may be vermilion/sunset					
23		South of 34°27' N lat.	3,000 lb/ 2 months, of which no more than 900 lb may be vermilion/sunset					
24	**Widow rockfish**							
25		40°10' N lat. - 34°27' N lat.	6,000 lb/ 2 months					
26		South of 34°27' N lat.	4,000 lb/ 2 months					
27	**Chilipepper rockfish**							
28		40°10' N lat. - 34°27' N lat.	6,000 lb/ 2 months					
29		South of 34°27' N lat.	4,000 lb/ 2 months					
30	**Canary rockfish**		1,500 lb/ 2 months					
31	**Yelloweye rockfish**		CLOSED					
32	**Cowcod**		CLOSED					
33	**Bronzespotted rockfish**		CLOSED					
34	**Quillback rockfish**		0 lb/ 2 months					
35	**Bocaccio**		6,000 lb/ 2 months					
36	**Minor Nearshore Rockfish**							
37	40°10' N lat. - 37°07' N lat. Shallow nearshore[4/]		0 lb/ 2 months					
38	South of 37°07' N lat. Shallow nearshore[4/]		2,000 lb/ 2 months					
39	40°10' N lat. - 37°07' N lat. Deeper nearshore[5/]		0 lb/ 2 months					
40	South of 37°07' N lat. Deeper nearshore[5/]		2,000 lb/ 2 months, of which no more than 75 lb may be copper rockfish					
41	**California Scorpionfish**		3,500 lb/ 2 months					
42	**Lingcod[6/]**							
43		40°10' N lat. - 37°07' N lat.	700 lb / month seaward of the non-trawl RCA; 0 lb/ month inside the non-trawl RCA					
44		South of 37°07' N lat.	700 lb / month					
45	**Pacific cod**		1,000 lb/ 2 months					
46	**Spiny dogfish**		200,000 lb/ 2 months		150,000 lb/ 2 months	100,000 lb/ 2 months		
47	**Longnose skate**		Unlimited					
48	**Big skate**		Unlimited					
49	**Other Fish[7/]**		Unlimited					
50	**Cabezon in California**							
51		40°10' N lat. - 37°07' N lat.	0 lb/ month					
52		South of 37°07' N lat.	Unlimited					

TABLE 3 (South)

Table 3 (South) Continued

Other limits and requirements apply -- Read §§660.10 through 660.399 before using this table 11/1/2024

		JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
Rockfish Conservation Area (RCA)[1/]:							
1	40°10′ N lat. - 36°00′ N lat.	Shoreward EEZ[1/] - 75 fm line[1/]					
2	36°00′ N lat. - 34°27′ N lat.	50 fm line[1/] - 75 fm line[1/]					
3	South of 34°27′ N lat.	100 fm line[1/] - 150 fm line[1/] (also applies around islands and banks)					
See §§660.60 and 660.230 for additional gear, trip limit and conservation area requirements and restrictions. See §§660.70-660.74 and §§660.76-660.79 for conservation area descriptions and coordinates (including RCAs, YRCAs, Farallon Islands, Cordell Bank, and EFHCAs).							
59	**SALMON TROLL** *(subject to RCAs when retaining all species of groundfish, except for yellowtail rockfish, as described below)*						
60	South of 40°10′ N lat.	Salmon trollers may retain and land up to 1 lb of yellowtail rockfish for every 2 lb of Chinook salmon landed, with a cumulative limit of 200 lb/month, both within and outside of the RCA. This limit is within the 4,000 lb per 2 month limit for minor shelf rockfish between 40°10′ and 34°27′ N lat., and not in addition to that limit. All groundfish species are subject to the open access limits, seasons, size limits and RCA restrictions listed in the table above, unless otherwise stated here.					
61	**RIDGEBACK PRAWN AND, SOUTH OF 38°57.50′ N lat., CA HALIBUT AND SEA CUCUMBER NON-GROUNDFISH TRAWL**						
62	**NON-GROUNDFISH TRAWL Rockfish Conservation Area (RCA) for CA Halibut, Sea Cucumber & Ridgeback Prawn:**						
63	*40°10′ N lat. - 38°00′ N lat.*	*100 fm line[1/] - 200 fm line[1/]*	*100 fm line[1/] - 150 fm line[1/]*				*100 fm line[1/] - 200 fm line[1/]*
64	*38°00′ N lat. - 34°27′ N lat.*	*100 fm line[1/] - 150 fm line[1/]*					
65	*South of 34°27′ N lat.*	*100 fm line[1/] - 150 fm line[1/]*					
66		Groundfish: 300 lb/trip. Species-specific limits described in the table above also apply and are counted toward the 300 lb groundfish per trip limit. The amount of groundfish landed may not exceed the amount of the target species landed, except that the amount of spiny dogfish landed may exceed the amount of target species landed. Spiny dogfish are limited by the 300 lb/trip overall groundfish limit. The daily trip limits for sablefish coastwide and thornyheads south of Pt. Conception and the overall groundfish "per trip" limit may not be multiplied by the number of days of the trip. Vessels participating in the California halibut fishery south of 38°57.50′ N lat. are allowed to (1) land up to 100 lb/day of groundfish without the ratio requirement, provided that at least one California halibut is landed and (2) land up to 3,000 lb/month of flatfish, no more than 300 lb of which may be species other than Pacific sanddabs, sand sole, starry flounder, rock sole, curlfin sole, or California scorpionfish (California scorpionfish is also subject to the trip limits and closures in line 29).					
67	**PINK SHRIMP NON-GROUNDFISH TRAWL GEAR** *(not subject to RCAs)*						
69	South	Effective April 1 - October 31: Groundfish: 500 lb/day, multiplied by the number of days of the trip, not to exceed 1,500 lb/trip. The following sublimits also apply and are counted toward the overall 500 lb/ day and 1,500 lb/ trip groundfish limits: lingcod 300 lb/ month (minimum 24 inch size limit); sablefish 2,000 lb/ month; canary rockfish, thornyheads and yelloweye rockfish are PROHIBITED. All other groundfish species taken are managed under the overall 500 lb/day and 1,500 lb/ trip groundfish limits. Landings of all groundfish species count toward the per day, per trip or other species-specific sublimits described here and the species-specific limits described in the table above do not apply. The amount of groundfish landed may not exceed the amount of pink shrimp landed.					

TABLE 3 (South) Continued

1/ The Rockfish Conservation Area is an area closed to fishing by particular gear types, bounded by lines specifically defined by latitude and longitude coordinates set out at §§ 660.71-660.74. This RCA is not defined by depth contours (with the exception of the 20-fm depth contour boundary south of 42° N lat.), and the boundary lines that define the RCA may close areas that are deeper or shallower than the depth contour. Vessels that are subject to RCA restrictions may not fish in the RCA, or operate in the RCA for any purpose other than transiting. Open access vessels may be allowed to fish inside groundfish conservation areas using hook and line only. See § 660.330 (d) of the regulations for more information.

2/ Minor Shelf and Slope Rockfish complexes are defined at § 660.11. Pacific ocean perch is included in the trip limits for minor slope rockfish. Blackgill rockfish have a species specific trip sub-limit within the minor slope rockfish cumulative limits. Yellowtail rockfish is included in the trip limits for minor shelf rockfish. Bronzespotted rockfish have a species specific trip limit.

3/ "Other flatfish" are defined at § 660.11 and include butter sole, curlfin sole, flathead sole, Pacific sanddab, rex sole, rock sole, and sand sole.

4/ "Shallow Nearshore" are defined at § 660.11 under "Groundfish" (7)(i)(B)(*1*).

5/ "Deeper Nearshore" are defined at § 660.11 under "Groundfish" (7)(i)(B)(*2*).

6/ The commercial mimimum size limit for lingcod is 22 inches (56 cm) South of 42° N lat.

7/ "Other fish" are defined at § 660.11 and includes kelp greenling off California and leopard shark.

8/ Open access vessels may be allowed to fish inside groundfish conservation areas using hook and line only. See § 660.330 (d) of the regulations for more information.

To convert pounds to kilograms, divide by 2.20462, the number of pounds in one kilogram.

[FR Doc. 2024–24400 Filed 10–21–24; 8:45 am]

BILLING CODE 3510–22–C

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[RTID 0648–XE360]

Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 2024 Tribal Fishery Allocations for Pacific Whiting; Reapportionment Between Tribal and Non-Tribal Sectors

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

ACTION: Inseason reapportionment of tribal Pacific whiting allocation.

SUMMARY: This document announces the reapportionment of 45,000 metric tons of Pacific whiting from the tribal allocation to the non-tribal commercial fishery sectors via automatic action on September 26, 2024. This reapportionment is to allow full utilization of the Pacific whiting resource.

DATES: The reapportionment of Pacific whiting went into effect at 4:30 p.m. (16:30) local time, September 26, 2024, and is effective through December 31, 2024. Comments will be accepted through November 6, 2024.

ADDRESSES: You may submit comments, identified by NOAA–NMFS–2024–0120 by the following method:

Electronic Submission: Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to *https://www.regulations.gov* and enter NOAA–NMFS–2024–0120 in the Search box. Click on the ''Comment'' icon, complete the required fields, and enter or attach your comments.

Instructions: Comments sent by any other method to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record. All personal identifying information (*e.g.,* name, address, *etc.*), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter ''N/A'' in the required fields if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word, Excel, or Adobe PDF file formats only.

Electronic Access

This notice is accessible online at the Office of the Federal Register's website at *https://www.federalregister.gov.* Background information and documents

are available at the NMFS West Coast Region website at *https://www.fisheries.noaa.gov/region/west-coast.*

FOR FURTHER INFORMATION CONTACT: Colin Sayre, West Coast Region, NMFS, (206) 526–4656, *Colin.Sayre@noaa.gov.*

SUPPLEMENTARY INFORMATION:

Background

Pacific Whiting

Pacific whiting (*Merluccius productus*) is a very productive species with highly variable recruitment (the biomass of fish that mature and enter the fishery each year) and a relatively short life span compared to other groundfish species. Pacific whiting has the largest annual allowable harvest levels (by volume) of the more than 90 groundfish species managed under the Pacific Coast Groundfish Fishery Management Plan (FMP), which governs the groundfish fishery off Washington, Oregon, and California. The coastwide Pacific whiting stock is managed jointly by the United States and Canada, and mature Pacific whiting are commonly available to vessels operating in U.S. waters from April through December. Background on the stock assessment, and the establishment of the 2024 Total Allowable Catch (TAC), for Pacific whiting was provided in the final rule for the 2024 Pacific whiting harvest specifications, published June 24, 2024 (89 FR 52398). Pacific whiting is allocated to the Pacific Coast treaty tribes (tribal fishery) and to three non-tribal commercial sectors: the catcher/processor cooperative (C/P Co-op), the mothership cooperative (MS Co-op), and the Shorebased Individual Fishery Quota (IFQ) Program.

This notice announces the reapportionment of 45,000 metric tons (mt) of Pacific whiting from the tribal allocation to the non-tribal commercial sectors. This reapportionment was effective on September 26, 2024. Regulations at 50 CFR 660.131(h) contain provisions that allow the Regional Administrator to reapportion Pacific whiting from the tribal allocation, specified at 50 CFR 660.50, that will not be harvested by the end of the fishing year to other sectors.

Pacific Whiting Reapportionment

For 2024, the Pacific Coast treaty tribes were allocated 71,755.95 mt of Pacific whiting. The best available information on September 15, 2024, indicated that at least 45,000 mt of the tribal allocation would not be harvested by December 31, 2024. As required under the 2017 Endangered Species Act section 7(a)(2) biological opinion on the effects of the Pacific Coast Groundfish Fishery Management Plan on listed salmonids, NMFS considered the number and bycatch rate of Chinook salmon taken by the Pacific whiting fishery sectors prior to reapportionment. Based on the best available information in September 2024, NMFS determined there is low risk that the reapportionment will cause the Pacific whiting sector fisheries to exceed both the guideline limit of 11,000 and reserve of 3,500 Chinook salmon under current regulations and practices. At the time of this notice, incidental take of Chinook salmon by the non-tribal sectors is five percent of the guideline limit. NMFS will continue to monitor Chinook salmon bycatch as part of inseason management.

To allow for increased utilization of the resource, on September 26, 2024, NMFS reapportioned 45,000 mt from the tribal allocation to the Shorebased IFQ Program, C/P Co-op, and MS Co-op in proportion to each sector's original allocation. Reapportioning this amount is expected to allow for greater attainment of the TAC while not limiting tribal harvest opportunities for the remainder of the year. NMFS provided notice of the reapportionment on September 26, 2024, via emails sent directly to fishing businesses and individuals. Reapportionment was effective the same day as the notice.

The amounts of Pacific whiting available for 2024 before and after the reapportionment are described in table 1 below.

TABLE 1—2024 PACIFIC WHITING ALLOCATIONS

Sector	Initial 2024 allocation (mt)	Final 2024 allocation (mt)
Tribal	71,755.95	26,755.95
C/P Coop	114,759.53	130,059.53
MS Coop	81,006.73	91,806.73
Shorebased IFQ Program	141,761.78	160,661.78

Classification

NOAA's Assistant Administrator for Fisheries (AA) finds that good cause exists for this notification to be issued without affording prior notice and opportunity for public comment pursuant to 5 U.S.C. 553(b)(B), because such notification would be impracticable and contrary to the public interest. As previously noted, NMFS provided actual notice of the reapportionment to fishery participants at the time of the action. Prior notice and opportunity for public comment on this reapportionment was impracticable because NMFS had insufficient time to provide prior notice between the time the information about the progress of the fishery needed to make this determination became available and the time at which fishery modifications had to be implemented in order to allow fishery participants access to the available fish during the remainder of the fishing season. For the same reasons, the AA also finds good cause to waive the 30-day delay in effectiveness for these actions, required under 5 U.S.C. 553(d)(3).

These actions are authorized by 50 CFR 660.55(i), 660.60(d), and 660.131(h) and are exempt from review under Executive Order 12866.

Authority: 16 U.S.C. 1801 *et seq.* and 16 U.S.C. 7001 *et seq.*

Dated: October 16, 2024.

Karen H. Abrams,

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

[FR Doc. 2024–24361 Filed 10–21–24; 8:45 am]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register
Vol. 89, No. 204
Tuesday, October 22, 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 TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2024–2367; Airspace Docket No. 24–ASW–17]

RIN 2120–AA66

Amendment of Class E Airspace; Giddings, TX

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to amend the Class E airspace at Giddings, TX. The FAA is proposing this action as the result of an airspace review conducted due to the decommissioning of the Industry very high frequency omnidirectional range (VOR) as part of the VOR Minimum Operational Network (MON) Program. The geographic coordinates of the airport would also be updated to coincide with the FAA's aeronautical database. This action will bring the airspace into compliance with FAA orders and support instrument flight rule (IFR) procedures and operations.

DATES: Comments must be received on or before December 6, 2024.

ADDRESSES: Send comments identified by FAA Docket No. FAA–2024–2367 and Airspace Docket No. 24–ASW–17 using any of the following methods:

* *Federal eRulemaking Portal:* Go to *www.regulations.gov* and follow the online instruction for sending your comments electronically.

* *Mail:* Send comments to Docket Operations, M–30; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.

* *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

* *Fax:* Fax comments to Docket Operations at (202) 493–2251.

Docket: Background documents or comments received may be read at *www.regulations.gov* at any time. Follow the online instructions for accessing the docket or go to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FAA Order JO 7400.11J, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *www.faa.gov/air_traffic/publications/*. You may also contact the Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267–8783.

FOR FURTHER INFORMATION CONTACT: Jeffrey Claypool, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222–5711.

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 airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would amend the Class E airspace extending upward from 700 feet above the surface at Giddings-Lee County Airport, Giddings, TX, to support IFR operations at this airport.

Comments Invited

The FAA invites interested persons to participate in this rulemaking by submitting written comments, data, or views. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should submit only one time if comments are filed electronically, or commenters should send only one copy of written comments if comments are filed in writing.

The FAA will file in the docket all comments it receives, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rulemaking. Before acting on this proposal, the FAA will consider all comments it received on or before the closing date for comments. The FAA will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. The FAA may change this proposal in light of the comments it receives.

Privacy: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT post these comments, without edit, including any personal information the commenter provides, to *www.regulations.gov* as described in the system of records notice (DOT/ALL–14FDMS), which can be reviewed at *www.dot.gov/privacy.*

Availability of Rulemaking Documents

An electronic copy of this document may be downloaded through the internet at *www.regulations.gov.* Recently published rulemaking documents can also be accessed through the FAA's web page at *www.faa.gov/air_traffic/publications/airspace_amendments/.*

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for the address, phone number, and hours of operations). An informal docket may also be examined during normal business hours at the Federal Aviation Administration, Air Traffic Organization, Central Service Center, Operations Support Group, 10101 Hillwood Parkway, Fort Worth, TX 76177.

Incorporation by Reference

Class E airspace is published in paragraph 6005 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document proposes to amend the current version of that order, FAA Order JO 7400.11J, dated July 31, 2024, and effective September 15, 2024. These updates would be published subsequently in the next update to FAA Order JO 7400.11. That order is publicly available as listed in the **ADDRESSES** section of this document.

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

The Proposal

The FAA is proposing an amendment to 14 CFR part 71 by modifying the Class E airspace extending upward from 700 feet above the surface to within a 6.9-mile (increased from a 6.6-mile) radius of the Giddings-Lee County Airport, Giddings, TX; and updating the geographic coordinates of the airport to coincide with the FAA's aeronautical database.

This action is the result of an airspace review conducted due to the decommissioning of the Industry VOR as part of the VOR MON Program and supports IFR operations at these airports.

Regulatory Notices and Analyses

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT 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 will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures'' prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11J, Airspace Designations and Reporting Points, dated July 31, 2024, and effective September 15, 2024, is amended as follows:

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

* * * * *

ASW TX E5 Giddings, TX [Amended]

Giddings-Lee County Airport, TX
(Lat. 30°10′09″ N, long. 96°58′48″ W)

That airspace extending upward from 700 feet above the surface within a 6.9-mile radius of Giddings-Lee County Airport.

* * * * *

Issued in Fort Worth, Texas, on October 16, 2024.

Martin A. Skinner,

Acting Manager, Operations Support Group, ATO Central Service Center.

[FR Doc. 2024–24342 Filed 10–21–24; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2023–2255; Airspace Docket No. 23–ASO–52]

RIN 2120–AA66

Amendment of Class E Airspace; Marion, NC

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Proposed Rulemaking (NPRM)

SUMMARY: This action proposes to amend Class E airspace extending upward from 700 feet above the surface for Mission Hospital McDowell, Marion, NC, as new instrument approach procedures have been designed for Mission Hospital McDowell. This action would correct the name from McDowell Hospital to Mission Hospital McDowell. It would also remove Point In Space Coordinates for McDowell Hospital and replace them with the correct Mission Hospital McDowell coordinates.

DATES: Comments must be received on or before December 6, 2024.

ADDRESSES: Send comments identified by FAA Docket No. FAA–2023–2255 and Airspace Docket No. 23–ASO–52 using any of the following methods:

* *Federal eRulemaking Portal:* Go to *www.regulations.gov* and follow the online instructions for sending your comments electronically.

* *Mail:* Send comments to Docket Operations, M–30; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.

* *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except for Federal holidays.

* *Fax:* Fax comments to Docket Operations at (202) 493–2251.

Docket: Background documents or comments received may be read at *www.regulations.gov* at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except for Federal holidays.

FAA Order JO 7400.11J Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *www.faa.gov/air_traffic/publications/*. You may also contact the Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington DC 20591; telephone: (202) 267–8783.

FOR FURTHER INFORMATION CONTACT: Robert Scott Stuart, Operations Support Group, Eastern Service Center, Federal Aviation Administration, 1701 Columbia Avenue, College Park, GA 30337; telephone: (404) 305–5926.

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 airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority, as it would amend Class E airspace for Mission Hospital McDowell, Marion, NC.

Comments Invited

The FAA invites interested persons to participate in this rulemaking by submitting written comments, data, or views. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should submit only one time if comments are filed electronically, or commenters should send only one copy of written comments if comments are filed in writing.

The FAA will file in the docket all comments it receives, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rulemaking. Before acting on this proposal, the FAA will consider all comments it receives on or before the closing date for comments. The FAA will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. The FAA may change this proposal in light of the comments it receives.

Privacy: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to *www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *www.dot.gov/privacy.*

Availability of Rulemaking Documents

An electronic copy of this document may be downloaded through the internet at *www.regulations.gov.* Recently published rulemaking documents can also be accessed through the FAA's web page at *www.faa.gov/air_traffic/publications/airspace_amendments/.*

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Operations office (see **ADDRESSES** section for address, phone number, and hours of operations). An informal docket may also be examined during regular business hours at the office of the Eastern Service Center, Federal Aviation Administration, Room 210, 1701 Columbia Ave., College Park, GA, 30337.

Incorporation by Reference

Class E airspace designations are published in paragraph 6005 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document proposes to amend the current version of that order, FAA Order JO 7400.11J, Airspace Designations and Reporting Points, dated July 31, 2024, and effective September 15, 2024. FAA Order JO 7400.11J is publicly available as listed in the **ADDRESSES** section of this document. These amendments would be published subsequently in the next update to FAA Order JO 7400.11.

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

The Proposal

This action proposes to amend 14 CFR part 71 by amending Class E airspace extending upward from 700 feet above the surface for Mission Hospital McDowell, Marion, NC, by relocating the center point of the Class E airspace extending upward from 700 feet above the surface within a 6-mile radius of Mission Hospital McDowell. Additionally, this action would correct the name from McDowell Hospital to Mission Hospital McDowell and delete the Point In Space Coordinates for McDowell Hospital utilizing Mission Hospital McDowell as a reference to accommodate Class E airspace requirements. Furthermore, this action would remove the Rutherfordton, NC, Class E airspace area exclusion. Controlled airspace is necessary for the safety and management of instrument flight rules (IFR) operations in the area.

Regulatory Notices and Analyses

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT 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 will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures,'' prior to any FAA final regulatory action.

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order JO 7400.11J, Airspace Designations and Reporting Points, dated July 31, 2024, and effective September 15, 2024, is amended as follows:

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

* * * * *

ASO NC E5 Marion, NC [AMENDED]

Mission Hospital McDowell, NC
(Lat. 35°39′45″ N, long. 82°01′46″ W)

That airspace extending upward from 700 feet above the surface within a 6-mile radius of Mission Hospital McDowell.

* * * * *

Issued in College Park, Georgia, on October 16, 2024

Gregory R. Garmon,

Manager, Tactical Operations Team, Eastern Service Center, Air Traffic Organization.

[FR Doc. 2024–24317 Filed 10–21–24; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2024–2366; Airspace Docket No. 24–AGL–24]

RIN 2120–AA66

Amendment of Class E Airspace; Pontiac, IL

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to amend the Class E airspace at Pontiac, IL. The FAA is proposing this action as the result of an airspace review conducted due to the decommissioning of the Pontiac very high frequency omnidirectional range (VOR) as part of the VOR Minimum Operational Network (MON) Program. The geographic coordinates of the airport would also be updated to coincide with the FAA's aeronautical database. This action will bring the airspace into compliance with FAA orders and support instrument flight rule (IFR) procedures and operations.

DATES: Comments must be received on or before December 6, 2024.

ADDRESSES: Send comments identified by FAA Docket No. FAA–2024–2366 and Airspace Docket No. 24–AGL–24 using any of the following methods:

* *Federal eRulemaking Portal:* Go to *www.regulations.gov* and follow the online instruction for sending your comments electronically.

* *Mail:* Send comments to Docket Operations, M–30; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.

* *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

* *Fax:* Fax comments to Docket Operations at (202) 493–2251.

Docket: Background documents or comments received may be read at *www.regulations.gov* at any time. Follow the online instructions for accessing the docket or go to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FAA Order JO 7400.11J, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *www.faa.gov/air_traffic/publications/*. You may also contact the Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267–8783.

FOR FURTHER INFORMATION CONTACT: Jeffrey Claypool, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222–5711.

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 airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would amend the Class E airspace extending upward from 700 feet above the surface at Pontiac Municipal Airport, Pontiac, IL, to support IFR operations at this airport.

Comments Invited

The FAA invites interested persons to participate in this rulemaking by submitting written comments, data, or views. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should submit only one time if comments are filed electronically, or commenters should send only one copy of written comments if comments are filed in writing.

The FAA will file in the docket all comments it receives, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rulemaking. Before acting on this proposal, the FAA will consider all comments it received on or before the closing date for comments. The FAA will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. The FAA may change this proposal in light of the comments it receives.

Privacy: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT post these comments, without edit, including any personal information the commenter provides, to *www.regulations.gov* as described in the system of records notice (DOT/ALL–14FDMS), which can be reviewed at *www.dot.gov/privacy*.

Availability of Rulemaking Documents

An electronic copy of this document may be downloaded through the internet at *www.regulations.gov*. Recently published rulemaking documents can also be accessed through the FAA's web page at *www.faa.gov/air_traffic/publications/airspace_amendments/*.

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for the address, phone number, and hours of operations). An informal docket may also be examined during normal business hours at the Federal Aviation Administration, Air Traffic Organization, Central Service Center, Operations Support Group, 10101 Hillwood Parkway, Fort Worth, TX 76177.

Incorporation by Reference

Class E airspace is published in paragraph 6005 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document proposes to amend the current version of that order, FAA Order JO 7400.11J, dated July 31, 2024, and effective September 15, 2024. These updates would be published subsequently in the next update to FAA Order JO 7400.11. That order is publicly available as listed in the **ADDRESSES** section of this document.

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

The Proposal

The FAA is proposing an amendment to 14 CFR part 71 by modifying the Class E airspace extending upward from 700 feet above the surface to within a 6.8-mile (reduced from a 7.2-mile) radius of Pontiac Municipal Airport, Pontiac, IL; and updating the geographic coordinates of the airport to coincide with the FAA's aeronautical database.

This action is the result of an airspace review conducted as part of the decommissioning of the Pontiac VOR as part of the VOR MON Program and to support IFR operations at this airport.

Regulatory Notices and Analyses

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT 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 will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures'' prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11J, Airspace Designations and Reporting Points, dated July 31, 2024, and effective September 15, 2024, is amended as follows:

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

* * * * *

AGL IL E5 Pontiac, IL [Amended]

Pontiac Municipal Airport, IL
(Lat. 40°55′28″ N, long. 88°37′26″ W)

That airspace extending upward from 700 feet above the surface within a 6.8-mile radius of the Pontiac Municipal Airport.

* * * * *

Issued in Fort Worth, Texas, on October 16, 2024.

Martin A. Skinner,

Acting Manager, Operations Support Group, ATO Central Service Center.

[FR Doc. 2024–24340 Filed 10–21–24; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2024–2368; Airspace Docket No. 24–ACE–9]

RIN 2120–AA66

Amendment of Class E Airspace; Smith Center, KS

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to amend the Class E airspace at Smith Center, KS. The FAA is proposing this action as the result of an airspace review conducted due to the decommissioning of the Mankato very high frequency omnidirectional range (VOR) as part of the VOR Minimum Operational Network (MON) Program. This action would also update the geographic coordinates of the airport to coincide with the FAA's aeronautical database. This action will bring the airspace into compliance with FAA orders and support instrument flight rule (IFR) procedures and operations.

DATES: Comments must be received on or before December 6, 2024.

ADDRESSES: Send comments identified by FAA Docket No. FAA–2024–2368 and Airspace Docket No. 24–ACE–9 using any of the following methods:

* *Federal eRulemaking Portal:* Go to *www.regulations.gov* and follow the online instruction for sending your comments electronically.

* *Mail:* Send comments to Docket Operations, M–30; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.

* *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

* *Fax:* Fax comments to Docket Operations at (202) 493–2251.

Docket: Background documents or comments received may be read at *www.regulations.gov* at any time. Follow the online instructions for accessing the docket or go to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FAA Order JO 7400.11J, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *www.faa.gov/air_traffic/publications/.* You may also contact the Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington DC 20591; telephone: (202) 267–8783.

FOR FURTHER INFORMATION CONTACT: Jeffrey Claypool, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222–5711.

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 airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would amend the Class E airspace extending upward from 700 feet above the surface at Smith Center Municipal Airport,

Smith Center, KS, to support IFR operations at this airport.

Comments Invited

The FAA invites interested persons to participate in this rulemaking by submitting written comments, data, or views. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should submit only one time if comments are filed electronically, or commenters should send only one copy of written comments if comments are filed in writing.

The FAA will file in the docket all comments it receives, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rulemaking. Before acting on this proposal, the FAA will consider all comments it received on or before the closing date for comments. The FAA will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. The FAA may change this proposal in light of the comments it receives.

Privacy: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT post these comments, without edit, including any personal information the commenter provides, to *www.regulations.gov* as described in the system of records notice (DOT/ALL–14FDMS), which can be reviewed at *www.dot.gov/privacy.*

Availability of Rulemaking Documents

An electronic copy of this document may be downloaded through the internet at *www.regulations.gov.* Recently published rulemaking documents can also be accessed through the FAA's web page at *www.faa.gov/air_traffic/publications/airspace_amendments/.*

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for the address, phone number, and hours of operations). An informal docket may also be examined during normal business hours at the Federal Aviation Administration, Air Traffic Organization, Central Service Center, Operations Support Group, 10101 Hillwood Parkway, Fort Worth, TX 76177.

Incorporation by Reference

Class E airspace is published in paragraph 6005 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document proposes to amend the current version of that order, FAA Order JO 7400.11J, dated July 31, 2024, and effective September 15, 2024. These updates would be published subsequently in the next update to FAA Order JO 7400.11. That order is publicly available as listed in the **ADDRESSES** section of this document.

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

The Proposal

The FAA is proposing an amendment to 14 CFR part 71 by modifying the Class E airspace extending upward from 700 feet above the surface to within a 6.5-mile (increased from a 6.4-mile) radius of Smith Center Municipal Airport, Smith Center, KS; and updating geographic coordinates of the airport to coincide with the FAA's aeronautical database.

This action is the result of an airspace review conducted due to the decommissioning of the Mankato VOR as part of the VOR MON Program and supports IFR operations at this airport.

Regulatory Notices and Analyses

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT 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 will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures'' prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11J, Airspace Designations and Reporting Points, dated July 31, 2024, and effective September 15, 2024, is amended as follows:

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

* * * * *

ACE KS E5 Smith Center, KS [Amended]

Smith Center Municipal Airport, KS
(Lat. 39°45′45″ N, 98°47′40″ W)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Smith Center Municipal Airport.

* * * * *

Issued in Fort Worth, Texas, on October 16, 2024.

Martin A. Skinner,

Acting Manager, Operations Support Group, ATO Central Service Center.

[FR Doc. 2024–24339 Filed 10–21–24; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2024–2429; Airspace Docket No. 24–ASW–18]

RIN 2120–AA66

Amendment of Class E Airspace; El Dorado, AR

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to amend the Class E airspace at El Dorado, AR. The FAA is proposing this action as the result of an airspace review conducted due to the development of new instrument procedures. The geographic coordinates and name of the airport and the name of the El Dorado VOR/DME would also be updated to coincide with the FAA's aeronautical database. This action will bring the airspace into compliance with FAA orders and support instrument flight rule (IFR) procedures and operations.

DATES: Comments must be received on or before December 6, 2024.

ADDRESSES: Send comments identified by FAA Docket No. FAA–2024–2429 and Airspace Docket No. 24–ASW–18 using any of the following methods:

* *Federal eRulemaking Portal:* Go to *www.regulations.gov* and follow the online instruction for sending your comments electronically.

* *Mail:* Send comments to Docket Operations, M–30; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.

* *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

* *Fax:* Fax comments to Docket Operations at (202) 493–2251.

Docket: Background documents or comments received may be read at *www.regulations.gov* at any time. Follow the online instructions for accessing the docket or go to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FAA Order JO 7400.11J, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *www.faa.gov/air_traffic/publications/.* You may also contact the Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington DC 20591; telephone: (202) 267–8783.

FOR FURTHER INFORMATION CONTACT: Jeffrey Claypool, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222–5711.

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 airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would amend the Class E surface airspace and Class E airspace extending upward from 700 feet above the surface at South Arkansas Regional Airport at Goodwin Field, El Dorado, AR, to support IFR operations at this airport.

Comments Invited

The FAA invites interested persons to participate in this rulemaking by submitting written comments, data, or views. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should submit only one time if comments are filed electronically, or commenters should send only one copy of written comments if comments are filed in writing.

The FAA will file in the docket all comments it receives, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rulemaking. Before acting on this proposal, the FAA will consider all comments it received on or before the closing date for comments. The FAA will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. The FAA may change this proposal in light of the comments it receives.

Privacy: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT post these comments, without edit, including any personal information the commenter provides, to *www.regulations.gov* as described in the system of records notice (DOT/ALL–14FDMS), which can be reviewed at *www.dot.gov/privacy.*

Availability of Rulemaking Documents

An electronic copy of this document may be downloaded through the internet at *www.regulations.gov.* Recently published rulemaking documents can also be accessed through the FAA's web page at *www.faa.gov/air_traffic/publications/airspace_amendments/.*

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for the address, phone number, and hours of operations). An informal docket may also be examined during normal business hours at the Federal Aviation Administration, Air Traffic Organization, Central Service Center, Operations Support Group, 10101 Hillwood Parkway, Fort Worth, TX 76177.

Incorporation by Reference

Class E airspace is published in paragraphs 6002 and 6005 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document proposes to amend the current version of that order, FAA Order JO 7400.11J, dated July 31, 2024, and effective September 15, 2024. These updates would be published subsequently in the next update to FAA Order JO 7400.11. That order is publicly available as listed in the **ADDRESSES** section of this document.

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

The Proposal

The FAA is proposing an amendment to 14 CFR part 71 by:

Modifying the Class E surface airspace at South Arkansas Regional Airport at Goodwin Field, El Dorado, AR, by updating the name (previously South Arkansas Regional, Goodwin Field) and the geographic coordinates of the airport to coincide with the FAA's aeronautical database; and removing the city associated with the airport in the airspace legal description header to comply with changes to FAA Order JO 7400.2P, Procedures for Handling Airspace Matters;

And modifying the Class E airspace extending upward from 700 feet above the surface at South Arkansas Regional Airport at Goodwin Field by removing the extension east of the airport as it is no longer required; modifying the extension southwest of the airport to

within 1.6 miles each side of the 229° (previously 236°) radial from the El Dorado VOR/DME (previously El Dorado VORTAC) extending from the 6.7-mile radius from the airport to 15 miles southwest of the El Dorado VOR/DME (previously the airport); updating the geographic coordinates and name of the airport (previously Goodwin Field) and the name of the El Dorado VOR/DME (previously El Dorado VORTAC) to coincide with the FAA's aeronautical database; and removing the city associated with the airport in the airspace legal description header to comply with changes to FAA Order JO 7400.2P.

This action is the result of an airspace review conducted due to the development of new instrument procedures and to support IFR operations at this airport.

Regulatory Notices and Analyses

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT 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 will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures'' prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11J, Airspace Designations and Reporting Points, dated July 31, 2024, and effective September 15, 2024, is amended as follows:

Paragraph 6002 Class E Airspace Areas Designated as Surface Areas.

* * * * *

ASW AR E2 El Dorado, AR [Amended]

South Arkansas Regional Airport at Goodwin Field, AR
(Lat. 33°13′16″ N, long. 92°48′42″ W)

That airspace extending upward from the surface within a 4.2-mile radius of South Arkansas Regional Airport at Goodwin Field.

* * * * *

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

* * * * *

ASW AR E5 El Dorado, AR [Amended]

South Arkansas Regional Airport at Goodwin Field, AR
(Lat. 33°13′16″ N, long. 92°48′42″ W)
El Dorado VOR/DME
(Lat. 33°15′22″ N, long. 92°44′38″ W)

That airspace extending upward from 700 feet above the surface within a 6.7-mile radius of South Arkansas Regional Airport at Goodwin Field; and within 1.6 miles each side of the 229° radial of the El Dorado VOR/DME extending from the 6.7-mile radius of the airport to 15 miles southwest of the El Dorado VOR/DME.

* * * * *

Issued in Fort Worth, Texas, on October 16, 2024.

Martin A. Skinner,

Acting Manager, Operations Support Group, ATO Central Service Center.

[FR Doc. 2024–24344 Filed 10–21–24; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2024–2431; Airspace Docket No. 24–ASW–19]

RIN 2120–AA66

Revocation of Class E Airspace; Follett, TX

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to revoke the Class E airspace at Follett, TX. The FAA is proposing this action due to the instrument procedures being cancelled at this airport and the airspace is no longer required.

DATES: Comments must be received on or before December 6, 2024.

ADDRESSES: Send comments identified by FAA Docket No. FAA–2024–2431 and Airspace Docket No. 24–ASW–19 using any of the following methods:

* *Federal eRulemaking Portal:* Go to *www.regulations.gov* and follow the online instruction for sending your comments electronically.

* *Mail:* Send comments to Docket Operations, M–30; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.

* *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

* *Fax:* Fax comments to Docket Operations at (202) 493–2251.

Docket: Background documents or comments received may be read at *www.regulations.gov* at any time. Follow the online instructions for accessing the docket or go to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. FAA Order JO 7400.11J, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *www.faa.gov/air_traffic/publications/.* You may also contact the Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267–8783.

FOR FURTHER INFORMATION CONTACT: Jeffrey Claypool, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222–5711.

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 airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would revoke the Class E airspace extending upward from 700 feet above the surface at Follett/Lipscomb County Airport, Follett, TX, due to the instrument procedures being cancelled and the airspace no longer being required.

Comments Invited

The FAA invites interested persons to participate in this rulemaking by submitting written comments, data, or views. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should submit only one time if comments are filed electronically, or commenters should send only one copy of written comments if comments are filed in writing.

The FAA will file in the docket all comments it receives, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rulemaking. Before acting on this proposal, the FAA will consider all comments it received on or before the closing date for comments. The FAA will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. The FAA may change this proposal in light of the comments it receives.

Privacy: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT post these comments, without edit, including any personal information the commenter provides, to *www.regulations.gov* as described in the system of records notice (DOT/ALL–14FDMS), which can be reviewed at *www.dot.gov/privacy.*

Availability of Rulemaking Documents

An electronic copy of this document may be downloaded through the internet at *www.regulations.gov.* Recently published rulemaking documents can also be accessed through the FAA's web page at *www.faa.gov/air_traffic/publications/airspace_amendments/.*

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for the address, phone number, and hours of operations). An informal docket may also be examined during normal business hours at the Federal Aviation Administration, Air Traffic Organization, Central Service Center, Operations Support Group, 10101 Hillwood Parkway, Fort Worth, TX 76177.

Incorporation by Reference

Class E airspace is published in paragraph 6005 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document proposes to amend the current version of that order, FAA Order JO 7400.11J, dated July 31, 2024, and effective September 15, 2024. These updates would be published subsequently in the next update to FAA Order JO 7400.11. That order is publicly available as listed in the **ADDRESSES** section of this document.

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

The Proposal

The FAA is proposing an amendment to 14 CFR part 71 by revoking the Class E airspace extending upward from 700 feet above the surface at Follett/Lipscomb County Airport, Follett, TX.

This action is the result of the cancellation of the instrument procedures at the airport and the airspace no longer being required.

Regulatory Notices and Analyses

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT 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 will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures'' prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11J, Airspace Designations and Reporting Points, dated July 31, 2024, and effective September 15, 2024, is amended as follows:

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

* * * * *

ASW AR E5 Follett, TX [Remove]

* * * * *

Issued in Fort Worth, Texas, on October 16, 2024.

Martin A. Skinner,

Acting Manager, Operations Support Group, ATO Central Service Center.

[FR Doc. 2024–24345 Filed 10–21–24; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2024–2369; Airspace Docket No. 24–AGL–25]

RIN 2120–AA66

Amendment of Class E Airspace; Gaylord, MI

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to amend the Class E airspace at Gaylord, MI. The FAA is proposing this action as the result of an airspace review conducted due to the decommissioning of the Gaylord very high frequency omnidirectional range (VOR) as part of the VOR Minimum Operational Network (MON) Program. This action will bring the airspace into compliance with FAA orders and support instrument flight rule (IFR) procedures and operations.

DATES: Comments must be received on or before December 6, 2024.

ADDRESSES: Send comments identified by FAA Docket No. FAA–2024–2369 and Airspace Docket No. 24–AGL–25 using any of the following methods:

* *Federal eRulemaking Portal:* Go to *www.regulations.gov* and follow the online instruction for sending your comments electronically.

* *Mail:* Send comments to Docket Operations, M–30; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.

* *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

* *Fax:* Fax comments to Docket Operations at (202) 493–2251.

Docket: Background documents or comments received may be read at *www.regulations.gov* at any time. Follow the online instructions for accessing the docket or go to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FAA Order JO 7400.11J, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *www.faa.gov/air_traffic/publications/*. You may also contact the Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267–8783.

FOR FURTHER INFORMATION CONTACT: Jeffrey Claypool, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222–5711.

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 airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would amend the Class E airspace extending upward from 700 feet above the surface at Gaylord Regional Airport, Gaylord, MI, to support IFR operations at this airport.

Comments Invited

The FAA invites interested persons to participate in this rulemaking by submitting written comments, data, or views. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should submit only one time if comments are filed electronically, or commenters should send only one copy of written comments if comments are filed in writing.

The FAA will file in the docket all comments it receives, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rulemaking. Before acting on this proposal, the FAA will consider all comments it received on or before the closing date for comments. The FAA will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. The FAA may change this proposal in light of the comments it receives.

Privacy: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT post these comments, without edit, including any personal information the commenter provides, to *www.regulations.gov* as described in the system of records notice (DOT/ALL–14FDMS), which can be reviewed at *www.dot.gov/privacy*.

Availability of Rulemaking Documents

An electronic copy of this document may be downloaded through the internet at *www.regulations.gov.* Recently published rulemaking documents can also be accessed through the FAA's web page at *www.faa.gov/air_traffic/publications/airspace_amendments/.*

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for the address, phone number, and hours of operations). An informal docket may also be examined during normal business hours at the Federal Aviation Administration, Air Traffic Organization, Central Service Center, Operations Support Group, 10101 Hillwood Parkway, Fort Worth, TX 76177.

Incorporation by Reference

Class E airspace is published in paragraph 6005 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document proposes to amend the current version of that order, FAA Order JO 7400.11J, dated July 31, 2024, and effective September 15, 2024. These updates would be published subsequently in the next update to FAA Order JO 7400.11. That order is publicly available as listed in the **ADDRESSES** section of this document.

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

The Proposal

The FAA is proposing an amendment to 14 CFR part 71 by modifying the Class E airspace extending upward from 700 feet above the surface to within a 6.6-mile (reduced from a 7-mile) radius of Gaylord Regional Airport, Gaylord, MI; removing the Gaylord VORTAC and associated extensions from the airspace legal description; modifying the

extension east of the airport to 2 miles each side of the 090° bearing from the airport extending from the 6.6-mile (previously 7-mile) radius of the airport to 10.5 miles east of the airport; adding an extension 9.5 miles north and 6 miles south of the 270° bearing from the Gaylord RGNL: RWY 09–LOC extending from the 6.6-mile radius to 10 miles west of the airport; and adding an extension within 2 miles each side of the 270° bearing from the airport extending from the 6.5-mile radius to 10.9 miles west of the airport.

This action is the result of an airspace review conducted as part of the decommissioning of the Gaylord VOR as part of the VOR MON Program and to support IFR operations at this airport.

Regulatory Notices and Analyses

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT 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 will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures'' prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11J, Airspace Designations and Reporting Points, dated July 31, 2024, and effective September 15, 2024, is amended as follows:

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

* * * * *

AGL MI E5 Gaylord, MI [Amended]

Gaylord Regional Airport, MI
(Lat. 45°00′47″ N, long. 84°42′12″ W)
Gaylord RGNL: RWY 09–LOC
(Lat. 45°00′52″ N, long. 84°41′15″ W)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of the Gaylord Regional Airport; and within 2 miles each side of the 090° bearing from the airport extending from the 6.6-mile radius to 10.5 miles east of the airport; and within 9.5 miles north and 6 miles south of the 270° bearing from the Gaylord RGNL: RWY 09–LOC extending from the 6.6-mile radius to 10 miles west of the airport; and within 2 miles each side of the 270° bearing from the airport extending from the 6.6-mile radius of the airport to 10.9 miles west of the airport.

* * * * *

Issued in Fort Worth, Texas, on October 16, 2024.

Martin A. Skinner,

Acting Manager, Operations Support Group, ATO Central Service Center.

[FR Doc. 2024–24346 Filed 10–21–24; 8:45 am]

BILLING CODE 4910–13–P

PENSION BENEFIT GUARANTY CORPORATION

29 CFR Part 4902

RIN 1212–AB59

Privacy Act Regulation; Exemption for Legal Case Management Records

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Proposed rule.

SUMMARY: The Pension Benefit Guaranty Corporation is proposing to amend its Privacy Act regulation to exempt a system of records that supports law enforcement investigations through legal case management.

DATES: Comments must be received on or before November 21, 2024 to be assured of consideration.

ADDRESSES: Comments may be submitted by any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Email: reg.comments@pbgc.gov.* Refer to RIN 1212–AB59 in the subject line.
- *Mail or Hand Delivery:* Regulatory Affairs Division, Office of the General Counsel, Pension Benefit Guaranty Corporation, 445 12th Street SW, Washington, DC 20024–2101.

Commenters are strongly encouraged to submit comments electronically. Commenters who submit comments on paper by mail should allow sufficient time for mailed comments to be received before the close of the comment period. All submissions must include the agency's name (Pension Benefit Guaranty Corporation or PBGC), the title for this rulemaking (Privacy Act Regulation; Exemption for Legal Case Management Records), and the Regulation Identifier Number for this rulemaking (RIN 1212–AB59).

Comments received will be posted without change to PBGC's website, *www.pbgc.gov,* including any personal information provided. Do not submit comments that include any personally identifiable information or confidential business information.

Copies of comments may also be obtained by writing to Disclosure Division, Office of the General Counsel, Pension Benefit Guaranty Corporation, 445 12th Street SW, Washington, DC 20024–2101, or calling 202–326–4040 during normal business hours. If you are deaf or hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services.

FOR FURTHER INFORMATION CONTACT: Karen Levin (*levin.karen@pbgc.gov*), Attorney, Regulatory Affairs Division (*reg.comments@pbgc.gov*), Office of the General Counsel, at 202–229–3559, or Shawn Hartley (*hartley.shawn@pbgc.gov*), Chief Privacy Officer, Office of the General Counsel, at 202–229–6321. If you are deaf or hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services.

SUPPLEMENTARY INFORMATION:

Executive Summary

This proposed rule would amend PBGC's regulation on Disclosure and Amendment of Records Pertaining to Individuals under the Privacy Act (29 CFR part 4902) to exempt from disclosure information contained in a system of records for PBGC's Office of Negotiations and Restructuring/Office of General Counsel Case Management System. The exemption is needed because records in this system include

investigatory material compiled for administrative, civil, and criminal law enforcement purposes.

Legal authority for this proposed rule is provided by section 4002(b)(3) of the Employee Retirement Income Security Act of 1974 (ERISA) and 5 U.S.C. 552a(k)(2).

Background

The Pension Benefit Guaranty Corporation (PBGC) administers two insurance programs for private-sector defined benefit pension plans under title IV of the Employee Retirement Income Security Act of 1974 (ERISA): a single-employer plan termination insurance program and a multiemployer plan insolvency insurance program. In addition, PBGC administers a special financial assistance program for certain financially distressed multiemployer plans.

As a Federal agency, PBGC is subject to the Privacy Act of 1974, 5 U.S.C. 552a (Privacy Act), in its collection, maintenance, use, and dissemination of any personally identifiable information that it maintains in a ''system of records.'' A system of records is defined under the Privacy Act as ''a group of any records under the control of any agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual.'' [1]

PBGC previously established a system of records, ''PBGC–19, Office of Negotiations and Restructuring/Office of General Counsel Case Management System—PBGC.'' This system of records was last published in the ''Notice'' section of the **Federal Register** on September 1, 2021, at 86 FR 49061.

This system collects and maintains personally identifiable information obtained by the Office of General Counsel in matters involving administrative, civil, or criminal law enforcement investigations. Records from this system are used on a need-to-know basis to manage various legal matters; to facilitate administrative, civil, or criminal law enforcement investigations and activities; to receive referrals for investigation from internal and external partners; to meet other Office of General Counsel program requirements; and to investigate/manage cases involving violations of administrative, civil, or criminal laws.

Exemption

Under section 552a(k) of the Privacy Act, PBGC may promulgate regulations exempting information contained in certain systems of records from specified sections of the Privacy Act including the section mandating disclosure of information to an individual who has requested it. Among other systems, PBGC may exempt a system that is ''investigatory material compiled for law enforcement purposes.'' [2] Under this provision, PBGC has exempted, in §§ 4902.10, 4902.11, and 4902.12 of its Privacy Act regulation, records of the investigations conducted by its Personnel Security Department contained in ''PBGC–12, Personnel Security Investigation Records,'' records of the investigations conducted by the Office of Inspector General and contained in ''PBGC–17, Office of Inspector General Investigative File System—PBGC,'' and records of insider threat investigations conducted by PBGC contained in ''PBGC–26, PBGC Insider Threat and Data Loss Prevention—PBGC.''

The PBGC–19, Office of Negotiations and Restructuring/Office of General Counsel Case Management System—PBGC system contains: (1) records derived from the Office of Inspector General, Personnel Security, or insider threat investigations, (2) summaries or reports containing information about administrative, civil, and criminal legal investigations, (3) information related to investigative or analytical efforts by PBGC legal, security, or law enforcement personnel, (4) reports about potential administrative, civil, or criminal law enforcement activities obtained through the management and operation of the Office of General Counsel, and (5) reports about potential civil or criminal legal investigations obtained from other Federal Government sources involving PBGC. The records contained in this system include investigative material of actual, potential, or alleged criminal, civil, or administrative violations and law enforcement actions. These records are within the material permitted to be exempted under section 552a(k)(2) of the Privacy Act.

This proposed rule would amend PBGC's Privacy Act regulation to redesignate § 4902.13 (Filing rules; computation of time) as § 4902.14 and to add a new § 4902.13 as an exemption for PBGC–19, Office of Negotiations and Restructuring/Office of General Counsel Case Management System—PBGC, from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I) and (f). Exemption from these sections of the Privacy Act would mean that, with respect to records in the system, PBGC would not be required to: (1) disclose records to an individual upon request, (2) keep an accounting of individuals who request records, (3) maintain only records as necessary to accomplish an agency purpose, or (4) publish notice of certain revisions of the system of records.

Compliance With Rulemaking Guidelines

The Office of Management and Budget (OMB) has determined that this rulemaking is not a ''significant regulatory action'' under Executive Order 12866. Accordingly, OMB has not reviewed the proposed rule under Executive Order 12866.

PBGC certifies under section 605(b) of the Regulatory Flexibility Act that the proposed rule, if adopted, would not have a significant economic impact on a substantial number of small entities. The rule would only affect the maintenance and disclosure of information about individuals by PBGC under the Privacy Act and therefore would have no economic impact on entities of any size. Accordingly, sections 603 and 604 of the Regulatory Flexibility Act do not apply. See 5 U.S.C. 603, 604.

List of Subjects in 29 CFR Part 4902

Privacy.

In consideration of the foregoing, PBGC proposes to amend 29 CFR part 4902 as follows:

PART 4902—DISCLOSURE AND AMENDMENT OF RECORDS PERTAINING TO INDIVIDUALS UNDER THE PRIVACY ACT

■ 1. The authority citation for part 4902 will continue to read as follows:

Authority: 5 U.S.C. 552a, 29 U.S.C. 1302(b)(3).

§ 4902.1 [Amended]

■ 2. In § 4902.1, amend paragraph (d) by removing ''4902.12'' and adding in its place ''4902.13''.

§ 4902.13 [Redesignated as § 4902.14]

■ 3. Redesignate § 4902.13 as § 4902.14.
■ 4. Add new § 4902.13 to read as follows:

§ 4902.13 Specific exemptions: Legal Case Management.

(a) *Exemption.* Under the authority granted by 5 U.S.C. 552a(k)(2), PBGC hereby exempts the system of records entitled ''PBGC–19, Office of Negotiations and Restructuring/Office of General Counsel Case Management System–PBGC'' from the provisions of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I) and (f).

(b) *Reasons for exemption.* The reasons for asserting this exemption are

[1] *See* 5 U.S.C. 552a(a)(5)

[2] *See* 5 U.S.C. 552a(k)(2).

because the disclosure and other requirements of the Privacy Act could substantially compromise the efficacy and integrity of PBGC's ability to investigate administrative, civil, or criminal legal matters. Disclosure could invade the privacy of individuals and disclose their identity when they were expressly promised confidentiality. Disclosure could interfere with the integrity of information which would otherwise be subject to legal privileges, see, *e.g.,* 5 U.S.C. 552(b)(5), and which could interfere with other important law enforcement concerns, see, *e.g.,* 5 U.S.C. 552(b)(7).

Issued in Washington, DC.

Ann Y. Orr,

Acting Director, Pension Benefit Guaranty Corporation.

[FR Doc. 2024–24210 Filed 10–21–24; 8:45 am]

BILLING CODE 7709–02–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 147

[Docket Number USCG–2024–0704]

RIN 1625–AA00

Safety Zone; Empire Wind 1 Wind Farm Project Area, Outer Continental Shelf, Lease OCS–A 0512, Offshore New York and New Jersey, Atlantic Ocean

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to establish 55 temporary safety zones around the construction of each facility during the development of the Empire Wind 1 Wind Farm project area within federal waters on the Outer Continental Shelf, specifically in the Bureau of Ocean Energy Management Renewable Energy Lease Area OCS–A 0512, approximately 12 nautical miles south of Long Island, NY. This action protects life, property, and the environment during construction of each facility from March 1, 2025, to February 29, 2028. When enforced, only attending vessels and vessels with authorization are permitted to enter or remain in the temporary safety zones.

DATES: Comments and related material must be received by the Coast Guard on or before November 21, 2024.

ADDRESSES: You may submit comments identified by docket number USCG–2024–0704 using the Federal Decision-Making Portal at *https://www.regulations.gov.* See the ''Public Participation and Request for Comments'' portion of the **SUPPLEMENTARY INFORMATION** section for further instructions on submitting comments. This notice of proposed rulemaking with its plain-language, 100-word-or-less proposed rule summary will be available in this same docket.

FOR FURTHER INFORMATION CONTACT: If you have questions about this proposed rulemaking, call or email Mr. Craig Lapiejko, Waterways Management, at Coast Guard First District, telephone 617–603–8592, email *craig.d.lapiejko@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

BOEM Bureau of Ocean Energy Management
CFR Code of Federal Regulations
DD Degrees Decimal
DHS Department of Homeland Security
EW1 Empire Wind 1
FR Federal Register
NJ New Jersey
NPRM Notice of Proposed Rulemaking
NY New York
OCS Outer Continental Shelf
OSS Offshore Substation
NAD 83 North American Datum of 1983
NM Nautical Mile
§ Section
U.S.C. United States Code
WTG Wind Turbine Generator

II. Background, Purpose, and Legal Basis

Empire Offshore Wind LLC, an offshore wind farm developer, notified the Coast Guard that they plan to begin construction of the Empire Wind 1 (EW1) facilities in the EW1 Wind Farm project area within federal waters on the Outer Continental Shelf (OCS). Specifically, construction will begin in a portion of the Bureau of Ocean Energy Management (BOEM) Renewable Energy Lease Area OCS–A 0512, approximately 12 nautical miles (NM) offshore south of Long Island, New York (NY), and 17 NM offshore east of Long Branch, New Jersey (NJ), possibly as early as March 2025.

The extremely complex offshore construction of these OCS facilities presents many unusually hazardous conditions including hydraulic pile driving hammer operations, heavy lift operations, overhead cutting operations, potential falling debris, increased vessel traffic, and stationary vessels and barges in close proximity to the facilities and each other.

Based on these circumstances, the First Coast Guard District Commander has determined that establishment of 55 temporary safety zones through rulemaking is warranted to ensure the safety of life, property, and the environment within a 500-meter radius of each of the 55 facilities during their construction.

The Coast Guard is proposing this rule under the authorities provided in 14 U.S.C. 544, 43 U.S.C. 1333, and Department of Homeland Security (DHS) Delegation No. 00170.1, Revision No. 01.3. As an implementing regulation of this authority, 33 CFR part 147 permits the establishment of safety zones for non-mineral energy resource permanent or temporary structures located on the OCS for the purpose of protecting life and property on the facilities, appurtenances and attending vessels, and on the adjacent waters within the safety zone (see 33 CFR 147.10). Accordingly, a safety zone established under 33 CFR part 147 may also include provisions to restrict, prevent, or control certain activities, including access by vessels or persons to maintain safety of life, property, and the environment.

III. Discussion of Proposed Rule

The District Commander is proposing to establish 55 temporary 500-meter safety zones around the construction of 54 wind turbine generators (WTGs) and one offshore substation (OSS) on the OCS from March 1, 2025, through 11:59 p.m. on February 29, 2028.

The construction of these facilities is expected to repeatedly include the installation of the foundations followed by the installation of the upper structures for all 55 facilities. Major construction activity could take place for a period lasting approximately 96 hours or more at several locations, sometimes simultaneously, in the lease area for these 55 facilities. The Coast Guard will make notice of each enforcement period via the Local Notice to Mariners and issue a Broadcast Notice to Mariners via marine channel 16 (VHF–FM) as soon as practicable in response to an emergency or hazardous condition. The Coast Guard is publishing this rulemaking to be effective, and enforceable, through February 29, 2028, to encompass any construction delays due to weather or other unforeseen circumstances. If, as currently scheduled, the project is completed before February 29, 2028, enforcement of the safety zones would be suspended, and notice given via Local Notice to Mariners.

Additional information about the construction process of the EW1 can be found at *https://www.boem.gov/renewable-energy/state-activities/empire-wind.*

The 55 temporary 500-meter safety zones around the construction of 54 WTGs and one OSS are in the EW1

project area, specifically in a portion of the BOEM Renewable Energy Lease Area OCS–A 0512, approximately 12 NM offshore south of Long Island, NY, and 17 NM offshore east of Long Branch, NJ.

The positions of each individual safety zone proposed by this rulemaking will be referred to using a unique alpha-numeric naming convention.

Aligning with authorities under 33 CFR 147.15, the proposed safety zones would include the area within 500-meters of the center point of the positions provided in the table below expressed in Degrees (°) Minutes (′) Seconds (″) (DMS) based on North American Datum 1983 (NAD 83).

TABLE 1—LIST OF PROPOSED SAFETY ZONES USING UNIQUE ALPHA-NUMERIC NAMING CONVENTION, FACILITY TYPE, AND LATITUDE AND LONGITUDE

Name	Facility type	Latitude	Longitude
B01	WTG	40°22′25.878″ N	73°33′41.509″ W
C01	WTG	40°21′35.382″ N	73°33′42.583″ W
B02	WTG	40°22′15.912″ N	73°32′49.958″ W
D02	WTG	40°21′12.870″ N	73°32′51.312″ W
B03	WTG	40°22′05.938″ N	73°31′58.412″ W
D03	WTG	40°20′50.352″ N	73°32′00.051″ W
B04	WTG	40°21′55.959″ N	73°31′06.870″ W
D04	WTG	40°20′27.828″ N	73°31′08.799″ W
B05	WTG	40°21′45.973″ N	73°30′15.333″ W
D05	WTG	40°20′05.299″ N	73°30′17.557″ W
B06	WTG	40°21′35.981″ N	73°29′23.800″ W
E06	WTG	40°19′42.762″ N	73°29′26.325″ W
B07	WTG	40°21′25.983″ N	73°28′32.271″ W
E07	WTG	40°19′20.220″ N	73°28′35.102″ W
B08	WTG	40°21′15.978″ N	73°27′40.747″ W
E08	WTG	40°18′57.671″ N	73°27′43.888″ W
B09	WTG	40°21′05.967″ N	73°26′49.227″ W
C09	OSS	40°20′25.307″ N	73°26′50.160″ W
F09	WTG	40°18′35.116″ N	73°26′52.685″ W
B10	WTG	40°20′55.950″ N	73°25′57.712″ W
C10	WTG	40°20′15.2898″ N	73°25′58.653″ W
D10	WTG	40°19′34.629″ N	73°25′59.594″ W
E10	WTG	40°18′53.969″ N	73°26′00.534″ W
B11	WTG	40°20′45.926″ N	73°25′06.201″ W
C11	WTG	40°20′05.266″ N	73°25′07.150″ W
D11	WTG	40°19′24.606″ N	73°25′08.100″ W
E11	WTG	40°18′43.946″ N	73°25′09.048″ W
F11	WTG	40°17′49.988″ N	73°25′10.306″ W
B12	WTG	40°20′35.896″ N	73°24′14.694″ W
C12	WTG	40°19′55.236″ N	73°24′15.652″ W
B13	WTG	40°20′25.860″ N	73°23′23.192″ W
C13	WTG	40°19′45.200″ N	73°23′24.159″ W
B14	WTG	40°20′15.817″ N	73°22′31.694″ W
D14	WTG	40°18′54.499″ N	73°22′33.644″ W
C15	WTG	40°19′25.110″ N	73°21′41.185″ W
H15	WTG	40°16′19.659″ N	73°21′45.664″ W
B16	WTG	40°19′55.714″ N	73°20′48.712″ W
G16	WTG	40°16′32.420″ N	73°20′53.667″ W
H16	WTG	40°15′57.881″ N	73°20′54.528″ W
B17	WTG	40°19′45.652″ N	73°19′57.228″ W
D17	WTG	40°18′24.335″ N	73°19′59.229″ W
F17	WTG	40°17′03.018″ N	73°20′01.227″ W
C18	WTG	40°18′54.926″ N	73°19′06.757″ W
D18	WTG	40°18′14.268″ N	73°19′07.766″ W
E18	WTG	40°17′33.610″ N	73°19′08.774″ W
F18	WTG	40°16′52.952″ N	73°19′09.781″ W
B19	WTG	40°19′25.511″ N	73°18′14.273″ W
C19	WTG	40°18′44.853″ N	73°18′15.290″ W
D19	WTG	40°18′04.195″ N	73°18′16.307″ W
E19	WTG	40°17′23.537″ N	73°18′17.324″ W
B20	WTG	40°19′15.431″ N	73°17′22.802″ W
C20	WTG	40°18′34.773″ N	73°17′23.828″ W
D20	WTG	40°17′54.115″ N	73°17′24.853″ W
B21	WTG	40°19′05.344″ N	73°16′31.335″ W
C21	WTG	40°18′24.687″ N	73°16′32.370″ W

The positions of the 55 proposed safety zones are shown on the chartlets below. For scaling purposes, there is approximately 0.65 NM spacing between each position.

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Figure 1 Small Scale Chartlet Showing the Positions of the Proposed Safety Zones in Relation to the Approaches to New York and New Jersey

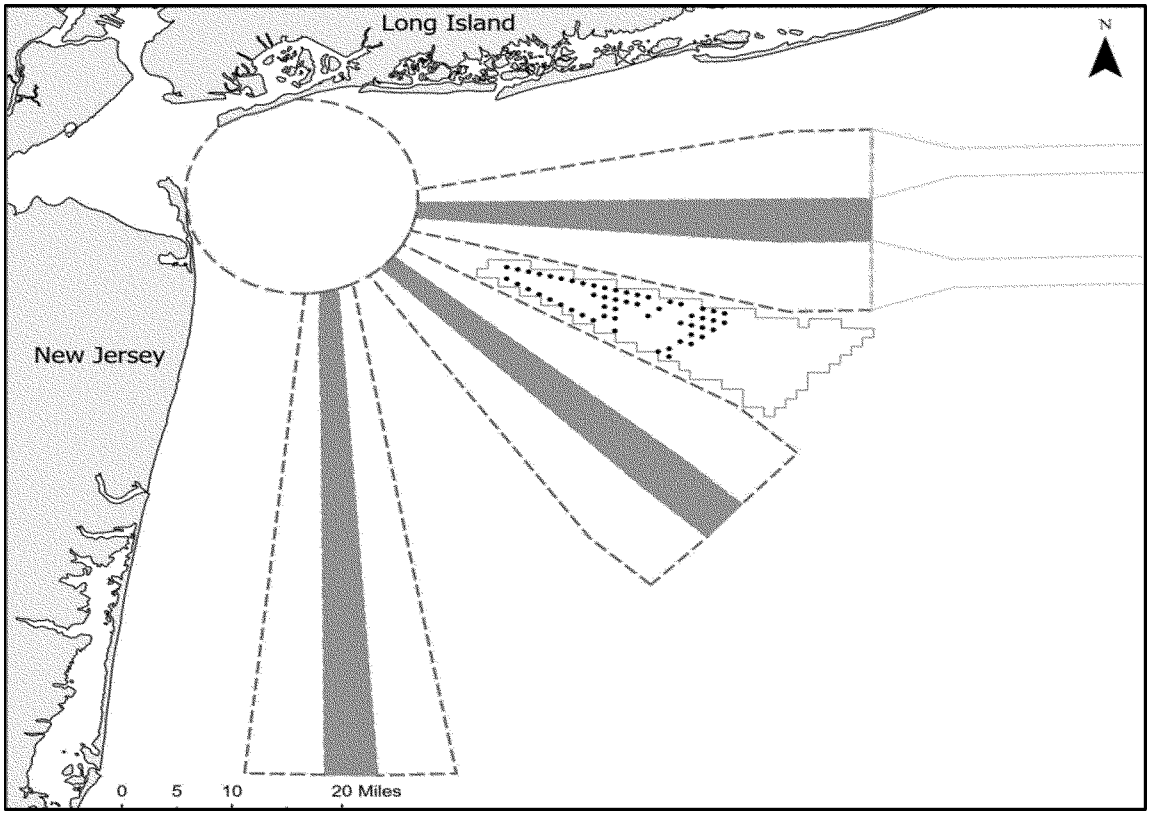


Figure 2 Large Scale Chartlet Showing the Positions of the Proposed Safety Zones With a 500-Meter Safety Zone

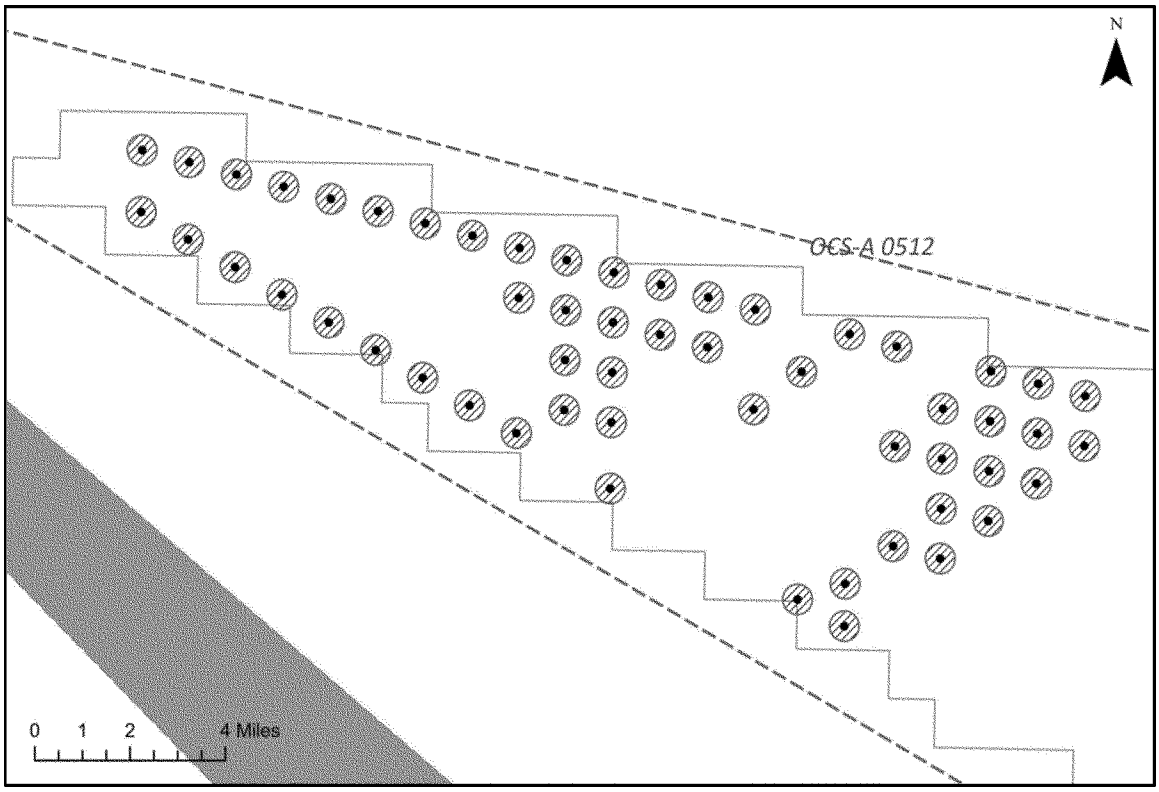
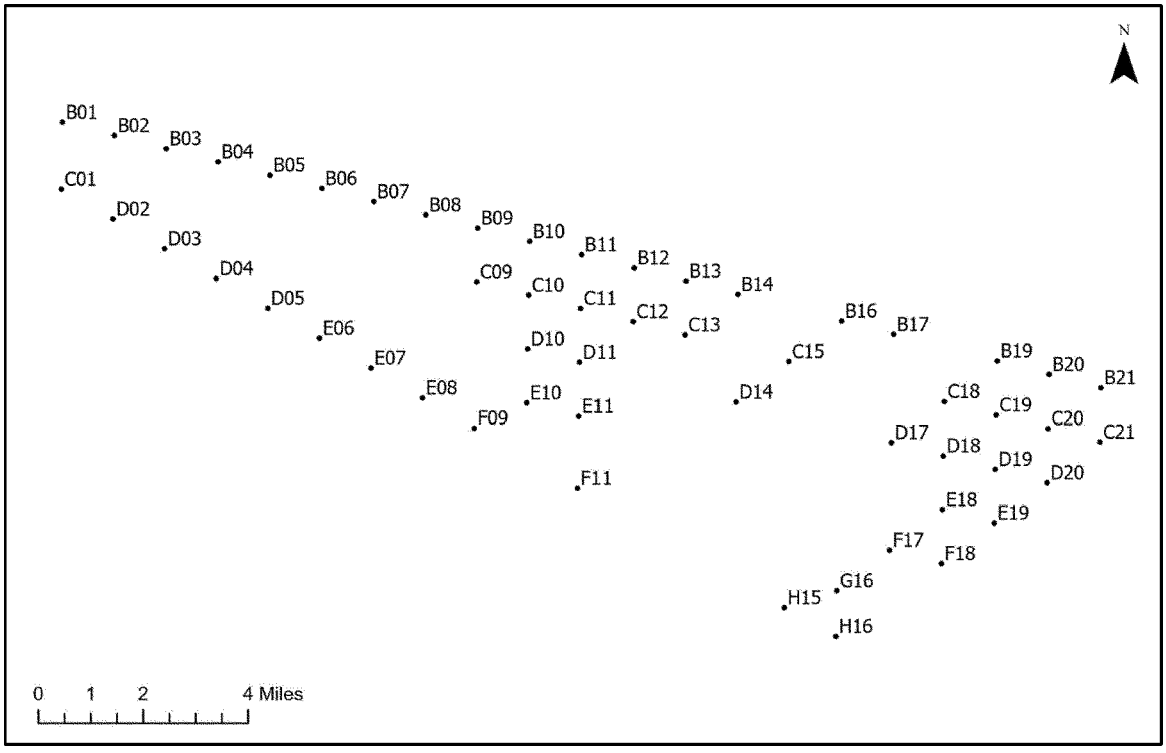


Figure 3 Chartlet Showing Locations Using Alpha-Numeric Naming Convention



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Navigation in the vicinity of the proposed safety zones consists of large commercial shipping vessels, fishing

vessels, cruise ships, tugs with tows, and recreational vessels.

When enforced, no unauthorized vessel or person would be permitted to enter the safety zone without obtaining permission from the First Coast Guard District Commander or a designated representative. Requests for entry into the safety zone would be considered and reviewed on a case-by-case basis. Persons or vessels seeking to enter the safety zone must request authorization from the First Coast Guard District Commander or designated representative via VHF–FM channel 16 or by phone at 866–842–1560 (First Coast Guard District Command Center). If permission is granted, all persons and vessels shall comply with the instructions of the First Coast Guard District Commander or designated representative.

The proposed regulatory text appears at the end of this document.

IV. Regulatory Analyses

We developed this proposed rule after considering numerous statutes and Executive Orders related to rulemaking. A summary of our analyses based on these statutes and Executive Orders follows.

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 NPRM has not been designated a ''significant regulatory action,'' under Executive Order 12866. Accordingly, the NPRM has not been reviewed by the Office of Management and Budget (OMB).

Aligning with 33 CFR 147.15, the safety zones established would extend to a maximum distance of 500-meters around the OCS facility measured from its center point. Vessel traffic would be able to safely transit around the proposed safety zones, which would impact a small, designated area in the Atlantic Ocean, without significant impediment to their voyage. This safety zone would provide for the safety of life, property, and the environment during the construction of each structure, in accordance with Coast Guard maritime safety missions.

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 proposed rule would not have a significant economic impact on a substantial number of small entities.

This rule may affect owners or operators of vessels intending to transit or anchor in the EW1, some of which might be small entities. However, these safety zones would not have a significant economic impact on a substantial number of these entities because they are temporarily enforced, allow for deviation requests, and do not impact vessel transit significantly. Regarding the enforcement period, although these safety zones would be in effect from March 1, 2025, through February 29, 2028, vessels would only be prohibited from the regulated zone during periods of actual construction activity in correspondence to the period of enforcement. We expect the enforcement period at each location to last for a short period. Additionally, vessel traffic could pass safely around each safety zone using an alternate route. Use of an alternate route likely will cause minimal delay for the vessel in reaching their destination depending on other traffic in the area and vessel speed. Vessels would also be able to request deviation from this rule to transit through a safety zone. Such requests would be considered on a case by-case basis and may be authorized by the First Coast Guard District Commander or a designated representative. For these reasons, the Coast Guard expects any impact of this rulemaking establishing a temporary safety zone around these OCS facilities to be minimal and have no significant economic impact on small entities.

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

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

C. Collection of Information

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

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 proposed rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

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

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 proposed rule would not result in such an expenditure, we do discuss the potential effects of this proposed rule elsewhere in this preamble.

F. Environment

We have analyzed this proposed rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy

Act of 1969 (42 U.S.C. 4321–4370f), and have made a preliminary determination that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This proposed rule involves the establishment of a safety zone around an OCS facility to protect life, property, and the marine environment. Normally such actions are categorically excluded from further review under paragraph L60(a) of appendix A, table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A preliminary Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. 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.

V. Public Participation and Request for Comments

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

Submitting comments. We encourage you to submit comments through the Federal Decision-Making Portal at *https://www.regulations.gov.* To do so, go to *https://www.regulations.gov,* type USCG–2024–0704 in the search box and click ''Search.'' Next, look for this document in the Search Results column, and click on it. Then click on the Comment option. If you cannot submit your material by using *https://www.regulations.gov,* call or email the person in the **FOR FURTHER INFORMATION CONTACT** section of this proposed rule for alternate instructions.

Viewing material in docket. To view documents mentioned in this proposed rule as being available in the docket, find the docket as described in the previous paragraph, and then select ''Supporting & Related Material'' in the Document Type column. Public comments will also be placed in our online docket and can be viewed by following instructions on the *https://www.regulations.gov* Frequently Asked Questions web page. We review all comments received, but we will only post comments that address the topic of the proposed rule. We may choose not to post off-topic, inappropriate, or duplicate comments that we receive.

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

List of Subjects in 33 CFR Part 147

Continental shelf, Marine safety, Navigation (waters).

For the reasons discussed in the preamble, the Coast Guard is proposing to amend 33 CFR part 147 as follows:

PART 147—SAFETY ZONES

■ 1. The authority citation for part 147 continues to read as follows:

Authority: 14 U.S.C. 544; 43 U.S.C. 1333; 33 CFR 1.05–1; Department of Homeland Security Delegation No. 00170.1, Revision No. 01.3.

■ 2. Add § 147.T01–0704 to read as follows:

§ 147.T01–0704 Safety Zone; Empire Wind 1 Wind Farm Project Area, Outer Continental Shelf, Lease OCS–A 0512, Offshore New York and New Jersey, Atlantic Ocean.

(a) *Description.* The area within 500-meters of the center point of the positions provided in the table below is an individual safety zone:

TABLE 1 TO PARAGRAPH (a)

Name	Facility type	Latitude	Longitude
B01	WTG	40°22′25.878″ N	73°33′41.509″ W
C01	WTG	40°21′35.382″ N	73°33′42.583″ W
B02	WTG	40°22′15.912″ N	73°32′49.958″ W
D02	WTG	40°21′12.870″ N	73°32′51.312″ W
B03	WTG	40°22′05.938″ N	73°31′58.412″ W
D03	WTG	40°20′50.352″ N	73°32′00.051″ W
B04	WTG	40°21′55.959″ N	73°31′06.870″ W
D04	WTG	40°20′27.828″ N	73°31′08.799″ W
B05	WTG	40°21′45.973″ N	73°30′15.333″ W
D05	WTG	40°20′05.299″ N	73°30′17.557″ W
B06	WTG	40°21′35.981″ N	73°29′23.800″ W
E06	WTG	40°19′42.762″ N	73°29′26.325″ W
B07	WTG	40°21′25.983″ N	73°28′32.271″ W
E07	WTG	40°19′20.220″ N	73°28′35.102″ W
B08	WTG	40°21′15.978″ N	73°27′40.747″ W
E08	WTG	40°18′57.671″ N	73°27′43.888″ W
B09	WTG	40°21′05.967″ N	73°26′49.227″ W
C09	OSS	40°20′25.307″ N	73°26′50.160″ W
F09	WTG	40°18′35.116″ N	73°26′52.685″ W
B10	WTG	40°20′55.950″ N	73°25′57.712″ W
C10	WTG	40°20′15.2898″ N	73°25′58.653″ W
D10	WTG	40°19′34.629″ N	73°25′59.594″ W
E10	WTG	40°18′53.969″ N	73°26′00.534″ W
B11	WTG	40°20′45.926″ N	73°25′06.201″ W
C11	WTG	40°20′05.266″ N	73°25′07.150″ W
D11	WTG	40°19′24.606″ N	73°25′08.100″ W
E11	WTG	40°18′43.946″ N	73°25′09.048″ W

TABLE 1 TO PARAGRAPH (a)—Continued

Name	Facility type	Latitude	Longitude
F11	WTG	40°17′49.988″ N	73°25′10.306″ W
B12	WTG	40°20′35.896″ N	73°24′14.694″ W
C12	WTG	40°19′55.236″ N	73°24′15.652″ W
B13	WTG	40°20′25.860″ N	73°23′23.192″ W
C13	WTG	40°19′45.200″ N	73°23′24.159″ W
B14	WTG	40°20′15.817″ N	73°22′31.694″ W
D14	WTG	40°18′54.499″ N	73°22′33.644″ W
C15	WTG	40°19′25.110″ N	73°21′41.185″ W
H15	WTG	40°16′19.659″ N	73°21′45.664″ W
B16	WTG	40°19′55.714″ N	73°20′48.712″ W
G16	WTG	40°16′32.420″ N	73°20′53.667″ W
H16	WTG	40°15′57.881″ N	73°20′54.528″ W
B17	WTG	40°19′45.652″ N	73°19′57.228″ W
D17	WTG	40°18′24.335″ N	73°19′59.229″ W
F17	WTG	40°17′03.018″ N	73°20′01.227″ W
C18	WTG	40°18′54.926″ N	73°19′06.757″ W
D18	WTG	40°18′14.268″ N	73°19′07.766″ W
E18	WTG	40°17′33.610″ N	73°19′08.774″ W
F18	WTG	40°16′52.952″ N	73°19′09.781″ W
B19	WTG	40°19′25.511″ N	73°18′14.273″ W
C19	WTG	40°18′44.853″ N	73°18′15.290″ W
D19	WTG	40°18′04.195″ N	73°18′16.307″ W
E19	WTG	40°17′23.537″ N	73°18′17.324″ W
B20	WTG	40°19′15.431″ N	73°17′22.802″ W
C20	WTG	40°18′34.773″ N	73°17′23.828″ W
D20	WTG	40°17′54.115″ N	73°17′24.853″ W
B21	WTG	40°19′05.344″ N	73°16′31.335″ W
C21	WTG	40°18′24.687″ N	73°16′32.370″ W

(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 First Coast Guard District Commander in the enforcement of the safety zones. *Local officer* means any officer, agent, or employee of a unit of local government authorized by law or by a local government agency to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of criminal law.

(c) *Regulations.* No vessel may enter or remain in this safety zone except for the following:

(1) An attending vessel as defined in 33 CFR 147.20;

(2) A vessel authorized by the First Coast Guard District Commander or a designated representative.

(d) *Request for Permission.* Persons or vessels seeking to enter the safety zone must request authorization from the First Coast Guard District Commander or a designated representative. If permission is granted, all persons and vessels must comply with lawful instructions of the First Coast Guard District Commander or designated representative via VHF–FM channel 16 or by phone at 866–842–1560 (First Coast Guard District Command Center).

(e) *Effective and enforcement periods.* This section will be effective from March 1, 2025, through 11:59 p.m. on February 29, 2028. But it will only be enforced during active construction or other instances which may cause a hazard to navigation deemed necessary by the First Coast Guard District Commander. The First Coast Guard District Commander will make notification of the exact dates and times in advance of each enforcement period for the safety zones in paragraph (a) of this section to the local maritime community through the Local Notice to Mariners and will issue a Broadcast Notice to Mariners via marine channel 16 (VHF–FM) as soon as practicable in response to an emergency. If the project is completed before February 29, 2028, enforcement of the safety zones will be suspended, and notice given via Local Notice to Mariners. The First Coast Guard District Local Notice to Mariners can be found at: *http://www.navcen.uscg.gov.*

(f) *Processing of violations.* Violations of this section may be processed in accordance with 33 CFR 140.40 on civil and criminal penalty proceedings.

M.E. Platt,

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

[FR Doc. 2024–24393 Filed 10–21–24; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R10–OAR–2024–0372; FRL–12293–01–R10]

Air Plan Approval; WA; Excess Emissions, Startup, Shutdown, and Malfunction Revisions, Energy Facility Site Evaluation Council

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve Washington State Implementation Plan (SIP) revisions to the Energy Facility Site Evaluation Council (EFSEC) air quality regulations submitted by the State of Washington, through the Department of Ecology (Ecology) on June 15, 2023. The revisions were submitted in response to EPA's June 12, 2015 ''SIP call'' in which the EPA found a substantially inadequate Washington SIP provision providing affirmative defenses that operate to limit the jurisdiction of the Federal court in an enforcement action related to excess emissions during startup, shutdown, and malfunction (SSM) events. The EPA is proposing approval of the SIP revisions and proposing to determine that removal of the substantially

inadequate provision corrects the EFSEC deficiency identified in the 2015 SSM SIP call and the EPA's January 2022 finding of failure to submit. Washington withdrew some portions of the revisions submitted that were not identified in the 2015 SSM SIP call and therefore the EPA is not proposing action on those withdrawn portions.

DATES: Comments must be received on or before November 21, 2024.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R10–OAR–2024–0372, at *https://www.regulations.gov.* Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. EPA may publish any comment received to its public docket. Do not electronically submit any information you consider to be Confidential Business Information (CBI) or other information the disclosure of which is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *https://www.epa.gov/dockets/commenting-epa-dockets.*

FOR FURTHER INFORMATION CONTACT: Randall Ruddick, EPA Region 10 1200 Sixth Avenue (Suite 155), Seattle, WA 98101, (206) 553–1999; or email *ruddick.randall@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document whenever ''we,'' or ''our,'' is used, it refers to EPA.

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I. Background

On June 12, 2015, pursuant to CAA section 110(k)(5), the EPA finalized ''State Implementation Plans: Response to Petition for Rulemaking; Restatement and Update of EPA's SSM Policy Applicable to SIPs; Findings of Substantial Inadequacy; and SIP Calls to Amend Provisions Applying to Excess Emissions During Periods of Startup, Shutdown and Malfunction,'' (80 FR 33840, June 12, 2015), hereinafter referred to as the ''2015 SSM SIP Action.'' The 2015 SSM SIP Action clarified, restated, and updated EPA's interpretation that SSM exemption and affirmative defense SIP provisions are inconsistent with CAA requirements. The 2015 SSM SIP Action found that certain SIP provisions in 36 states (including Washington State) were substantially inadequate to meet CAA requirements and issued a SIP call to those states to submit SIP revisions to address the inadequacies. EPA established an 18-month deadline by which the affected states had to submit such SIP revisions. States were required to submit corrective revisions to their SIPs in response to the SIP calls by November 22, 2016.

With regard to the Washington SIP, EPA determined that, to the extent that Wash. Admin. Code (WAC) 173–400–107 was intended to be an affirmative defense, it was not consistent with the requirements of the CAA. Therefore, EPA issued a SIP call with respect to this provision. The detailed rationale for issuing the SIP call to Washington can be found in the 2015 SSM SIP Action and preceding proposed actions.[1] [2]

On January 12, 2022, the EPA issued Findings of Failure to Submit (FFS) to 12 air agencies, including EFSEC, that had not submitted SIPs responding to the 2015 SSM SIP call by the November 22, 2016, deadline per the requirements of section 110(k)(5) of the Act.[3]

On March 1, 2024, the United States Court of Appeals for the District of Columbia Circuit (D.C. Circuit) issued a decision in *Environ. Comm. Fl. Elec. Power* v. *EPA,* No. 15–1239 (''D.C. Circuit decision'').[4] The case was a consolidated set of petitions for review of the 2015 SSM SIP Action. The Court granted the petitions in part, vacating the SIP call with respect to SIP provisions that EPA identified as automatic exemptions, director's discretion provisions, and affirmative defenses that are functionally exemptions; and denied the petitions as to other provisions that EPA identified as overbroad enforcement discretion provisions, or affirmative defense provisions that would preclude or limit a court from imposing relief in the case of violations, which the Court also refers to as ''specific relief.''

With respect to affirmative defense provisions against specific relief, the Court reaffirmed that states cannot limit courts' discretion to determine and apply appropriate civil penalties for violations of SIPs and denied the petitions for review as to affirmative defenses against monetary damages.[5] This is in keeping with the EPA's interpretation of the CAA in our 2015 SSM SIP Action that states do not have authority to create, and thus the EPA does not have authority to approve, SIP provisions that include an affirmative defense that would operate to alter the jurisdiction of Federal courts to assess penalties or other forms of relief authorized in sections 113 and 304.[6] As explained in the 2015 SSM SIP Action, WAC 173–400–107 provides affirmative defenses that operate to limit the jurisdiction of the Federal court in an enforcement action to assess monetary penalties or impose injunctive relief under certain circumstances as contemplated in CAA sections 113 and 304.[7]

By statute, EFSEC has jurisdiction for managing the air program with respect to major energy facilities in the State of Washington. See Chapter 80.50 of the Revised Code of Washington (RCW). EFSEC air quality regulations primarily adopt by reference Ecology's general air quality regulations, including WAC 173–400–107. Thus, in our 2015 SSM SIP Action, the EPA also issued a SIP call with respect to EFSEC's adoption by reference of WAC 173–400–107 in WAC 463–39–005.[8]

In response to the EPA's 2015 SSM SIP call, Ecology removed WAC 173–400–107 from the SIP. The EPA approved this SIP revision, along with

[1] *See* State Implementation Plans: Response to Petition for Rulemaking; Findings of Substantial Inadequacy; and SIP Calls To Amend Provisions Applying to Excess Emissions During Periods of Startup, Shutdown, and Malfunction, 78 FR 12460 (February 22, 2013).

[2] *See* SNPR (''State Implementation Plans: Response to Petition for Rulemaking; Findings of Substantial Inadequacy; and SIP Calls To Amend Provisions Applying to Excess Emissions During Periods of Startup, Shutdown and Malfunction; Supplemental Proposal To Address Affirmative Defense Provisions in States Included in the Petition for Rulemaking and in Additional States; Supplemental notice of proposed rulemaking,'' 79 FR 55919, September 17, 2014).

[3] Findings of Failure To Submit State Implementation Plan Revisions in Response to the 2015 Findings of Substantial Inadequacy and SIP Calls To Amend Provisions Applying To Excess Emissions During Periods of Startup, Shutdown, and Malfunction, 87 FR 1680 (January 12, 2022), available at *Regulations.gov,* Docket ID No. EPA–HQ–OAR–2021–0863.

[4] See *Environ. Comm. Fl. Elec. Power* v. *EPA,* 94 F.4th 77, 115 (D.C. Cir. 2024).

[5] *Id.* at 114–15.

[6] As stated in our supplemental notice of proposed rulemaking 79 FR 55920 at 55929. *See also* 80 FR 33840 at 33853, 33870.

[7] *See* 79 FR 55920 at 55952. *See also* 80 FR 33974.

[8] *See* 80 FR 33840, June 12, 2015.

others, on December 28, 2023 (88 FR 89582). In its June 15, 2023 SIP submittal, Washington is, among other revisions, removing adoption by reference of WAC 173–400–107 in EFSEC's regulations.

II. Analysis of SIP Submission

A. The Provision Subject to the 2015 SSM SIP Call

In the 2015 SSM SIP Action, the EPA identified WAC 463–39–005 as inconsistent with CAA requirements because it contained adoption by reference of WAC 173–400–107. The EPA last approved EFSEC's adoption by reference of WAC 173–400–107 on May 23, 1996 (61 FR 25791). In 2015, EFSEC recodified 463–39 as 463–78 but otherwise retained the adoption by reference of WAC 173–400–107. The EPA approved this ministerial change, among other revisions, on May 30, 2017, (82 FR 24531) and January 24, 2020, (85 FR 4233). Accordingly, the June 15, 2023, SIP submittal references EFSEC's adoptions by reference in WAC 463–78 rather than the WAC 463–39 referenced in the 2015 SSM SIP call.

Subsequent to the EPA's January 2022 FFS, Washington submitted a SIP revision on June 15, 2023, that removed the EFSEC's adoption by reference of WAC 173–400–107 in its entirety and included additional revisions to the SIP for EFSEC's jurisdiction.

We reviewed Washington's June 15, 2023 SIP submittal and found the submission technically and administratively complete. We subsequently issued a completeness determination letter to Washington on August 8, 2023.[9] This completeness determination stopped the 18-month sanctions clock for EFSEC's jurisdiction that was started by the 2022 FFS. This completeness determination did not address the other SIP revisions included in the June 15, 2023 SIP submittal.

The EPA has assessed the impact of the D.C. Circuit decision with respect to the removal of the specific affirmative defense provision at issue in WAC 173–400–107. We have concluded that the previously stated reasons for the proposed removal of these provisions, as articulated in the 2015 SSM SIP Action, are consistent with the recent D.C. Circuit decision. The Court upheld the EPA's 2015 SSM SIP Action with regard to affirmative defenses against specific relief, finding that because CAA 304(a) and 113(b) authorize citizens and the EPA to seek injunctive relief and monetary penalties against sources that violate a SIP's emission rules, such an affirmative defense would ''block that aspect of the Act's enforcement regime.'' [10]

We are proposing to find that the removal of EFSEC's adoption by reference of WAC 173–400–107 in WAC 463–78–005 from the Washington SIP will satisfy the 2015 SSM SIP call as it will no longer provide an affirmative defense that may operate to limit the jurisdiction of the Federal court in an enforcement action.

B. Additional SIP Revisions Submitted But Not Specified in the 2015 SSM SIP Call

Washington also included SIP revisions in the June 15, 2023 SIP submittal that are not subject to the 2015 SSM SIP call. On July 26, 2024, Washington submitted a letter dated July 24, 2024, to the EPA withdrawing certain other SIP revisions not subject to the 2015 SSM SIP call.[11] Therefore, the EPA is not proposing action on the withdrawn provisions and will not cover them in this analysis. The remaining SIP revisions for which we are proposing action: correct a typographical error; establish the process for defining facility-specific alternate emission standards; remove excess emission provisions not consistent with the EPA's 2015 SSM policy; revise cross-references as necessary to align with updates to the analogous Federal laws or the EPA's 2015 SSM policy; and remove some provisions in deference to equally or more stringent relevant Federal laws. Many of the revisions are conditioned to only take effect upon the effective date of the EPA's removal of WAC 173–400–107 from the Washington SIP. The EPA approved identical revisions to WAC 173–400 applicable to Ecology's jurisdiction on December 28, 2023 (88 FR 89582). See the preamble to the EPA's June 15, 2023, proposed rule for a full explanation of these rule revisions. Washington also requested the EPA correct a typographical error in the SIP regarding a state effective date.

The additional revisions included in the June 15, 2023 SIP submittal that were not specified in the 2015 SSM SIP call or 2022 FFS were adopted in two different state rulemaking actions in 2018 for provisions in WAC 173–400, General Air Regulations for Air Pollution Sources.

WAC 173–400, General Air Regulations for Air Pollution Sources. In its June 15, 2023, SIP submittal, Washington requested approval of revisions to WAC 173–030, Definitions; WAC 173–400–070, Emission standards for certain source categories; WAC 173–400–081, Startup and Shutdown; WAC 173–400–082, Alternative emission limit that exceeds an emission standard in the SIP; WAC 173–400–107, Excess emissions; WAC 173–400–136, Use of Emission Reduction Credits (ERC); and WAC 173–400–171, Public involvement. Many of the revisions are non-substantive changes.

WAC 173–400–030, Definitions. As described in our most recent approval of WAC 173–400–030 (88 FR 89582, December 28, 2023) which EFSEC adopts by reference: Washington revised this section to aid in implementation of provisions such as those addressing transient (short-term) modes of operation, including startup and shutdown, and to clarify commonly used 'terms of art' (such as ''hog fuel'').[12] Most definitions in WAC 173–400–030 remain unchanged since our last approval; [13] however, the addition of new definitions resulted in changes to the numbering sequence. Even though the text of those definitions remains as approved, the state effective date changed to reflect the numbering sequence changes. Therefore, Washington requested the EPA approve all of WAC 173–400–030 as submitted on June 15, 2023, except definition (96) related to toxic air pollutants or odors, because it is outside the scope of CAA section 110 requirements for SIPs.[14] A complete redline/strikeout analysis of the updated definitions in WAC 173–400–030 is included in the docket for this action.[15] Updating the state effective date for those definitions in WAC 173–400–030 previously approved into Washington's SIP that remain unchanged will have no effect on emissions.

[9] See *301_EFSEC SSM SIP Call FFS Completeness Letter.pdf,* included in the docket for this action.

[10] *See* 94 F.4th at 114–15.

[11] See *201_state submittal supplement_EFSEC Partial Withdrawal Request Letter - Ecology.pdf* and *202_state submittal supplement_EFSEC Partial Withdrawal Request Letter - EFSEC.pdf* included in the docket for this action.

[12] For more details, see Chapter 2 of Washington's November 12, 2019, submission, included in the docket for this action as *102_state submittal_SIP_SSM_400_405_410_415.pdf.*

[13] EPA reviewed those definitions and approved them in a previous action (85 FR 4233, January 20, 2020).

[14] Definition (96) was excluded for the same reasons in our January 20, 2020 approval (88 FR 4233).

[15] See Appendix C in *104_state submittal_Publication 19-02-030.pdf,* included in the docket for this action.

The two revisions to existing definitions in WAC 173–400–030 were to:

(32) [16] ''Excess emissions'': to clarify that the term also includes emissions above limits established in permits or orders, including alternative emission limits. This definition comports with our 2015 SSM SIP Action;[17] and

(38) [18] ''Federally enforceable'': to include emission limitations during startup and shutdown.

Washington also adopted several new definitions which are discussed below:

(6) '' 'Alternative emission limit' or 'limitation' '': to clarify implementation of the provisions for transient (short-term) modes of operation such as startup and shutdown provisions in WAC 173–400–040(2), 081 and 082, 107, 108 and 109. This definition is defined substantively the same as in our 2015 SSM SIP Action; [19]

(45) ''Hog fuel'': to define what has been used as a 1term of art' for wood waste, especially hogged wood waste, utilized for burning and to clarify implementation of emissions standards for boilers in WAC 173–400–040(2) and WAC 173–400–070(2). This definition, while narrower in scope, is generally in keeping with the Federal defintion for *biomass or bio-based solid fuel* for boilers and process heaters in the EPA's National Emission Standard for Hazardous Air Pollutants (NESHAP) for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters, codified at 40 CFR part 63, ''Subpart DDDDD''); [20]

(83) ''Shutdown'' and (89) ''Startup'': to clarify the general meanings of the terms [21] for purposes of implementation of WAC 173–400.

(97) ''Transient code of operation'': to include short-term operating periods, including periods of startup and shutdown. This term is used for facilitating development of alternative emission limitations (AELs) for startup and shutdown periods, as well as other short-term modes of operation such as soot blowing (also known as boiler lancing), grate cleaning, and refractory curing, during which a source is unable to meet otherwise applicable emissions limits;

(100) ''Useful thermal energy'': to clarify the general meanings of the terms for purposes of implementation of WAC 173–400. The definition is nearly verbatim from, and is substantively the same as, the EPA's Boiler NESHAP.[22]

(103) ''Wigwam'' or ''silo burner'': This definition clarifies the types of units that are now prohibited under WAC 173–400–070(1).[23]

(104) ''Wood-fired boiler'': to clarify implementation of regulations tailored specifically for this unique subset of boilers. This definition is similar to, but more narrowly defined than, ''boiler'' in 40 CFR 63.7575 and in as much as it is used to regulate boilers, comports with the Federal CAA.

For the reasons stated above, the EPA is proposing to approve the above changes to Washington's definitions under WAC 173–400–030 for EFSEC's jurisdiction. We approved identical revisions to WAC 173–400 applicable to Ecology's jurisdiction on December 28, 2023 (88 FR 89582).

WAC 173–400–070, Emission standards for certain source categories. Most subsections apply to source categories not regulated by EFSEC, the EPA previously only approved subsection (5) *Catalytic Cracking Units* into the SIP for EFSEC's jurisdiction (82 FR 24533, May 30, 2017). EFSEC is now requesting removal of their adoption by reference of WAC 173–400–070 in the SIP because subsection (5) is obsolete and to reduce unnecessary duplication of Federal requirements as corresponding Federal regulations, which the State adopts by reference, have more stringent requirements.[24] For these reasons, the EPA is proposing to approve the removal of WAC 173–400–070 for EFSEC's jurisdiction.

WAC 173–400–081, Emission limits during startup and shutdown. As described in our most recent approval of WAC 173–400–081 (88 FR 89582, December 28, 2023) which EFSEC adopts by reference: this section establishes a case-by-case technology-based permitting pathway for establishing startup and shutdown AELs. Numerous non-substantive changes were made to clarify applicability and requirements associated with establishing AELs. The most substantive change is the addition of (4)(b) which requires the permitting authority comply with the applicable requirements in WAC 173–400–082. Under WAC 173–400–081(4)(a), if an emission limitation or other parameter created increases allowable emissions over levels already authorized in Washington's SIP, it will not take effect unless it is approved by the EPA as a SIP amendment. For these reasons, EPA is proposing to approve the submitted revisions to WAC 173–400–081 for EFSEC's jurisdiction.

WAC 173–400–082 Alternative emission limit that exceeds an emission standard in the SIP. As described in our most recent approval of WAC 173–400–082 (88 FR 89582, December 28, 2023) which EFSEC adopts by reference: this is an entirely new section establishing a process for an owner or operator to request—and the State to approve via a regulatory order—an alternative emission limit that would apply during a specified transient mode of operation. This process was designed to establish AELs that meet the seven criteria discussed above. Any AEL established under this section only applies to the specified emissions units at the facility requesting the regulatory order. Moreover, any such AEL only goes into effect if the EPA approves the new limit into the SIP. For these reasons, the EPA is proposing to approve the submitted revisions to WAC 173–400–082 for EFSEC's jurisdiction.

WAC 173–400–136 Use of Emission Reduction Credits (ERC). The EPA's May 30, 2017 (82 FR 24531) approval of EFSEC's adoption by reference errantly listed April 1, 2011, as the state effective date. The EPA is proposing to correct the state effective date to read December

[16] ''Excess Emissions'' was previously codified as WAC 173–400–030(30), state effective December 29, 2012. EPA approved the December 29, 2012 versions of Washington's definitions of ''excess emissions'' and ''federally enforceable'' in a May 30, 2017 action (82 FR 24533). Since that action, EPA has approved more recent versions of Washington's definitions rule, but explicitly excluded the definitions for ''excess emissions'' and federally enforceable'' from those actions. This means the 2012 versions of these definitions are currently effective for purposes of EFSEC's jurisdiction in the Washington SIP, and it is those versions that EPA is proposing to revise in this action—the same as we did for Ecology's and Benton Clean Air Agency's jurisdiction in our December 28, 2023 approval (88 FR 89582).

[17] See 80 FR 33840, June 12, 2015, specifically page 33842.

[18] ''Federally enforceable'' was previously codified as WAC 173–400–030(36), state effective December 29, 2012.

[19] See 80 FR 33840, June 12, 2015, especially page 33912.

[20] See specifically 40 CFR 63.7575.

[21] 40 CFR 63.7575.

[22] See specifically 40 CFR 63.7575 and 63.11237.

[23] Adding these definitions to WAC 173–400–030 does not constitute a prohibition, rather it is for clarification purposes as the terms were not defined elsewhere in WAC 173–400. However, the terms are used in WAC 173–400–070(1) which previously allowed the use of these units for disposal burning of waste wood. Revisions in the June 15, 2023 SIP submittal prohibit their use as of January 1, 2020.

[24] EPA approved removal of WAC 173–400–070(5) *Catalytic Cracking Units* on December 28, 2023, (88 FR 89582) because the Federal rule (40 CFR 60.102a) Washingtons adopts by reference in WAC 173–400–115 has more stringent requirements for catalytic cracking units than the requirements in the deleted rule. This Federal rule (40 CFR 60.102a) sets a particulate matter emission standard of 0.040 grains/dscf standard, which is significantly more stringent than the deleted rule that sets it at 0.20 grains/dscf. Similarly, 40 CFR 60.102a (d) provides a formula for setting site-specific opacity limits based on the PM emission rate measured during a source test. We expect this to be lower because of the more stringent PM standard. We deleted this subsection to simplify compliance by reducing duplication of the Federal requirements in our rule.

29, 2012, consistent with our November 7, 2014 (79 FR 66291) approval for Ecology's direct jurisdiction.

WAC 173–400–171 Public notice and opportunity for public comment. As described in our most recent approval of WAC 173–400–171 (88 FR 89582, December 28, 2023) which EFSEC adopts by reference: while many changes were made to this section, the only substantive change is the addition of (3)(o) which requires mandatory public comment periods for orders (permits) establishing AELs under WAC 173–400–081 or –082 that exceed otherwise SIP applicable limits. For these reasons, the EPA is proposing to approve the submitted revisions to WAC 173–400–171 for EFSEC's jurisdiction.

III. Proposed Action

The EPA is proposing to approve and incorporate by reference into the Washington SIP the revisions Washington submitted on June 15, 2023, except for those withdrawn by Washington.[25] This action includes removal of WAC 173–400–107—the provision identified as inconsistent with CAA requirements in our 2015 SSM SIP call—from the Washington SIP for EFSEC's jurisdiction, as well as incorporate by reference at 40 CFR 52.2470(c)—*Table 3—Additional Regulations Approved for the Energy Facilities Site Evaluation Council (EFSEC) Jurisdiction,* the following revised regulations:

- *WAC 173–400–030, Definitions,* (state effective September 16, 2018);
- *WAC 173–400–070, Emission standards for certain source categories,* (state effective September 16, 2018);
- *WAC 173–400–081 Emission limits during startup and shutdown,* (state effective September 16, 2018);
- *WAC 173–400–082 Alternative emission limit that exceeds an emission standard in the SIP,* (state effective September 16, 2018);
- *WAC 173–400–136 Use of Emission Reduction Credits (ERC),* (state effective December 29, 2012); and
- *WAC 173–400–171 Public Notice and Opportunity for Public Comment,* (state effective September 16, 2018).

The proposed revisions, upon finalization, will apply specifically to the jurisdiction of the Washington State Energy Facility Site Evaluation Council.

IV. Incorporation by Reference

In this document, EPA proposes to include in a final rule, regulatory text that includes incorporation by reference. In accordance with the requirements of 1 CFR 51.5, EPA proposes to incorporate by reference the provisions described in sections II and III of this document. EPA is also proposing to remove regulatory text as described in sections II and III of this document that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, EPA proposes to remove WAC 173–400–107 from the incorporation by reference at 40 CFR 52.2470. EPA has made, and will continue to make, these documents generally available through *https://www.regulations.gov* and at the EPA Region 10 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

V. Statutory and Executive Orders Review

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

- Is not a ''significant regulatory action'' subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 14094 (88 FR 21879, April 11, 2023);
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a state program;
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and
- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA.

Executive Order 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 59 FR 7629, February 16, 1994) directs Federal agencies to identify and address ''disproportionately high and adverse human health or environmental effects'' of their actions on communities with environmental justice (EJ) concerns to the greatest extent practicable and permitted by law. EPA defines 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.'' 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 air agency did not evaluate environmental justice considerations as part of its SIP submittal; the CAA and applicable implementing regulations neither prohibit nor require such an evaluation. 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, 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 communities with EJ concerns.

The SIP is not approved to apply on any Indian reservation land in Washington except as specifically noted below and is also not approved to apply in any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), nor will it impose substantial direct costs on tribal governments or preempt tribal law. Washington's SIP is approved to apply on non-trust land within the exterior boundaries of the Puyallup Indian Reservation, also known as the 1873 Survey Area. Under the Puyallup Tribe of Indians Settlement Act of 1989, 25

[25] See *201_state submittal supplement_EFSEC Partial Withdrawal Request Letter - Ecology.pdf* and *202_state submittal supplement_EFSEC Partial Withdrawal Request Letter - EFSEC.pdf* included in the docket for this action.

U.S.C. 1773, Congress explicitly provided state and local agencies in Washington authority over activities on non-trust lands within the 1873 Survey Area.

List of Subjects in 40 CFR Part 52

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

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

Dated: October 11, 2024.

Casey Sixkiller,

Regional Administrator, Region 10.

[FR Doc. 2024–24211 Filed 10–21–24; 8:45 am]

BILLING CODE 6560–50–P

Notices

Federal Register
Vol. 89, No. 204
Tuesday, October 22, 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

Submission for OMB Review; Comment Request

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and approval under the Paperwork Reduction Act of 1995, Public Law 104–13. Comments are requested regarding: whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on 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 regarding these information collections are best assured of having their full effect if received by November 21, 2024. Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Agricultural Marketing Service

Title: Pecan Promotion, Research, and Information Program.

OMB Control Number: 0581–0328.

Summary of Collection: The Pecan Promotion, Research, and Information program was created to help strengthen the position of pecans in the marketplace, maintain and expand markets for pecans, and develop new uses for pecans. The Pecan Promotion, Research, and Information Order (Order) (7 CFR part 1223) is authorized under the Commodity Promotion, Research, and Information Act of 1996 (1996 Act) (7 U.S.C. 7411–7425).

The Order became effective on February 12, 2021. Currently, the Pecan program is administered by the American Pecan Promotion Board (Board) which is appointed by the Secretary of Agriculture and financed by a mandatory assessment on producers and importers of inshell and shelled pecans. The assessment rate is levied at $0.02 per pound on all inshell pecans and $0.04 per pound on all shelled pecans. The program provides an exemption for producers and importers that produce or import fewer than 50,000 pounds of inshell pecans (25,000 pounds of shelled pecans) on average for four fiscal periods (the fiscal period for which the exemption is claimed and the previous three fiscal periods).

Need and Use of the Information: The information collection requirements in this request are essential to carry out the intent of the 1996 Act and the Order. The objective in carrying out this responsibility includes assuring the following: (1) funds are collected and properly accounted for; (2) expenditures of all funds are for the purposes authorized by the 1996 Act and Order; and (3) the board's administration of the programs conforms to USDA policy. Such information can be supplied without data processing equipment or outside technical expertise. In addition, there are no additional training requirements for individuals filling out reports and remitting assessments to the Board.

The information collected is used only by authorized representatives of the USDA's regional and headquarters staff, and authorized Board employees. Authorized Board employees and the industry are the primary users of the information, and AMS is the secondary user.

Description of Respondents: Businesses or other for-profits; Farms.

Number of Respondents: 725.

Frequency of Responses: Annually.

Total Burden Hours: 2,861.

Levi S. Harrell,

Departmental Information Collection Clearance Officer.

[FR Doc. 2024–24448 Filed 10–21–24; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF COMMERCE

Census Bureau

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; 2025 Census Household Survey

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. We invite the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. This notice allows for 30 days for public comments.

Agency: U.S. Census Bureau, Commerce.

Title: 2025 Census Household Survey.

Form Number(s): None. All information will be collected electronically.

Type of Request: Regular submission.

Number of Respondents: 100,000.

Average Hours per Response: 10 minutes.

Burden Hours: 6,667.

Needs and Uses: The U.S. Census Bureau conducts surveys of individuals, households, and businesses to provide quality data about our nation's people and economy. Many Census Bureau surveys offer the option of responding to the survey online. The Census Bureau understands the critical importance of protecting the data provided by our survey respondents, while offering them

a familiar, efficient, and manageable user experience. The Census Bureau hopes to achieve these goals through the adoption of industry best practices and popular solutions in use across the internet.

One element of a user's online survey response experience is logging in to the survey. The Census Bureau plans to request Office or Management and Budget (OMB) approval to conduct a test of various log in and authentication methods for surveys that would offer additional protection to respondent data, while facilitating respondents' ability to return to the survey on multiple occasions without having to re-enter data. This test is referred to as the 2025 Census Household Survey Test.

The Census Bureau proposes to test four log in and authentication methods: the current log in method used by surveys like the American Community Survey (ACS) and three additional methods. The current method requires users to enter a 12-digit code that is sent to them in the mail from the Census Bureau in addition to the use of a generated 4-digit PIN for re-entry, with security questions for individuals who forget their PIN. The three additional methods require user verification through a two-factor authentication process, where a user would provide information like an email, phone number, or account log in (*e.g.,* Microsoft) and then enter an 8-digit verification code that has been sent to them in email or text in addition to a 12-digit code that has been mailed to them by the Census Bureau.

The test will study which industry-standard authentication methods works best for respondents in a dependent survey response setting by measuring log in success. The test will be designed to measure log in success for subpopulations, including historically undercounted populations.

Affected Public: Individuals or households.

Frequency: This is a one-time survey.

Respondent's Obligation: Voluntary.

Legal Authority: Title 13, U.S. Code, Section 193.

This information collection request may be viewed at *www.reginfo.gov.* Follow the instructions to view the Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function and entering either the title of the collection or the OMB Control Number 0607–0971.

Sheleen Dumas,

Departmental PRA Clearance Officer, Office of the Under Secretary for Economic Affairs, Commerce Department.

[FR Doc. 2024–24387 Filed 10–21–24; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

Bureau of Economic Analysis

Federal Economic Statistics Advisory Committee

AGENCY: Bureau of Economic Analysis, Department of Commerce.

ACTION: Notice of advisory committee renewal.

SUMMARY: The Secretary of Commerce has determined that renewal of the charter of the Federal Economic Statistics Advisory Committee (FESAC) is necessary and in the public interest in connection with the performance of duties imposed by law on the U.S. Department of Commerce, established within the Office of the Under Secretary for Economic Affairs, U.S. Department of Commerce and administered by the Bureau of Economic Analysis. The renewed FESAC charter can be found on the Bureau of Economic Analysis' FESAC website at the following link: *https://apps.bea.gov/fesac/.*

FOR FURTHER INFORMATION CONTACT: Gianna Marrone, Program Analyst, U.S. Department of Commerce, Bureau of Economic Analysis, Suitland, MD 20746; telephone number: (301) 278–9282; email: *gianna.marrone@bea.gov.*

SUPPLEMENTARY INFORMATION: The Committee presents advice and makes recommendations to the directors of the U.S. Department of Commerce's statistical agencies, the Bureau of Economic Analysis (BEA) and the U.S. Census Bureau, as well as the Commissioner of the U.S. Department of Labor's Bureau of Labor Statistics (BLS), The Committee examines the agencies' programs and provides advice on statistical methodology, research needed, and other technical matters related to the collection, tabulation, and analysis of Federal economic statistics. The Committee is a technical committee that is balanced in terms of the professional expertise required. It consists of approximately 16 members, appointed by the Under Secretary for Economic Affairs in coordination with the directors of the statistical agencies or their designees listed above. Its members are professionals in appropriate disciplines, including economists, statisticians, survey methodologists, behavioral scientists, and computer scientists/engineers who are prominent experts in their fields, recognized for their scientific, professional, and operational achievements and objectivity. The FESAC will function solely as an advisory body and in compliance with provisions of the Federal Advisory Committee Act, as amended (FACA), 5 U.S.C. 1001 *et seq.* Pursuant to subsection 1008(c) of the FACA, this charter was filed with the Deputy Assistant Secretary for Administration, Performing the non-exclusive functions and duties of the Chief Financial Officer and Assistant Secretary for Administration, Department of Commerce, on September 27, 2024. Subsequently, a copy was furnished to the Library of Congress and filed with the following Committees of Congress: Senate Committee on Appropriations; Senate Committee on Finance; Senate Committee on Commerce, Science and Transportation; Senate Committee on Homeland Security and Governmental Affairs; House Committee on Appropriations; and House Committee on Oversight and Government Reform.

Dated: October 15, 2024.

Gianna Marrone,

Alternate Designated Federal Officer, Bureau of Economic Analysis.

[FR Doc. 2024–24484 Filed 10–21–24; 8:45 am]

BILLING CODE 3510–06–P

DEPARTMENT OF COMMERCE

Bureau of Economic Analysis

[Docket Number: 240404–0095]

Bureau of Economic Analysis Advisory Committee Meeting

AGENCY: Bureau of Economic Analysis, Department of Commerce.

ACTION: Notice of public meeting.

SUMMARY: Pursuant to the Federal Advisory Committee Act, the Bureau of Economic Analysis (BEA) announces a meeting of the Bureau of Economic Analysis Advisory Committee (BEAAC or the Committee). The meeting will address proposed improvements, extensions, and research related to BEA's economic accounts. In addition, the meeting will include an update on recent statistical developments.

DATES: November 8, 2024. The meeting begins at 9:30 a.m. and adjourns at 3:00 p.m. (ET).

ADDRESSES: This meeting will be a hybrid event. Committee members and presenters will have the option to join the meeting in person or via video conference technology. All outside attendees will be invited to attend via video conference technology only. The meeting is open to the public via video conference technology. Contact Gianna Marrone at (301) 278–9282 or *gianna.marrone@bea.gov* by November 1, 2024, to RSVP. The call-in number, access code, and presentation link will be posted 24 hours prior to the meeting on *https://www.bea.gov/about/bea-advisory-committee.*

FOR FURTHER INFORMATION CONTACT: Gianna Marrone, Program Analyst, U.S. Department of Commerce, Bureau of Economic Analysis, Suitland, MD 20746; phone (301) 278–9282; email *gianna.marrone@bea.gov.*

SUPPLEMENTARY INFORMATION: The Committee was established July 22, 1999, in accordance with the Federal Advisory Committee Act (5 U.S.C. 1001 *et seq.*). The Committee advises the Director of BEA on matters related to the development and improvement of BEA's national, regional, industry, and international economic accounts, especially in areas of new and rapidly growing economic activities arising from innovative and advancing technologies. The Committee provides recommendations from the perspective of businesspeople, academicians, researchers, and experts in government and international affairs.

The Committee aims to have a balanced representation among its members, considering such factors as geography, technical expertise, community involvement, and knowledge of programs and/or activities related to BEAAC. Individual members are selected based on their expertise in specific areas as needed by BEAAC.

This meeting is open to the public. The meeting is accessible to people with disabilities. Requests for foreign language interpretation or other auxiliary aids or extensive questions or statements must be submitted in writing to Gianna Marrone at (301) 278–9282 or *gianna.marrone@bea.gov* by November 1, 2024.

Authority: Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. 1001 *et seq.*

Dated: October 15, 2024.

Gianna Marrone,

Alternate Designated Federal Officer, Bureau of Economic Analysis.

[FR Doc. 2024–24359 Filed 10–21–24; 8:45 am]

BILLING CODE 3510–06–P

DEPARTMENT OF COMMERCE

Bureau of Economic Analysis

[Docket Number: 240404–0096]

Federal Economic Statistics Advisory Committee Meeting

AGENCY: Bureau of Economic Analysis, U.S. Department of Commerce.

ACTION: Notice of public meeting.

SUMMARY: The Bureau of Economic Analysis (BEA) is giving notice of a meeting of the Federal Economic Statistics Advisory Committee (FESAC or the Committee). The Committee advises the Directors of the Bureau of Economic Analysis and the Census Bureau, and the Commissioner of the U.S. Department of Labor's Bureau of Labor Statistics (BLS) on statistical methodology and other technical matters related to the collection, tabulation, and analysis of federal economic statistics. An agenda will be accessible prior to the meeting at *https://apps.bea.gov/fesac/.*

DATES: December 13, 2024. The meeting begins at 10:00 a.m. and adjourns at 3:15 p.m. (ET).

ADDRESSES: This meeting will be a hybrid event. Committee members and presenters will have the option to join the meeting in person or via video conference technology. All outside attendees will be invited to attend via video conference technology only. The meeting is open to the public via video conference technology. Contact Gianna Marrone at (301) 278–9282 or *gianna.marrone@bea.gov* by December 6, 2024, to RSVP. The FESAC website will maintain the most current information on the meeting agenda, schedule, and location. These items may be updated without further notice in the **Federal Register**. Information about how to access the meeting and presentations will be posted 24 hours prior to the meeting on *https://apps.bea.gov/fesac/.*

FOR FURTHER INFORMATION CONTACT: Gianna Marrone, Program Analyst, U.S. Department of Commerce, Bureau of Economic Analysis, 4600 Silver Hill Road (BE–64), Suitland, MD 20746; phone (301) 278–9282; email *gianna.marrone@bea.gov.*

SUPPLEMENTARY INFORMATION: FESAC members are appointed by the Secretary of Commerce. The Committee advises the BEA and Census Bureau Directors and the Commissioner of the Department of Labor's BLS on statistical methodology and other technical matters related to the collection, tabulation, and analysis of federal economic statistics. The Committee is established in accordance with the Federal Advisory Committee Act (5 U.S.C. 1001 *et seq.*).

The Committee aims to have a balanced representation among its members, considering such factors as geography, technical expertise, community involvement, and knowledge of programs and/or activities related to FESAC. Individual members are selected based on their expertise or experience in specific areas as needed by FESAC.

This meeting is open to the public. The meeting is accessible to people with disabilities. Requests for foreign language interpretation, other auxiliary aids, or persons with extensive questions or statements must submit to Gianna Marrone at *gianna.marrone@bea.gov* by December 6, 2024.

Authority: Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. 1001 *et seq.*

Dated: October 15, 2024.

Gianna Marrone,

Alternate Designated Federal Officer, Bureau of Economic Analysis.

[FR Doc. 2024–24357 Filed 10–21–24; 8:45 am]

BILLING CODE 3510–06–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–172]

Vanillin From the People's Republic of China: Postponement of Preliminary Determination in the Less-Than-Fair-Value Investigation

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

DATES: Applicable October 22, 2024.

FOR FURTHER INFORMATION CONTACT: Yang Jin Chun, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–5760.

SUPPLEMENTARY INFORMATION:

Background

On June 25, 2024, the U.S. Department of Commerce (Commerce) initiated the less-than-fair-value investigation (LTFV) on imports of vanillin from the People's Republic of China.[1] On July 22, 2024, Commerce tolled certain deadlines in this

[1] *See Vanillin from the People's Republic of China: Initiation of Less-Than-Fair-Value Investigation,* 89 FR 54424 (July 1, 2024).

administrative proceeding by seven days.[2] The preliminary determination is currently due no later than November 19, 2024.

Postponement of Preliminary Determination

Section 733(b)(1)(A) of the Tariff Act of 1930, as amended (the Act), requires Commerce to issue the preliminary determination in an LTFV investigation within 140 days after the date on which Commerce initiated the investigation. However, section 733(c)(1)(A)(b)(1) of the Act permits Commerce to postpone the preliminary determination until no later than 190 days after the date on which Commerce initiated the investigation if: (A) the petitioner makes a timely request for a postponement; or (B) Commerce concludes that the parties concerned are cooperating, that the investigation is extraordinarily complicated, and that additional time is necessary to make a preliminary determination. Under 19 CFR 351.205(e), the petitioner must submit a request for postponement 25 days or more before the scheduled date of the preliminary determination and must state the reasons for the request. Commerce will grant the request unless it finds compelling reasons to deny the request.

On October 8, 2024, the petitioner submitted a timely request that Commerce postpone the preliminary determination in this LTFV investigation.[3] The petitioner stated that it requests postponement because additional time will allow Commerce to issue supplemental questionnaires to address deficiencies and omissions in the mandatory respondents' responses and to ensure an accurate calculation of preliminary dumping margins.[4]

For the reasons stated above and because there are no compelling reasons to deny the request, Commerce is postponing the deadline for the preliminary determination by 50 days, *i.e.,* 190 days after the date on which this investigation was initiated, in accordance with section 733(c)(1)(A) of the Act. As a result, Commerce will issue its preliminary determination no later than January 8, 2025. In accordance with section 735(a)(1) of the Act and 19 CFR 351.210(b)(1), the deadline for the final determination of this investigation will continue to be 75 days after the date of the preliminary determination, unless postponed at a later date.

Notification to Interested Parties

This notice is issued and published pursuant to section 733(c)(2) of the Act and 19 CFR 351.205(f)(1).

Dated: October 16, 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.

[FR Doc. 2024–24390 Filed 10–21–24; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–533–870]

Certain New Pneumatic Off-the-Road Tires From India: Final Results of Countervailing Duty Administrative Review; 2022

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) determines that countervailable subsidies are being provided to producers/exporters of certain new pneumatic off-the-road tires (OTR Tires), from India during the period of review (POR) January 1, 2022, through December 31, 2022.

DATES: Applicable October 22, 2024.

FOR FURTHER INFORMATION CONTACT: Mark Hoadley, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–3148.

SUPPLEMENTARY INFORMATION:

Background

On April 5, 2024, Commerce published the preliminary results of this administrative review.[1] On July 22, 2024, Commerce tolled certain deadlines in this administrative proceeding by seven days.[2] On August 6, 2024, we extended the time limit for these final results to October 9, 2024.[3] For a description of the events that occurred since the *Preliminary Results, see* the Issues and Decision Memorandum.[4]

Scope of the Order [5]

The products covered by the order are OTR Tires from India. For a full description of the scope of the *Order, see* the Issues and Decision Memorandum.

Analysis of Comments Received

All issues raised in the parties' briefs are addressed in the Issues and Decision Memorandum. A list of the issues addressed is attached to this notice at Appendix I. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Changes Since the Preliminary Results

Based on comments received from interested parties and record information, we made certain changes from the *Preliminary Results* regarding the subsidy calculations for ATC Tires Private Limited (ATC) and Balkrishna Industries Ltd. (BKT). These changes are explained in the Issues and Decision Memorandum.

Methodology

Commerce conducted this administrative review in accordance with section 751(a)(1)(A) of the Tariff Act of 1930, as amended (the Act). For each subsidy program found countervailable, Commerce finds that there is a subsidy, *i.e.,* a government-provided financial contribution that gives rise to a benefit to the recipient, and that the subsidy is specific.[6] For a description of the methodology underlying all of Commerce's conclusions, including any determination that relied upon the use

[2] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated July 22, 2024.

[3] *See* Petitioner's Letter, ''Request for Postponement of the Preliminary Determination,'' dated October 8, 2024. The petitioner is Solvay USA LLC.

[4] *Id.*

[1] *See Certain New Pneumatic Off-The-Road Tires from India: Preliminary Results of Countervailing Duty Administrative Review; 2022,* 89 FR 23969 (April 5, 2024) (*Preliminary Results*).

[2] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated July 22, 2024.

[3] *See* Memorandum, ''Extension of Deadline for Final Results of Countervailing Duty Administrative Review,'' dated August 6, 2024.

[4] *See* Memorandum, ''Issues and Decision Memorandum for the Final Results in the Countervailing Duty Administrative Review of Off-the-Road Tires from India; 2022,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[5] *See Certain New Pneumatic Off-the-Road Tires from India and Sri Lanka: Amended Final Affirmative Countervailing Duty Determination for India and Countervailing Duty Orders,* 82 FR 12556 (March 6, 2017) (*Order*).

[6] *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.

of adverse facts available pursuant to section 776(a) and (b) of the Act, *see* the Issues and Decision Memorandum.

Companies Not Selected for Individual Review

The Act and Commerce's regulations do not directly address the establishment of a rate to be applied to companies not selected for individual examination when Commerce limits its examination in an administrative review pursuant to section 777A(e)(2) of the Act. Generally, Commerce looks to section 705(c)(5) of the Act, which provides instructions for determining the all-others rate in an investigation, for guidance when calculating the rate for companies that were not selected for individual examination in an administrative review. Section 777A(e)(2) of the Act provides that ''the individual countervailable subsidy rates determined under subparagraph (A) shall be used to determine the all-others rate under section 705(c)(5) {of the Act}.'' Under section 705(c)(5)(A) of the Act, the all-others rate is normally ''an amount equal to the weighted average of the countervailable subsidy rates established for exporters and producers individually investigated, excluding any zero or *de minimis* countervailable subsidy rates, and any rates determined entirely {on the basis of facts available}.''

Accordingly, to determine the rate for companies not selected for individual examination, Commerce's practice is to weight average the net subsidy rates for the selected mandatory respondents, excluding rates that are zero, *de minimis,* or based entirely on facts available.[7] We determine that ATC received countervailable subsidies that are above *de minimis* and are not based entirely on facts available. Therefore, we determine to apply the net subsidy rates calculated for ATC. The companies for which a review was requested, which were not selected as mandatory respondents or found to be cross-owned with a mandatory respondent, are listed in Appendix II.

Final Results of Review

We determine that the following net countervailable subsidy rates exist for the period January 1, 2022, through December 31, 2022:

Producer/exporter	Subsidy rate (percent *ad valorem*)
ATC Tires Private Limited	1.70
Balkrishna Industries Ltd	* 0.34
Non-Selected Companies Under Review [8]	1.70

* *De minimis.*

Disclosure

Commerce intends to disclose the calculations and analysis performed for these final results of review within five days of the date of publication of this notice in the **Federal Register**, in accordance with 19 CFR 351.224(b).

Assessment Rates

Pursuant to sections 751(a)(1) and (a)(2)(C) of the Act and 19 CFR 351.212(b), Commerce shall determine, and CBP shall assess, countervailing duties on all appropriate entries of subject merchandise in accordance with the final results of this review.

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

Cash Deposit Requirements

In accordance with section 751(a)(1) and (a)(2)(C) of the Act, Commerce also intends to instruct CBP to collect cash deposits of estimated countervailing duties in the amounts shown for the companies listed above on shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this administrative review. Because the rate calculated for BKT is *de minimis,* no cash deposit will be required on shipments of the subject merchandise entered or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this review. For all non-reviewed firms, we will instruct CBP to continue to collect cash deposits of estimated countervailing duties at the all-others rate or the most recent company-specific rate applicable to the company, as appropriate. These cash deposit requirements, effective upon publication of these final results, shall remain in effect until further notice.

Administrative Protective Order

This notice also serves as a final reminder to parties subject to the administrative protective order (APO) of their responsibility concerning the destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

Notification to Interested Parties

Commerce is issuing the final results and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5).

Dated: October 9, 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 Issues and Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Changes Since the *Preliminary Results*
V. Subsidies Valuation Information
VI. Analysis of Programs
VII. Discussion of the Issues
  Comment 1: ATC's Electricity Duty Exemption under the Gujarat Electricity Act, 1958
  Comment 2: ATC's Import and Local Duty, Value-Added Tax, and Central Sales Tax (CST) Exemptions Under the Export-Oriented Units (EOU) and Special Economic Zones (SEZ) Programs
  Comment 3: ATC's SEZ Income Tax Exemption Under Section 10AA of the Income Tax Act
  Comment 4: BKT's Import Duty Exemptions Under the Export Promotion of Capital Goods Scheme
  Comment 5: BKT's Import Duty Exemptions Under the Advance Authorization Scheme (AAS)
  Comment 6: ATC's Import Duty Exemptions Under the AAS
VIII. Recommendation

Appendix II—Non-Examined Companies Under Review

1. Aakriti Manufacturing Pvt. Ltd.
2. Apollo Tyres Ltd.
3. Asian Tire Factory Limited.
4. Asiatic Tradelinks Private Limited.
5. Cavendish Industries Ltd.
6. Ceat Ltd.
7. Celite Tyre Corporation.
8. Emerald Resilient Tyre Manufacturer.
9. Forech India Private Limited.
10. HRI Tires India.
11. Innovative Tyres & Tubes Limited.
12. JK Tyre & Industries Ltd.

[7] *See, e.g., Certain Pasta from Italy: Final Results of the 13th (2008) Countervailing Duty Administrative Review,* 75 FR 37386, 37387 (June 29, 2010).

[8] *See* Appendix II of this notice for a list of all companies subject to this review that were not selected for individual examination and to which Commerce has assigned the non-examined company rate.

13. John Deere India Pvt. Ltd.
14. K.R.M. Tyres.
15. Mahansaria Tyres Private Limited.
16. MRF Limited.
17. MRL Tyres Limited (Malhotra Rubbers Ltd.).
18. Neosym Industry Limited.
19. OTR Laminated Tyres (I) Pvt. Ltd.
20. Royal Tyres Private Limited.
21. Rubberman Enterprises Pvt. Ltd.
22. Speedways Rubber Company.
23. Sun Tyre And Wheel Systems.
24. Sundaram Industries Private Limited.
25. Superking Manufacturers (Tyre) Pvt., Ltd.
26. TVS Srichakra Limited.
27. Ultra Mile.

[FR Doc. 2024–24430 Filed 10–21–24; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RTID 0648–XE362

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to the Skagway Ore Terminal Redevelopment Project

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

ACTION: Notice; request for comments on proposed renewal incidental harassment authorization.

SUMMARY: NMFS received a request from Municipality of Skagway (MOS) for the renewal of their currently active incidental harassment authorization (IHA) to take marine mammals incidental to the terminal redevelopment project in Skagway, Alaska. MOS's activities consist of activities that are covered by the current authorization but will not be completed prior to its expiration. Pursuant to the Marine Mammal Protection Act (MMPA), prior to issuing the currently active IHA, NMFS requested comments on both the proposed IHA and the potential for renewing the initial authorization if certain requirements were satisfied. The renewal requirements have been satisfied, and NMFS is now providing an additional 15-day comment period to allow for any additional comments on the proposed renewal not previously provided during the initial 30-day comment period.

DATES: Comments and information must be received no later than November 6, 2024.

ADDRESSES: Comments should be addressed to Jolie Harrison, Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service, and should be submitted via email to *ITP.harlacher@noaa.gov.*

Instructions: NMFS is not responsible for comments sent by any other method, to any other address or individual, or received after the end of the comment period. Comments, including all attachments, must not exceed a 25-megabyte file size. Attachments to comments will be accepted in Microsoft Word, Excel or Adobe PDF file formats only. All comments received are a part of the public record and will generally be posted online at *https://www.fisheries.noaa.gov/permit/incidental-take-authorizations-under-marine-mammal-protection*-act without change. All personal identifying information (*e.g.,* name, address) voluntarily submitted by the commenter may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information.

Electronic copies of the original application, renewal request, and supporting documents (including NMFS **Federal Register** notices of the original proposed and final authorizations, and the previous IHA), as well as a list of the references cited in this document, may be obtained online at: *https://www.fisheries.noaa.gov/permit/incidental-take-authorizations-under-marine-mammal-protection-act.* In case of problems accessing these documents, please call the contact listed above.

FOR FURTHER INFORMATION CONTACT: Jenna Harlacher, Office of Protected Resources (OPR), NMFS, (301) 427–8401.

SUPPLEMENTARY INFORMATION:

Background

The MMPA prohibits the ''take'' of marine mammals, with certain exceptions. Sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce (as delegated to NMFS) to allow, upon request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and either regulations are promulgated or, if the taking is limited to harassment, an incidental harassment authorization is issued.

Authorization for incidental takings shall be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s) and will not have an unmitigable adverse impact on the availability of the species or stock(s) for taking for subsistence uses (where relevant). Further, NMFS must prescribe the permissible methods of taking and other ''means of effecting the least practicable adverse impact'' on the affected species or stocks and their habitat, paying particular attention to rookeries, mating grounds, and areas of similar significance, and on the availability of such species or stocks for taking for certain subsistence uses (referred to here as ''mitigation measures''). NMFS must also prescribe requirements pertaining to monitoring and reporting of such takings. The definition of key terms such as ''take,'' ''harassment,'' and ''negligible impact'' can be found in the MMPA and the NMFS's implementing regulations (see 16 U.S.C. 1362; 50 CFR 216.103).

NMFS' regulations implementing the MMPA at 50 CFR 216.107(e) indicate that IHAs may be renewed for additional periods of time not to exceed 1 year for each reauthorization. In the notice of proposed IHA for the initial IHA, NMFS described the circumstances under which we would consider issuing a renewal for this activity, and requested public comment on a potential renewal under those circumstances. Specifically, on a case-by-case basis, NMFS may issue a one-time 1-year renewal of an IHA following notice to the public providing an additional 15 days for public comments when: (1) up to another year of identical, or nearly identical, activities as described in the Detailed Description of Specified Activities section of the initial IHA issuance notice is planned; or (2) the activities as described in the Description of the Specified Activities and Anticipated Impacts section of the initial IHA issuance notice would not be completed by the time the initial IHA expires and a renewal would allow for completion of the activities beyond that described in the **DATES** section of the notice of issuance of the initial IHA, provided all of the following conditions are met:

1. A request for renewal is received no later than 60 days prior to the needed renewal IHA effective date (recognizing that the renewal IHA expiration date cannot extend beyond 1 year from expiration of the initial IHA);

2. The request for renewal must include the following:

- An explanation that the activities to be conducted under the requested renewal IHA are identical to the activities analyzed under the initial IHA, are a subset of the activities, or include changes so minor (*e.g.,* reduction in pile size) that the changes do not affect the previous analyses, mitigation and monitoring requirements, or take estimates (with

the exception of reducing the type or amount of take); and

- A preliminary monitoring report showing the results of the required monitoring to date and an explanation showing that the monitoring results do not indicate impacts of a scale or nature not previously analyzed or authorized; and

3. Upon review of the request for renewal, the status of the affected species or stocks, and any other pertinent information, NMFS determines that there are no more than minor changes in the activities, the mitigation and monitoring measures will remain the same and appropriate, and the findings in the initial IHA remain valid.

An additional public comment period of 15 days (for a total of 45 days), with direct notice by email, phone, or postal service to commenters on the initial IHA, is provided to allow for any additional comments on the proposed renewal. A description of the renewal process may be found on our website at: *https://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-harassment-authorization-renewals.* Any comments received on the potential renewal, along with relevant comments on the initial IHA, have been considered in the development of this proposed IHA renewal, and a summary of agency responses to applicable comments is included in this notice. NMFS will consider any additional public comments prior to making any final decision on the issuance of the requested renewal, and agency responses will be summarized in the final notice of our decision.

National Environmental Policy Act

To comply with the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 *et seq.*) and NOAA Administrative Order (NAO) 216–6A, NMFS must review our proposed action (*i.e.,* the issuance of an IHA renewal) with respect to potential impacts on the human environment.

This action is consistent with categories of activities identified in Categorical Exclusion B4 (incidental take authorizations with no anticipated serious injury or mortality) of the Companion Manual for NOAA Administrative Order 216–6A, which do not individually or cumulatively have the potential for significant impacts on the quality of the human environment and for which we have not identified any extraordinary circumstances that would preclude this categorical exclusion. Accordingly, NMFS determined that the issuance of the initial IHA qualified to be categorically excluded from further NEPA review. NMFS has preliminarily determined that the application of this categorical exclusion remains appropriate for this renewal IHA.

History of Request

On August 29, 2023, NMFS issued an IHA to MOS to take marine mammals incidental to the terminal redevelopment project in Skagway, Alaska (88 FR 60652, September 5, 2023), effective from October 1, 2023, through September 30, 2024. On February 5, 2024, NMFS received a request from MOS to modify the 2023 IHA; adding 2 takes by Level A harassment and 45 takes by Level B harassment for northern fur seal, and to adjust take requests based on average species densities throughout the year due to work occurring in all seasons and, consequently, increasing authorized take by Level B harassment to 270 for Steller sea lion. On May 3, 2024, NMFS issued Skagway a modification of the initial 2023 IHA (89 FR 36765).

On July 22, 2024, NMFS received an application for the renewal of the initial IHA (as modified). After discussions with MOS about the proposed work to be conducted under the renewal IHA, we received a revised renewal request on September 30, 2024. As described in the application for renewal IHA, the activities for which incidental take is requested consist of a subset of the activities that were covered by the initial authorization but which were not completed prior to its expiration. As required, the applicant also provided a final monitoring report, available online at: *https://www.fisheries.noaa.gov/action/incidental-take-authorization-municipality-skagways-skagway-ore-terminal-redevelopment.* The report confirms that the applicant has implemented the required mitigation and monitoring, and which also shows that no impacts of a scale or nature not previously analyzed or authorized have occurred as a result of the activities conducted.

Description of the Specified Activities and Anticipated Impacts

MOS planned to redevelop the Skagway Ore Terminal in Skagway, Alaska, with 196 days of pile installation and removal. This project involved installation and removal of 36 temporary steel pile guides, removal of 692 piles, and installation of 244 permanent steel piles. Two different installation methods were used: vibratory pile driving and impact pile driving. Due to unexpected delays, MOS did not complete the construction during the initial 1-year period, completing removal of 385 piles and installation of 101 piles.

This renewal request is to cover a subset of the activities covered in the initial IHA that was not completed during the effective IHA period and which is planned to occur during the effective period of the proposed renewal IHA. Specifically, MOS plans to install two 24-in piles and remove ten timber piles, which are necessary to stabilize a single existing fender. The remainder of the initially planned work would not be conducted under this proposed renewal IHA.

The likely or possible impacts of the MOS's proposed activity on marine mammals is unchanged from the impacts described in the initial IHA. Potential non-acoustic stressors could result from the physical presence of the equipment, vessels, and personnel; however, any impacts to marine mammals are expected to primarily be acoustic in nature. Sounds resulting from pile installation, removal, and drilling may result in the incidental take of marine mammals by Level A and Level B harassment in the form of auditory injury or behavioral harassment.

Detailed Description of the Activity

A detailed description of the construction activities for which take is proposed here may be found in the notices of the proposed and final IHAs for the initial authorization (88 FR 23627, April 18, 2023; 88 FR 60652, September 5, 2023). As previously mentioned, this request is for a subset of the activities considered for the initial IHA that were not completed prior to its expiration and which are planned to occur under this proposed renewal IHA. The location, timing, and nature of the activities, including the types of equipment planned for use, are identical to those described in the previous notice for the initial IHA. The proposed renewal IHA would be effective from the date of issuance through September 30, 2025.

The subset of activities to be completed under this proposed renewal IHA includes installation of two 24-in steel piles by vibratory and impact pile driving and vibratory removal of ten timber piles. MOS proposes that this subset of activities would take approximately 4 days, including 2 days for the pile installation and 2 days for the pile removal.

Description of Marine Mammals

A description of the marine mammals in the area of the activities for which

authorization of take is proposed here, including information on abundance, status, distribution, and hearing, may be found in the notice of the proposed IHA for the initial authorization and the notice of issuance of a modified incidental harassment authorization (88 FR 23627, April 18, 2023; 89 FR 36765, May 3, 2024).

NMFS has reviewed the preliminary monitoring data from the initial IHA, recent draft Stock Assessment Reports, and determined that neither this nor any other new information affects which species have the potential to be affected or the pertinent information in the Description of the Marine Mammals in the Area of Specified Activities contained in the supporting documents for the initial IHA and modified IHA (88 FR 23627, April 18, 2023; 89 FR 36765, May 3, 2024).

Potential Effects on Marine Mammals and Their Habitat

A description of the potential effects of the specified activity on marine mammals and their habitat for the limited subset of activities for which the authorization of take is proposed here may be found in the notice of the proposed IHA for the initial authorization (88 FR 23627, April 18, 2023). NMFS has reviewed the monitoring data from the initial IHA, recent draft Stock Assessment Reports, information on relevant Unusual Mortality Events, and other scientific literature, and determined that neither this nor any other new information affects our initial analysis of impacts on marine mammals and their habitat.

Estimated Take

A detailed description of the methods and inputs used to estimate take for the specified activity are found in the notices of the proposed and final IHAs for the initial authorization and the notice of issuance of the modified IHA (88 FR 23627, April 18, 2023; 88 FR 60652, September 5, 2023; 89 FR 36765, May 3, 2024). Specifically, the action area and marine mammal density and occurrence data applicable to this authorization remain unchanged from the initial and modified IHA. Similarly, source levels, type of activity, methods of take, and types of take remain unchanged from the initial and modified IHA. However, there are changes to the estimated Level A harassment zones based on the revised amount of piles driven per day and the 2024 draft Technical Guidance, further discussed below. The estimated number of takes proposed for authorization is based on the subset of activities to be completed under this renewal IHA, and therefore represents a proportion of the initial authorized takes. These takes reflect the estimated remaining number of days of work and number of piles to be driven. Estimated take by Level A and Level B harassment was calculated using the same methodology as in the initial and modified IHA.

On May 3, 2024, NMFS published (89 FR 36762) and solicited public comment on its draft Updated Technical Guidance, which includes updated thresholds and weighting functions to inform auditory injury estimates, and is intended to replace the 2018 Technical Guidance referenced above, once finalized. The public comment period ended on June 17, 2024, and although the Updated Technical Guidance is not final, we expect the Updated Technical Guidance to represent the best available science once it is. To best ensure we have considered an appropriate evaluation of potential effects, in consideration of the best available science, we have conducted basic comparative calculations using the draft Updated Technical Guidance for the purposes of understanding the number of takes by Level A harassment (auditory injury) that would be predicted if the draft Updated Technical Guidance were finalized with no changes. The relevant draft updated thresholds and weighting functions may be found in the executive summary of the draft Updated Technical Guidance, on pages 3 and 4. We have also considered whether modifications to mitigation zones would be appropriate in light of the draft Updated Technical Guidance. Based on the outcome of these comparisons/analyses using the draft Updated Technical Guidance and the number of piles and days of work to be conducted in this renewal, the modeled estimates of take by Level A harassment did not present substantial differences for any species.

In this proposed renewal, use of the draft Updated Technical Guidance results in changes to the estimated Level A harassment zones, but there are no changes to the estimated Level B harassment zones (table 1). The updated Level A harassment zones are used to revise estimations of potential take by Level A harassment. In table 2, we have presented values based on the methodology that was included in the previous authorizations, incorporating the previously described changes (number of piles per day and the Updated Technical Guidance). Takes are a proportion of the initial authorized takes and based on the days of work included in this renewal IHA. Proposed mitigation zones, in consideration of the updated isopleths, are discussed in the Proposed Mitigation section.

TABLE 1—LEVEL A AND LEVEL B HARASSMENT ISOPLETHS (m) FOR IMPACT AND VIBRATORY PILE DRIVING

Activity	Level A harassment zone (m) [1]					Level A harassment zone (m) [2]					Level B harassment zone (m)
	LF	MF	HF	Phocids	Otariids	LF	HF	VHF	Phocids	Otariids	
24-in steel pile, Impact Installation	1,977.6	70.3	2,355.6	1,058.3	77.1	1,970.4	251.4	3,049.2	1,750.4	652.5	857.7
24-in steel pile,* Vibratory Installation and Removal	4.1	0.4	6.1	2.5	0.2	5.6	2.2	4.6	7.2	2.4	3,981
14-in timber pile, Vibratory Removal	2.7	0.2	4	1.7	0.1	3.7	1.4	3	4.7	1.6	3,415

[1] Zones are based on the 2018 Revised Technical Guidance. This is what was used in the initial and modified IHA to calculate Level A harassment zones.
[2] Zones are based on the Draft 2024 Updated Technical Guidance, further described above. This is new information that was not available at the time of the initial and modified IHA. Species groups have also changed in the Updated Technical Guidance.
* Based on the up to 30-in piles included in the initial IHA that also included pile sizes: 10.75-in, 14-in, 16-in, 20-in, 24-in, 28-in, and 30-in.

TABLE 2—PROPOSED AMOUNT OF TAKING, BY LEVEL A AND LEVEL B HARASSMENT, BY SPECIES AND STOCK AND PERCENT OF TAKE BY STOCK

Species	Stock	Initial IHA authorized Level A take	Initial IHA authorized Level B take	Proposed Level A take	Proposed Level B take	Percent of stock
Humpback Whale	Hawaii	2	13	0	*2	<1
	Mexico-North Pacific	0	1	0	0	0

TABLE 2—PROPOSED AMOUNT OF TAKING, BY LEVEL A AND LEVEL B HARASSMENT, BY SPECIES AND STOCK AND PERCENT OF TAKE BY STOCK—Continued

Species	Stock	Initial IHA authorized Level A take	Initial IHA authorized Level B take	Proposed Level A take	Proposed Level B take	Percent of stock
Minke Whale	Alaska	2	6	0	*1	<1
Killer Whale [1]	Eastern North Pacific, Northern Residents, Southeast Alaska + Eastern North Pacific, Alaska Residents + West Coast Transients + Gulf, Aleutian, Bering Transients.	2	90	0	*25	<1
Dall's Porpoise	Alaska	43	193	0	4	<1
Harbor Porpoise	Southeast Alaska	17	75	0	*2	<1
Harbor Seal	Alaska—Lynn Canal/Stephens Passage	193	2,760	11	54	<1
Steller Sea Lion	Eastern U.S. + Western U.S	2	270	0	10	<1
Northern Fur Seal	Pribilof Islands/Eastern Pacific stock	2	45	0	3	<1

* Rounded up to assumed average group size based on Dahlheim *et al.,* 2009.
[1] Dahlheim et al. (2009) observed mean group sizes of 25 (resident ecotype) and 5 (transient ecotype) for killer whales in Southeast Alaska. While MOS observed only two killer whales during the initial IHA, it is possible that a larger group could enter the area during the renewal activities.

Description of Proposed Mitigation, Monitoring and Reporting Measures

The proposed mitigation, monitoring, and reporting measures included as requirements in this authorization are substantially similar to those included in the FR notice announcing the issuance of the initial IHA, and the discussion of the least practicable adverse impact included in that document remains accurate (88 FR 60652, September 5, 2023). The only changes from the initial IHA are to the required shutdown zones (table 3), due to the changes in Level A harassment zone distances (table 1). As the initial IHA required shutdown zones equal to the Level A harassment zones, we retain that approach to mitigation in reflection of the new zones updated on the basis of the best scientific information available. Additionally, acoustic monitoring (as was required through the initial IHA) is not proposed here, due to the minimal pile driving planned under this proposed renewal IHA.

TABLE 3—SHUTDOWN AND MONITORING ZONES

Activity	Minimum shutdown zone (m)					Harassment zone (m)
	LF cetacean	HF cetacean	VHF cetacean	Phocids	Otariids	
24-in steel pile, Impact Installation	1,975	255	3,050	1,755	655	860
24-in steel pile, Vibratory Installation and Removal	10	10	10	10	10	3,985
14-in timber pile, Vibratory Removal	10	10	10	10	10	3,415

The following mitigation, monitoring, and reporting measures are proposed for this renewal:

- The MOS must avoid direct physical interaction with marine mammals during construction activity. If a marine mammal comes within 10-m of such activity, operations must cease and vessels must reduce speed to the minimum level required to maintain steerage and safe working conditions, as necessary to avoid direct physical interaction;
- Conduct training between construction supervisors and crews and the marine mammal monitoring team and relevant MOS staff prior to the start of all pile driving activity and when new personnel join the work, so that responsibilities, communication procedures, monitoring protocols, and operational procedures are clearly understood;
- Pile driving activity must be halted upon observation of either a species for which incidental take is not authorized or a species for which incidental take has been authorized but the authorized number of takes has been met, entering or within the harassment zone;
- MOS will establish and implement the shutdown zones. The purpose of a shutdown zone is generally to define an area within which shutdown of the activity would occur upon sighting of a marine mammal (or in anticipation of an animal entering the defined area). Shutdown zones typically vary based on the activity type and marine mammal hearing group;
- Monitoring must take place from 30 minutes prior to initiation of construction activity (*i.e.,* pre-start clearance monitoring) through 30 minutes post-completion of construction activity;
- Pre-start clearance monitoring must be conducted during periods of visibility sufficient for the lead Protected Species Observer (PSO) to determine the shutdown zones clear of marine mammals. Construction may commence when the determination is made;
- If construction is delayed or halted due to the presence of a marine mammal, the activity may not commence or resume until either the animal has voluntarily exited and been visually confirmed beyond the shutdown zone or 15 minutes have passed without re-detection of the animal;
- MOS must use soft start techniques when impact pile driving. Soft start requires contractors and equipment to slowly approach the work site creating a visual disturbance allowing animals in close proximity to construction activities a chance to leave the area prior to stone resetting or new stone placement. A soft start must be implemented at the start of each day's construction activity and at any time following cessation of activity for a period of 30 minutes or longer;
- The MOS must employ up to four PSOs to monitor the shutdown and Level B harassment zones during pile driving activities;
- Monitoring will be conducted 30 minutes before, during, and 30 minutes after construction activities. In addition, observers shall record all incidents of marine mammal occurrence, regardless of distance from activity, and shall document any behavioral reactions in concert with distance from construction activity;

- The MOS must submit a draft report detailing all monitoring within 90 calendar days of the completion of marine mammal monitoring or 60 days prior to the issuance of any subsequent IHA for this project, whichever comes first;
- The MOS must prepare and submit final report within 30 days following resolution of comments on the draft report from NMFS;
- The MOS must submit all PSO datasheets and/or raw sighting data (in a separate file from the Final Report referenced immediately above); and
- The MOS must report injured or dead marine mammals.

Comments and Responses

As noted previously, NMFS published a notice of a proposed IHA and proposed modified IHA (88 FR 23627, April 18, 2023; 89 FR 22684, April 2, 2024) and solicited public comments on both our proposal to issue the initial IHA for Skagway Ore Terminal Redevelopment project and on the potential for a renewal IHA, should certain requirements be met. During the 30-day public comment period, NMFS received no substantive comments on either the proposal to issue the initial IHA for MOS's construction activities or on the potential for a renewal IHA.

Preliminary Determinations

The proposed renewal request consists of a subset of activities analyzed through the initial authorization described above. In analyzing the effects of the activities for the initial IHA, NMFS determined that MOS's activities would have a negligible impact on the affected species or stocks and that authorized take numbers of each species or stock were small relative to the relevant stocks (*e.g.,* less than one-third the abundance of all stocks). The mitigation measures and monitoring and reporting requirements as described above are substantially similar to those required through initial IHA; hydroacoustic monitoring is excluded because it was completed under the initial IHA, and the shutdown zones have been revised to reflect the piles to be driven in the proposed subset of work.the minor changes described above do not affect the least practicable adverse impact determinations.

NMFS has preliminarily concluded that there is no new information suggesting that our analysis or findings should change from those reached for the initial IHA. Based on the information and analysis contained here and in the referenced documents, NMFS has preliminarily determined the following: (1) the required mitigation measures will effect the least practicable impact on marine mammal species or stocks and their habitat; (2) the authorized takes will have a negligible impact on the affected marine mammal species or stocks; (3) the authorized takes represent small numbers of marine mammals relative to the affected stock abundances; (4) MOS's activities will not have an unmitigable adverse impact on taking for subsistence purposes as no relevant subsistence uses of marine mammals are implicated by this action; and (5) appropriate monitoring and reporting requirements are included.

Endangered Species Act

The NMFS Alaska Regional Office issued a Biological Opinion under section 7 of the Endangered Species Act (ESA; 16 U.S.C. 1531 *et seq.*) on the issuance of an IHA and potential renewal IHA to MOS under section 101(a)(5)(D) of the MMPA by the NMFS OPR. The Biological Opinion concluded that the action is not likely to jeopardize the continued existence of ESA-listed humpback whales or Steller sea lions.

Proposed Renewal IHA and Request for Public Comment

As a result of these preliminary determinations, NMFS proposes to issue a renewal IHA to MOS for conducting the terminal redevelopment construction in Skagway, Alaska, from the date of issuance through September 30, 2025, provided the previously described mitigation, monitoring, and reporting requirements are incorporated. A draft of the proposed and final initial IHA and modified IHA can be found at *https://www.fisheries.noaa.gov/action/incidental-take-authorization-municipality-skagways-skagway-ore-terminal-redevelopment.* We request comment on our analyses, the proposed renewal IHA, and any other aspect of this notice. Please include with your comments any supporting data or literature citations to help inform our final decision on the request for MMPA authorization.

Dated: October 17, 2024.

Kimberly Damon-Randall,

Director, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2024–24437 Filed 10–21–24; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Technical Information Service

Request for Nominations for Members To Serve on the National Technical Information Service (NTIS) Advisory Board

AGENCY: National Technical Information Service, Department of Commerce.

ACTION: Notice.

SUMMARY: NTIS invites nomination of individuals for appointment to the National Technical Information Service Advisory Board (Board or Committee). NTIS will consider nominations received in response to this notice for appointment to the Committee, in addition to nominations already received.

DATES: NTIS will accept nominations on a rolling basis. Members to fill the existing vacancies will be selected from nominations submitted by 5:00 p.m. on March 25th, 2025. Any nominations received after that date will be kept on file and may be used to fill vacancies on the Board should they occur.

ADDRESSES: Please submit nominations to Designated Federal Officer (DFO), NTIS at *FACA@ntis.gov,* Subject: NTIS Advisory Board Membership.

FOR FURTHER INFORMATION CONTACT: Bobby Khondker, (703) 605–6185, *BKhondker@ntis.gov* or Simone Gills, (703) 605–6586, *sgills@ntis.gov.*

SUPPLEMENTARY INFORMATION:

Committee Information

The Secretary of Commerce, pursuant to Section 212(c) of the National Technical Information Act of 1988 (15 U.S.C. 3704b(c)), established the Advisory Board, in accordance with the Federal Advisory Committee Act, as amended (FACA), 5 U.S.C. 1001 *et seq.*

Objectives and Duties

1. The NTIS Advisory Board shall review and make recommendations to improve NTIS programs, operations, and general policies in support of NTIS's mission to advance Federal data priorities, promote economic growth, and enable operational excellence by providing innovative data services to Federal agencies through joint venture partnerships with the private sector.

2. The Board shall report to the Secretary of Commerce and to the Under Secretary of Commerce for Standards and Technology through the Director of NTIS.

3. The Board shall act in the public interest to:

a. Provide advice on the optimal data services business and operating model

to best implement NTIS's joint venture authority.

b. Provide advice on the means, including infrastructure and process improvements, to make Federal data easier to find, access, use, analyze, and combine.

c. Assess progress in evolving NTIS programs toward a focus on Federal data priorities.

d. Assess the use of merit-based criteria and processes to plan, conduct, and oversee programs and projects, including the selection of joint venture partners.

e. Assess policies in connection with fees and charges for NTIS services in order for the agency to operate on a substantially self-sustaining basis, as required by law.

f. Assess organizational capabilities required to carry out NTIS's mission, including capabilities in data science and for operational management of its project portfolio.

Membership

1. The NTIS Advisory Board shall be composed of a Chairperson appointed by the Secretary and four other members appointed by the Secretary. In the event of a vacancy in the Chairperson position, the NTIS Director may designate a member to serve as acting Chairperson until a Chairperson is appointed by the Secretary.

2. Members shall be selected solely on the basis of established records of distinguished service and objectivity; shall have recognized expertise in data collection, compilation, analysis, use, and dissemination, as well as data science, information technology, cybersecurity, and privacy. Members will be selected from the business, academic, non-profit, and state and local government communities. Reasonable efforts will be made toensure members represent the entire spectrum of Federal data interests including demographic, economic, trade, health, scientific, patent, environmental, geospatial, cybersecurity, and transactional data. No Federal Government employee shall serve as a member of the Board.

3. The term of office of each member of the Board shall be three years, except that vacancy appointments shall be for the remainder of the unexpired term of the vacancy. All appointments shall automatically terminate if the charter is terminated or not renewed. All members serve at the pleasure of the Secretary.

4. Any person who has completed two consecutive full terms of service on the Board shall be ineligible for appointment for a third term during the one-year period following the expiration of the second term.

5. Members shall serve as Special Government Employees (SGEs) and will be subject to all ethical standards and rules applicable to SGEs.

Miscellaneous

1. Members of the Committee will not be paid for their services, but will, upon request, be allowed travel and per diem expenses in accordance with 5 U.S.C. 5701 *et seq.,* while attending meetings of the Committee or of its subcommittees, or while otherwise performing duties at the request of the chairperson, while away from their homes or a regular place of business.

2. The Board shall meet at the call of the Secretary or the Secretary's designee, but not less often than once every six months.

3. NTIS may establish such subcommittees of its members as may be necessary, pursuant to the provisions of FACA, the FACA implementing regulations, and applicable Department of Commerce guidance. Subcommittees will report to the NTIS Advisory Board and may not provide advice or work products directly to the Department of Commerce or NTIS.

4. Recordkeeping. Records of the NTIS Advisory Board, any formally and informally established subcommittees, or other subgroups of the Board, shall be handled in accordance with General Records Schedule 6.2 or other approved agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act (5 U.S.C. 552).

Nomination Information

1. NTIS seeks nominations of practitioners with recognized expertise in data collection, compilation, analysis, use, and dissemination, as well as data science, information technology, cybersecurity, and privacy.

2. Members will be selected from the business, academic, non-profit, and state and local government communities.

3. Reasonable efforts will be made to ensure members represent the entire spectrum of Federal data interests including demographic, economic,trade, health, scientific, patent, environmental, geospatial, cybersecurity, and transactional data. Collectively, their knowledge will include all types of data the Federal Government collects, compiles, analyzes, uses, and disseminates.

4. Nominees should have established records of distinguished service. The field of expertise in which the candidate is qualified should be specified in the nomination letter. Nominations for a particular field should come from organizations or individuals within that field. A summary of the candidate's qualifications should be included with the nomination, including (where applicable) current or former service on federal advisory boards and federal employment. In addition, each nomination letter should state that the person agrees to the nomination, acknowledges the responsibilities of serving on the board, and will actively participate in good faith in the tasks of the NTIS Advisory Board.

5. The Department of Commerce is committed to equal opportunity in the workplace and seeks a broad-based and diverse NTIS Advisory Board membership.

Rosio Harris,

Chief of Staff, National Technical Information Service.

[FR Doc. 2024–24439 Filed 10–21–24; 8:45 am]

BILLING CODE 3510–04–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Agency Information Collection Activities; Proposals, Submissions, and Approvals

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Notice of information collection; request for comment.

SUMMARY: The Committee for Purchase From People Who Are Blind or Severely Disabled operates as the U.S. AbilityOne Commission (Commission). This notice announces the Commission's intent to submit the Information Collection Request (''ICR'') described below to the Office of Management and Budget (OMB) for approval under applicable provisions of the Paperwork Reduction Act. This notice provides an opportunity to interested members of the public and affected agencies to comment on a proposed form, previously titled Participating Employee Eligibility form, and now renamed Disability Qualification Determination.

DATES: Submit comments on or before November 16, 2024.

ADDRESSES: Submit comments to *policy@abilityone.gov.*

FOR FURTHER INFORMATION CONTACT: Christopher Stewart, Compliance and Enforcement Attorney, Office of General Counsel, U.S. AbilityOne Commission, 355 E Street SW, Suite 325, Washington,

DC 20024; telephone: (703) 254–6172; email: *cstewart@abilityone.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:

Overview of ICR: This notice pertains to an ICR the Commission intends to submit to OMB to approve the form that an AbilityOne-participating nonprofit agency employer will fill out to document its determination of an individual's eligibility to be a qualified direct labor employee for purposes of meeting the statutory requirements of the Javits-Wagner-O'Day (JWOD) Act, 41 U.S.C. 8501–8506. The form is an updated and modified version of the Commission's Individual Eligibility Evaluation (IEE) form (OMB Control #3037–0012). The purpose of the IEE was to determine and document an individual's disability eligibility by identifying the individual's barriers to employment as well as the job supports the individual needs to perform their job.

This ICR is consistent with OMB regulations at 5 CFR part 1320, which implement provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) These regulations require the Commission to provide an opportunity to interested members of the public and affected agencies to comment on information collection and recordkeeping activities (see 5 CFR 1320.8(d)) such as those proposed to be implemented through this form.

The Commission is responsible for implementing the JWOD Act. In doing so, the Commission oversees the AbilityOne Program, an employment program in which individuals who are blind or have significant disabilities provide products and services to Federal agencies, thereby creating employment opportunities for such individuals. The Commission maintains a Procurement List of mandatory source products and services provided by approximately 400 qualified nonprofit agencies (NPAs). In order to qualify for the Program, an NPA must show that 75% of all direct labor hours are performed by individuals who are blind or significantly disabled, regardless of whether the hours relate to work done on AbilityOne contracts or work done on other contracts held by the NPA. Effective program stewardship requires collection of information to ensure that NPAs are only counting the hours of individuals with qualifying disabilities toward their 75% statutory minimum.

The proposed data collection form in this ICR is consistent with the Commission's responsibilities and ensures that the Commission will collect the most pertinent data to inform its oversight and decision making.

A version of the Disability Qualification Determination form is available at *www.abilityone.gov.*

The form described in this ICR is the first of two forms intended to modernize the existing IEE form and align it with the Commission's strategic plan and updated approach to determining qualifying disability eligibility. A draft version of this form accompanies this notice. The Commission has outlined the criteria for such eligibility in its revised Policy 51.403.

As outlined in Policy 51.403, and reflected in the proposed form, a significant change in the Commission's approach to determining qualifying disability eligibility is the Commission's acceptance of other governmental agency determinations of disability. For example, individuals deemed eligible for Social Security disability benefits are now automatically deemed as having a qualifying disability for purposes of meeting the statutory direct labor hour ratio. This ICR will establish a form that enables NPAs to certify that an individual has a determination of disability from a governmental agency, and in so doing, streamlines the process of establishing a qualifying disability.

The Commission published a sixty-day notice for this ICR on November 17, 2023. The Commission received eleven comments from various stakeholders in response to the notice. Comments were received from NPAs, CNAs and other stakeholders. The comments requested instructions for the form, instructions for each individual section, and definitions for various terms to be made clearer. Some commenters requested that changes be made to the various supports and accommodations listed in the form. Additionally, some commenters expressed concerns regarding potential confusion caused by introducing a new approach and/or system and how that might work with legacy disability documentation or determinations.

Further, commenters expressed concern that the form did not necessarily permit a reviewer to discern how a significantly disabled individual is precluded from engaging in ''normal competitive employment,'' as required by the JWOD Act. While commenters recognized that this requirement is generally out of line with the current understanding of the ability of people with significant disabilities to achieve employment, the Commission has a duty to fulfill its responsibilities to administer the JWOD Act. For that reason, the Commission has concluded that a determination of eligibility for Social Security benefits or for eligibility for Medicaid based on a disability is sufficient to meet the requirements of the statute. In contrast, the Commission has concluded that a determination of the extent of an individual's disability(ies), and the impact of the disability(ies) on the individual's ability to work, is necessary to meet the statutory requirement if the certification of disability derives from other sources, governmental or otherwise.

To that end, the Commission has added a narrative section to the form. By requiring that the reason that an individual needs a significant job support, as well as the extent the individual needs the support, is articulated on the form, an official reviewing the form will be able to reach a conclusion as to the qualifying nature of the individual's disability.

Comments were received from one of the CNAs pointing out that the initial number of individuals for whom this form will need to be filled out was understated in the sixty-day notice. The Commission revised that number to reflect the total number of blind or significantly disabled individuals performing direct labor across all qualified NPAs. The Commission used data from fiscal year 2023 for this calculation, as reflected in the updated burden analysis below.

Many commenters praised the Commission's move toward a streamlined process for establishing disability eligibility. Furthermore, commenters noted that the Commission's implementation of presumptive disability qualification is responsive to recommendations made by the panel established by Section 898 of the National Defense Authorization Act for fiscal year 2017, Public Law 114–328, more often referred to as ''the 898 Panel.'' A draft version of the form NPAs will complete accompanies this notice. The final form will be electronic.

For individuals who meet the eligibility requirements under either Part A or Part B of the proposed form, the Commission estimates that completing the form will take approximately 5 minutes. For individuals who meet the eligibility requirements under Part C or Part D of the proposed form, the Commission estimates that completing the form will take approximately 30 minutes. NPAs completing Part C or Part D of the form will need to complete Part E, as well, which is included in the estimated 30 minutes.

In accordance with these and other changes reflected in Policy 51.403, the

Commission estimates that the time and financial burden to the NPAs in completing the proposed form will be significantly lower than required by the corresponding sections of the existing IEE form. Over time, this form will further substantially reduce the burden on NPAs because, in most cases, it will be filled out only once per employee—*i.e.,* when an employee is onboarded—and not on an annual basis as required by the existing IEE form. For employees with a non-permanent disability, the form will be completed on a recurring, seven-year basis. The Commission estimates that approximately 10% of employees with qualifying disabilities will have non-permanent disabilities.

To calculate the burden for completion of the proposed form, the Commission considered an estimate from the Society for Human Resource Management that the average annual turnover across all industries is approximately 18 percent. Using this number, the Commission estimated that NPAs may need to complete this form for approximately 18 percent of their total employees each year. However, AbilityOne employers may experience lower turnover than employers in the general economy. The Commission acknowledges that net AbilityOne job growth may result in NPAs completing additional forms for new employees.

The table below shows the Commission's estimate for the average amount of time per employee for whom the NPAs complete a form, both in the first year of implementation (''Year 1'') and in the following years of implementation (''Years 2+''). The Commission recognizes that NPAs vary widely in total number of employees. Therefore, an NPA can apply this analysis based on their individual employment totals.

Number of employees for whom NPA must complete form	Annual turnover/entry rate of 18%	Maximum responses for this form	Annual form burden (hours/employee)	Total time burden for all employees (hours)	Annual form cost burden (dollars)
62,798 (Year 1)	11,304	74,102	0.5	37,051	1,144,134.9
11,304 (Years 2+)	2,035	13,339	0.5	6,669.5	205,954.2

NPAs can calculate their overall time burden (in hours) by multiplying the number of qualified direct labor employees they have by 0.5. The cost burden is based upon national average pay data from the U.S. Bureau of Labor Statistics, using the May 2022 National Occupational Employment and Wage Estimate of $30.88 as the median hourly wage for a Human Resources Specialist (OC 13–1070). (*https://www.bls.gov/oes/current/oes_nat.htm#11-0000*).

With respect to this collection of information via the proposed form, the Commission welcomes comments on the following:

1. The necessity to collect this information to support the Commission's mission and oversight responsibilities;

2. Methodology to improve the accuracy of the estimated time burden; *i.e.,* specific year-over-year employee turnover rates for NPAs or number of additional employee hires above turnovers, expressed as a percentage of the NPAs' total number of qualified direct labor employees;

3. Methodology to determine the percentage of individuals with qualifying disabilities who will have non-permanent disabilities;

4. Suggestions or methods to minimize the burdens associated with collecting the information described in this ICR.

Michael R. Jurkowski,

Director, Business Operations.

[FR Doc. 2024–24384 Filed 10–21–24; 8:45 am]

BILLING CODE 6353–01–P

COMMODITY FUTURES TRADING COMMISSION

Sunshine Act Meetings; Correction

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice; correction.

SUMMARY: The Commodity Futures Trading Commission (Commission) is correcting a notice published in the **Federal Register** on October 18, 2024. The document noticing a closed meeting for consideration of enforcement matters contained an incorrect date.

FOR FURTHER INFORMATION CONTACT: Christopher Kirkpatrick, 202–418–5964.

SUPPLEMENTARY INFORMATION:

Correction

In the **Federal Register** of Friday, October 18, 2024, in FR Doc. 2024–24314, on page 83842 in the second column correct the **TIME AND DATE** caption to read:

TIME AND DATE: 9 a.m. EDT, Friday, October 25, 2024.

Dated: October 18, 2024.

Robert Sidman,

Deputy Secretary of the Commission.

[FR Doc. 2024–24541 Filed 10–18–24; 4:15 pm]

BILLING CODE 6351–01–P

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Senior Executive Service Performance Review Board

AGENCY: Defense Nuclear Facilities Safety Board.

ACTION: Notice of Members of Senior Executive Service Performance Review Board.

SUMMARY: This notice announces the membership of the Defense Nuclear Facilities Safety Board (DNFSB) Senior Executive Service (SES) Performance Review Board (PRB).

DATES: These appointments are effective on November 14, 2024.

ADDRESSES: Send comments concerning this notice to: Defense Nuclear Facilities Safety Board, 625 Indiana Avenue NW, Suite 700, Washington, DC 20004–2001.

FOR FURTHER INFORMATION CONTACT: LeMont Neal by telephone at (202) 826–9667, or by email at *LemontN@dnfsb.gov.*

SUPPLEMENTARY INFORMATION: 5 U.S.C. 4314(c)(1) through (5) requires each agency to establish, in accordance with regulations prescribed by the Office of Personnel Management, one or more performance review boards. The PRB shall review and evaluate the initial summary rating of the senior executives' performance, the executives' responses, and the higher-level officials' comments on the initial summary rating. In addition, the PRB will recommend executive performance bonuses and pay increases. The DNFSB is a small, independent Federal agency; therefore, the members of the DNFSB SES Performance Review Board listed in this notice are drawn from the SES ranks of other agencies. The following persons comprise a standing roster to serve as members of the Defense Nuclear Facilities Safety Board SES Performance Review Board:

Andrea Kock, Deputy Office Director for Engineering, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission.

Delores Thompson, Counsel to the Inspector General U.S. Department of Labor, Office of Inspector General, Office of Legal Services.

Suzann K. Gallagher, Deputy Assistant Inspector General, Investigative Operations Department of Labor, Office of Inspector General.

Authority: 5 U.S.C. 4314.

Dated: October 10, 2024.

Mary J. Buhler,

Executive Director of Operations.

[FR Doc. 2024–24449 Filed 10–21–24; 8:45 am]

BILLING CODE 3670–01–P

DELAWARE RIVER BASIN COMMISSION

Notice of Public Hearing and Business Meeting November 6 and December 5, 2024

Notice is hereby given that the Delaware River Basin Commission will hold a public hearing on Wednesday, November 6, 2024. A business meeting will be held the following month on Thursday, December 5, 2024. Both the hearing and the business meeting are open to the public and will be conducted virtually.

Public Hearing. The Commission will conduct the public hearing virtually on November 6, 2024, commencing at 1:30 p.m. Hearing items will include draft dockets for withdrawals, discharges, and other projects that could have a substantial effect on the basin's water resources. A list of the projects scheduled for hearing, including project descriptions, along with links to draft docket approvals, will be posted on the Commission's website, *www.drbc.gov,* in a long form of this notice at least ten days before the hearing date.

Written comments on matters scheduled for hearing on November 6, 2024 will be accepted through 5 p.m. on Tuesday, November 12, 2024.

The public is advised to check the Commission's website periodically during the ten days prior to the hearing date, as items scheduled for hearing may be postponed if additional time is needed to complete the Commission's review. Items also may be added up to ten days prior to the hearing date. In reviewing docket descriptions, the public is asked to be aware that the details of projects may change during the Commission's review, which is ongoing.

Business Meeting. The business meeting on December 5, 2024 will be held virtually commencing at 10:30 a.m. and will include: adoption of the Minutes of the Commission's September 5, 2024 business meeting; announcements of upcoming meetings and events; a report on hydrologic conditions; reports by the Executive Director and the Commission's General Counsel; and consideration of any items for which a hearing has been completed or is not required. The agenda is expected to include consideration of the draft dockets for withdrawals, discharges, and other projects that were subjects of the public hearing on November 6, 2024.

After all scheduled business has been completed and as time allows, the business meeting will be followed by up to one hour of Open Public Comment, an opportunity to address the Commission off the record on any topic concerning management of the basin's water resources outside the context of a duly noticed, on-the-record public hearing.

There will be no opportunity for additional public comment for the record at the December 5, 2024 business meeting on items for which a hearing was completed on November 6, 2024 or a previous date. Commission consideration on December 5, 2024 of items for which the public hearing is closed may result in approval of the item as proposed, approval with changes, denial, or deferral. When the Commissioners defer an action, they may announce an additional period for written comment on the item, with or without an additional hearing date, or they may take additional time to consider the input they have already received without requesting further public input. Any deferred items will be considered for action at a public meeting of the Commission on a future date.

Advance Registration and Sign-Up for Oral Comment. Registration links for those who wish to attend and speak during the (virtual) public hearing and for those who wish to speak during the (in-person) Open Public Comment session immediately following the business meeting will be posted at *www.drbc.gov* at least ten days before each meeting date. The Commission's public hearing, business meeting, and Open Public Comment session will also be livestreamed on YouTube at *https://www.youtube.com/@DRBC_1961.* For assistance, please contact Ms. Patricia Hausler of the Commission staff, at *patricia.hausler@drbc.gov.*

Addresses for Written Comment. Written comment on items scheduled for hearing may be made through the Commission's web-based comment system, a link to which is provided at *www.drbc.gov.* Use of the web-based system ensures that all submissions are captured in a single location and their receipt is acknowledged. Exceptions to the use of this system are available based on need, by writing to the attention of the Commission Secretary, DRBC, P.O. Box 7360, 25 Cosey Road, West Trenton, NJ 08628–0360. For assistance, please contact Patricia Hausler at *patricia.hausler@drbc.gov.*

Accommodation for Special Needs. Closed captioning will be available on both webinar and live-stream platforms. Those with limited internet access may listen and speak at virtual public meetings of the DRBC using any of several toll-free phone numbers that will be provided to all virtual meeting registrants.

Other individuals in need of an accommodation as provided for in the Americans with Disabilities Act who wish to attend the virtual hearing or the in-person business meeting should contact the Commission Secretary directly at 609–883–9500 ext. 203 or through the Telecommunications Relay Services (TRS) at 711, to discuss how we can accommodate your needs.

Additional Information, Contacts. Additional public records relating to hearing items may be examined at the Commission's offices by appointment by contacting Donna Woolf, 609–477–7222. For other questions concerning hearing items, please contact David Kovach, Project Review Section Manager, at 609–477–7264.

Authority. Delaware River Basin Compact, Public Law 87–328, Approved September 27, 1961, 75 Statutes at Large, 688, sec. 14.4.

Dated: October 15, 2024.

Pamela M. Bush,

Commission Secretary and Assistant General Counsel.

[FR Doc. 2024–24360 Filed 10–21–24; 8:45 am]

BILLING CODE P

DEPARTMENT OF EDUCATION

Arbitration Panel Decisions Under the Randolph-Sheppard Act

AGENCY: Office of Special Education and Rehabilitative Services, Department of Education.

ACTION: Notice.

SUMMARY: This notice lists arbitration panel decisions under the Randolph-Sheppard Act that the Department of Education (Department) has made publicly available in accessible electronic format during the second quarter of calendar year 2024. All

decisions are available on the Department's website and by request.

FOR FURTHER INFORMATION CONTACT: James McCarthy, U.S. Department of Education, 400 Maryland Avenue SW, Room 4A212, Washington, DC 20202–2800. Telephone: (202) 245–6458. Email: *james.mccarthy@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: For the purpose of providing individuals who are blind with remunerative employment, enlarging their economic opportunities, and stimulating greater efforts to make themselves self-supporting, the Randolph-Sheppard Act, 20 U.S.C. 107 *et seq.* (Act), authorizes individuals who are blind to operate vending facilities on Federal property and provides them with a priority for doing so. The vending facilities include, among other things, cafeterias, snack bars, and automatic vending machines. The Department administers the Act and designates an agency in each participating State—the State licensing agency (SLA)—to license individuals who are blind to operate vending facilities on Federal and other property in the State.

The Act provides for arbitration of disputes between SLAs and vendors who are blind and between SLAs and Federal agencies before three-person panels, convened by the Department, whose decisions constitute final agency action. 20 U.S.C. 107d–1. The Act also makes these decisions matters of public record and requires their publication in the **Federal Register**. 20 U.S.C. 107d–2(c).

The Department publishes lists of Randolph-Sheppard Act arbitration panel decisions in the **Federal Register**. The full texts of the decisions listed are available on the Department's website (see below) or by request (see 82 FR 41941 (Sept. 5, 2017)). Older, archived decisions are also added to the Department's website as they are digitized.

During the first and second quarters of 2024, the Department received four new decisions issued by Randolph-Sheppard arbitration panels that were made publicly available during the second quarter of 2024. The following table lists these four decisions from most recent to oldest based on their decision dates.

Case name	Docket No.	Date	State
Arizona Department of Economic Security v. *United States Department of the Army, Fort Huachuca.*	R–S/23–05	6/17/2024	Arizona.
Benson v. *Georgia Vocational Rehabilitation Agency*	R–S/23–01	6/14/2024	Georgia.
Cyrus v. *Opportunities for Ohioans with Disabilities*	R–S/21–03 and R–S/16–06	3/25/2024	Ohio.
Gilbert v. *Business Enterprise Program, Bureau of Blindness and Visual Services, Office of Labor and Industry, Commonwealth of Pennsylvania.*	R–S/18–16	1/31/2024	Pennsylvania.

These decisions and other decisions that we already posted are searchable by key terms, accessible under Section 508 of the Rehabilitation Act, and available in Portable Document Format (PDF) on the Department's website at *https://rsa.ed.gov/about/programs/randolph-sheppard-vending-facility-program/decisions-of-arbitration-panels* or by request to the person listed under **FOR FURTHER INFORMATION CONTACT**.

Accessible Format: On request to the program 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, compact disc, or other accessible format.

Electronic Access to This Document: The official version of this document is the document 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.* At this site you can view this document, as well as all other Department documents 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 Department documents published in the **Federal Register** by using the article search feature at *www.federalregister.gov.* Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Glenna Wright-Gallo,

Assistant Secretary for Special Education and Rehabilitative Services.

[FR Doc. 2024–24429 Filed 10–21–24; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Electric Vehicle Working Group

AGENCY: Department of Energy.

ACTION: Notice of open meeting.

SUMMARY: The Department of Energy hereby publishes a notice of open meetings of the Electric Vehicle Working Group (EVWG). The Federal Advisory Committee Act requires that public notice of these meetings be announced in the **Federal Register**.

DATES: Wednesday, November 13, 2024; 3 to 5 p.m. Eastern Time. Wednesday, November 20, 2024; 3 to 5 p.m. Eastern Time. Friday, November 22, 2024; 1 to 3 p.m. Eastern Time. Start and end times may change slightly. Please visit *https://driveelectric.gov/ev-working-group* for the most up to date agenda.

ADDRESSES: This meeting will be held virtually. Members of the public who would like to participate may do so virtually and must register at: *https://driveelectric.gov/ev-working-group.*

FOR FURTHER INFORMATION CONTACT: Dr. Rachael Nealer, Designated Federal Officer, U.S. Department of Energy, 1000 Independence Avenue SW, Washington, DC 20585; email: *evwg@ee.doe.gov;* telephone: (202) 586–3916.

SUPPLEMENTARY INFORMATION:

Purpose of the Board: The Electric Vehicle Working Group (EVWG) was formed by the Joint Office of Energy and Transportation to make recommendations to the Secretaries of Energy and Transportation regarding the development, adoption, and integration of light-, medium-, and heavy-duty electric vehicles (EVs) into the U.S. transportation and energy systems.

Tentative Agenda: Each meeting will run approximately two hours. The tentative agenda for each meeting includes: a report out and discussion lead by each of the three subcommittees; medium/heavy-duty adoption, grid integration, charging network. Members will deliberate and vote on recommendations made by each subcommittee Meeting materials and a link to registration can be found here:

https://driveelectric.gov/ev-working-group.

Public Participation: This virtual meeting is open to the public. Individuals who would like to attend must register at: *https://drive electric.gov/ev-working-group.*

Individuals and representatives of organizations who would like to offer comments and suggestions may do so during the public comment portion of the meeting. Approximately 20 minutes will be reserved for public comments. Time allotted per speaker will depend on the number who wish to speak but will not exceed three minutes. The Designated Federal Officer is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business. Those wishing to speak during the public comment period should indicate so within their registration.

Those not able to attend the meeting or who have insufficient time to address the committee are invited to send a written statement to Dr. Rachael Nealer, U.S. Department of Energy, 1000 Independence Avenue SW, Washington, DC 20585, or email: *evwg@ee.doe.gov.*

Minutes: The minutes of the meeting will be available on *https://drive electric.gov/ev-working-group* or by contacting Dr. Nealer. She may be reached at the above postal address or email address.

Signing Authority: This document of the Department of Energy was signed on October 17, 2024, by David Borak, Committee Management Officer, pursuant to delegated authority from the Secretary of Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE **Federal Register** Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on October 17th, 2024.

Jennifer Hartzell,

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

[FR Doc. 2024–24441 Filed 10–21–24; 8:45 am]

BILLING CODE 6450–01–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: EG24–306–000.
Applicants: Hoosier Line Energy, LLC.
Description: Hoosier Line Energy, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.
Filed Date: 9/30/24.
Accession Number: 20240930–5382.
Comment Date: 5 p.m. ET 10/21/24.

Docket Numbers: EG25–8–000.
Applicants: Morris Solar, LLC.
Description: Morris Solar, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.
Filed Date: 10/15/24.
Accession Number: 20241015–5132.
Comment Date: 5 p.m. ET 11/5/24.

Docket Numbers: EG25–9–000.
Applicants: Milford Gen Lead, LLC.
Description: Milford Gen Lead, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.
Filed Date: 10/15/24.
Accession Number: 20241015–5236.
Comment Date: 5 p.m. ET 11/5/24.

Take notice that the Commission received the following Complaints and Compliance filings in EL Dockets:

Docket Numbers: EL25–5–000.
Applicants: Welcome Solar, LLC, Welcome Solar II, LLC, and *Welcome Solar III, LLC* v. *PJM Interconnection, L.L.C.*
Description: Complaint of Welcome Solar, LLC, Welcome Solar II, LLC, and *Welcome Solar III, LLC* v. *PJM Interconnection, L.L.C.*
Filed Date: 10/4/24.
Accession Number: 20241004–5218.
Comment Date: 5 p.m. ET 10/24/24.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER24–20–003.
Applicants: Cottontail Solar 2, LLC.
Description: Refund Report: Refund Report to be effective N/A.
Filed Date: 10/15/24.
Accession Number: 20241015–5009.
Comment Date: 5 p.m. ET 11/5/24.

Docket Numbers: ER24–943–001.
Applicants: Cottontail Solar 5, LLC.
Description: Refund Report: Refund Report to be effective N/A.
Filed Date: 10/15/24.
Accession Number: 20241015–5010.
Comment Date: 5 p.m. ET 11/5/24.

Docket Numbers: ER24–1929–002.
Applicants: Willowbrook Solar I, LLC.
Description: Compliance filing: Revised Rate Schedule to be effective 5/24/2024.
Filed Date: 10/15/24.
Accession Number: 20241015–5011.
Comment Date: 5 p.m. ET 11/5/24.

Docket Numbers: ER24–3010–001.
Applicants: Northern Indiana Public Service Company LLC.
Description: Tariff Amendment: Certificate of Concurrence to be effective 8/21/2024.
Filed Date: 10/15/24.
Accession Number: 20241015–5000.
Comment Date: 5 p.m. ET 11/5/24.

Docket Numbers: ER25–88–000.
Applicants: New England Power Company.
Description: § 205(d) Rate Filing: 2024–10–11 New England Power Company's Amendments to Agreement & Rqst for Waiver to be effective 5/30/2024.
Filed Date: 10/11/24.
Accession Number: 20241011–5170.
Comment Date: 5 p.m. ET 11/1/24.

Docket Numbers: ER25–89–000.
Applicants: Southwest Power Pool, Inc.
Description: § 205(d) Rate Filing: Submission of Tariff Revisions Re Planning Reserve Margin (RR 622) to be effective 10/1/2025.
Filed Date: 10/11/24.
Accession Number: 20241011–5195.
Comment Date: 5 p.m. ET 11/1/24.

Docket Numbers: ER25–90–000.
Applicants: Pacific Gas and Electric Company.
Description: § 205(d) Rate Filing: Amendment to Interim Black Start Agreement (RS 234) 2024 to be effective 12/14/2024.
Filed Date: 10/15/24.
Accession Number: 20241015–5001.
Comment Date: 5 p.m. ET 11/5/24.

Docket Numbers: ER25–91–000.
Applicants: Idaho Power Company.
Description: § 205(d) Rate Filing: RS 180—Concurrence—Hurricane Substation and Hurricane Walla Walla to be effective 12/30/2024.
Filed Date: 10/15/24.
Accession Number: 20241015–5002.
Comment Date: 5 p.m. ET 11/5/24.

Docket Numbers: ER25–92–000.
Applicants: Arizona Public Service Company.
Description: Tariff Amendment: Rate Schedule No. 217 Exhibit B Diagram Cancellations to be effective 12/14/2024.
Filed Date: 10/15/24.
Accession Number: 20241015–5006.
Comment Date: 5 p.m. ET 11/5/24.

Docket Numbers: ER25–93–000.
Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Original GIA Service Agreement No. 7381; AG1–281 to be effective 9/12/2024.

Filed Date: 10/15/24.

Accession Number: 20241015–5007.

Comment Date: 5 p.m. ET 11/5/24.

Docket Numbers: ER25–94–000.

Applicants: California Independent System Operator Corporation.

Description: § 205(d) Rate Filing: 2024–10–15 Enable Inter-SC Trades of Energy in WEIM and EDAM Tariff Amendment to be effective 12/31/9998.

Filed Date: 10/15/24.

Accession Number: 20241015–5038.

Comment Date: 5 p.m. ET 11/5/24.

Docket Numbers: ER25–95–000.

Applicants: Southwest Power Pool, Inc.

Description: § 205(d) Rate Filing: 4331 WFEC GIA to be effective 9/27/2024.

Filed Date: 10/15/24.

Accession Number: 20241015–5096.

Comment Date: 5 p.m. ET 11/5/24.

Docket Numbers: ER25–96–000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Revisions to the Tariff Definition of Principal to be effective 12/15/2024.

Filed Date: 10/15/24.

Accession Number: 20241015–5119.

Comment Date: 5 p.m. ET 11/5/24.

Docket Numbers: ER25–97–000.

Applicants: Rochester Gas and Electric Corporation, New York Independent System Operator, Inc.

Description: § 205(d) Rate Filing: Rochester Gas and Electric Corporation submits tariff filing per 35.13(a)(2)(iii: NYISO–RG&E Joint 205: EPC Agreement for Cider Solar SA2856 to be effective 10/1/2024.

Filed Date: 10/15/24.

Accession Number: 20241015–5155.

Comment Date: 5 p.m. ET 11/5/24.

Docket Numbers: ER25–98–000.

Applicants: Entergy Louisiana, LLC.

Description: § 205(d) Rate Filing: ELL–EML MSS–4R Power Purchase Agreement to be effective 1/1/2025.

Filed Date: 10/15/24.

Accession Number: 20241015–5168.

Comment Date: 5 p.m. ET 11/5/24.

Docket Numbers: ER25–99–000.

Applicants: Louisville Gas and Electric Company.

Description: § 205(d) Rate Filing: BREC Daviess Contribution in Aid of Construction Agreement to be effective 12/15/2024.

Filed Date: 10/15/24.

Accession Number: 20241015–5195.

Comment Date: 5 p.m. ET 11/5/24.

Docket Numbers: ER25–100–000.

Applicants: Kentucky Utilities Company.

Description: § 205(d) Rate Filing: KU Concurrence BREC CIAC to be effective 12/15/2024.

Filed Date: 10/15/24.

Accession Number: 20241015–5207.

Comment Date: 5 p.m. ET 11/5/24.

Docket Numbers: ER25–101–000.

Applicants: Midcontinent Independent System Operator, Inc.

Description: § 205(d) Rate Filing: 2024–10–15_SA 3758 Termination of Ameren Illinois-Moraine Sands Wind E&P (J1453) to be effective 10/16/2024.

Filed Date: 10/15/24.

Accession Number: 20241015–5217.

Comment Date: 5 p.m. ET 11/5/24.

Docket Numbers: ER25–102–000.

Applicants: Midcontinent Independent System Operator, Inc.

Description: § 205(d) Rate Filing: 2024–10–15_SA 3691 Termination of ATC–WPL E&P (J1305) to be effective 10/16/2024.

Filed Date: 10/15/24.

Accession Number: 20241015–5223.

Comment Date: 5 p.m. ET 11/5/24.

Docket Numbers: ER25–103–000.

Applicants: PacifiCorp.

Description: § 205(d) Rate Filing: Construction Agreement Pronghorn_JOOA (RS No. 790) to be effective 12/15/2024.

Filed Date: 10/15/24.

Accession Number: 20241015–5269.

Comment Date: 5 p.m. ET 11/5/24.

Docket Numbers: ER25–104–000.

Applicants: Black Hills Power, Inc.

Description: § 205(d) Rate Filing: Schedule B Update to GDEMA between BHP and BH Wyoming to be effective 12/1/2024.

Filed Date: 10/15/24.

Accession Number: 20241015–5283.

Comment Date: 5 p.m. ET 11/5/24.

Docket Numbers: ER25–105–000.

Applicants: Black Hills Power, Inc.

Description: § 205(d) Rate Filing: Schedule B Update to GDEMA between BHP and BHCOE to be effective 12/1/2024.

Filed Date: 10/15/24.

Accession Number: 20241015–5284.

Comment Date: 5 p.m. ET 11/5/24.

Docket Numbers: ER25–106–000.

Applicants: Black Hills Power, Inc.

Description: § 205(d) Rate Filing: Schedule B Update to GDEMA between BHP and City of Gillette to be effective 12/1/2024.

Filed Date: 10/15/24.

Accession Number: 20241015–5287.

Comment Date: 5 p.m. ET 11/5/24.

Docket Numbers: ER25–107–000.

Applicants: Black Hills Power, Inc.

Description: § 205(d) Rate Filing: Schedule B Update to GDEMA between BHP and CLFP to be effective 12/1/2024.

Filed Date: 10/15/24.

Accession Number: 20241015–5288.

Comment Date: 5 p.m. ET 11/5/24.

Docket Numbers: ER25–108–000.

Applicants: Black Hills Power, Inc.

Description: § 205(d) Rate Filing: Schedule B Update to GDEMA between BHP and MDU to be effective 12/1/2024.

Filed Date: 10/15/24.

Accession Number: 20241015–5289.

Comment Date: 5 p.m. ET 11/5/24.

Docket Numbers: ER25–109–000.

Applicants: Silver State South Storage, LLC.

Description: Baseline eTariff Filing: Silver State South Storage, LLC Application for Market-Based Rate Authorization to be effective 12/15/2024.

Filed Date: 10/15/24.

Accession Number: 20241015–5300.

Comment Date: 5 p.m. ET 11/5/24.

Docket Numbers: ER25–110–000.

Applicants: ISO New England Inc.

Description: § 205(d) Rate Filing: ISO–NE; 2025 Capital Budget & Rev Tariff Sheets for Recovery of 2025 Admin Costs to be effective 1/1/2025.

Filed Date: 10/15/24.

Accession Number: 20241015–5316.

Comment Date: 5 p.m. ET 11/5/24.

Docket Numbers: ER25–111–000.

Applicants: Midcontinent Independent System Operator, Inc.

Description: Compliance filing: 2024–10–15_Annual Cost of New Entry and Net CONE Filing to be effective N/A.

Filed Date: 10/15/24.

Accession Number: 20241015–5350.

Comment Date: 5 p.m. ET 11/5/24.

Take notice that the Commission received the following electric reliability filings:

Docket Numbers: RR25–1–000.

Applicants: North American Electric Reliability Corporation.

Description: Petition for approval of proposed revisions to Appendix 4E to the North American Electric Reliability Corporation Rules of Procedure.

Filed Date: 10/15/24.

Accession Number: 20241015–5259.

Comment Date: 5 p.m. ET 11/5/24.

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.*

Dated: October 15, 2024.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2024–24374 Filed 10–21–24; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: RP25–62–000.

Applicants: Golden Triangle Storage, LLC.

Description: Compliance filing: Notice of Non-Material Change Compliance Oct 2024 to be effective N/A.

Filed Date: 10/11/24.

Accession Number: 20241011–5118.

Comment Date: 5 p.m. ET 10/23/24.

Docket Numbers: RP25–63–000.

Applicants: Perryville Gas Storage LLC.

Description: § 4(d) Rate Filing: Perryville Tariff—Revised Contact Information to be effective 11/11/2024.

Filed Date: 10/11/24.

Accession Number: 20241011–5147.

Comment Date: 5 p.m. ET 10/23/24.

Docket Numbers: RP25–64–000.

Applicants: Pine Prairie Energy Center, LLC.

Description: § 4(d) Rate Filing: Pine Prairie Tariff—Revised Contact Information to be effective 11/11/2024.

Filed Date: 10/11/24.

Accession Number: 20241011–5169.

Comment Date: 5 p.m. ET 10/23/24.

Docket Numbers: RP25–65–000.

Applicants: Natural Gas Pipeline Company of America LLC.

Description: § 4(d) Rate Filing: Non-Conforming Negotiated Rate Agreement Filing-Tenaska Marketing Ventures to be effective 10/28/2024.

Filed Date: 10/11/24.

Accession Number: 20241011–5171.

Comment Date: 5 p.m. ET 10/23/24.

Docket Numbers: RP25–66–000.

Applicants: SG Resources Mississippi, L.L.C.

Description: § 4(d) Rate Filing: SG Resources Mississippi—Revised Contact Information to be effective 11/11/2024.

Filed Date: 10/11/24.

Accession Number: 20241011–5193.

Comment Date: 5 p.m. ET 10/23/24.

Docket Numbers: RP25–67–000.

Applicants: Southeast Supply Header, LLC.

Description: § 4(d) Rate Filing: Southern Co NRA—Contract No. Conversion to be effective 10/1/2024.

Filed Date: 10/15/24.

Accession Number: 20241015–5206.

Comment Date: 5 p.m. ET 10/28/24.

Docket Numbers: RP25–68–000.

Applicants: Iroquois Gas Transmission System, L.P.

Description: § 4(d) Rate Filing: 10.15.24 Negotiated Rates—Emera Energy Services, Inc. R–2715–81 to be effective 11/1/2024.

Filed Date: 10/15/24.

Accession Number: 20241015–5229.

Comment Date: 5 p.m. ET 10/28/24.

Docket Numbers: RP25–69–000.

Applicants: Iroquois Gas Transmission System, L.P.

Description: § 4(d) Rate Filing: 10.15.24 Negotiated Rates—Emera Energy Services, Inc. R–2715–84 to be effective 11/1/2024.

Filed Date: 10/15/24.

Accession Number: 20241015–5230.

Comment Date: 5 p.m. ET 10/28/24.

Docket Numbers: RP25–70–000.

Applicants: Iroquois Gas Transmission System, L.P.

Description: § 4(d) Rate Filing: 10.15.24 Negotiated Rates—Emera Energy Services, Inc. R–2715–80 to be effective 11/1/2024.

Filed Date: 10/15/24.

Accession Number: 20241015–5231.

Comment Date: 5 p.m. ET 10/28/24.

Docket Numbers: RP25–71–000.

Applicants: Iroquois Gas Transmission System, L.P.

Description: § 4(d) Rate Filing: 10.15.24 Negotiated Rates—Emera Energy Services, Inc. R–2715–85 to be effective 11/1/2024.

Filed Date: 10/15/24.

Accession Number: 20241015–5232.

*Comment Date:*5 p.m. ET 10/28/24.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

Filings in Existing Proceedings

Docket Numbers: RP24–1114–001.

Applicants: Stagecoach Pipeline & Storage Company LLC.

Description: Tariff Amendment: Amendment Filing to Proposed Tariff Language for OFO Update to be effective 11/1/2024.

Filed Date: 10/11/24.

Accession Number: 20241011–5176.

Comment Date: 5 p.m. ET 10/18/24.

Any person desiring to protest in any the above proceedings must file in accordance with Rule 211 of the Commission's Regulations (18 CFR 385.211) on or before 5:00 p.m. Eastern time on the specified comment date.

The filings are accessible in the Commission's eLibrary system (*https://elibrary.ferc.gov/idmws/search/fercgensearch.asp*) by querying the docket number.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

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.*

Dated: October 15, 2024.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2024–24373 Filed 10–21–24; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2572–141]

Notice of Application Tendered for Filing With the Commission and Establishing Procedural Schedule for Licensing and Deadline for Submission of Final Amendments: Great Lakes Hydro America, LLC

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

a. *Type of Application:* New Major License.

b. *Project No.:* 2572–141.

c. *Date Filed:* September 30, 2024.

d. *Applicant:* Great Lakes Hydro American, LLC (GLHA).

e. *Name of Project:* Ripogenus Hydroelectric Project (project).

f. *Location:* On the West Branch of the Penobscot River (West Branch) in Piscataquis and Penobscot Counties, Maine.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)–825(r).

h. *Applicant Contact:* Michael Scarzello, Licensing Manager, Brookfield Renewable U.S., 399 Big Bay Road, Queensbury, NY 12804; (315) 566–0197; *Michael.scarzello@brookfieldrenewable.com.*

i. *FERC Contact:* Allan Creamer, Project Coordinator; telephone at (202) 502–8365; email at *allan.creamer@ferc.gov*.

j. The application is not ready for environmental analysis at this time.

k. *Project Description:* The Ripogenus Project is located about 21 river miles upstream of the Penobscot Mills Project, and consists of: (1) the Ripogenus impoundment, which (a) is about 20.8 miles long, (b) has a surface area of about 29,270 acres at a normal full pond elevation of 941.59 feet National Geodetic Vertical Datum of 1929 (NGVD 29), and (c) has a usable storage of about 688,705 acre-feet, with a maximum drawdown of 44 feet (to elevation 897.59 feet NGVD 29); and (2) Umbazooksus Lake, which has a surface area of 1,600 acres. Ripogenus Dam is 795 feet long and is located at the outlet of Ripogenus Lake. The dam includes two concrete spillway sections, an intake section, a gated sluice section, and an earthen section.

Water flows from the Ripogenus impoundment through an intake structure, which directs water through a tunnel and penstocks to the powerhouse (McKay Station). The powerhouse contains three turbine-generating units, with a total rated capacity of 37.5 megawatts. Power generated at the project is transmitted to the electric grid via three transformers and a 29.4-mile-long transmission line. An additional 0.75-mile-long transmission line extends from the McKay Substation to Ripogenus Dam. The Ripogenus Project also contains one battery energy storage site that is used to enhance system reliability. The Ripogenus Project is operated as a store-and-release development, with an annual seasonal drawdown that allows for management of water levels and flows downstream from the project. GLHA releases minimum flows into the dewatered section of the West Branch downstream from Ripogenus Dam, as well as flows through the McKay Station generating units to protect aquatic habitat and to provide whitewater boating opportunities. GLHA also releases flows to the West Branch during outages of the generating units, and diverts flow to the Holbrook Side Channel to enhance aquatic habitat. The project provides some capacity to store water to reduce downstream flooding, as well as storage releases during droughts. Additional details regarding the Ripogenus Project facilities and operations can be found in Exhibit A (Ripogenus Project) and Exhibit B of the license application, and can be accessed by following the instructions in paragraph l.

GLHA proposes to continue to operate the Ripogenus Project as a store-and-release facility. GLHA would continue to release flows ranging between 12 cubic feet per second (cfs) and 100 cfs from Ripogenus Dam to the bypassed reach, provide a station outage flow of 400 cfs downstream from McKay Station, continue to operate and maintain the Holbrook Side Channel as habitat for salmon and brook trout, maintain the 200-foot conservation buffer and 100-foot vegetation buffer around the Ripogenus impoundment, and maintain Umbazooksus Lake as wetland and wildlife habitat. In addition, GLHA proposes to provide a year-round minimum flow of 1,700 cfs downstream from McKay Station for aquatic habitat; provide seasonally-adjusted flows for whitewater boating; fund the installation, operation, and maintenance of a USGS flow gauge downstream from McKay Station (near Big Eddy); post impoundment level and flow information on Brookfield's existing SafeWaters website; and develop a recreation plan, shoreline management plan, loon management plan, and historic properties management plan.

l. In addition to publishing this notice in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this notice, as well as other documents in the proceeding (*e.g.,* license application) 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 (P–2572). For assistance, contact FERC at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). You may also register online at *https://ferconline.ferc.gov/FERCOnline.aspx* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

m. 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.*

n. *Procedural Schedule:* The application will be processed according to the following preliminary schedule. Revisions to the schedule will be made as appropriate.

Deficiency Letter—October 2024

Additional Information Request—November 2024

Notice of Acceptance—March 2025

Issue Notice of Ready for Environmental Analysis—March 2025

o. Final amendments to the application must be filed with the Commission no later than 30 days from the issuance date of the notice of ready for environmental analysis.

Dated: October 15, 2024.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2024–24378 Filed 10–21–24; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2458–273]

Great Lakes Hydro America, LLC; Notice of Application Tendered for Filing With the Commission and Establishing Procedural Schedule for Licensing and Deadline for Submission of Final Amendments

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

a. *Type of Application:* New Major License.

b. *Project No.:* 2458–273.

c. *Date Filed:* September 30, 2024.

d. *Applicant:* Great Lakes Hydro American, LLC (GLHA).

e. *Name of Project:* Penobscot Mills Hydroelectric Project (project).

f. *Location:* On the West Branch of the Penobscot River (West Branch) and Millinocket Stream in Piscataquis and Penobscot Counties, Maine.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)–825(r).

h. *Applicant Contact:* Michael Scarzello, Licensing Manager, Brookfield Renewable U.S., 399 Big Bay Road, Queensbury, NY 12804; (315) 566–0197; *Michael.scarzello@brookfieldrenewable.com.*

i. *FERC Contact:* Allan Creamer, Project Coordinator; telephone at (202) 502–8365; email at *allan.creamer@ferc.gov.*

j. The application is not ready for environmental analysis at this time.

k. *Project Description:* The Penobscot Mills Project consists of: (1) four hydropower developments (North Twin, Millinocket, Dolby, and East Millinocket; located between river mile 15 and river mile 2 on the West Branch) that include (a) water retaining features (*e.g.,* dam/spillway, flashboards/rubber dam, and dikes), (b) water conduits/canals and penstocks, (c) intake structures equipped with trashracks, (d) four powerhouses, and (e) transmission equipment (*e.g.,* transmission lines); (2) a pool-and-weir fish passage facility at North Twin; and (3) one storage development (Millinocket Lake Storage Development; located on Millinocket Stream). The total rated capacity of the project is 67.9 megawatts. The North Twin impoundment is at the upstream end of the Penobscot Mills Project and receives flow from the Ripogenus Project. Releases from the North Twin Development pass through three other developments (*i.e.,* Millinocket, Dolby, and East Millinocket). The Millinocket Lake Storage Development includes a pumping station through which water can be pumped to Ambajejus Lake (within the North Twin impoundment). Water not pumped to Ambajejus Lake is discharged to Millinocket Stream, which enters the West Branch at Shad Pond, downstream from the Millinocket Development, then passes through the Dolby and East Millinocket Developments. In addition to these developments, the project includes two battery energy sites that operate as a single Battery Energy Storage System to enhance system reliability.

The five developments that compose the Penobscot Mills Project are operated as an integrated system, along with upstream storage projects, including the Ripogenus Project No. 2572, to manage water levels and flows downstream from the project. GLHA operates the North Twin Development as a store-and-release facility, and uses storage in the Millinocket Lake Storage impoundment, as necessary, to maintain North Twin Lake levels. The two storage developments (North Twin and Millinocket Lake Storage) are located upstream of the run-of-release developments (Millinocket, Dolby, and East Millinocket). GLHA releases minimum flows from Millinocket Lake into Millinocket Stream, as well as a continuous minimum flow in the West Branch downstream from the North Twin Development. Additional details regarding the Penobscot Mills Project facilities and operations can be found in Exhibit A (Penobscot Mills Project) and Exhibit B of the license application, and can be access by following the instructions in paragraph l.

GLHA proposes to continue to operate: (1) the North Twin Development for generation and seasonal storage, with target impoundment elevations of 490.42 feet National Geodetic Vertical Datum of 1929 (NGVD 29) from May 1 through August 21 and 488.42 feet NGVD 29 from August 22 through October 15, as well as to provide flows necessary to meet the 2,000-cfs flow requirement in the West Branch downstream from Shad Pond; (2) the Millinocket Lake Storage Development to (a) maintain impoundment elevations between 470 feet and 480 feet NGVD 29, and (b) provide a minimum flow of 60 cubic feet per second (cfs), or inflow (seasonally), to Millinocket Stream; and (3) the Millinocket, Dolby, and East Millinocket Developments as run-of-release facilities. GLHA also proposes to continue to operate and maintain the upstream pool-and-weir fish passage structure at North Twin Dam, post lake level (for North Twin and Millinocket Lake Storage) and flow information on Brookfield's existing SafeWaters website, maintain the 200-foot conservation buffer and 100-foot vegetation buffer around the Millinocket Lake Storage, North Twin, Millinocket, and Dolby impoundments, and maintain Umbazooksus Lake as wetland and wildlife habitat. GLHA also proposes to release a year-round 200-cfs minimum flow from Stone Dam; provide American eel passage, conduct eel studies, and develop a fishway operations and maintenance plan; provide seasonal whitewater boating flows of 600 cfs in Millinocket Stream; and develop an updated wildlife management area plan, a recreation plan, a shoreline management plan, and a historic properties management plan.

l. In addition to publishing this notice in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this notice, as well as other documents in the proceeding (*e.g.,* license application) 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 (P–2458). For assistance, contact FERC at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY).

You may also register online at *https://ferconline.ferc.gov/FERCOnline.aspx* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

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n. *Procedural Schedule:* The application will be processed according to the following preliminary schedule. Revisions to the schedule will be made as appropriate.

Deficiency Letter (if necessary)
October 2024
Additional Information Request
November 2024
Notice of Acceptance March 2025

Issue Notice of Ready for Environmental Analysis March 2025

o. Final amendments to the application must be filed with the Commission no later than 30 days from the issuance date of the notice of ready for environmental analysis.

Dated: October 15, 2024.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2024–24379 Filed 10–21–24; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OAR–2024–0309; FRL–12263–01–OAR]

Planned Change Request for Waste Isolation Pilot Plant Replacement Panels 11 and 12; Reopening of Public Comment Period

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability with request for public comment; reopening of public comment period.

SUMMARY: On July 16, 2024, the Environmental Protection Agency (EPA or the Agency) announced for public comment the availability of a Planned Change Request (PCR) recently submitted by the U.S. Department of Energy (DOE) to modify the Waste Isolation Pilot Plant (WIPP). The proposed change will involve adding two additional waste panels west of the current repository to replace lost disposal capacity resulting from the 2014 radiological incident and resulting ground control issues. A 60-day comment period was provided for the PCR that expired on September 16, 2024. A request for an extension to the comment period was received from several stakeholders, most recently at the Agency's informal public meetings held in New Mexico in late August. EPA is reopening the comment period to seek public input on both DOE's application and on what EPA should consider in its evaluation.

DATES: The public comment period for the notice published July 16, 2024 at 89 FR 57887, has reopened on October 22, 2024. It will remain open until the Agency publishes a future notice in the **Federal Register** that specifies the end of the public comment period.

ADDRESSES: You may send comments, identified by Docket ID No. EPA–HQ–OAR–2024–0309, by any of the following methods:

- *Federal eRulemaking Portal: https://www.regulations.gov* (our preferred method). Follow the online instructions for submitting comments.
- *Email: a-and-r-Docket@epa.gov.* Include Docket ID No. EPA–HQ–OAR–2024–0309 in the subject line of the message.
- *U.S. Postal Service Mail:* U.S. Environmental Protection Agency, EPA Docket Center, Air and Radiation Docket, Mail Code 28221T, 1200 Pennsylvania Avenue NW, Washington, DC 20460.
- *Hand Delivery/Courier:* EPA Docket Center, WJC West Building, Room 3334, 1301 Constitution Avenue NW, Washington, DC 20004. The Docket Center's hours of operations are 8:30 a.m.–4:30 p.m., Monday–Friday (except Federal Holidays).

Instructions: All submissions received must include the Docket ID No. EPA–HQ–OAR–2024–0309. Comments received may be posted without change to *https://www.regulations.gov,* including any personal information provided. For detailed instructions on sending comments, see the **SUPPLEMENTARY INFORMATION** section of this document. A copy of the DOE's 2024 PCR is linked on EPA's WIPP website (*https://www.epa.gov/system/files/documents/2024-03/24-0168-wipp-pcr-panels-letter-enclosures.pdf*).

FOR FURTHER INFORMATION CONTACT: Ray Lee, Radiation Protection Division, Office of Radiation and Indoor Air, Mail Code 6608T, Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460; telephone number: (202) 343–9463; email address: *lee.raymond@epa.gov.*

SUPPLEMENTARY INFORMATION: Submit your comments, identified by Docket ID No. EPA–HQ–OAR–2024–0309, at *https://www.regulations.gov* (our preferred method), or the other methods identified in the **ADDRESSES** section.

Once submitted, comments cannot be edited or removed from the docket. 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. The written comment is considered the official comment and should include discussion of all points you wish to make. EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *https://www.epa.gov/dockets/commenting-epa-dockets.*

Tips for preparing your comments. When submitting comments, remember to:

- Identify the document by docket number, subject heading, **Federal Register** date, and page number.
- Provide a brief description of yourself and your role or organization.
- Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.
- Describe any assumptions and provide any technical information and/or data that you used.
- Illustrate your concerns with specific examples and suggest alternatives.
- Explain your views as clearly as possible, avoiding the use of profanity or personal threats.
- Make sure to submit your comments by the comment period deadline identified.

I. Background

The Waste Isolation Pilot Plant (WIPP) is a transuranic (TRU) radioactive waste disposal system developed by the DOE that is located near Carlsbad in southeastern New Mexico. TRU radioactive waste is emplaced about 650 meters (2,150 feet) underground in an ancient layer of salt that will eventually ''creep,'' encapsulate, and isolate the waste from the surrounding environment. The 1992 WIPP Land Withdrawal Act (Pub. L. 102–579) (LWA) limits radioactive waste disposal in the WIPP to TRU radioactive wastes generated by defense-related activities.[1] The WIPP LWA provides EPA with authority to oversee and regulate the WIPP. The WIPP must meet EPA's generic radioactive waste disposal standards at 40 CFR part 191, subparts B and C. These standards limit releases of radioactive materials from disposal systems for radioactive waste and require implementation of measures to provide confidence for compliance with the radiation release limits. Additionally, the regulations limit radiation doses to members of the public and protect ground water resources by establishing maximum concentrations for radionuclides in ground water.

In 1996, the Agency issued the WIPP Compliance Criteria, which are located at 40 CFR part 194, as mandated by WIPP LWA, section 8(c).[2] DOE submitted the initial WIPP Compliance

[1] TRU waste is defined as waste containing more than 100 nano-curies per gram of alpha-emitting radioactive isotopes, with half-lives greater than twenty years and atomic numbers greater than 92.

[2] 61 FR 5224–5245 (February 9, 1996).

Certification Application (CCA) in 1996. The Agency then issued the certification decision on May 18, 1998, determining that the WIPP met the standards for radioactive waste disposal. Since the 1998 certification decision, EPA has conducted ongoing independent technical reviews, certification/recertifications, and inspections of all WIPP activities related to compliance with the Agency's disposal regulations. The WIPP has been recertified four times since the initial CCA in 1996, with the most recent recertification decision occurring in 2022.[3]

As part of the original design of the WIPP repository in the initial CCA, the underground waste disposal region at WIPP is divided into panels. A panel is a group of rooms mined into the salt, connected by tunnels called drifts. EPA certified the WIPP in 1998 and most recently recertified the WIPP in 2022 based on a planned footprint of 10 waste panels.

On March 14, 2024, EPA received a planned change request (PCR) from DOE per 40 CFR 194.4(b)(3) that seeks the Agency's approval to add two replacement waste panels to the west of the current repository. These two panels, 11 and 12, are being constructed to replace waste disposal volume that was lost in panels 7 and 9 due to the 2014 radiological release that contaminated the south end of the repository.[4] Additionally, panels 1 and 2 were not completely filled due to ground control issues from being kept open so long before waste was emplaced. DOE has calculated that to replace the volume lost, 1.7 panels of waste volume will be needed, rounded up to 2 panels for construction.[5] DOE also states that the waste volume with panels 11 and 12 will not exceed the LWA waste disposal volume limit. The PCR contains a performance assessment DOE has conducted to support a demonstration that the repository will continue to meet the numeric release limits of EPA's disposal regulations for the WIPP. As part of the performance assessment, DOE calculated releases based on a repository design of 19 panels, which is the anticipated WIPP repository configuration at the time of closure. With this PCR, DOE is only seeking EPA's approval of the two new planned panels and has provided documentation to address the two new panels within the context of the 19-panel design. DOE would have to submit a separate request for approval of any additional panels beyond panels 11 and 12.

II. Request for Comments

A 60-day comment period provided for comments on the PCR ended on September 16, 2024. During this comment period a request for an extension to the comment period was received from several stakeholders, most recently at the Agency's informal public meetings held in New Mexico in late August.

The Agency is reopening the comment period and soliciting public comment on DOE's documentation of its PCR to add two new waste panels—panels 11 and 12—at the WIPP facility, and the demonstration of compliance with EPA's disposal regulations. Additional background information related to the Agency's review of DOE's application—including an electronic copy of the PCR itself—is available in the public docket[6] established for this action and on the EPA WIPP website.[7]

The Agency will continue to accept comment until it issues a future **Federal Register** notice that specifies the end of the public comment period. Upon completion of EPA's evaluation of the PCR, the Agency will announce a decision on the proposed two new panels along with a response to comments document and related technical support documents.

Jonathan D. Edwards,

Director, Office of Radiation and Indoor Air.

[FR Doc. 2024–24450 Filed 10–21–24; 8:45 am]

BILLING CODE 6560–50–P

[3] 87 FR 26126 (May 3, 2022).

[4] For a discussion of the 2014 incidents at the WIPP, *see* EPA's third recertification determination. 82 FR 33106, 33107 (July 19, 2017).

[5] Knerr, R. (DOE/CBFO), Dunagan, S. (NWP LLC). *Class 3 Permit Modification Request* [Letter to Maestas, R. (NMED)] (July 30, 2021).

[6] Docket ID No. EPA–HQ–OAR–2024–0309 (*https://www.regulations.gov*).

[7] *https://www.epa.gov/radiation/wipp-news#WIPP-PCR.*

ENVIRONMENTAL PROTECTION AGENCY

[FRL–12326–01–R6]

Clean Air Act Operating Permit Program; Order on Petition for Objection to State Operating Permit for the Nucor Steel Louisiana, LLC, Direct Reduced Iron Facility, St. James Parish, Louisiana

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of final order on petition.

SUMMARY: The Environmental Protection Agency (EPA) Administrator signed an order dated September 27, 2024, granting in part and denying in part a Petition dated December 4, 2023, from the Myrtle Felton, Barbara Washington, Gail Leboeuf, Inclusive Louisiana, and Louisiana Bucket Brigade (the Petitioners). The Petition requested that the EPA object to a Clean Air Act (CAA) title V operating permit issued by the Louisiana Department of Environmental Quality (LDEQ) to Nucor Steel Louisiana, L.L.C., Direct Reduced Iron (DRI) Facility, located in Covent, St. James Parish, Louisiana.

FOR FURTHER INFORMATION CONTACT: Elizabeth Layton, EPA Region 6 Office, Air Permits Section, (214) 665–2136, *layton.elizabeth@epa.gov.* The final order and petition are available electronically at: *https://www.epa.gov/title-v-operating-permits/title-v-petition-database.*

SUPPLEMENTARY INFORMATION: The EPA received a petition from Myrtle Felton, Barbara Washington, Gail Leboeuf, Inclusive Louisiana, and Louisiana Bucket Brigade dated December 4, 2023, requesting that the EPA object to the issuance of operating permit no. No. 3086–V10, issued by LDEQ to the Nucor Steel Louisiana, L.L.C., DRI Facility in St. James Parish, Convent, Louisiana. On September 27, 2024, the EPA Administrator issued an order granting in part and denying in part the Petition. The order explains the basis for the EPA's decision.

Sections 307(b) and 505(b)(2) of the CAA provide that a petitioner may request judicial 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 circuity no later than December 23, 2024.

Dated: October 16, 2024.

David Garcia,

Director, Air and Radiation Division, Region 6.

[FR Doc. 2024–24366 Filed 10–21–24; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL DEPOSIT INSURANCE CORPORATION

Designated Reserve Ratio for 2025

AGENCY: Federal Deposit Insurance Corporation.

ACTION: Notice of Designated Reserve Ratio for 2025.

SUMMARY: Pursuant to the Federal Deposit Insurance Act (FDI Act), the Board of Directors (Board) of the Federal Deposit Insurance Corporation (FDIC) designates that the Designated Reserve Ratio (DRR) for the Deposit Insurance Fund shall remain at 2 percent for 2025.

The Board is publishing this notice as required by the FDI Act.

FOR FURTHER INFORMATION CONTACT: Ashley Mihalik, Associate Director, Financial Risk Management, Division of Insurance and Research, 202–898–3793, *amihalik@fdic.gov;* Daniel Hoople, Chief, Fund Analysis and Pricing Section, Division of Insurance and Research, 202–898–3835, *dhoople@fdic.gov;* or Kathryn Marks, Counsel, Legal Division, 202–898–3896, *kmarks@fdic.gov.*

SUPPLEMENTARY INFORMATION: Pursuant to the FDI Act, the Board designates that the DRR for the Deposit Insurance Fund shall remain at 2 percent for 2025. The Board is publishing this notice as required by section 7(b)(3)(A)(i) of the FDI Act (12 U.S.C. 1817(b)(3)(A)(i)). There is no need to amend 12 CFR 327.4(g), the section of the FDIC's regulations which sets forth the DRR, because the DRR for 2025 is the same as the current DRR.

Federal Deposit Insurance Corporation.

By order of the Board of Directors.

Dated at Washington, DC, on October 17, 2024.

James P. Sheesley,

Assistant Executive Secretary.

[FR Doc. 2024–24438 Filed 10–21–24; 8:45 am]

BILLING CODE 6714–01–P

FEDERAL DEPOSIT INSURANCE CORPORATION

Notice of Meeting Held With Less Than Seven Days Advance Notice

TIME AND DATE: 10:00 a.m. on October 17, 2024.

PLACE: The meeting was held in the FDIC Board Room, 550 17th Street NW, Washington, DC, and was webcast to the public.

STATUS: Open to public observation via webcast.

MATTERS TO BE CONSIDERED: Pursuant to the provisions of the ''Government in the Sunshine Act'' (5 U.S.C. 552b), notice is given that the Federal Deposit Insurance Corporation's Board of Directors met in open session to consider the following matters:

Summary Agenda

Designated Reserve Ratio for 2025.

Delay of Compliance Date for Subpart A Amendments to FDIC Official Sign and Advertising Rule.

Minutes of a Board of Directors' Meeting Previously Distributed.

Discussion Agenda

Briefing: Semi-annual Update on the Deposit Insurance Fund (DIF) Restoration Plan.

SUPPLEMENTARY INFORMATION: In calling the meeting, the Board determined, on motion of Director Rohit Chopra (Director, Consumer Financial Protection Bureau), seconded by Director Michael J. Hsu (Acting Comptroller of the Currency), by the unanimous vote of Chairman Martin J. Gruenberg, Vice Chairman Travis J. Hill, Director Jonathan P. McKernan, Director Michael J. Hsu (Acting Comptroller of the Currency), and Director Rohit Chopra (Director, Consumer Financial Protection Bureau), that Corporation business required its consideration of the matters on less than seven days' notice to the public; and that no earlier notice of the meeting than that previously provided on October 11, 2024, was practicable.

CONTACT PERSON FOR MORE INFORMATION: Direct requests for further information concerning the meeting to Debra A. Decker, Executive Secretary of the Corporation, at 202–898–8748.

Authority: 5 U.S.C. 552b.

Dated at Washington, DC, on October 17, 2024.

Federal Deposit Insurance Corporation.

James P. Sheesley,

Assistant Executive Secretary.

[FR Doc. 2024–24436 Filed 10–21–24; 8:45 am]

BILLING CODE 6714–01–P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at *https://www.federalreserve.gov/foia/request.htm.* Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)).

Comments received are subject to public disclosure. In general, comments received will be made available without change and will not be modified to remove personal or business information including confidential, contact, or other identifying information. Comments should not include any information such as confidential information that would not be appropriate for public disclosure.

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Ann E. Misback, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington DC 20551–0001, not later than November 21, 2024.

A. Federal Reserve Bank of Boston (Prabal Chakrabarti, Senior Vice President) 600 Atlantic Avenue, Boston, Massachusetts 02210–2204. Comments can also be sent electronically to *BOS.SRC.Applications.Comments@bos.frb.org:*

1. *Camden National Corporation, Camden, Maine;* to merge with Northway Financial, Inc., North Conway, New Hampshire, and thereby indirectly acquire Northway Bank, Berlin, New Hampshire.

Board of Governors of the Federal Reserve System.

Michele Taylor Fennell,

Associate Secretary of the Board.

[FR Doc. 2024–24404 Filed 10–21–24; 8:45 am]

BILLING CODE P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[30Day–25–0696]

Agency Forms Undergoing Paperwork Reduction Act Review

In accordance with the Paperwork Reduction Act of 1995, the Centers for Disease Control and Prevention (CDC) has submitted the information collection request titled ''National HIV Prevention Program Monitoring and Evaluation (NHM&E)'' to the Office of Management and Budget (OMB) for review and approval. CDC previously published a ''Proposed Data Collection Submitted for Public Comment and

Recommendations'' notice on February 5, 2024, to obtain comments from the public and affected agencies. CDC did not receive comments related to the previous notice. This notice serves to allow an additional 30 days for public and affected agency comments.

CDC will accept all comments for this proposed information collection project. The Office of Management and Budget is particularly interested in comments that:

(a) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(b) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(c) Enhance the quality, utility, and clarity of the information to be collected;

(d) Minimize the burden of the collection of information on those who are to respond, including, through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses; and

(e) Assess information collection costs.

To request additional information on the proposed project or to obtain a copy of the information collection plan and instruments, call (404) 639–7570. Comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain*. Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function. Direct written comments and/or suggestions regarding the items contained in this notice to the Attention: CDC Desk Officer, Office of Management and Budget, 725 17th Street NW, Washington, DC 20503 or by fax to (202) 395–5806. Provide written comments within 30 days of notice publication.

Proposed Project

National HIV Prevention Program Monitoring and Evaluation (NHM&E) (OMB Control No. 0920–0696, Exp. 10/31/2024)—Extension—National Center for HIV/AIDS, Viral Hepatitis, STD, and TB Prevention (NCHHSTP), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

CDC seeks to request a three-year Office of Management and Budget (OMB) Extension to continue the collection of standardized HIV prevention program evaluation data from health departments and community-based organizations (CBOs) who receive federal funds for HIV prevention activities. Health department grantees have the options to key-enter or upload data to a CDC-provided web-based software application (EvaluationWeb®). CBO grantees may only key-enter data to the CDC-provided web-based software application.

The evaluation and reporting process is necessary to ensure that CDC receives standardized, accurate, thorough evaluation data from both health department and CBO grantees. For these reasons, CDC developed standardized NHM&E variables through extensive consultation with representatives from health departments, CBOs, and national partners (*e.g.,* The National Alliance of State and Territorial AIDS Directors and Urban Coalition of HIV/AIDS Prevention Services). CDC requires CBOs and health departments who receive federal funds for HIV prevention to report nonidentifying, client-level and aggregate level, standardized evaluation data to: (1) Accurately determine the extent to which HIV prevention efforts are carried out, what types of agencies are providing services, what resources are allocated to those services, to whom services are being provided, and how these efforts have contributed to a reduction in HIV transmission; (2) Improve ease of reporting to better meet these data needs; and (3) Be accountable to stakeholders by informing them of HIV prevention activities and use of funds in HIV prevention nationwide.

This Extension includes no changes to the data variables previously approved and no change in burden. CDC HIV prevention program grantees will collect, enter or upload, and report agency-identifying information, budget data, intervention information, and client demographics and behavioral risk characteristics. Data collection will include searching existing data sources, gathering and maintaining data, document compilation, review of data, and data entry or upload into the web-based system. CDC requests OMB approval for an estimated 204,498 annual burden hours. There are no additional costs to respondents other than their time.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)
Health departments	Health Department Reporting (att 5A)	66	2	1,426.5
Community-Based Organizations	Community-Based Organization Reporting (att 5A).	150	2	54

Jeffrey M. Zirger,

Lead, Information Collection Review Office, Office of Public Health Ethics and Regulations, Office of Science, Centers for Disease Control and Prevention.

[FR Doc. 2024–24434 Filed 10–21–24; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2024–D–4165]

Chemical Analysis for Biocompatibility Assessment of Medical Devices; Draft Guidance for Industry and Food and Drug Administration Staff; Availability; Extension of Comment Period

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability; extension of comment period.

SUMMARY: The Food and Drug Administration (FDA or the Agency) is extending the comment period for the notice that appeared in the **Federal Register** of September 20, 2024. In the notice, FDA requested comments on the draft guidance for industry and FDA staff entitled ''Chemical Analysis for Biocompatibility Assessment of Medical Devices.'' The Agency is taking this action in response to a request for an extension to allow interested persons additional time to submit comments.

DATES: FDA is extending the comment period on the notice published September 20, 2024 (89 FR 77162). Submit either electronic or written comments on the draft guidance by December 19, 2024, to ensure that the Agency considers your comment on this draft guidance before it begins work on the final version of the guidance.

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

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov.*
- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

- *Mail/Hand Delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.
- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2024–D–4165 for ''Chemical Analysis for Biocompatibility Assessment of Medical Devices.'' Received comments will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 240–402–7500.

- Confidential Submissions—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states ''THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.'' The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on *https://www.regulations.gov.* Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as ''confidential.'' Any information marked as ''confidential'' will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.govinfo.gov/content/pkg/FR-2015-09-18/pdf/2015-23389.pdf.*

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

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

An electronic copy of the guidance document is available for download from the internet. See the **SUPPLEMENTARY INFORMATION** section for information on electronic access to the guidance. Submit written requests for a single hard copy of the draft guidance document entitled ''Chemical Analysis for Biocompatibility Assessment of Medical Devices'' to the Office of Policy, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 5431, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist that office in processing your request.

FOR FURTHER INFORMATION CONTACT: The Office of Science and Engineering Laboratories (OSEL), Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 62, Silver Spring, MD 20993–0002, 301–796–2530, or by email *OSEL_CDRH@fda.hhs.gov,* Erica Takai at 301–796–6353, or by email at *erica.takai@fda.hhs.gov;* or James Myers, Center for Biologics Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 7301, Silver Spring, MD 20993, 240–402–7911.

SUPPLEMENTARY INFORMATION:

I. Background

In the **Federal Register** of September 20, 2024, FDA published a notice of availability with a 60-day comment period to request comments on the draft guidance for industry and FDA staff entitled ''Chemical Analysis for Biocompatibility Assessment of Medical Devices.''

The Agency has received a request for an extension of the comment period. The request conveyed concern that the current 60-day comment period does not allow sufficient time to develop a meaningful or thoughtful response.

FDA has considered the request and is extending the comment period for the notice of availability for 30 days, until December 19, 2024. The Agency believes that a 30-day extension allows

adequate time for interested persons to submit comments without significantly delaying guidance on these important issues.

This draft guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The draft guidance, when finalized, will represent the current thinking of FDA on ''Chemical Analysis for Biocompatibility Assessment of Medical Devices.'' It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations.

II. Electronic Access

Persons interested in obtaining a copy of the draft guidance may do so by downloading an electronic copy from the internet. A search capability for all Center for Devices and Radiological Health guidance documents is available at *https://www.fda.gov/medical-devices/device-advice-comprehensive-regulatory-assistance/guidance-documents-medical-devices-and-radiation-emitting-products.* This guidance document is also available at *https://www.regulations.gov, https://www.fda.gov/regulatory-information/search-fda-guidance-documents, or https://www.fda.gov/vaccines-blood-biologics/guidance-compliance-regulatory-information-biologics.* Persons unable to download an electronic copy of ''Chemical Analysis for Biocompatibility Assessment of Medical Devices'' may send an email request to *CDRH-Guidance@fda.hhs.gov* to receive an electronic copy of the document. Please use the document number GUI00020037 and complete title to identify the guidance you are requesting.

Dated: October 17, 2024.

Eric Flamm,

Acting Associate Commissioner for Policy.

[FR Doc. 2024–24447 Filed 10–21–24; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2024–D–3903]

Drug Interaction Information in Human Prescription Drug and Biological Product Labeling—Content and Format; Draft Guidance for Industry; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing the availability of a draft guidance for industry entitled ''Drug Interaction Information in Human Prescription Drug and Biological Product Labeling.'' The draft guidance is intended to assist applicants in developing the DRUG INTERACTIONS section of labeling as described in FDA regulations for the content and format of labeling for human prescription drug and biological products. The purpose of the draft guidance is to provide recommendations on what information to include in, and how to present and organize the information within, the DRUG INTERACTIONS section of labeling for human prescription drug and biological products to enhance communication of clinically significant drug interactions and facilitate the safe and effective use of prescription drugs by healthcare practitioners.

DATES: Submit either electronic or written comments on the draft guidance by January 21, 2025 to ensure that the Agency considers your comment on this draft guidance before it begins work on the final version of the guidance.

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

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov.*
- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

- *Mail/Hand Delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.
- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2024–D–3903 for ''Drug Interaction Information in Human Prescription Drug and Biological Product Labeling; Draft Guidance for Industry.'' Received comments will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 240–402–7500.

- Confidential Submissions—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states ''THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.'' The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on *https://www.regulations.gov.* Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as ''confidential.'' Any information marked as ''confidential'' will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.govinfo.gov/content/pkg/FR-2015-09-18/pdf/2015-23389.pdf.*

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to *https://*

www.regulations.gov and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240–402–7500.

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

Submit written requests for single copies of this guidance to the Division of Drug Information, Center for Drug Evaluation and Research, Food and Drug Administration, 10001 New Hampshire Ave., Hillandale Building, 4th Floor, Silver Spring, MD 20993–0002, or the Office of Communication, Outreach and Development, Center for Biologics Evaluation and Research (CBER), Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 3128, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist that office in processing your requests. The guidance may also be obtained by mail by calling CBER at 1–800–835–4709 or 240–402–8010. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the guidance document.

FOR FURTHER INFORMATION CONTACT: Joseph Grillo, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Silver Spring, MD 20993–0002, 301–796–0591; or James Myers, Center for Biologics Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 7301, Silver Spring, MD 20993–0002, 240–402–7911.

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of a draft guidance for industry entitled ''Drug Interactions Section of Labeling for Human Prescription Drug and Biological Products—Content and Format.'' The draft guidance is intended to assist applicants in developing the DRUG INTERACTIONS section of the Prescribing Information labeling as described in FDA regulations for the content and format of labeling for human prescription drug and biological products.[1]

Prescription drug labeling must contain a summary of the essential information necessary for safe and effective use of the drug and is a primary tool for FDA to communicate drug interaction information to healthcare practitioners. Effective communication of drug interaction information informs the optimal use of the drug and the healthcare practitioner's clinical decision-making (*e.g.,* prescribing decisions or management instructions).

The purpose of this guidance is to provide recommendations on what information to include in, and how to present and organize the information within, the DRUG INTERACTIONS section of prescription drug labeling to enhance communication of clinically significant drug interactions and facilitate the safe and effective use of prescription drugs by healthcare practitioners. This guidance also provides illustrative examples of the content and format of drug interaction information in prescription drug labeling.

In addition, the guidance includes an FDA website (*https://www.fda.gov/CYPandTransporterInteractingDrugs*) as one resource that health care practitioners can use to view examples of clinical substrates, inhibitors, and inducers of Cytochrome P–450 (CYP) enzymes and substrates and inhibitors of transporters. FDA is seeking input regarding the utility of this website as a resource that health care practitioners can reference to find examples of clinical substrates, inhibitors, and inducers of CYP enzymes and substrates and inhibitors of transporters. FDA is also seeking input on ways to describe drug interactions in labeling, specifically when drugs have numerous, clinically relevant drug interactions (*e.g.,* azole antimycotics) that require listing many interactions. In addition, FDA is seeking input on ways to describe complex drug-interaction scenarios, including but not limited to:

- Concurrent inhibition of an enzyme and a transporter by a drug;
- Concurrent inhibition and induction of a drug's metabolic pathway by one or more enzymes;
- Increased inhibition of drug elimination by use of inhibitors of more than one enzyme that metabolizes the drug;
- Inhibition of an enzyme other than the genetic polymorphic enzyme in poor metabolizers taking a substrate metabolized by both enzymes;
- Effect of enzyme/transporter inhibitors in subjects with organ impairment; and
- Two drugs acting as both precipitant and object of a drug interaction.

The draft guidance, when finalized, will represent the current thinking of FDA on ''Drug Interaction Information in Human Prescription Drug and Biological Product Labeling.'' It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations.

II. Paperwork Reduction Act of 1995

While this guidance contains no collection of information, it does refer to previously approved FDA collections of information. The previously approved collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3521). The collections of information in 21 CFR parts 314 and 601 are approved under OMB control numbers 0910–0001 and 0910–0338, respectively. The collections of information in 21 CFR parts 201.56 and 201.57 have been approved under OMB control number 0910–0572.

III. Electronic Access

Persons with access to the internet may obtain the draft guidance at *https://www.regulations.gov, https://www.fda.gov/drugs/guidance-compliance-regulatory-information/guidances-drugs, https://www.fda.gov/vaccines-blood-biologics/guidance-compliance-regulatory-information-biologics/biologics-guidances,* or *https://www.fda.gov/regulatory-information/search-fda-guidance-documents.*

Dated: October 16, 2024.

Eric Flamm,

Acting Associate Commissioner for Policy.

[FR Doc. 2024–24442 Filed 10–21–24; 8:45 am]

BILLING CODE 4164–01–P

[1] 21 CFR 201.56(a) and (d) and 201.57(c)(8). This guidance applies to drugs, including biological products that are regulated as drugs. For the purpose of this guidance, ''drug product'' or ''drug'' will be used to refer to human prescription drug and biological products that are regulated as drugs.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Notice of Request for Public Comments on Draft Recommendations for the HRSA-Supported Women's Preventive Services Guidelines Relating to Screening and Counseling for Intimate Partner and Domestic Violence, Breast Cancer Screening for Women at Average Risk, and Patient Navigation for Breast and Cervical Cancer Screening

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: This notice seeks comment on draft recommendations for the HRSA-supported Women's Preventive Services Guidelines (''Guidelines'') relating to Screening and Counseling for Intimate Partner and Domestic Violence, Breast Cancer Screening for Women at Average Risk, and Patient Navigation for Breast and Cervical Cancer Screening. These draft recommendations have been developed by the Women's Preventive Services Initiative (WPSI), through which clinicians, academics, and expert health professionals develop draft recommendations for HRSA's consideration. Under applicable law, non-grandfathered group health plans and health insurance issuers must include coverage, without cost sharing, for certain preventive services, including those provided for in the HRSA-supported Guidelines. The Departments of Labor, HHS, and Treasury have issued regulations and policy guidance which describe how group health plans and health insurance issuers apply the coverage requirements.

DATES: Members of the public are invited to provide written comments no later than November 21, 2024. All comments received on or before this date will be reviewed and considered by WPSI and provided for further consideration by HRSA in determining the recommended updates that it will support.

ADDRESSES: Members of the public who wish to provide comments can do so by accessing the public comment web page at *https://www.womenspreventivehealth.org/.*

FOR FURTHER INFORMATION CONTACT: Kimberly Sherman, HRSA, Maternal and Child Health Bureau, telephone (301) 443–8283, email: *wellwomancare@hrsa.gov.*

SUPPLEMENTARY INFORMATION: Under section 1001(5) of the Patient Protection and Affordable Care Act, Public Law 111–148, which added section 2713 to the Public Health Service Act, 42 U.S.C. 300gg–13, the preventive care and screenings set forth in the HRSA-Supported Women's Preventive Services Guidelines are required to be covered without cost-sharing by certain group health plans and health insurance issuers. HRSA established the Guidelines in 2011 based on expert recommendations by the Institute of Medicine, now known as the National Academy of Medicine.

Since 2016, HRSA has funded cooperative agreements to support WPSI to convene clinicians, academics, and consumer-focused health professional organizations to conduct a rigorous review of current scientific evidence, solicit and consider public input, and make recommendations to HRSA regarding updates to the Guidelines to improve women's health across the lifespan. HRSA determines whether to support, in whole or in part, the recommended updates to the Guidelines. WPSI consists of an Advisory Panel and two expert committees, the Multidisciplinary Steering Committee and the Dissemination and Implementation Steering Committee, which are comprised of a broad coalition of organizational representatives who are experts in disease prevention and women's health issues. With oversight by the Advisory Panel, and with input from the Multidisciplinary Steering Committee, WPSI examines the evidence to develop new (and update existing) recommendations for women's preventive services. WPSI's Dissemination and Implementation Steering Committee takes HRSA-approved recommendations and disseminates them through the development of implementation tools and resources for both patients and practitioners.

WPSI bases its recommended updates to the Guidelines on review and synthesis of existing clinical guidelines and new scientific evidence, following the National Academy of Medicine standards for establishing foundations for and rating strengths of recommendations, articulation of recommendations, and external reviews. Additionally, HRSA requires that WPSI incorporate processes to assure opportunity for public comment, including participation by patients and consumers, in the development of its recommendations to update the Guidelines. This notice seeks comment on three Guidelines:

(1) Screening and Counseling for Intimate Partner and Domestic Violence

WPSI recommends updating the existing Guideline for Screening and Counseling for Interpersonal and Domestic Violence. The current Guideline for Screening and Counseling for Interpersonal and Domestic Violence is: ''WPSI recommends screening adolescents and women for interpersonal and domestic violence, at least annually, and, when needed, providing, or referring for initial intervention services. Interpersonal and domestic violence includes physical violence, sexual violence, stalking and psychological aggression (including coercion), reproductive coercion, neglect, and the threat of violence, abuse, or both. Intervention services include, but are not limited to, counseling, education, harm reduction strategies, and referral to appropriate supportive services.''

The proposed updated Guideline for Screening and Counseling for Intimate Partner and Domestic Violence is: ''The Women's Preventive Services Initiative recommends screening adolescent and adult women for intimate partner and domestic violence, at least annually, and, when needed, providing or referring to intervention services. Intimate partner and domestic violence includes physical violence, sexual violence, stalking and psychological aggression (including coercion), reproductive coercion, neglect, and the threat of violence, abuse, or both. Intervention services include, but are not limited to, counseling, education, harm reduction strategies, and referral to appropriate supportive services.''

Background

WPSI recommends several updates to the language of this Guideline. The first change is a revision to the title of the Guideline from ''Interpersonal and Domestic Violence'' to ''Intimate Partner and Domestic Violence.'' This change to the title was made to be consistent with language generally used in the clinical setting and the more commonly used term of ''intimate partner violence'' in the medical field. Corresponding revisions to change references from ''interpersonal'' to ''intimate partner'' have been made throughout the text of the recommendation. WPSI also recommends adding the word ''adult'' prior to ''women'' in the recommendation, to clarify that both adolescent and adult women are included in the screening and counseling guidance. The words ''referral to'' were removed from the last sentence to assist with clarity on the meaning of ''intervention services.'' Comments are sought on these proposed updates.

(2) Breast Cancer Screening for Women at Average Risk

WPSI is recommending updating the existing Guideline for Breast Cancer Screening for Average-Risk Women. The current guideline for Breast Cancer Screening for Average-Risk Women is: ''WPSI recommends that average-risk women initiate mammography screening no earlier than age 40 and no later than age 50. Screening mammography should occur at least biennially and as frequently as annually. Screening should continue through at least age 74 and age alone should not be the basis to discontinue screening.

These screening recommendations are for women at average risk of breast cancer. Women at increased risk should also undergo periodic mammography screening, however, recommendations for additional services are beyond the scope of this recommendation.''

The proposed updated Guideline for Breast Cancer Screening for Women at Average Risk is: ''The Women's Preventive Services Initiative recommends that women at average-risk of breast cancer initiate mammography screening no earlier than age 40 and no later than age 50. Screening mammography should occur at least biennially and as frequently as annually. Women may require additional imaging to complete the screening process or to address findings on the initial screening mammography. If additional imaging (*e.g.,* MRI, ultrasound, mammography) and pathology exams are indicated, those services are also recommended to complete the screening process for malignancies. Screening should continue through at least age 74 and age alone should not be the basis to discontinue screening.

''Women at increased risk should also undergo periodic mammography screening, however, recommendations for additional services are beyond the scope of this recommendation.''

Background

WPSI recommends several updates to the language of this Guideline. The first change is a revision to the title from ''Breast Cancer Screening for Average-Risk Women'' to ''Breast Cancer Screening for Women at Average Risk.'' This change to the title was made to be consistent with changes recommended for the first sentence of this Guideline and to use person-first language that puts the individual before the diagnosis or screening modality. WPSI recommends updates to the first sentence of this Guideline, replacing the phrase ''average-risk women'' with ''women at average-risk for breast cancer'' to clarify that the target population for this recommendation is specific to breast cancer.

Two new sentences were added to follow the first sentence: ''Women may require additional imaging to complete the screening process or to address findings on the initial screening mammography. If additional imaging (*e.g.,* MRI, ultrasound, mammography) and pathology exams are indicated, those services are also recommended to complete the screening process for malignancies.'' These modifications address the circumstances where initial mammography screening for women at average risk for breast cancer is incomplete or additional action is necessary to fully complete breast cancer screening for the individual. Specifically, these two sentences were added to ensure completed screening for women who were initially screened for breast cancer and need additional screening tests. Imaging in addition to initial screening mammography, such as special mammography views, ultrasound, or MRI, may be needed in individual clinical situations when clinicians require an enhanced view of breast tissue to differentiate normal from abnormal findings. A tissue biopsy may also need to be performed to determine whether abnormal findings are cancer, normal tissue, or other type of lesion. In an analysis of 405,191 women in the Breast Cancer Surveillance Consortium breast imaging registry who underwent digital mammography, 40,557 (10 percent) were recommended for additional imaging, and 6,628 (1.6 percent) were recommended for biopsy.[1]

WPSI also has recommended removing the following sentence from the existing Guideline, ''These screening recommendations are for women at average risk of breast cancer'' as this information is now included in the revised first sentence of the updated Guideline. Comments are sought on these proposed updates.

(3) Patient Navigation for Breast and Cervical Cancer Screening

WPSI is proposing a new Guideline for Patient Navigation for Breast and Cervical Cancer Screening, as follows: ''The Women's Preventive Services Initiative (WPSI) recommends patient navigation services for breast and cervical cancer screening and follow-up, as relevant, to increase utilization of screening recommendations based on an assessment of the patient's need for navigation services. Patient navigation services involve person-to-person (*e.g.,* in-person, virtual, hybrid models) contact with the patient. Components of patient navigation services should be individualized.

Services include, but are not limited to, person-centered assessment and planning, health care access and health system navigation, referrals to appropriate support services (*e.g.,* language translation, transportation, and social services), and patient education.''

Background

WPSI has submitted a new draft clinical recommendation on Patient Navigation for Breast and Cervical Cancer Screening for review, comment, and consideration. Recent clinical research has found consistent effectiveness of patient navigation services for breast and cervical cancer screening in reducing barriers to screening and follow-up care, resulting in higher screening rates. Breast cancer screening rates were 14.1% higher for 35,752 patients randomized to patient navigation services versus usual care or active controls in a WPSI meta-analysis of 33 randomized control trials based in U.S. health care settings. The same meta-analysis showed rates for cervical cancer screening and follow-up were higher with patient navigation by 15.7%, based on 22 randomized control trials with 12,221 participants.

Research suggests that patient navigation is effective across a wide range of health care settings and provider types. In one study included in WPSI's meta-analysis, prevention care managers working in federally qualified health centers (FQHCs) who employed patient navigation services increased breast cancer screening among patients without a mammogram in the past 18 months to 68% compared to 57% for patients in usual care.[2] Another study included in the meta-analysis analyzed rural Latinas who had not previously undergone recommended screening. The study found that enhanced education efforts increased cervical cancer screening to 53.4% as compared to 34% in usual care without these navigation services.[3]

Research also shows that reducing barriers to screening and follow-up care can result in earlier identification of breast and cervical cancer, enabling patients to enter into treatment earlier, preventing progression of these conditions, improving health outcomes and survival rates, and ultimately can reduce disparities in cancer morbidity and mortality. In the meta-analysis, patient navigation services increased screening and follow-up for breast cancer by 10.2% in populations described as low-income. Based on this

[1] Nelson HD, O'Meara ES, Kerlikowske K, Balch S, Miglioretti D. Factors Associated With Rates of False-Positive and False-Negative Results From Digital Mammography Screening: An Analysis of Registry Data. Ann Intern Med. 2016 Feb 16;164(4):226–35. doi: 10.7326/M15–0971. Epub 2016 Jan 12. PMID: 26756902; PMCID: PMC5091936.

[2] Beach ML, Flood AB, Robinson CM, et al. Can language-concordant prevention care managers improve cancer screening rates? Cancer Epidemiol Biomarkers Prev. 2007;16(10):2058–64. doi: 10.1158/1055–9965.EPI–07–0373. PMID: 17932353.

[3] Thompson B, Carosso EA, Jhingan E, et al. Results of a randomized controlled trial to increase cervical cancer screening among rural Latinas. Cancer. 2017;123(4):666–74. doi: 10.1002/cncr.30399. PMID: 27787893.

clinical evidence that supports the preventive benefits of patient navigation services for breast and cervical cancer screening, WPSI recommends adding these patient navigation services to the Guidelines. Comments are sought on this proposed Guideline.

Members of the public can view the complete updated and new draft clinical recommendations, as well as the implementation considerations and research recommendations (which are not part of the Guidelines), by accessing WPSI's web page at *https://www.womenspreventivehealth.org/.*

Carole Johnson,

Administrator.

[FR Doc. 2024–24445 Filed 10–21–24; 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 Training and Primary Care Medicine and Dentistry

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 Training in Primary Care Medicine and Dentistry (ACTPCMD or Committee) will hold one additional public meeting in the 2024 calendar year. Information about ACTPCMD, agendas, and materials for these meetings can be found on the ACTPCMD website at *https://www.hrsa.gov/advisory-committees/primarycare-dentist/meetings.* This notice is consistent with the information about ACTPCMD's calendar year 2024 meetings found in the **Federal Register** notice dated May 15, 2024, Meeting of the Advisory Committee on Training and Primary Care Medicine and Dentistry.

DATES: The ACTPCMD meeting will be held on:

- November 15, 2024, 10:00 a.m.–5:00 p.m. Eastern Time.

ADDRESSES: This meeting will be held by teleconference and/or a video conference platform. For updates on how the meeting will be held, visit the ACTPCMD website 20 days before the date of the meeting, where instructions for joining the meeting will be posted. For meeting information updates, go to the ACTPCMD website meeting page at *https://www.hrsa.gov/advisory-committees/primarycare-dentist/meetings.*

FOR FURTHER INFORMATION CONTACT: Shane Rogers, Designated Federal Officer, Division of Medicine and Dentistry, Bureau of Health Workforce, HRSA, 5600 Fishers Lane, Room 15N102, Rockville, Maryland 20857; 301–443–5260; or *SRogers@hrsa.gov.*

SUPPLEMENTARY INFORMATION: ACTPCMD provides advice and recommendations to the Secretary of Health and Human Services on policy, program development, and other matters of significance concerning the activities under Section 747 of Title VII of the Public Health Service (PHS) Act, as it existed upon the enactment of Section 749 of the PHS Act in 1998. ACTPCMD prepares an annual report describing the activities of the committee, including findings and recommendations made by the committee concerning the activities under Section 747, as well as training programs in oral health and dentistry. The annual report is submitted to the Secretary of Health and Human Services as well as the Chair and ranking members of the Senate Committee on Health, Education, Labor and Pensions and the House of Representatives Committee on Energy and Commerce. ACTPCMD also develops, publishes, and implements performance measures and guidelines for longitudinal evaluations of programs authorized under Title VII, Part C of the PHS Act, and recommends appropriation levels for programs under this Part.

Since priorities dictate meeting times, be advised that start times, end times, and agenda items are subject to change. For the November 15th meeting, agenda items may include, but are not limited to, discussion of recommendations for the committee's 23rd report, as well as exploratory topic discussions for the committee's 24th report. Refer to the ACTPCMD website listed above for all current and updated information concerning the November 15th ACTPCMD meeting, including the agenda and meeting materials that will be posted 20 calendar days before the meeting.

Members of the public will have the opportunity to provide comments. Public participants may submit written statements in advance of the scheduled meeting. 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 the ACTPCMD should be sent to Shane Rogers using the contact information above at least 5 business days before the meeting date.

Individuals who need special assistance or another reasonable accommodation should notify Shane Rogers using the contact information listed above at least 10 business days before the meeting they wish to attend.

Maria G. Button,

Director, Executive Secretariat.

[FR Doc. 2024–24328 Filed 10–21–24; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Agency Information Collection Activities: Submission to OMB for Review and Approval; Public Comment Request; Black Lung Clinics Program Performance Measures

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, HRSA submitted an Information Collection Request (ICR) to the Office of Management and Budget (OMB) for review and approval. Comments submitted during the first public review of this ICR will be provided to OMB. OMB will accept further comments from the public during the review and approval period. OMB may act on HRSA's ICR only after the 30-day comment period for this notice has closed.

DATES: Comments on this ICR should be received no later than November 21, 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.* Find this particular information collection by selecting ''Currently under Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: To request a copy of the clearance requests submitted to OMB for review, email Joella Roland, the HRSA Information Collection Clearance Officer, at *paperwork@hrsa.gov* or call (301) 443–3983.

SUPPLEMENTARY INFORMATION:

Information Collection Request Title: Black Lung Clinics Program Performance Measures, OMB No. 0915–0292—Revision.

Abstract: The Black Lung Clinics Program (BLCP) is authorized under Sec. 427(a) of the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 937(a)) and accompanying regulations (42 CFR part 55a). The purpose of the BLCP is to reduce the morbidity and mortality associated with occupationally related coal mine dust lung disease through the screening, diagnosis, and treatment of active, inactive, retired, and/or disabled coal miners. HRSA currently collects information about BLCP awards using an OMB-approved set of performance measures and seeks to extend the approved collection. There are no proposed changes to the performance measures; however, there is a 45-hour decrease in estimated burden hours due to the streamlining of the data collection process, allowing awardees/respondents to be more efficient in collecting and submitting the data for this information collection. Collecting this data provides HRSA with information on how well each awardee is meeting the needs of these miners in their communities.

A 60-day notice was published in the **Federal Register** on June 21, 2024, vol. 89, No. 120; pp. 52065. There were no public comments.

Need and Proposed Use of the Information: Data from the annual report provides quantitative information about the clinics, specifically: (1) the characteristics of the patients they serve (gender, age, disability level, occupation type); (2) the characteristics of services provided (medical encounters, non-medical encounters, benefits counseling, and outreach); and (3) the number of patients served. These programmatic performance measures enable HRSA to provide data required by Congress under the Government Performance and Results Act of 1993. It also ensures that funds are effectively used to provide services that meet the target population's needs. HRSA does not plan to make any changes to the performance measures at this time. The estimated average burden per response has decreased because the data collection process has been streamlined and enabled awardees/respondents to be more efficient in collecting and submitting the data for this information collection.

Likely Respondents: Respondents will be BLCP award recipients.

Burden Statement: Burden in this context means the time expended by persons to generate, maintain, retain, disclose, or provide the information requested. This includes the time needed to review instructions; to develop, acquire, install, and utilize technology and systems for the purpose of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information; to search data sources; to complete and review the collection of information; and to transmit or otherwise disclose the information. The total annual burden hours estimated for this ICR are summarized in the following table:

TOTAL ESTIMATED ANNUALIZED BURDEN HOURS

Form name	Number of respondents	Number of responses per respondent	Total responses	Average burden per response (in hours)	Total burden hours
Black Lung Clinics Program Measures	15	1	15	7	105
Total	15		15		105

Maria G. Button,

Director, Executive Secretariat.

[FR Doc. 2024–24392 Filed 10–21–24; 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 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; P01 Review.

Date: November 12, 2024.

Time: 9:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852.

Meeting Format: Virtual Meeting.

Contact Person: Li Jia, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Activities, NINDS/NIH/DHHS NSC, 6001 Executive Boulevard, Rockville, MD 20852, 301–451–2854, *li.jia@nih.gov.*

Name of Committee: National Institute of Neurological Disorders and Stroke Special Emphasis Panel; Clinical Trials in Neurology.

Date: November 13–14, 2024.

Time: 9:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852.

Meeting Format: Virtual Meeting.

Contact Person: Ana Olariu, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Activities, NINDS/NIH/DHHS, NSC, 6001 Executive Boulevard, Rockville, MD 20852, 301–496–9223, *Ana.Olariu@nih.gov.*

Name of Committee: National Institute of Neurological Disorders and Stroke Special Emphasis Panel; Clinical Trials and Biomarker Studies in Stroke (StrokeNet).

Date: November 14, 2024.

Time: 10:00 a.m. to 1:00 p.m.

Agenda: To review and evaluate cooperative agreement applications.

Address: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852.

Meeting Format: Virtual Meeting.

Contact Person: Nilkantha Sen, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Activities, NINDS/NIH/DHHS NSC, 6001 Executive Boulevard, Rockville, MD 20852, 301–496–9223, *nilkantha.sen@nih.gov.*

Name of Committee: National Institute of Neurological Disorders and Stroke Special Emphasis Panel; IGNITE and Biomarker SEP.

Date: November 14, 2024.

Time: 10:00 a.m. to 2:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852.

Meeting Format: 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, Rockville, MD 20852 301–496–9223 *surojeet.sengupta@nih.gov.*

Name of Committee: National Institute of Neurological Disorders and Stroke Special Emphasis Panel; Tools and Resources To Understand in vivo Neuroimaging Findings in ARIA (U24).

Date: November 15, 2024.

Time: 10:30 a.m. to 3:30 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852.

Meeting Format: Virtual Meeting.

Contact Person: Mir Ahamed Hossain, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Activities, NINDS/NIH/DHHS NSC, 6001 Executive Boulevard, Rockville, MD 20852, 301–496–9223, *mirahamed.hossain@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: October 16, 2024.

David W. Freeman,

Supervisory Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2024–24324 Filed 10–21–24; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Amended Notice of Meeting; National Institute of Environmental Health Sciences

Notice is hereby given of a change in the meeting of the National Institute of Environmental Health Sciences Special Emphasis Panel, October 22, 2024, 10 a.m. to October 23, 2024, 2 p.m., NIEHS, Keystone, 530 Davis Drive, Durham, NC 27709 which was published in the **Federal Register** on August 26, 2024, 89 FR 68451.

This notice is being amended due to a change in the meeting date. Dr. Leroy Worth's October 22–23, 2024 meeting is being rescheduled to December 3–4, 2024. The time and location will remain the same. This meeting is closed to the public.

Dated: October 17, 2024.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2024–24452 Filed 10–21–24; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Submission for OMB Review; 30-Day Comment Request; National Institutes of Health—Fellow Forms

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the National Institutes of Health (NIH) has submitted to the Office of Management and Budget (OMB) a request for review and approval of the information collection listed below.

DATES: Comments regarding this information collection are best assured of having their full effect if received within 30 days of the date of this publication.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the data collection plans and instruments, contact: Dr. Patricia Wagner, Program Analyst, Office of Intramural Research (OIR), Office of the Director (OD), National Institutes of Health (NIH); 2 Center Drive: Building 2/Room 2E06; Bethesda, Maryland 20892 or call non-toll-free number 240–476–3619 or email your request, including your address to: *wagnerpa@od.nih.gov.*

SUPPLEMENTARY INFORMATION: This proposed information collection was previously published in the **Federal Register** on July 30, 2024, page 61130 (89 FR 61130) and allowed 60 days for public comment. One public comment was received. The purpose of this notice is to allow an additional 30 days for public comment. The Office of the Director, National Institutes of Health, may not conduct or sponsor, and the respondent is not required to respond to, an information collection that has been extended, revised, or implemented on or after October 1, 1995, unless it displays a currently valid Office of Management and Budget (OMB) control number.

In compliance with Section 3507(a)(1)(D) of the Paperwork Reduction Act of 1995, the National Institutes of Health (NIH) has submitted to the Office of Management and Budget (OMB) a request for review and approval of the information collection listed below.

Proposed Collection: National Institutes of Health (NIH)—Fellow Forms, 0925-New—expiration date, Office of Intramural Research (OIR), Office of the Director (OD), National Institutes of Health (NIH).

Need and Use of Information Collection: The NIH Intramural Research Program (NIH IRP) administers a variety of programs, initiatives, and activities to train future biomedical scientists. Fellows participating in the NIH IRP are provided financial assistance through one of the following appointment mechanisms: Intramural Research Training Award (IRTA), Cancer Research Training Award (CRTA), and Visiting Fellow (VF). Recently, NIH IRP fellows voted to form a union. To comply with federal regulations governing engagement with a union, the NIH IRP created a series of collection forms.

OMB approval is requested for 3 years. There are no costs to respondents other than their time. The total estimated annualized burden hours are 135.

ESTIMATED ANNUALIZED BURDEN HOURS

Form name	Type of respondent	Number of respondents	Number of responses per respondent	Average burden per response (in hours)	Total annual burden hour
Dues Deduction Request	NIH Trainees	600	1	3/60	30
Dues Deduction Cancellation	NIH Trainees	600	1	3/60	30
Grievance Report	NIH Trainees	300	1	15/60	75
Total	n/a	1,500	1,500	n/a	135

Dated: October 15, 2024.

Lawrence A. Tabak,

Principal Deputy Director, National Institutes of Health.

[FR Doc. 2024–24337 Filed 10–21–24; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Cancer Institute; Amended Notice of Meeting

Notice is hereby given of a change in the meeting of the Frederick National Laboratory Advisory Council, October 23, 2024, 9:00 a.m. to October 23, 2024, 5:00 p.m., National Institutes of Health, 9606 Medical Center Drive, Rockville, MD, 20850 (Virtual Meeting), which was published in the **Federal Register** on October 1, 2024, FR Doc. 2024–22438, 89 FR 79937.

This notice is being amended to change the meeting start and end times. The meeting will now be held from 12:00 p.m. to 4:30 p.m. instead of from 9:00 a.m. to 5:00 p.m. The meeting is open to the public.

Dated: October 16, 2024.

David W. Freeman,

Supervisory Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2024–24325 Filed 10–21–24; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2024–0884]

Great Lakes Pilotage Advisory Committee; Vacancies

AGENCY: Coast Guard, Department of Homeland Security.

ACTION: Notice; request for applications.

SUMMARY: The U.S. Coast Guard is accepting applications to fill two vacancies on the Great Lakes Pilotage Advisory Committee (Committee). The Great Lakes Pilotage Advisory Committee provides advice and makes recommendations to the Secretary of Homeland Security via the Commandant of the U.S. Coast Guard on matters relating to Great Lakes pilotage, including review of proposed Great Lakes pilotage regulations and policies.

DATES: Complete applications must reach the U.S. Coast Guard on or before December 23, 2024.

ADDRESSES: Applications must include (a) a cover letter expressing a letter of support from the nominating group, a cover letter expressing the nominees' interest in an appointment to the Committee and detailing their qualifications to serve as a representative of the groups and/or viewpoints identified in the two open positions, (b) a resume detailing the applicant's relevant experience for the position applied for, and (c) a brief 2–3 paragraph biography written in third person perspective. Applications should be submitted via email with the subject line ''Application for GLPAC'' to Mr. Francis Levesque at *francis.r.levesque@uscg.mil.*

FOR FURTHER INFORMATION CONTACT: Mr. Frank Levesque, Alternate Designated Federal Officer of the Great Lakes Pilotage Advisory Committee; telephone 571–308–4941 or email at *francis.r.levesque@uscg.mil.*

SUPPLEMENTARY INFORMATION: The Great Lakes Pilotage Advisory Committee is a Federal advisory committee. The Great Lakes Pilotage Advisory Committee operates under the authority of 46 U.S.C. 9307 and makes recommendations to the Secretary and the U.S. Coast Guard on matters relating to the Great Lakes. The Committee operates under the provisions of the *Federal Advisory Committee Act* (Pub. L. 117–286, 5 U.S.C. ch. 10).

Meetings of the Great Lakes Pilotage Advisory Committee will be held with the approval of the Designated Federal Officer. The Committee is required to meet at least once per year. Additional meetings may be held at the request of a majority of the Committee or at the discretion of the Designated Federal Officer.

For these vacancies, member serves a term of office of up to 4 years. Members may serve a maximum of six consecutive years. All members serve at their own expense and receive no salary or other compensation from the Federal Government. The only compensation the members may receive is for travel expenses, including per diem in lieu of subsistence, and actual reasonable expenses incurred in the performance of their direct duties for the Committee in accordance with Federal Travel Regulations.

We will consider nominations for the following positions:

1. One member chosen from among nominations made by vessel operators that contract for Great Lakes Pilotage Services;

2. One member chosen from among nominations made by shippers whose cargoes are transported through Great Lakes ports.

To be eligible, applicants who are nominated should have particular expertise, knowledge, and experience regarding the regulations and policies on the pilotage vessels on the Great Lakes, and at least five years of practical experience in maritime operations.

The members who fill the two positions described above will be appointed to represent the interest of their respective groups and viewpoints and are not Special Government Employees as defined in 18 U.S.C. 202(a). As representatives, the members are expected to represent and speak on behalf of interests, views, or biases of a recognizable group of persons or class of stakeholders.

If you are appointed as a member of the Committee, you will be required to sign a Non-Disclosure Agreement and a Gratuitous Service Agreement.

In order for the Department to fully leverage broad-ranging experience and education, the Great Lakes Pilotage Advisory Committee must be diverse with regard to the stakeholders represented. The Department is committed to pursuing opportunities, consistent with applicable law, to

compose a committee that reflects the diversity of the Nation's people.

If you are interested in applying to become a member of the Committee, email your application to *francis.r.levesque@uscg.mil* as provided in the **ADDRESSES** section of this notice.

The U.S. Coast Guard will not consider incomplete or late applications.

Privacy Act Statement

Purpose: To obtain qualified applicants to fill two vacancies on the Great Lakes Pilotage Advisory Committee. When you apply for appointment to the DHS' Great Lakes Pilotage Advisory Committee, DHS collects your name, contact information, and any other personal information that you submit in conjunction with your application. DHS will use this information to evaluate your candidacy for Committee membership. If you are chosen to serve as a Committee member, your name will appear in publicly available Committee documents, membership lists, and Committee reports.

Authorities: 14 U.S.C. 504; 46 U.S.C. 9307; 18 U.S.C. 202(a), and Department of Homeland Security Delegation No. 00915.

Routine Uses: Authorized U.S. Coast Guard personnel will use this information to consider and obtain qualified candidates to serve on the Committee. Any external disclosures of information within this record will be made in accordance with DHS/ALL–009, Department of Homeland Security Advisory Committee (73 FR 57642, October 3, 2008).

Consequences of Failure to Provide Information: Furnishing this information is voluntary. However, failure to furnish the requested information may result in your application not being considered for the Committee.

Dated: October 17, 2024.

Michael D. Emerson,

Director, Marine Transportation Systems, U.S. Coast Guard Headquarters.

[FR Doc. 2024–24431 Filed 10–21–24; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

[OMB Control Number 1651–0NEW]

Agency Information Collection Activities; New Collection of Information; Russian Diamonds and Seafood E.O. 14114

AGENCY: U.S. Customs and Border Protection (CBP), Department of Homeland Security.

ACTION: 60-Day notice and request for comments.

SUMMARY: The Department of Homeland Security, U.S. Customs and Border Protection (CBP) will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). The information collection is published in the **Federal Register** to obtain comments from the public and affected agencies.

DATES: Comments are encouraged and must be submitted no later than December 23, 2024 to be assured of consideration.

ADDRESSES: Written comments and/or suggestions regarding the item(s) contained in this notice must include the OMB Control Number 1651–0NEW in the subject line and the agency name. Please submit written comments and/or suggestions in English. Please use the following method to submit comments:

Email. Submit comments to: *CBP_PRA@cbp.dhs.gov.*

FOR FURTHER INFORMATION CONTACT: Requests for additional PRA information should be directed to Seth Renkema, Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection, Office of Trade, Regulations and Rulings, 90 K Street NE, 10th Floor, Washington, DC 20229–1177, Telephone number 202–325–0056 or via email *CBP_PRA@cbp.dhs.gov.* Please note that the contact information provided here is solely for questions regarding this notice. Individuals seeking information about other CBP programs should contact the CBP National Customer Service Center at 877–227–5511, (TTY) 1–800–877–8339, or CBP website at *https://www.cbp.gov/.*

SUPPLEMENTARY INFORMATION: CBP invites the general public and other Federal agencies to comment on the proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). This process is conducted in accordance with 5 CFR 1320.8. Written comments and suggestions from the public and affected agencies should address one or more of the following four points: (1) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) suggestions to enhance the quality, utility, and clarity of the information to be collected; and (4) suggestions 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, *e.g.,* permitting electronic submission of responses. The comments that are submitted will be summarized and included in the request for approval. All comments will become a matter of public record.

Overview of This Information Collection

Title: Russian Diamonds and Seafood E.O. 14114.

OMB Number: 1651–0NEW.

Form Number: 3461, 7501, and other entry related forms.

Current Actions: New Collection of Information.

Type of Review: New Collection of Information.

Affected Public: Businesses.

Abstract: On December 22, 2023, President Biden issued Executive Order (E.O.) 14114, amending section 1 of E.O. 14068, issued April 15, 2021, to create subsections (a)(i)(A)–(D). Section 1(d) states,'' ''The Secretary of Homeland Security, with the concurrence of the Secretary of the Treasury, shall prescribe rules and regulations to collect, including through an authorized electronic data interchange system as appropriate, any documentation or information as may be necessary to enforce subsections (a)(i)(B)–(D) and (c) of this section as expeditiously as possible.'' [1]

On December 22, 2023, the Department of Treasury's Office of Foreign Assets Control (OFAC) issued a determination defining the scope of E.O. 14114 as it relates to Russian Seafood.

[1] *https://www.federalregister.gov/documents/2023/12/26/2023-28662/taking-additional-steps-with-respect-to-the-russian-federations-harmful-activities.*

This determination authorized CBP's collection of additional data elements required to enforce the E.O.[2]

The E.O. prohibits the importation and entry into the United States, including importation for admission into a U.S. foreign trade zone, of salmon, cod, pollock, or crab that was produced wholly or in part in the Russian Federation or harvested in waters under the jurisdiction of the Russian Federation or by Russia-flagged vessels, even if such salmon, cod, pollock, or crab has been incorporated or substantially transformed into another product outside of the Russian Federation.

On February 8, 2024, OFAC issued two determinations ''Prohibitions Related to Imports of Certain Categories of Diamonds'' pursuant to E.O. 14068 and ''Prohibitions Related to Imports of Diamond Jewelry and Unsorted Diamonds of Russian Federation Origin and Diamond Jewelry and Unsorted Diamonds Exported From the Russian Federation'' pursuant to E.O. 14068, defining the scope of E.O. 14114 as it relates to Russian Diamonds and Diamond Jewelry. The determinations took effect on March 1, 2024, and September 1, 2024.

The E.O. prohibits importation of these products if they were mined, extracted, produced, or manufactured wholly or in part in the Russian Federation regardless of whether such products have been incorporated or substantially transformed into another product with a country of origin that is not the Russian Federation.

The E.O. authorizes CBP's collection of additional data elements to enforce the E.O.[3]

CBP determined the following data elements are:

(1) Seafood:

a. Country of Harvest—of the product, including the country of harvest of any ingredient or component that was incorporated or substantially transformed into the final product.

b. Vessel Name—that harvested the product, including the name of the vessel that harvested any ingredient or component that was incorporated or substantially transformed into the final product. [Conditional on method of harvest being vessel]

c. Vessel Flag—country flag the vessel is registered in. [Conditional on method of harvest being vessel]

d. Vessel International Maritime Organization (IMO) number—The unique seven-digit vessel number issued to each vessel. [Conditional on method of harvest being vessel]

e. Self-Certification Statement—The document the importer providers verifying the imported goods do not contain Russian inputs. The certification for seafood must contain the following language on official importer letterhead and signed by a representative of the importer:

- Certification Statement—''I certify that any fish, seafood, or preparations thereof in this shipment were not harvested in waters under the jurisdiction of the Russian Federation or by Russia-flagged vessels, notwithstanding whether such product has been incorporated or substantially transformed into another product outside of the Russian Federation.''

f. Method of Harvest—Manner in which the product was gathered. This can include vessel, harvest capture fisheries, hatchery-based aquaculture, and small vessel harvest.

(2) Diamonds and Diamond Jewelry

A. Country of Mining—Where the diamonds were mined, extracted, produced, or manufactured wholly or in part.

B. Self-Certification Statement—The document the importer providers verifying the imported goods do not contain Russian inputs. The certification for diamonds must contain the following language on official importer letterhead and signed by a representative of the importer:

- (1) *Certification Statement: For non-industrial diamonds:* I certify that the non-industrial diamonds in this shipment were not mined, extracted, produced, or manufactured wholly or in part in the Russian Federation, or exported from the Russian Federation, notwithstanding whether such products have been substantially transformed into other products outside of the Russian Federation.
- (2) *Certification Statement: For diamond jewelry and unsorted diamonds:* I certify that the diamond jewelry and unsorted diamonds in this shipment were not mined, extracted, produced, or manufactured wholly or in part in the Russian Federation, or exported from the Russian Federation, notwithstanding whether such products have been substantially transformed into other products outside of the Russian Federation.

For the purposes of E.O. 14068, as amended by E.O. 14114, the Office of Foreign Assets Control published regulations defining the HTS numbers that require the self-certification statement in FAQ 1027 on February 23, 2024.

These new data elements will be added to the CBP Form 7501 Entry Summary and CBP Form, 3461 Entry/Immediate Delivery and CBP Form 3461 ALT for submission to ACE Cargo Release, and other relevant entry forms. The declaration of origin components, including the ability to report the breakdown of Russian or non-Russian jewelry, is done on a line level in the entry forms.

All items imported into the United States are subject to examination before entering the commerce of the United States. There are two procedures available to enable the release of imported merchandise, including ''entry'' pursuant to 19 U.S.C. 1484, and ''immediate delivery'' pursuant to 19 U.S.C. 1448(b). Under both procedures, CBP Forms 3461, Entry/Immediate Delivery, and 3461 ALT are the source documents in the packages presented to Customs and Border Protection (CBP). The information collected on CBP Forms 3461 and 3461 ALT allow CBP officers to verify that the information regarding the consignee and shipment is correct and that a bond is on file with CBP.

CBP Form 7501, *Entry Summary,* is used to identify merchandise entering the commerce of the United States, and to document the amount of duty and/or tax paid. CBP Form 7501 is submitted by the importer, or the importer's agent, for each import transaction. The data on this form is used by CBP as a record of the import transaction; to collect the proper duty, taxes, certifications, and enforcement information; and to provide data to the U.S. Census Bureau for statistical purposes. CBP Form 7501 must be filed within 10 working days from the time of entry of merchandise into the United States. Collection of the data on this form is authorized by 19 U.S.C. 1484 and provided for by 19 CFR 141.61 and 19 CFR 142.11.

Type of Information Collection: CBP Form 3461 (Seafood filers).

Estimated Number of Respondents: 27.

Estimated Number of Annual Responses per Respondent: 260.

Estimated Number of Total Annual Responses: 7,012.

Estimated Time per Response: 4.5 minutes.

Estimated Total Annual Burden Hours: 526.

Type of Information Collection: CBP Form 3461 (Diamond filers).

Estimated Number of Respondents: 46.

Estimated Number of Annual Responses per Respondent: 326.

[2] *https://ofac.treasury.gov/faqs/1156#:~:text=The%20Seafood%20Determination%20prohibits%20the,product%20in%20a%20third%20country.*

[3] *https://ofac.treasury.gov/faqs/added/2024-02-23.*

Estimated Number of Total Annual Responses: 14,975.

Estimated Time per Response: 5 minutes.

Estimated Total Annual Burden Hours: 1,247.

Type of Information Collection: CBP Form 7501 Entry Summary (Seafood filers).

Estimated Number of Respondents: 520.

Estimated Number of Annual Responses per Respondent: 256.

Estimated Number of Total Annual Responses: 133,220.

Estimated Time per Response: 4.5 minutes.

Estimated Total Annual Burden Hours: 9,992.

Type of Information Collection: CBP Form 7501 Entry Summary (Diamond filers).

Estimated Number of Respondents: 45.

Estimated Number of Annual Responses per Respondent: 319.

Estimated Number of Total Annual Responses: 14,377.

Estimated Time per Response: 5 minutes.

Estimated Total Annual Burden Hours: 1,198.

Dated: October 16, 2024

Seth D. Renkema,

Branch Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection.

[FR Doc. 2024–24341 Filed 10–21–24; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2024–0002; Internal Agency Docket No. FEMA–B–2465]

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 January 21, 2025.

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–2465, 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.*

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;* or visit the FEMA Mapping and Insurance eXchange (FMIX) online at *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.*

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/prelimdownload* 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
Placer County, California and Incorporated Areas Project: 17–09–1382S Preliminary Date: April 12, 2024	
City of Lincoln	Community Development Department, 600 6th Street, Lincoln, CA 95648.
City of Rocklin	Engineering Department, 3970 Rocklin Road, Rocklin, CA 95677.
City of Roseville	Engineering Department, 311 Vernon Street, Roseville, CA 95678.
Town of Loomis	Town Hall, 3665 Taylor Road, Loomis, CA 95650.
Unincorporated Areas of Placer County	Placer County Public Works, 3091 County Center Drive, Auburn, CA 95603.
Eagle County, Colorado and Incorporated Areas Project: 19–08–0034S Preliminary Date: September 24, 2021 and November 30, 2023	
Town of Basalt	Town Hall, 101 Midland Avenue, Basalt, CO 81621.
Unincorporated Areas of Eagle County	Eagle County Building, 500 Broadway Street, Eagle, CO 81631.
Wells County, North Dakota and Incorporated Areas Project: 23–08–0015S Preliminary Date: July 31, 2024	
City of Harvey	City Hall, 120 West 8th Street, Harvey, ND 58341.
Unincorporated Areas of Wells County	Wells County Courthouse, 700 Railway Street N, #37, Fessenden, ND 58438.

[FR Doc. 2024–24350 Filed 10–21–24; 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 in the **SUPPLEMENTARY INFORMATION** section. 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 January 17, 2025 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;* or visit the FEMA Mapping and Insurance eXchange (FMIX) online at *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
Carteret County, North Carolina and Incorporated Areas Docket No.: FEMA–B–1718 and FEMA–B–2298	
Town of Atlantic Beach	Town Hall, 125 West Fort Macon Road, Atlantic Beach, NC 28512.
Town of Bogue	Town Hall, 121 Chimney Branch Road, Bogue, NC 28570.
Town of Cape Carteret	Town Hall, 102 Dolphin Street, Cape Carteret, NC 28584.

Community	Community map repository address
Town of Cedar Point	Town Hall, 427 Sherwood Avenue, Cedar Point, NC 28584.
Town of Emerald Isle	Town Hall, 7500 Emerald Drive, Emerald Isle, NC 28594.
Town of Indian Beach	Town Hall, 1400 Salter Path Road, Indian Beach, NC 28512.
Town of Newport	Town Hall, 200 Howard Boulevard, Newport, NC 28570.
Town of Peletier	Town Hall, 1603 Highway 58, Peletier, NC 28584.
Town of Pine Knoll Shores	Town Hall, 100 Municipal Circle, Pine Knoll Shores, NC 28512.
Unincorporated Areas of Carteret County	Carteret County Planning and Inspections Department, 3820 Bridges Street, Suite B, Morehead City, NC 28557.
Duplin County, North Carolina and Incorporated Areas Docket No.: FEMA–B–1523	
Town of Wallace	Municipal Building, 316 East Murray Street, Wallace, NC 28466.
Unincorporated Areas of Duplin County	Duplin County Emergency Services and Building Inspections, 209 Seminary Street, Kenansville, NC 28349.
Martin County, North Carolina and Incorporated Areas Docket No.: FEMA–B–2303	
Unincorporated Areas of Martin County	Martin County Governmental Center, 305 East Main Street, Williamston, NC 27892.
Pender County, North Carolina and Incorporated Areas Docket No.: FEMA–B–1523 and FEMA–B–2317	
Town of Burgaw	City Hall, 109 North Walker Street, Burgaw, NC 28425.
Town of Surf City	Surf City Municipal Complex, 214 West Florence Way, Hampstead, NC 28443.
Town of Topsail Beach	Building Inspection Department, 820 South Anderson Boulevard, Topsail Beach, NC 28445.
Town of Watha	Town Hall, 425 Watha Road, Watha, NC 28478.
Unincorporated Areas of Pender County	Pender County Planning Department, 805 South Walker Street, Burgaw, NC 28425.
Village of Saint Helena	Village Hall, 305 East Main Street, Saint Helena, NC 28425.
Washington County, North Carolina and Incorporated Areas Docket No.: FEMA–B–2303	
Town of Creswell	Town Hall, 104 South 6th Street #68, Creswell, NC 27928.
Town of Plymouth	Washington County Permits and Inspections, 116 Adams Street, Plymouth, NC 27962.
Town of Roper	Mayor's Office, 301 West Buncombe Street, Roper, NC 27970.
Unincorporated Areas of Washington County	Washington County Permits and Inspections, 116 Adams Street, Plymouth, NC 27962.

[FR Doc. 2024–24353 Filed 10–21–24; 8:45 am]
BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2024–0002; Internal Agency Docket No. FEMA–B–2467]

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 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 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;* or visit the FEMA Mapping and Insurance eXchange (FMIX) online at *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:						
Limestone	City of Madison (24–04–6459X).	The Honorable Paul Finley, Mayor, City of Madison, 100 Hughes Road, Madison, AL 35758.	City Hall, 100 Hughes Road, Madison, AL 35758.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 9, 2025	010308
Madison	City of Huntsville (24–04–1487P).	The Honorable Thomas Battle, Jr., Mayor, City of Huntsville, 308 Fountain Circle Southwest, 8th Floor, Huntsville, AL 35804.	City Hall, 308 Fountain Circle Southwest, 8th Floor, Huntsville, AL 35804.	*https://msc.fema.gov/portal/advanceSearch.*	Dec. 19, 2024	010153
Madison	Town of Owens Cross Roads (24–04–1487P).	The Honorable Tony K. Craig, Mayor, Town of Owens Cross Roads, 9032 U.S. Highway 431, Owens Cross Roads, AL 35763.	City Hall, 9032 U.S. Highway 431, Owens Cross Roads, AL 35763.	*https://msc.fema.gov/portal/advanceSearch.*	Dec. 19, 2024	01 010218
Madison	Unincorporated Areas of Madison County (24–04–1487P).	Mac McCutcheon, Chair, Madison County Commission, 100 North Side Square, Suite 700, Huntsville, AL 35801.	Madison County Water Department, 266–C Shields Road, Huntsville, AL 35811.	*https://msc.fema.gov/portal/advanceSearch.*	Dec. 19, 2024	00 010151
Arizona:						
Gila	City of Globe (24–09–0443P).	The Honorable Al Gameros, Mayor, City of Globe, 150 North Pine Street, Globe, AZ 85501.	City Hall, 150 North Pine Street, Globe, AZ 85501.	*https://msc.fema.gov/portal/advanceSearch.*	Dec. 26, 2024	040029
Navajo	Town of Pinetop-Lakeside (23–09–1093P).	The Honorable Stephanie Irwin, Mayor, Town of Pinetop-Lakeside, 325 West White Mountain Boulevard, Lakeside, AZ 85929.	Town Hall, 325 West White Mountain Boulevard, Lakeside, AZ 85929.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 9, 2025	040127
Arkansas:						
Jackson	City of Campbell Station (23–06–2514P).	The Honorable John Reed, Mayor, City of Campbell Station, 5005 Keeter Circle, Tuckerman, AR 72473.	City Hall, 5005 Keeter Circle, Tuckerman, AR 72473.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 17, 2025	050099
Jackson	City of Diaz (23–06–2514P).	The Honorable Perry Stegall, Mayor, City of Diaz, P.O. Box 136, Diaz, AR 72043.	City Hall, P.O. Box 136, Diaz, AR 72043.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 17, 2025	050100

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.
Jackson	City of Newport (23–06–2514P).	The Honorable Derrick Ratliffe, Mayor, City of Newport, 615 3rd Street, Newport, AR 72112.	Economic Development Commission, 615 3rd Street, Newport, AR 72112.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 17, 2025	050103
Jackson	Town of Jacksonport (23–06–2514P).	The Honorable Marcus Dodson, Mayor, Town of Jacksonport, P.O. Box 116, Jacksonport, AR 72075.	Town Hall, P.O. Box 116, Jacksonport, AR 72075.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 17, 2025	050102
Jackson	Unincorporated areas of Jackson County (23–06–2514P).	The Honorable Jeff Phillips, Jackson County Judge, 208 Main Street, Newport, AR 72112.	Jackson County Courthouse, 208 Main Street, Newport, AR 72112.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 17, 2025	050096
Colorado:						
Boulder	Town of Superior (23–08–0189P).	The Honorable Mark Lacis, Mayor, Town of Superior, 124 East Coal Creek Drive, Superior, CO 80027.	Town Hall, 124 East Coal Creek Drive, Superior, CO 80027.	*https://msc.fema.gov/portal/advanceSearch.*	Dec. 23, 2024	080203
Boulder	Unincorporated areas of Boulder County (23–08–0189P).	The Honorable Ashley Stolzmann, Chair, Boulder County Board of Commissioners, P.O. Box 471, Boulder, CO 80306.	Boulder County Transportation Department, 2525 13th Street, Suite 203, Boulder, CO 80304.	*https://msc.fema.gov/portal/advanceSearch.*	Dec. 23, 2024	080023
Connecticut:						
Fairfield	Town of Greenwich (24–01–0503P).	The Honorable Fred Camillo, First Selectman, Town of Greenwich Board of Selectmen, 101 Field Point Road, Greenwich, CT 06830.	Planning and Development Department, 101 Field Point Road, Greenwich, CT 06830.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 16, 2025	090008
New Haven	City of New Haven (24–01–0496P).	The Honorable Justin Elicker, Mayor, City of New Haven, 165 Church Street, New Haven, CT 06510.	Planning Department, 165 Church Street, 5th Floor, New Haven, CT 06510.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 10, 2025	090084
New Haven	Town of East Haven (24–01–0496P).	The Honorable Joseph A. Carfora, Mayor, Town of East Haven, 250 Main Street, East Haven, CT 06512.	Engineering Department, 461 North High Street, East Haven, CT 06512.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 10, 2025	090076
Florida:						
Collier	Unincorporated areas of Collier County (24–04–6932X).	The Honorable Chris Hall, Chair, Collier County Board of Commissioners, 3299 Tamiami Trail East, Suite 303, Naples FL 34112.	Collier County Growth Management Community Development Department, 2800 North Horseshoe Drive, Naples FL 34104.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 21, 2025	120067
Monroe	Unincorporated areas of Monroe County (24–04–3770P).	The Honorable Holly Merrill Raschein, Mayor, Monroe County Board of Commissioners, 102050 Overseas Highway, Suite 234, Key Largo, FL 33037.	Monroe County Building Department, 2798 Overseas Highway, Suite 300, Marathon, FL 33050.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 17, 2025	125129
Orange	Unincorporated areas of Orange County (23–04–6249P).	The Honorable Jerry L. Demings, Mayor, Orange County, 201 South Rosalind Avenue, 5th Floor, Orlando, FL 32801.	Orange County Public Works Department, Stormwater Management Division, 4200 South John Young Parkway, Orlando, FL 32839.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 31, 2025	120179
Palm Beach	Village of Royal Palm Beach (23–04–5354P).	The Honorable Fred Pinto, Mayor, Village of Royal Palm Beach, 1050 Royal Palm Beach Boulevard, Royal Palm Beach, FL 33411.	Village Hall, 1050 Royal Palm Beach Boulevard, Royal Palm Beach, FL 33411.	*https://msc.fema.gov/portal/advanceSearch.*	Dec. 24, 2024	120225
Pasco	City of Zephyrhills (24–04–4816P).	The Honorable Melonie Bahr Monson, Mayor, City of Zephyrhills, 5335 8th Street, Zephyrhills, FL 33542.	City Hall, 5335 8th Street, Zephyrhills, FL 33542.	*https://msc.fema.gov/portal/advanceSearch.*	Dec. 23, 2024	120235
Georgia:						

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.
Coweta	City of Newnan (24–04–0065P).	The Honorable Keith Brady, Mayor, City of Newnan, 25 LaGrange Street, Newnan, GA 30263.	City Hall, 25 LaGrange Street, Newnan, GA 30263.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 2, 2025	130062
Kansas:						
Johnson	City of Lenexa (23–07–0423P).	The Honorable Julie Sayers, Mayor, City of Lenexa, 17101 West 87th Street Parkway, Lenexa, KS 66219.	City Hall, 17101 West 87th Street Parkway, Lenexa, KS 66219.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 22, 2025	200168
Johnson	City of Overland Park (23–07–0423P).	The Honorable Curt Skoog, Mayor, City of Overland Park, 8500 Santa Fe Drive, Overland Park, KS 66212.	City Hall, 8500 Santa Fe Drive, Overland Park, KS 66212.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 22, 2025	200174
Johnson	City of Shawnee (23–07–0423P).	The Honorable Michael Sandifer, Mayor, City of Shawnee, 11110 Johnson Drive, Shawnee, KS 66203.	City Hall, 11110 Johnson Drive, Shawnee, KS 66203.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 22, 2025	200177
Mississippi:						
Harrison	City of Pass Christian (23–04–5645P).	The Honorable Jimmy Rafferty, Mayor, City of Pass Christian, 200 West Scenic Drive, Pass Christian, MS 39571.	City Hall, 200 West Scenic Drive, Pass Christian, MS 39571.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 23, 2025	285261
North Carolina:						
Cabarrus	Town of Harrisburg (22–04–4548P).	The Honorable Jennifer Teague, Mayor, Town of Harrisburg, P.O. Box 100, Harrisburg, NC 28075.	Town Hall, 4100 Main Street, Suite 101, Harrisburg, NC 28075.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 3, 2025	37 370038
Tennessee:						
Rutherford	City of La Vergne (24–04–4547P).	The Honorable Jason Cole, Mayor, City of La Vergne, 5093 Murfreesboro Road, La Vergne, TN 37086.	Codes Department, 5175 Murfreesboro Road, La Vergne, TN 37086.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 10, 2025	470167
Rutherford	Town of Smyrna (24–04–4547P).	The Honorable Mary Esther Reed, Mayor, Town of Smyrna, 315 South Lowry Street, Smyrna, TN 37167.	City Hall, 315 South Lowry Street, Smyrna, TN 37167.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 10, 2025	470169
Rutherford	Unincorporated areas of Rutherford County (24–04–4547P).	The Honorable Joe S. Carr, Mayor, Rutherford County, 1 Public Square, Room 101, Murfreesboro, TN 37130.	Rutherford County Courthouse, 116 West Lytle Street, Murfreesboro, TN 37130.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 10, 2025	470165
Texas:						
Brazos	City of Bryan (23–06–2592P).	The Honorable Bobby Gutierrez, Mayor, City of Bryan, P.O. Box 1000, Bryan, TX 77805.	City Hall, 300 South Texas Avenue, Bryan, TX 77840.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 22, 2025	480082
Collin	City of McKinney (24–06–1316P).	The Honorable George Fuller, Mayor, City of McKinney, 222 North Tennessee Street, McKinney, TX 75069.	City Hall, 221 North Tennessee Street, McKinney, TX 75069.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 21, 2025	480135
Dallas	City of Mesquite (24–06–0950P).	The Honorable Daniel Aleman, Jr., Mayor, City of Mesquite, P.O. Box 850137, Mesquite, TX 75185.	City Hall, 1515 North Galloway Avenue, Mesquite, TX 75149.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 6, 2025	485490
Denton	City of Carrollton (23–06–1374P).	The Honorable Steve Babick, Mayor, City of Carrollton, 1945 East Jackson Road, Carrollton, TX 75006.	City Hall, 1945 East Jackson Road, Carrollton, TX 75006.	*https://msc.fema.gov/portal/advanceSearch.*	Feb. 4, 2025	480167
Denton	City of Lewisville (23–06–1374P).	The Honorable T.J. Gilmore, Mayor, City of Lewisville, 151 West Church Street, Lewisville, TX 75057.	City Hall, 151 West Church Street, Lewisville, TX 75057.	*https://msc.fema.gov/portal/advanceSearch.*	Feb. 4, 2025	480195
Montgomery	City of Roman Forest (24–06–0838P).	The Honorable Chris Parr, Mayor, City of Roman Forest, 2430 Roman Forest Boulevard, Roman Forest, TX 77357.	City Hall, 2430 Roman Forest Boulevard, Roman Forest, TX 77357.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 9, 2025	481538

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.
Montgomery ...	City of Woodbranch (24–06–0838P).	The Honorable Mike Tyson, Mayor, City of Woodbranch, 58A Woodbranch Drive, New Caney, TX 77357.	City Hall, 58A Woodbranch Drive, New Caney, TX 77357.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 9, 2025	480694
Montgomery ...	Unincorporated areas of Montgomery County (24–06–0838P).	The Honorable Mark J. Keough, Montgomery County Judge, 501 North Thompson Street, Suite 401, Conroe, TX 77301.	Montgomery County Courthouse, 501 North Thompson Street, Suite 100, Conroe, TX 77301.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 9, 2025	480483

[FR Doc. 2024–24348 Filed 10–21–24; 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 in the **SUPPLEMENTARY INFORMATION** section. 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 January 31, 2025 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;* or visit the FEMA Mapping and Insurance eXchange (FMIX) online at *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
Yazoo County, Mississippi and Incorporated Areas Docket No.: FEMA–B–2275	
Unincorporated Areas of Yazoo County	Yazoo County Emergency Management Agency Office, 212 East Broadway Street, Yazoo City, MS 39194.
Eddy County, North Dakota and Incorporated Areas Docket No.: FEMA–B–2380	
City of New Rockford	City Hall, 117 1st Street South, New Rockford, ND 58356.
Unincorporated Areas of Eddy County	Eddy County Courthouse, 524 Central Avenue, New Rockford, ND 58356.
Foster County, North Dakota and Incorporated Areas Docket No.: FEMA–B–2380	
City of Grace City	Auditor's Office, 391 George Street, Grace City, ND 58445.
Unincorporated Areas of Foster County	Foster County Courthouse, 1000 5th Street N, Carrington, ND 58421.

[FR Doc. 2024–24351 Filed 10–21–24; 8:45 am]
BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2024–0002; Internal Agency Docket No. FEMA–B–2464]

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 January 21, 2025.

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–2464, 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.*

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;* or visit the FEMA Mapping and Insurance eXchange (FMIX) online at *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.*

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/prelimdownload* 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
Suffolk City, Virginia (Independent City) Project: 20–03–0039S Preliminary Date: April 29, 2024	
City of Suffolk	City Hall, 442 West Washington Street, Suffolk, VA 23434.

[FR Doc. 2024–24349 Filed 10–21–24; 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;* or visit the FEMA Mapping and Insurance eXchange (FMIX) online at *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–2451).	City of Glendale (23–09–0794P).	The Honorable Jerry P. Weiers, Mayor, City of Glendale, 5850 West Glendale Avenue, Glendale, AZ 85301.	City Hall, 5850 West Glendale Avenue, Glendale, AZ 85301.	Sep. 27, 2024	040045
Maricopa (FEMA Docket No.: B–2451).	Unincorporated areas of Maricopa County (23–09–0794P).	Jack Sellers, Chair, Maricopa County Board of Supervisors, 301 West Jefferson, 10th Floor, Phoenix, AZ 85003.	Maricopa County Flood Control District, 2801 West Durango Street, Phoenix, AZ 85009.	Sep. 27, 2024	040037
Pima (FEMA Docket No.: B–2451).	Town of Oro Valley (22–09–1051P).	The Honorable Joe Winfield, Mayor, Town of Oro Valley, 11000 North La Cañada Drive, Oro Valley, AZ 85737.	Planning and Zoning Department, 11000 North La Cañada Drive, Oro Valley, AZ 85737.	Oct. 2, 2024	040109
Pima (FEMA Docket No.: B–2451).	Unincorporated areas of Pima County (22–09–1051P).	Adelita Grijalva, Chair, Pima County Board of Supervisors, 33 North Stone Avenue, 11th Floor, Tucson, AZ 85701.	Pima County Flood Control District, 201 North Stone Avenue, 9th Floor, Tucson, AZ 85701.	Oct. 2, 2024	040073
Yavapai (FEMA Docket No.: B–2451).	Town of Prescott Valley (23–09–1074P).	The Honorable Kell Palguta, Mayor, Town of Prescott Valley, 7501 East Skoog Boulevard, 4th Floor, Prescott Valley, AZ 86314.	Engineering Division, 7501 East Civic Circle, Prescott Valley, AZ 86314.	Sep. 13, 2024	040121
California:					
Riverside (FEMA Docket No.: B–2451).	City of Hemet (23–09–0848P).	The Honorable Joe Males, Mayor, City of Hemet, 445 East Florida Avenue, Hemet, CA 92543.	Engineering Department, 510 East Florida Avenue, Hemet, CA 92543.	Sep. 27, 2024	060253
Riverside (FEMA Docket No.: B–2451).	City of Perris (23–09–1357P).	The Honorable Michael M. Vargas, Mayor, City of Perris, 101 North D Street, Perris, CA 92570.	Engineering Department, 24 South D Street, Suite 100, Perris, CA 92570.	Sep. 23, 2024	060258

State and county	Location and case No.	Chief executive officer of community	Community map repository	Date of modification	Community No.
Riverside (FEMA Docket No.: B–2451).	Unincorporated areas of Riverside County (23–09–0848P).	Chuck Washington, Chair, Riverside County Board of Supervisors, 4080 Lemon Street, 5th Floor, Riverside, CA 92501.	Riverside County Flood Control and Water Conservation District, 1995 Market Street, Riverside, CA 92501.	Sep. 27, 2024	060245
San Mateo (FEMA Docket No.: B–2451).	City of Redwood City (23–09–0500P).	The Honorable Jeff Gee, Mayor, City of Redwood City, 1017 Middlefield Road, Redwood City, CA 94063.	City Hall, 1017 Middlefield Road, Redwood City, CA 94063.	Oct. 2, 2024	060325
Yolo (FEMA Docket No.: B–2451).	Unincorporated areas of Yolo County (23–09–0598P).	Lucas Frerichs, Chair, Yolo County Board of Supervisors, 625 Court Street, Room 204, Woodland, CA 95695.	Yolo County Department of Planning and Public Works, 292 West Beamer Street, Woodland, CA 95695.	Sep. 19, 2024	060423
Indiana:					
Monroe (FEMA Docket No.: B–2451).	City of Bloomington (22–05–3348P).	The Honorable Kerry Thomson, Mayor, City of Bloomington, 401 North Morton Street, Suite 210, Bloomington, IN 47402.	Planning Department, 401North Morton Street, Bloomington, IN 47402.	Sep. 16, 2024	180169
Monroe (FEMA Docket No.: B–2451).	Unincorporated areas of Monroe County (22–05–3348P).	Julie Thomas, President, Monroe County Board of Commissioners, 100 West Kirkwood Avenue, Room 323, Bloomington, IN 47404.	Monroe County Planning Department, 501 North Morton Street, Suite 224, Bloomington, IN 47404.	Sep. 16, 2024	180444
Michigan:					
Berrien (FEMA Docket No.: B–2451).	Charter Township of Benton (24–05–0176P).	Cathy Yates, Supervisor, Charter Township of Benton, 1725 Territorial Road, Benton Harbor, MI 49022.	Township Hall, 1725 Territorial Road, Benton Harbor, MI 49022.	Sep. 11, 2024	260031
Berrien (FEMA Docket No.: B–2451).	Charter Township of St. Joseph (24–05–0176P).	Roger Seely, Supervisor, Charter Township of St. Joseph, 3000 Washington Avenue, St. Joseph, MI 49085.	Township Hall, 3000 Washington Avenue, St. Joseph, MI 49085.	Sep. 11, 2024	260045
Berrien (FEMA Docket No.: B–2451).	City of Benton Harbor (24–05–0176P).	The Honorable Marcus Muhammad, Mayor, City of Benton Harbor, 200 East Wall Street, Benton Harbor, MI 49022.	City Hall, 200 East Wall Street, Benton Harbor, MI 49022.	Sep. 11, 2024	260032
Berrien (FEMA Docket No.: B–2451).	City of St. Joseph (24–05–0176P).	The Honorable Brook Thomas, Mayor, City of St. Joseph, 700 Broad Street, St. Joseph, MI 49085.	City Hall, 700 Broad Street, St. Joseph, MI 49085.	Sep. 11, 2024	260044
Minnesota:					
Steams (FEMA Docket No.: B–2451).	City of Melrose (23–05–2796P).	The Honorable Joe Finken, Mayor, City of Melrose, P.O. Box 216, Melrose, MN 56352.	City Hall, 225 East 1st Street North, Melrose, MN 56352.	Sep. 26, 2024	270450
Steams (FEMA Docket No.: B–2451).	Unincorporated areas of Steams County (23–05–2796P).	Tarryl Clark, Chair, Steams County Board of Commissioners, 705 Courthouse Square, St. Cloud, MN 56303.	Steams County Administration Building, 705 Courthouse Square, St. Cloud, MN 56303.	Sep. 26, 2024	270546
Nevada: Clark (FEMA Docket No.: B–2451).	City of Henderson (24–09–0528P).	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.	Sep. 30, 2024	320005
Ohio: Warren (FEMA Docket No.: B–2451).	City of Mason (23–05–2046P).	The Honorable Diana K. Nelson, Mayor, City of Mason, 6000 Mason Montgomery Road, Mason, OH 45040.	City Hall, 6000 Mason Montgomery Road, Mason, OH 45040.	Sep. 23, 2024	390559
Texas:					
Dallas (FEMA Docket No.: B–2451).	City of Dallas (23–06–1171P).	The Honorable Eric L. Johnson, Mayor, City of Dallas, 1500 Marilla Street, Suite 5EN, Dallas, TX 75201.	Department of Public Works, 320 East Jefferson Boulevard, Room 321, Dallas, TX 75203.	Aug. 16, 2024	480171
Wharton (FEMA Docket No.: B–2451).	City of El Campo (23–06–0517P).	The Honorable Chris Barbee, Mayor, City of El Campo, 315 East Jackson Street, El Campo, TX 77437.	City Hall, 315 East Jackson Street, El Campo, TX 77437.	Sep. 30, 2024	480653
Wharton (FEMA Docket No.: B–2451).	Unincorporated areas of Wharton County (23–06–0517P).	The Honorable Phillip Spenrath, Wharton County Judge, 100 South Fulton Street, Suite 100, Wharton, TX 77488.	Wharton County Courthouse, 315 East Milam Street, Suite 102, Wharton, TX 77488.	Sep. 30, 2024	480652
Wisconsin: Kenosha (FEMA Docket No.: B–2451).	Village of Somers (24–05–0107P).	George Stoner, President, Village of Somers, P.O. Box 197, Kenosha, WI 53171.	Village Hall, 7511 12th Street, Kenosha, WI 53144.	Aug. 29, 2024	550406

[FR Doc. 2024–24347 Filed 10–21–24; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

[Docket No. CISA–2024–0007]

Agency Information Collection Activities: Service Request Form for Enterprise Assessment Services

AGENCY: Cybersecurity and Infrastructure Security Agency (CISA), Department of Homeland Security (DHS).

ACTION: 30-Day notice and request for comments.

SUMMARY: The Cybersecurity Division (CSD) within Cybersecurity and Infrastructure Security Agency (CISA) will submit the following information collection request (ICR) to the Office of Management and Budget (OMB) for review and clearance. CISA previously published this information collection request (ICR) in the **Federal Register** on February 15, 2024 for a 60-day public

comment period. 0 comments were received by CISA. The purpose of this notice is to allow additional 30-days for public comments.

DATES: Comments are encouraged and will be accepted until November 21, 2024. Submissions received after the deadline for receiving comments may not be considered.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

The Office of Management and Budget is particularly interested in comments which:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
2. Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
3. Enhance the quality, utility, and clarity of the information to be collected; and
4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submissions of responses.

FOR FURTHER INFORMATION CONTACT: Jonathan Pereira, 202.794.3427, *vulnerability@cisa.dhs.gov.*

SUPPLEMENTARY INFORMATION: The Cybersecurity and Infrastructure Security Agency (CISA) Cybersecurity Division (CSD) offers cybersecurity assessments to help reduce risk for federal, state, local, tribal, territorial and private sector critical infrastructure partners. Information collected is used by CISA CSD staff to engage with customers and provide cybersecurity assessment services. For more information on the specific questions asked, please see *www.reginfo.gov/public/do/PRAMain.* Under 6 U.S.C. 659(c)(6), CISA provides, upon request, ''. . . timely technical assistance, risk management support, and incident response capabilities to Federal and non-Federal entities with respect to cyber threat indicators, defensive measures, cybersecurity risks, and incidents, which may include attribution, mitigation, and remediation . . .''

Number of Respondents: CISA estimates the number of respondents will be 5,000.

Estimated Time per Respondent: CISA assumes the majority of individuals who will complete this form are Chief Information Officers or equivalent. The estimated time to complete the form was determined to be .11 hours after user testing.

Total Annual Burden Cost: $97,674 from Economist review.

Annual Burden Hours: The annual burden hours is 825 hours (5,000 respondents × 1.5 responses per respondent × .11 hour per response).

Analysis

Agency: Cybersecurity and Infrastructure Security Agency (CISA), Department of Homeland Security (DHS).

Title: Service Request Form for Enterprise Assessment Services.

OMB Number: 1670–NEW.

Frequency: Information is required when an organization would initially request cybersecurity assessments or requests additional cybersecurity assessments. These requests are made at the discretion of the requestor therefore the program office is not able to determine when or how often such requests will occur.

Affected Public: Business or Other For-Profit, Not-For-Profit Institutions, Federal Government, State, Local or Tribal Government.

Number of Respondents: 5,000.

Estimated Time per Respondent: 0.11 hours.

Total Burden Hours: 825 hours.

Estimated Annual Industry Cost: $97,674.

Estimated Annual Federal Government Cost: $163,150.

Robert J. Costello,

Chief Information Officer, Department of Homeland Security, Cybersecurity and Infrastructure Security Agency.

[FR Doc. 2024–24220 Filed 10–21–24; 8:45 am]

BILLING CODE 9111–LF–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[OMB Control Number 1615–0040]

Agency Information Collection Activities; Revision of a Currently Approved Collection: Application for Employment Authorization

AGENCY: U.S. Citizenship and Immigration Services, Department of Homeland Security.

ACTION: 60-Day notice.

SUMMARY: The Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS) invites the general public and other Federal agencies to comment upon this proposed revision of a currently approved collection of information. In accordance with the Paperwork Reduction Act (PRA) of 1995, the information collection notice is published in the **Federal Register** to obtain comments regarding the nature of the information collection, the categories of respondents, the estimated burden (*i.e.* the time, effort, and resources used by the respondents to respond), the estimated cost to the respondent, and the actual information collection instruments.

DATES: Comments are encouraged and will be accepted for 60 days until December 23, 2024.

ADDRESSES: All submissions received must include the OMB Control Number 1615–0040 in the body of the letter, the agency name and Docket ID USCIS–2005–0035. Submit comments via the Federal eRulemaking Portal website at *https://www.regulations.gov* under e-Docket ID number USCIS–2005–0035.

FOR FURTHER INFORMATION CONTACT: USCIS, Office of Policy and Strategy, Regulatory Coordination Division, Samantha Deshommes, Chief, telephone number (240) 721–3000 (This is not a toll-free number. Comments are not accepted via telephone message). Please note contact information provided here is solely for questions regarding this notice. It is not for individual case status inquiries. Applicants seeking information about the status of their individual cases can check Case Status Online, available at the USCIS website at *https://www.uscis.gov,* or call the USCIS Contact Center at 800–375–5283 (TTY 800–767–1833).

SUPPLEMENTARY INFORMATION:

Comments:

You may access the information collection instrument with instructions

or additional information by visiting the Federal eRulemaking Portal site at: *https://www.regulations.gov* and entering USCIS–2005–0035 in the search box. All comments must be submitted in English or be accompanied by a translation. All submissions will be posted, without change, to the Federal eRulemaking Portal at *https://www.regulations.gov,* and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to consider limiting the amount of personal information that you provide in any voluntary submission you make to DHS. DHS may withhold information provided in comments from public viewing that it determines may impact the privacy of an individual or is offensive. For additional information, please read the Privacy Act notice that is available via the link in the footer of *https://www.regulations.gov.*

Written comments and suggestions from the public and affected agencies should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

In addition to the specific changes proposed to the USCIS Form I–765 and accompanying instructions in this 60-day notice, USCIS is exploring additional technology and internal process improvements to further reduce the burden to those applying for initial employment authorization, seeking evidence of existing employment authorization, or employment authorization incident to status or an Employment Authorization Document (EAD). USCIS specifically requests comments on the submission of passport-style photos during the application process and expanding the options available to filers for submission of photos through the use of emerging technologies, such as a smartphone application that would allow for the capture and submission of passport-style photos necessary to produce an EAD. Finally, please provide detailed reasons why USCIS should or should not consider use of the mobile app or alternate technology for photo capture.

USCIS specifically requests comments on providing alternative means to apply for employment authorization or evidence of existing employment authorization that could substitute for submitting a separate Form I–765, Application for Employment Authorization. Comments may also address a proposal to provide applicants the option to consent to USCIS sharing certain information from their benefit requests with the Social Security Administration (SSA) for the purposes of having the SSA assign the applicant a Social Security Number and issue the applicant a new or replacement Social Security Card upon approval of the underlying benefit request. USCIS anticipates that it would still collect the required filing fee associated with any alternative request for employment authorization or evidence of existing employment authorization that does not use the Form I–765, Application for Employment Authorization, pursuant to 8 CFR 106.1(a) (The fees established in [Part 106] are associated with the benefit, the adjudication, or the type of request and not solely determined by the form number listed in [8 CFR] 106.2). If there is not an interest, provide detailed reasons why there is not.

Overview of This Information Collection

(1) Type of Information Collection: Revision of a Currently Approved Collection.

(2) Title of the Form/Collection: Application for Employment Authorization.

(3) Agency form number, if any, and the applicable component of the DHS sponsoring the collection: I–765; USCIS.

(4) Affected public who will be asked or required to respond, as well as a brief abstract: Primary: Individuals or households. Form I–765 collects information needed to determine if an alien is eligible for an initial EAD, a replacement EAD, or a subsequent EAD upon the expiration of a previous EAD under the same eligibility category. Aliens in many immigration statuses are required to possess an EAD as evidence of work authorization. To be authorized for employment, an alien must be lawfully admitted for permanent residence or authorized to be so employed by the Immigration and Nationality Act (INA) or under regulations issued by DHS. Pursuant to statutory or regulatory authorization, certain classes of aliens are authorized to be employed in the United States without restrictions as to location or type of employment as a condition of their admission or subsequent change to one of the indicated classes. USCIS may determine the validity period assigned to any document issued evidencing an alien's authorization to work in the United States. These classes of aliens authorized to accept employment are listed in 8 CFR 274a.12. USCIS also collects biometric information from certain EAD applicants to verify the applicant's identity, check or update their background information, and produce the EAD card. An applicant for employment authorization can apply for a Social Security Number (SSN) and Social Security card using Form I–765.

(5) An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond: The estimated total number of respondents for the information collection I–765 (paper) is 3,816,321 and the estimated hour burden per response is 4.26 hours; the estimated total number of respondents for the information collection I–765 (electronic) is 2,339,036 and the estimated hour burden per response is 3.88 hours; the estimated total number of respondents for the information collection Form I–765WS is 355,790 and the estimated hour burden per response is .50 hours; the estimated total number of respondents for the information collection Biometric Processing is 2,242 and the estimated hour burden per response is 1.17 hours; the estimated total number of respondents for the information collection Passport-Style Photographs is 6,153,115 and the estimated hour burden per response is .50 hours.

(6) An estimate of the total public burden (in hours) associated with the collection: The total estimated annual hour burden associated with this collection is 28,590,063 hours.

(7) An estimate of the total public burden (in cost) associated with the collection: The estimated total annual cost burden associated with this collection of information is $1,079,442,537.

Dated: October 16, 2024.

Jerry L. Rigdon,

Deputy Chief, Regulatory Coordination Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security.

[FR Doc. 2024–24367 Filed 10–21–24; 8:45 am]

BILLING CODE 9111–97–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–7080–N–51]

30-Day Notice of Proposed Information Collection: Housing Counseling Agency Activity Reports

AGENCY: Office of Policy Development and Research, Chief Data Officer, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for an additional 30 days of public comment.

DATES: Comments due November 21, 2024.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function. Interested persons are also invited to submit comments regarding this proposal and comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Colette Pollard, Reports Managment Officer, REE, Department of Housing and Urban Development, 451 7th Street, SW, Room 8210, Washington, DC 20410–5000; email *PaperworkReductionActOffice@hud.gov.*

FOR FURTHER INFORMATION CONTACT: Colette Pollard, Reports Management Officer, REE, Department of Housing and Urban Development, 7th Street SW, Room 8210, Washington, DC 20410; email *Colette.Pollard@hud.gov* or telephone (202) 402–3400. This is not a toll-free number. HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit *https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs.*

Copies of available documents submitted to OMB may be obtained from Ms. Pollard.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

The **Federal Register** notice that solicited public comment on the information collection for a period of 60 days was published on May 2, 2024 at 89 FR 35845.

A. Overview of Information Collection

Title of Information Collection: Housing Counseling Agency Activity Reports.

OMB Approval Number: OMB Control No.: 2502–0622.

OMB Expiration Date: 12/31/2024.

Type of Request: Revision of a currently approved collection.

Form Number: HUD–9902.

Description of the need for the information and the proposed use: The purpose of form HUD–9902 is to collect information on HUD Approved Housing Counseling Agency and household activity to assist OHC in analyzing agency performance and program impact information. In addition, the data will help to determine whether Notice of Funding Opportunity (NOFO) grant applicants meet the requirements of the NOFO and provides a method for assignment of points for awarding grant funds on a competitive and equitable basis.

Respondents: Not-for-profit institutions; State, Local or Tribal Government.

Estimated Number of Respondents: 1,614.

Estimated Number of Responses: 6,456.

Frequency of Response: 4 times a fiscal year.

Average Hours per Response: .36.

Total Estimated Burden: 2,324 hours.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) The accuracy of the agency's estimate of the burden of the proposed collection of information;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) Ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

(5) 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.

HUD encourages interested parties to submit comment in response to these questions.

C. Authority

Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. 3507.

Colette Pollard,

Department Reports Management Officer, Office of Policy Development and Research, Chief Data Officer.

[FR Doc. 2024–24409 Filed 10–21–24; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–7080–N–50]

30-Day Notice of Proposed Information Collection; Evaluation of the HUD–DOJ Pay for Success Permanent Supportive Housing Demonstration

AGENCY: Office of Policy Development and Research, Chief Data Officer, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for an additional 30 days of public comment.

DATES: Comments due November 21, 2024.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function. Interested persons are also invited to submit comments regarding this proposal and comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Anna Guido, Clearance Officer, REE, Department of Housing and Urban Development, 451 7th Street SW, Room 8210, Washington, DC 20410–5000; email *PaperworkReductionActOffice@hud.gov.*

FOR FURTHER INFORMATION CONTACT: Anna Guido, Reports Management Officer, REE, Department of Housing and Urban Development, 451 7th Street SW, Washington, DC 20410; email *Anna.P.Guido@hud.gov* or telephone (202) 402–3400. This is not a toll-free number. HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit: *https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs.*

Copies of available documents submitted to OMB may be obtained from Ms. Guido.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

The **Federal Register** notice that solicited public comment on the information collection for a period of 60 days was published on June 28, 2024 at 89 FR 54029.

A. Overview of Information Collection

Title of Information Collection: Evaluation of the HUD–DOJ Pay for Success Permanent Supportive Housing Demonstration.

MB Approval Number: 2528–0319.

Type of Request: Extension of a currently approved collection.

Form Number: N/A.

Description of the need for the information and proposed use: The U.S. Departments of Housing and Urban Development (HUD) and Justice (DOJ) entered into an interagency collaboration that combines DOJ's mission to promote safer communities by focusing on the reentry population with HUD's mission to end chronic homelessness. This collaboration resulted in the HUD–DOJ Pay for Success Permanent Supportive Housing Demonstration with $8.68 million awarded to seven communities to develop supportive housing for persons cycling between the jail or prison systems and the homeless service systems using pay for success (PFS) as a funding mechanism. HUD announced seven grantees from across the country in June 2016. As of August 2024, four grantee communities remain. The PFS Demonstration grant supports activities throughout the PFS lifecycle, including feasibility analysis, transaction structuring, and outcome evaluation and success payments, with each grantee receiving funds for different stages in the PFS lifecycle. Through the national evaluation, which is funded through an interagency agreement between HUD and DOJ and managed by HUD's Office of Policy Development and Research, HUD–DOJ seek to assess whether PFS is a viable model for scaling supportive housing to improve outcomes for a re-entry population. The main goal of the evaluation is to learn how the PFS model is implemented in diverse settings with different structures, populations, and community contexts. The Urban Institute has been conducting a multi-disciplinary, multi-method approach to ''learn as we do'' and meet the key objectives of the formative evaluation. To understand project implementation, the evaluation includes data collection on both the time that project partners dedicate to each PFS project as well as PFS partner perceptions and interactions and community-level changes that may benefit the target population. This information collection request is for an ongoing time survey and an annual partnership web survey. The time survey will be used to assess staff time spent on development of each PFS project throughout the different lifecycle phases and the partnership survey will be used to document partner perceptions and interactions and community-level changes that may benefit the target population.

Information collection	Number of respondents	Frequency of response	Responses per annum	Burden hours per response	Annual burden hours	Hourly cost per response	Annual cost
HUD–DOJ PFS Key Project Partners (Annual Web-based Partnership Survey)	65	1	65	.33	21.67	$32.55	$528.94
HUD–DOJ PFS Key Project Partners (Quarterly Time Use Survey)	17	4	68	1.00	68.00	32.55	2,213.40
Total	82				84.25		2,742.34

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) The accuracy of the agency's estimate of the burden of the proposed collection of information;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

(5) 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.

HUD encourages interested parties to submit comment in response to these questions.

C. Authority

Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Anna Guido,

Department Reports Management Officer, Office of Policy Development and Research, Chief Data Officer.

[FR Doc. 2024–24406 Filed 10–21–24; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–7091–N–08]

60-Day Notice of Proposed Information Collection: Transfer and Consolidation of Public Housing Programs; OMB Control No.: 2577–0280

AGENCY: Office of the Assistant Secretary for Public and Indian Housing (PIH), HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice

is to allow for 60 days of public comment.

DATES: *Comments Due Date:* December 23, 2024.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Written comments and recommendations for the proposed information collection can be sent within 60 days of publication of this notice to *www.regulations.gov.* Interested persons are also invited to submit comments regarding this proposal by name and/or OMB Control Number and can be sent to: Colette Pollard, Reports Management Officer, REE, Department of Housing and Urban Development, 451 7th Street SW, Room 8210, Washington, DC 20410–5000; telephone (202) 402–3400. (this is not a toll-free number) or email at *Colette.Pollard@hud.gov,* for a copy of the proposed forms or other available information.

FOR FURTHER INFORMATION CONTACT: Colette Pollard, Reports Management Officer, REE, Department of Housing and Urban Development, 451 7th Street SW, Washington, DC 20410; email *Colette.Pollard@hud.gov,* telephone (202) 402–3400. This is not a toll-free number. HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit *https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs.*

Copies of available documents submitted to OMB may be obtained from Ms. Pollard.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: Public Housing Program—Transfer and Consolidation of Public Housing Programs.

OMB Approval Number: 2577–0280.

Type of Request: Extension of a previously approved collection.

Form Number: N/A.

Description of the need for the information and proposed use: State legislatures or other local governing bodies may from time to time direct or agree that the public interest is best served if one public housing agency (PHA) cedes its public housing program to another PHA, or that two or more PHAs should be combined into one multijurisdictional PHA. This proposed information collection serves to protect the U.S. Department of Housing and Urban Development's (HUD) several interests in either transaction: (1) insuring the continued used of the property as public housing; (2) that HUD's interests are secured; and (3) that the operating and capital subsidies that HUD pays to support the operation and maintenance of public housing is properly paid to the correct PHA on behalf of the correct properties. In addition to submitting documentation to HUD, PHAs are required to make conforming changes to HUD's Public Housing Information Center (PIC).

Total Estimated Burdens:

TOTAL BURDEN HOUR ESTIMATES FOR PHAS

Number of transfer or consolidation actions	Number of respondents	Frequency of requirement *	×	Est. avg. time for requirement (hours)	=	Est. annual burden (hours)
3 Transfers	6	1		100		600
2 Consolidations	4	1		100		400
Subtotals	10			100		1,000

* The frequency shown assumes that the receiving or consolidated PHA makes one submission for all other PHAs involved in either the transfer or consolidation.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) The accuracy of the agency's estimate of the burden of the proposed collection of information;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

C. Authority

Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Lora D Routt,

Director, Office of Policy, Program and Legislative Initiatives.

[FR Doc. 2024–24214 Filed 10–21–24; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R8–ES–2024–0139; FXES11140800000–234–FF08EVEN00]

Receipt of Application for Renewal of Incidental Take Permit for Morro Shoulderband Snail; Kellaway Habitat Conservation Plan; Community of Los Osos, San Luis Obispo County, California

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; request for comments.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), have received an application from Thomas R. Kellaway and Doris J. Redmond (permittees), for a renewal of incidental take permit TE48316A (ITP) under the Endangered Species Act. The requested renewal would extend the ITP by 5

years from the date of reissuance. The existing ITP authorizes take of the federally endangered Morro shoulderband snail (*Helminthoglypta walkeriana*) incidental to otherwise lawful activities associated with the construction of one residence on each of two separate but contiguous parcels in Los Osos, an unincorporated community of San Luis Obispo County. If renewed, the ITP would not authorize any additional take of the species. We request public comment on the application, which includes the permittee's habitat conservation plan (HCP), and on the Service's preliminary determination that the proposed permitting action may be eligible for a categorical exclusion pursuant to the Council on Environmental Quality's National Environmental Policy Act (NEPA) regulations, the Department of the Interior's (DOI) NEPA regulations, and the DOI Departmental Manual. We invite comment from the public and local, State, Tribal, and Federal agencies.

DATES: We must receive your written comments on or before November 21, 2024.

ADDRESSES:

Obtaining Documents: The documents this notice announces, as well as any comments and other materials that we receive, will be available for public inspection online in Docket No. FWS–R8–ES–2024–0139 at *https://www.regulations.gov.*

Submitting Comments: If you wish to submit comments on any of the documents, you may do so in writing by one of the following methods:

- *Online: https://www.regulations.gov.* Follow the instructions for submitting comments on Docket No. FWS–R8–ES–2024–0139.
- *U.S. mail:* Public Comments Processing; Attn: Docket No. FWS–R8–ES–2024–0139; U.S. Fish and Wildlife Service; MS: PRB/3W; 5275 Leesburg Pike; Falls Church, VA 22041–3803.

FOR FURTHER INFORMATION CONTACT: Debora Kirkland, Fish and Wildlife Biologist, Ventura Fish and Wildlife Office, at *FW8VenturaITP@fws.gov* (email) or 805–677–3321 (phone). Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION: We, the U.S. Fish and Wildlife Service (Service), have received an application from Thomas R. Kellaway and Doris J. Redmond (permittees), for a renewal of incidental take permit TE48316A (ITP) under the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*). The requested renewal would extend the ITP by 5 years from the date of reissuance. The existing ITP authorizes take of the federally endangered Morro shoulderband (=banded dune) snail (*Helminthoglypta walkeriana*) incidental to otherwise lawful activities associated with the construction of one residence on each of two separate but contiguous parcels in Los Osos, an unincorporated community of San Luis Obispo County. If renewed, the ITP would not authorize any additional take of the species. We request public comment on the application, which includes the permittee's proposed habitat conservation plan (HCP), and on the Service's preliminary determination that the proposed renewed ITP qualifies as low effect, and may qualify for a categorical exclusion pursuant to the Council on Environmental Quality's National Environmental Policy Act (NEPA) regulations (40 CFR 1501.4), the Department of the Interior's (DOI) NEPA regulations (43 CFR 46), and the DOI's Departmental Manual (516 DM 8.5(C)(2)). We invite comment from the public and local, State, Tribal, and Federal agencies.

Regulatory History

The Service listed the Morro shoulderband snail as endangered on December 15, 1994 (59 FR 64613), and subsequently reclassified the Morro shoulderband snail from endangered to threatened on February 3, 2022 (87 FR 6063). Section 9 of the ESA prohibits ''take'' of fish and wildlife species listed as endangered (16 U.S.C. 1538), where take is defined to include the following activities: ''to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct'' (16 U.S.C. 1532). The take prohibitions of section 9 are extended to species listed as threatened at the discretion of the Secretary of the Department of the Interior and were extended to Morro shoulderband snail, with exceptions. The Service published a 4(d) rule, which includes exceptions to incidental take associated with native habitat enhancement and fire reduction activities (February 3, 2022, 87 FR 6063). Under section 10(a)(1)(B) of the ESA, we may issue permits to authorize incidental take of listed species. ''Incidental take'' is defined by the Act as take that is incidental to, and not the purpose of, carrying out of an otherwise lawful activity. Regulations governing ITPs for endangered and threatened species are in the Code of Federal Regulations at 50 CFR 17.22 and 17.32, respectively. Issuance of an incidental take permit also must not jeopardize the existence of federally listed fish, wildlife, or plant species. All species included in the incidental take permit would receive assurances under our ''No Surprises'' regulations (50 CFR 17.22(b)(5) and 17.32(b)(5)).

Habitat Conservation Plan Area

The Kellaway HCP area includes two contiguous existing legal parcels, one that is 5.08 acres (ac) and the other 0.45 ac, legally described as Assessor Parcel Numbers 074–022–042 and 074–483–025, respectively. Both are located between Seahorse Lane and San Leandro Court in the southwestern portion of the unincorporated community of Los Osos, San Luis Obispo County, California. The current ITP authorizes incidental take of Morro shoulderband snail that would result from direct impacts to 1.68 ac of coastal dune scrub, maritime chaparral, and ruderal habitat occupied by this species. Take would be incidental to the otherwise lawful construction of a single-family residence on each of the two parcels, along with limited habitat enhancement on the larger of the parcels.

Incidental Take Permit History

We announced receipt of the application from Thomas R. Kellaway and Doris J. Redmon (the applicants) for the initial ITP via a **Federal Register** notice published on Friday, July 15, 2011 (76 FR 41811). We invited comments from the public on the application, which included the Kellaway Low-Effect Habitat Conservation Plan for the Morro Shoulderband Snail (HCP), which we subsequently determined to be eligible for a categorical exclusion under the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 et seq; NEPA). We issued the ITP on September 21, 2011.

On September 13, 2016, we announced receipt of an application for renewal of the ITP, to extend ITP expiration by 5 years (81 FR 62918). We renewed the permit, which did not authorize any additional take of the species, and then subsequently renewed the ITP for another 5 years on July 6, 2021.

The current ITP expires on September 20, 2024. The time required to process and obtain a coastal development permit from the California Coastal Commission was much longer than

anticipated and required a project redesign. However, this redesign did not exceed the 1.68-ac development area or change the amount or form of take of Morro shoulderband snail currently authorized in the ITP. The permittees have requested no change to the covered species, covered activities, or HCP area and commit to fully implement the HCP.

Current Application

Measures in the HCP to minimize the amount and form of take include (1) pre-construction and construction monitoring surveys for Morro shoulderband snail within the 1.68-ac impact area, (2) capture and moving of all identified individuals of Morro shoulderband snail into the conservation easement area by an individual in possession of a current valid recovery permit for the species, (3) installation of protective fencing, and (4) development and presentation of a contractor and employee training program for Morro shoulderband snail. Mitigation for unavoidable take of Morro shoulderband snail includes (1) preservation in perpetuity of 3.83 ac of coastal dune scrub and maritime chaparral habitats occupied by Morro shoulderband snail in a conservation easement that will preclude any use not consistent with resource management, (2) enhancement of 0.24 ac of disturbed coastal dune scrub within the conservation easement to increase its value and function for Morro shoulderband snail, (3) post-construction monitoring and maintenance of the habitat enhancement activities within conservation easement area for a period of 4 years to ensure its success, and (4) establishment of a contract with a qualified biologist or entity to conduct the Morro shoulderband snail surveys and habitat restoration and monitoring to provide assurances that all of the minimization and mitigation measures contained in the plan are implemented as proposed.

Our Preliminary Determination

The Service made the determination in 2016 that ITP renewal would not represent a major Federal action that would significantly affect the quality of the human environment within the meaning of section 102(2)(C) of NEPA (September 13, 2016, 81 FR 62918). The project and anticipated impacts have not changed since that determination. As such, the Service has made a preliminary determination that the applicant's proposed project and the proposed mitigation and minimization measures would individually and cumulatively have a minor effect on the species and the human environment. Therefore, we have preliminarily determined that renewal of the ESA section 10(a)(1)(B) permit would be a low-effect ITP that individually or cumulatively would have a minor effect on the species and may qualify for application of a categorical exclusion pursuant to the Council on Environmental Quality's NEPA regulations, DOI's NEPA regulations, and the DOI Departmental Manual. A low-effect ITP is one that would result in (1) minor or nonsignificant effects on species covered in the HCP; (2) nonsignificant effects on the human environment; and (3) impacts that, when added together with the impacts of other past, present, and reasonably foreseeable actions, would not result in significant cumulative effects to the human environment.

Next Steps

The Service will evaluate the application for permit renewal and the comments received to determine whether to renew the ITP. After considering the preceding and other matters, we will determine whether the permit issuance criteria of section 10(a)(1)(B) of the ESA have been met. If met, the Service will renew ITP number TE48316A for Thomas R. Kellaway and Doris J. Redmond.

Public Availability of Comments

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment, including your personal identifying information, may be made publicly available at any time. If you submit a comment at *https://www.regulations.gov,* your entire comment, including any personal identifying information, will be posted on the website. If you submit a hardcopy comment that includes personal identifying information, such as your address, phone number, or email address, you may request at the top of your document that we withhold this information from public review. However, we cannot guarantee that we will be able to do so.

Authority

The Service provides this notice under section 10(c) of the Endangered Species Act (16 U.S.C. 1531 *et seq.*) and its implementing regulations (50 CFR 17.32) and the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) and its implementing regulations (40 CFR 1500–1508 and 43 CFR 46).

Stephen P. Henry,

Field Supervisor, Ventura Fish and Wildlife Office, Ventura, California.

[FR Doc. 2024–24343 Filed 10–21–24; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Geological Survey

[GX24EN05ESBJF00]

Announcement of Advisory Council for Climate Adaptation Science Meeting

AGENCY: Geological Survey, Department of the Interior.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act (FACA) of 1972, the U.S. Geological Survey (USGS) is publishing this notice to announce that a Federal Advisory Committee meeting of the Advisory Council for Climate Adaptation Science (ACCAS) will take place and is open to members of the public.

DATES: The meeting will be held in person on Wednesday, November 13, 2024, from 8:30 a.m. to 5:00 p.m., and on Thursday, November 14, 2024, from 8:30 a.m. to 3:00 p.m. Central Time. A virtual attendance option will be provided. The final schedule will be made available in advance of the meeting at *https://www.usgs.gov/programs/climate-adaptation-science-centers/advisory-council-climate-adaptation-science.*

ADDRESSES: The meeting will be held at the University of Minnesota Campus Club, 403 Coffman Memorial Union, 300 Washington Avenue SE, Minneapolis, MN 55455.

FOR FURTHER INFORMATION CONTACT: Isabella Ullerick, ACCAS Designated Federal Officer, USGS, by email at *iullerick@usgs.gov,* or by phone at 571–477–4309.

SUPPLEMENTARY INFORMATION: This meeting is being held consistent with the provisions of the FACA (5 U.S.C. ch. 10), the Government in the Sunshine Act of 1976 (5 U.S.C. 552B, as amended), and 41 CFR part 102–3.

Purpose of the Meeting: The ACCAS advises the Secretary of the Interior on the operations of the USGS Climate Adaptation Science Centers (CASCs). ACCAS members represent state and local governments; Tribes and Indigenous organizations; non-governmental organizations; academia; and the private sector. Additional information about the ACCAS is

available at: *https://www.usgs.gov/programs/climate-adaptation-science-centers/advisory-council-climate-adaptation-science.*

Agenda Topics: Agenda topics will cover (a) subcommittee progress (if any) since the previous full-Council meeting; (b) discussion of key items on the horizon for the CASCs; (c) development and discussion of next key priorities and workplan for the ACCAS; (d) changes to or development of new subcommittees; (e) process for upcoming membership nominations and charter renewal. The final agenda will be made available in advance of the meeting at: *https://www.usgs.gov/programs/climate-adaptation-science-centers/advisory-council-climate-adaptation-science.* The meeting will include opportunities for public comment on both meeting days, November 13 and 14. Comments may also be submitted to the council in writing by email to *iullerick@usgs.gov.*

Meeting Accessibility/Special Accommodations: The meeting is open to the public; however, seating may be limited due to room capacity. A virtual attendance option will be provided to those who register. Public attendees should register by completing the form found at *https://www.usgs.gov/programs/climate-adaptation-science-centers/advisory-council-climate-adaptation-science.* Registration is due by November 6, 2024.

Please make requests in advance for sign-language interpreter services, assistive listening devices, language translation services, or other reasonable accommodations. We ask that you contact *iullerick@usgs.gov* at least seven (7) business days prior to the meeting to give the Department of the Interior sufficient time to process your request. All reasonable accommodation requests are managed on a case-by-case basis.

Individuals in the United States who are deaf, blind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

Public Disclosure of Comments: There will be an opportunity for public comment during the meeting. Depending on the number of people who wish to speak and the time available, the time for individual comments may be limited. Written comments may also be sent to the ACCAS for consideration. To allow for full consideration of information by ACCAS members, written comments must be provided to *iullerick@usgs.gov* at least three (3) business days prior to the meeting.

Before including your address, phone number, email address, or other personally identifiable information (PII) in your comment, you should be aware that your entire comment—including your PII—may be made publicly available at any time. While you may ask us in your comment to withhold your PII from public view, we cannot guarantee that we will be able to do so.

Authority: 5 U.S.C. ch. 10.

Isabella Ullerick,

Designated Federal Officer, Advisory Council for Climate Adaptation Science.

[FR Doc. 2024–23971 Filed 10–21–24; 8:45 am]

BILLING CODE 4338–11–P

DEPARTMENT OF THE INTERIOR

Office of the Secretary

[BLM_HQ_FRN_MO4500181945]

National Environmental Policy Act Implementing Procedures for the Bureau of Land Management

AGENCY: Office of the Secretary, Interior.

ACTION: Notice.

SUMMARY: This notice announces the Department of the Interior's (Department) proposal to revise the National Environmental Policy Act implementing procedures for the Bureau of Land Management (BLM) at Chapter 11 of Part 516 of the Departmental Manual (DM) to add a new categorical exclusion for geothermal resource confirmation activities on Federal geothermal resource leases.

DATES: Comments must be postmarked (for mailed comments), delivered (for personal or messenger delivery comments), or filed (for electronic comments) no later than November 21, 2024.

ADDRESSES: The public can review the Substantiation Report for the proposed new CX online at: *https://eplanning.blm.gov/eplanning-ui/project/2034686/510.* Comments can be submitted using:

—*BLM National NEPA Register: https://eplanning.blm.gov/eplanning-ui/project/2034686/510.* Follow the instruction at this website.

—*Mail, personal or messenger delivery:* U.S. Department of the Interior, Bureau of Land Management, Attention: HQ330 Geothermal Resource Confirmation Categorical Exclusion, 1849 C Street NW, Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT: Heather Bernier, Division Chief, Decision Support, Planning, and NEPA, at (303) 239–3635, or *hbernier@blm.gov.* Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. 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:

Background

The National Environmental Policy Act (NEPA), 42 U.S.C. 4321 *et seq.,* requires Federal agencies to consider the environmental effects of their proposed actions in their decision-making processes and to inform and engage the public in that process. Section 101(a) of NEPA sets forth a national policy to use all practicable means and measures, including financial and technical assistance, in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which humans and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans. 42 U.S.C. 4331(a). Section 102 of NEPA directs agencies to interpret and administer Federal policies, regulations, and laws consistent with NEPA's policies. 42 U.S.C. 4332.

To comply with NEPA, agencies determine the appropriate level of review for a proposed action: an environmental impact statement (EIS), an environmental assessment (EA), or a categorical exclusion (CX). 40 CFR 1501.3(c). If a proposed action is likely to have significant environmental effects, the agency will prepare an EIS and document its decision in a record of decision. 40 CFR part 1502, 1505.2. If the proposed action is not likely to have significant environmental effects or the level of significance is unknown, the agency will prepare an EA, which involves a more concise analysis and process than an EIS. 40 CFR 1501.5. Following preparation of an EA, the agency may reach a finding of no significant impact (FONSI) if the analysis shows that the action will have no significant effects. 40 CFR 1501.6. If, following preparation of an EA, the agency finds that the proposed action will have significant effects, it will prepare an EIS before authorizing the action. 40 CFR 1501.6(a)(3).

Under NEPA and the Council on Environmental Quality's (CEQ's) implementing regulations, a Federal

agency must establish CXs—categories of actions that the agency has determined normally do not significantly affect the quality of the human environment, individually or in the aggregate—in its agency NEPA procedures. 42 U.S.C. 4336(e)(1); 40 CFR 1501.4, 1507.3(c)(8), 1508.1(e). If an agency determines that a CX covers a proposed action, the agency then evaluates the proposed action for any extraordinary circumstances in which a normally excluded action may have a significant effect. 40 CFR 1501.4(b), 1508.1(o). Responsible Officials in the Department's bureaus evaluate proposed actions for the existence of extraordinary circumstances in accordance with the Department's NEPA implementing regulations at 43 CFR 46.205 and 46.215; *see also* 40 CFR 1501.4(b), (b)(1)–(2).

Under NEPA, a CX is defined as ''a category of actions that a Federal agency has determined normally does not significantly affect the quality of the human environment.'' 42 U.S.C. 4336e. CEQ recognizes that CXs increase efficiency by reducing the resources spent analyzing proposals that normally do not have potentially significant environmental effects, thereby allowing those resources to be focused on proposals that are more likely to have significant environmental effects.[1] The appropriate use of CXs allows NEPA compliance, in the absence of extraordinary circumstances that merit further consideration, to be concluded without preparing either an EA or an EIS.

The Department's revised NEPA procedures were published in the **Federal Register** on October 15, 2008 (73 FR 61292), and are codified at 43 CFR part 46. Additional Department-wide NEPA policy may be found in the DM, in chapters 1 through 4 of part 516. The NEPA procedures for the Department's bureaus are published as additional chapters of DM part 516. Chapter 11 of 516 DM covers the BLM's procedures. The BLM's current procedures can be found at: *https://www.doi.gov/sites/doi.gov/files/elips/documents/516-dm-11_0.pdf.* These procedures address policy as well as procedure to assure compliance with the spirit and intent of NEPA.

Rationale for the Proposed New CX

The Department proposes to establish this new Geothermal Resource Confirmation (GRC) CX to facilitate the permitting of operations plans (OPs) for lessees to drill and test resource wells and expedite renewable energy development on public lands. Geothermal resource confirmation drilling usually includes at least three wells drilled into the resource to evaluate commercial viability of the resource, and to determine the extent of the resource by demonstrating communication between wells. Authorizing any OPs for post-leasing drilling operations (to directly test for and confirm the existence of a geothermal resource) currently requires the BLM to prepare an EA to comply with NEPA. The BLM's goal is to shift its analytical resources away from preparing EAs for actions that have been demonstrated to result in no significant impacts towards those that may. BLM has long experience with approval of OPs for geothermal resource confirmation operations and is familiar with the environmental effects of these activities, none of which normally result in significant or unanticipated effects to other resource values or uses.

To substantiate its determination that the proposed new GRC CX describes a category of actions that does not normally have a significant effect on the environment, individually or in the aggregate, BLM assessed the environmental effects of previously implemented geothermal resource confirmation projects by evaluating 26 BLM EAs that concluded with FONSIs and validating these environmental reviews by conducting post-implementation evaluations that confirmed the findings.

A record of the BLM's review can be found in the Substantiation Report for the proposed new CX (GRC CX Substantiation Report), which is available at *https://eplanning.blm.gov/eplanning-ui/project/2034686/510,* incorporated by reference here, and summarized in the Justification for Change section below. Based upon this information, the BLM has found that the establishment of a CX is appropriate because no significant effects normally result from GRC operations conducted within the proposed parameters. Establishing the proposed new CX would ensure a timely process for review and processing of operations plan applications for geothermal resource confirmation drilling and testing projects that normally do not have significant effects.

Description of Change

The Department proposes to add one CX to 516 DM 11.9 at Section B. Oil, Gas and Geothermal Energy. The language of the proposed new CX at 516 DM 11.9 B (7) is:

Approval of an operations plan for geothermal resource confirmation wells (*e.g.,* core drilling, temperature gradient wells, and/or resource wells), including, but not limited to, construction of temporary routes for access, reclamation of all surface disturbance, and direct testing (*e.g.,* flow tests) to confirm the existence of a geothermal resource, to improve injection support, or to demonstrate communication between wells that:

- Does not include resource utilization;
- Does not exceed 20 acres of total (contiguous or noncontiguous) surface disturbance;
- Includes reclamation of temporary routes when their intended purpose(s) has been fulfilled, unless through a separate review and decision-making process the BLM incorporates and appropriately designates a route as part of its transportation system. Unless a temporary route is specifically intended to accommodate public use, use of the temporary route is limited to project specific geothermal resource confirmation purposes;
- Requires temporary routes to be constructed and used to allow for the reclamation, by artificial or natural means, of the temporary route and areas where the vegetative cover was disturbed by the construction or use of the route, and requires such treatment to be designed to reestablish vegetative cover as soon as possible, but at least within 10 years after approved reclamation commences; and
- Includes design elements to protect resources and resource uses consistent with the applicable Resource Management Plan, laws, regulations, and lease terms.

The BLM's intent in establishing this CX is to improve the efficiency of routine environmental review processes for geothermal resource confirmation. When applying this CX, Responsible Officials at the BLM will evaluate the proposed actions to determine whether there are any extraordinary circumstances. The Department's extraordinary circumstances are listed at 43 CFR 46.215 and include, in part, consideration of impacts on public health and safety; natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks, sole or principal drinking water aquifers; prime farmlands; wetlands; floodplains; national monuments; migratory birds; and other ecologically significant or critical areas; unresolved conflicts concerning alternative uses of available resources; unique or unknown environmental risks; precedent for future decision-making; historic properties; listed species or critical habitat; low income or minority populations; access by Indian religious

[1] Council on Environmental Quality (CEQ), *Establishing, Applying, and Revising Categorical Exclusions under the Environmental Policy Act,* at 2–3. November 23, 2010. *https://ceq.doe.gov/docs/ceq-regulations-and-guidance/NEPA_CE_Guidance_Nov232010.pdf.*

practitioners to, and for ceremonial use of, Indian sacred sites and the physical integrity of those sites; and contribution to the introduction, continued existence, or spread of invasive weeds or non-native invasive species. Responsible Officials in the BLM are required to review any proposed action for which they intend to rely on a CX, as provided at 43 CFR 46.205, by comparing it with the list at 43 CFR 46.215, and to document that review in accordance with any applicable BLM NEPA or program guidance. The Responsible Official will assess whether an extraordinary circumstance exists. If the Responsible Official cannot rely on a CX to support a decision on a particular proposed action due to extraordinary circumstances, the Responsible Official will prepare an EA or EIS, consistent with 40 CFR 1501.4(b)(2) and 43 CFR 46.205(c).

The public is asked to review and comment on the proposed new CX. To be considered, any comments on this proposed addition to the list of CXs in the DM must be received by the date listed in the **DATES** section of this notice at the location listed in the **ADDRESSES** section. Comments received after that date will be considered only to the extent practicable. Comments, including names and addresses of respondents, will be part of the public record and available for public review at the BLM address shown in the **ADDRESSES** section, during business hours, 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. Before including your address, telephone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personally identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Justification for Change

The BLM proposes this GRC CX after reviewing existing BLM NEPA analyses and available scientific research on the effects of routine actions that would be included in the proposed new CX over time and over different geographic areas. The BLM has documented in detail the justification for establishing this new CX in the Substantiation Report, which is incorporated by reference here and available to review in full at the websites shown in **ADDRESSES**.

Pursuant to the Geothermal Steam Act of 1970, the BLM is responsible for issuing leases for geothermal resource development and managing resource development, in part by processing permit applications for drilling, production, and utilization (electrical generation) on the Federal mineral estate. This authority encompasses approximately 700 million acres of Federal minerals, including BLM-managed public lands, National Forest System lands, other Federal lands, as well as split estate (*e.g.,* non-Federal surface) lands where the Federal Government has retained the mineral estate.

Geothermal energy offers the Nation a clean, domestic, and abundant renewable resource. Conventional (hydrothermal) geothermal power plants use heat energy found in rock formations containing hot water or steam below the Earth's surface to turn a turbine and generate electrical power. Geothermal energy is a baseload source of electricity, generating energy 24 hours a day, regardless of changing weather patterns; as such, geothermal energy can help bridge the gap created by the intermittent generation of power from other renewable energy sources like solar and wind. Among renewable energy sources, geothermal power plants also have the smallest amount of surface disturbance relative to electricity produced, with a generation-weighted average of 0.34 acre/Gigawatt hour. Currently, approximately seventy (~70) percent (%) of geothermal installed capacity in the United States includes Federal resources. For these reasons, the BLM's Geothermal Energy Program is a critical component of efforts to advance and diversify the Nation's energy portfolio.

The proposed new CX would support streamlined project authorization at the resource confirmation drilling phase and simplify the NEPA process. Establishment of the CX could support more efficient authorization of resource confirmation and testing, which could remove unnecessary barriers to the development of geothermal energy.

To support the development of the CX, the BLM examined 26 geothermal projects analyzed in EAs that all supported FONSIs, and that were completed between 2005–2019, to identify potential impacts resulting from the kinds of activities normally included in GRC operations plans, as outlined in the 43 CFR Subpart 3260 regulations. The NEPA documents were reviewed to determine the scope of environmental consequences anticipated to result from the proposed actions. The size and scale of GRC projects reviewed in those documents were the basis of the surface disturbance limitations chosen for the proposed CX; specifically, the BLM determined that a limit of 20 acres will exclude the largest GRC operations, which are likeliest to result in significant effects. The BLM was careful to develop the scope of the proposed GRC CX so as to include only projects that involve drilling and direct testing of a resource. Therefore, the BLM, in its analysis, excluded projects that included actual production of geothermal resources, which requires construction and operation of utilization facilities (*e.g.,* power plants and transmission facilities). Such activities would be included and analyzed in the next phase of geothermal resource development, Utilization Operations, as outlined in the 43 CFR Subpart 3270 regulations, and are therefore beyond the scope of the intended category of activities BLM intends to exclude from further NEPA analysis with this GRC CX. BLM also reviewed 20 representative oil and gas drilling projects on Federal lands, because the activities, equipment, and surface impacts between these two types of fluid minerals are largely similar at the drilling stage.

As discussed in the Methods section of the Substantiation Report, the BLM currently relies on EAs to review GRC projects. In the EAs reviewed, no significant individual or cumulative impacts were predicted to result from the kinds of activities included in the proposed GRC CX, nor were any unanticipated impacts observed after projects were implemented. Actual impacts were the same as predicted impacts in all cases. In all instances, project design elements required by BLM regulations, resource management plans, and leases were adequate to minimize or avoid adverse impacts. None of the evaluated projects would have resulted in a need to complete an EIS for the actions proposed in this CX, had these measures not been applied as a feature of the proposed action or alternatives.

As described in the Substantiation Report, the BLM has experience analyzing and implementing GRC projects in an environmentally sustainable manner and considers the activities described in this proposal to be routine and the environmental effects of those activities to be non-significant. Expediting consideration of GRC projects is essential to improve management of geothermal resources on BLM-administered lands. Establishment of this proposed new CX would facilitate implementation of BLM priorities for identifying steps to establish and implement a program to improve Federal permit coordination

with respect to eligible renewable energy projects on covered land, with the goal of accelerating responsible development of renewable energy (*i.e.,* geothermal) on public lands.

Authorities: NEPA, the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*); E.O. 11514, March 5, 1970, as amended by E.O. 11991, May 24, 1977; and CEQ regulations (40 CFR 1507.3).

Stephen G. Tryon,

Director, Office of Environmental Policy and Compliance.

[FR Doc. 2024–24358 Filed 10–21–24; 8:45 am]

BILLING CODE 4331–84–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[BLM_CO_FRN_MO4500182301]

Notice of Availability of the Record of Decision and Approved Resource Management Plan Amendment for the Gunnison Sage-Grouse (Centrocercus minimus), Colorado and Utah

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of availability.

SUMMARY: The Bureau of Land Management (BLM) announces the availability of the Record of Decision (ROD) for the Approved Resource Management Plan (RMP) Amendment for the Gunnison Sage-Grouse (*Centrocercus minimus*) located in Southwest Colorado and Southeast Utah. The Colorado and Utah State Directors signed the ROD on October 17, 2024, which constitutes the decision of the BLM and makes the Approved RMP Amendment effective immediately.

DATES: The Colorado and Utah State Directors signed the ROD/Approved RMP Amendment on October 17, 2024.

ADDRESSES: The ROD/Approved RMP Amendment is available online at *https://eplanning.blm.gov/eplanning-ui/project/2019031/510.* Printed copies of the ROD/Approved RMP Amendment are available for public inspection at the Grand Junction, Uncompahgre, Tres Rios, Gunnison, San Luis Valley, Moab, and Monticello Field Offices or can be provided upon request by contacting Gina Phillips, Project Manager, BLM Colorado, telephone 970–589–9852, BLM Southwest District Office, 2465 S Townsend Ave., Montrose, CO 81401, email *BLM_CO_GUSG_RMPA@blm.gov.*

A copy of the Protest Resolution Report is available at: *https://www.blm.gov/programs/planning-and-nepa/public-participation/protest-resolution-reports.*

FOR FURTHER INFORMATION CONTACT: Gina Phillips, Project Manager, telephone 970–589–9852, BLM Colorado, BLM Southwest District Office, 2465 S Townsend Ave., Montrose, CO 81401, email *BLM_CO_GUSG_RMPA@blm.gov.* Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services for contacting Ms. Phillips. 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 Approved RMP Amendment for the Gunnison Sage-Grouse changes the following existing plans:

Colorado:

- Canyons of the Ancients National Monument RMP (2010)
- Dominguez-Escalante National Conservation Area RMP (2017)
- Grand Junction Field Office RMP (2015)
- Gunnison Gorge National Conservation Area RMP (2004)
- Gunnison Resource Area RMP (1993)
- McInnis Canyons National Conservation Area RMP (2004)
- San Luis Resource Area RMP (1991)
- Tres Rios Field Office RMP (2015)
- Uncompahgre Field Office RMP (2020)

Utah:

- Moab Field Office RMP (2008)
- Monticello Field Office RMP (2008)

The Gunnison Sage-Grouse Approved RMP Amendment modifies management decisions and actions to promote Gunnison sage-grouse recovery and maintain and enhance habitat, as identified in the 2020 U.S. Fish and Wildlife Service (USFWS) Recovery Plan, across the eight currently recognized populations in southwest Colorado and southeast Utah. Gunnison sage-grouse is federally listed as a threatened species under the Endangered Species Act (16 U.S.C. 1531–1544). The planning area spans portions of 19 Colorado Counties: Alamosa, Archuleta, Conejos, Costilla, Delta, Dolores, Garfield, Gunnison, Hinsdale, La Plata, Mesa, Mineral, Montezuma, Montrose, Ouray, Rio Grande, Saguache, San Juan, and San Miguel; and two Utah Counties: Grand and San Juan, and encompasses approximately 25 million acres of public land. The Approved RMP Amendment makes decisions for approximately 2,182,660 acres of BLM-managed surface lands (1,951,440 acres in Colorado and 231,220 acres in Utah) and 2,852,390 acres of Federal subsurface mineral estate (2,563,220 acres in Colorado and 289,170 acres in Utah). The alternative selected as the Approved RMP Amendment is a clarified version of Alternative F, as described in the Proposed RMP Amendment. The Approved RMP Amendment focuses conservation measures on occupied and unoccupied habitat. For all populations, the Approved RMP Amendment would apply buffers to protect all lek statuses (active, inactive, historic, unknown, occupied, and unoccupied). The Approved RMP Amendment includes a 1-mile adjacent non-habitat buffer around occupied and unoccupied habitat areas, where minimization measures could apply. For Recreation and Lands and Realty program areas, the Approved RMP Amendment applies management designed for the Gunnison Basin population and different management designed for the seven satellite populations (those outside of the Gunnison Basin). For all populations, the Approved RMP Amendment manages resource uses with an objective for no increase in net surface disturbance in habitat. Also, the Approved RMP Amendment closes all areas with no and low potential for fluid mineral leasing in both occupied and unoccupied habitat management areas.

The Approved RMP Amendment designates three new Areas of Critical Environmental Concern: Dry Creek Basin (San Miguel population; 10,920 acres), Sapinero Mesa (Gunnison Basin population; 17,240 acres), and Chance Gulch (Gunnison Basin population; 13,150 acres), specifically for the protection and enhancement of Gunnison sage-grouse habitat. One new Backcountry Conservation Area (referred to as Sugar Creek Backcountry Conservation Area in the Gunnison Basin population; 17,210 acres) is designated to preserve intact, public lands and priority habitat for wildlife, while offering primitive recreation opportunities.

These landscape level management decisions provide habitat conservation and reduction of threats to Gunnison sage-grouse populations. They reflect a long-term commitment by the BLM and cooperating agencies for conservation of the species by continuing protection, restoration, and enhancement of Gunnison sage-grouse habitat.

The BLM published a notice of intent in the **Federal Register** to initiate the public scoping period for this planning effort on July 6, 2022 (87 FR 40262).

After preparing the Draft RMP Amendment/EIS in coordination with 30 cooperating agencies and working with Tribes, the BLM announced the 90-day comment period through publication of its Notice of Availability in the **Federal Register** on November 9, 2023 (88 FR 77353). Based on public comments received on the Draft RMP Amendment/Draft EIS, the BLM updated the Proposed RMP Amendment/Final EIS (Alternative F) by incorporating management actions and allowable uses from Alternatives A, B, C, D and E, including corrections and rewording for clarification of purpose and intent.

The BLM provided the Proposed RMP Amendment on July 5, 2024, for a 30-day protest period. The BLM received five unique protest letter submissions. Three letters contained valid protest issues. After careful review of the responses to the valid protest issues in the protest resolution report, the BLM Director concluded that the BLM Colorado and Utah State Directors followed the applicable laws, regulations, and policies, and considered all relevant resource information and public input. The BLM Director dismissed the protests, and that decision is the final decision of the U.S. Department of the Interior. Responses to protest issues are compiled and documented in a Protest Resolution Report (see **ADDRESSES**).

The BLM provided the Proposed RMP Amendment to the Governors of Colorado and Utah for a 60-day Governor's consistency review. The State of Utah identified potential inconsistencies with State policy and the State Resource Management Plan. In response, the BLM modified a travel management action and followed up with a response letter to address additional topics of concern. The State of Colorado did not identify any inconsistencies with State or local plans, policies or programs identified during the Governor's consistency review of the Proposed RMP Amendment.

(Authority: 40 CFR 1506.6; 43 CFR 1610.5–1)

Douglas J. Vilsack,

BLM Colorado State Director.

[FR Doc. 2024–24335 Filed 10–21–24; 8:45 am]

BILLING CODE 4331–16–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[BLM_CO_FRN_MO4500182534]

Notice of Availability of the Record of Decision for the Approved Resource Management Plan Amendment for Big Game Habitat Conservation for Oil and Gas Management, Colorado

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of availability.

SUMMARY: The Bureau of Land Management (BLM) announces the availability of the Record of Decision (ROD) for the Approved Resource Management Plan (RMP) Amendment for Big Game Habitat Conservation for Oil and Gas Management in Colorado. The Colorado State Director signed the ROD on October 17, 2024, which constitutes the final decision of the BLM and makes the Approved RMP Amendment effective immediately.

DATES: The Colorado State Director signed the ROD on October 17, 2024.

ADDRESSES: The ROD/Approved RMP Amendment is available online at *https://go.usa.gov/xzXxY.* Printed copies of the ROD/Approved RMP Amendment are available for public inspection at the Colorado State Office, Denver Federal Center Building 40, Lakewood, CO 80215, or can be provided upon request by contacting the BLM at *BLM_CO_corridors_planning@blm.gov.*

A copy of the Protest Resolution Report is available at: *https://www.blm.gov/programs/planning-and-nepa/public-participation/protest-resolution-reports.*

FOR FURTHER INFORMATION CONTACT: Alan Bittner, Deputy State Director, Resources, telephone 303–239–3768; address BLM Colorado State Office, Attn: Big Game Corridor amendment/Environmental Impact Statement (EIS), Denver Federal Center Building 40, P.O. Box 151029, Lakewood, CO 80215; email *BLM_CO_corridors_planning@blm.gov.* Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services for contacting Mr. Bittner. 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 Approved RMP Amendment changes the following existing plans:

- Eastern Colorado RMP for the Royal Gorge Field Office (2024)
- San Luis Resource Area RMP (1991)
- Gunnison Resource Area RMP (1993)
- Uncompahgre Field Office RMP (2020)
- Colorado River Valley Field Office RMP (2015) and Roan Plateau Amendment (2016)
- Grand Junction Field Office RMP (2015)
- Kremmling RMP (2015)
- Little Snake RMP (2011)
- White River Field Office RMP (1997)
- Tres Rios Field Office RMP (2015)
- Canyons of the Ancients National Monument RMP (2010)
- Gunnison Gorge National Conservation Area RMP (2004)

The planning area includes all counties in Colorado and encompasses approximately 8.3 million acres of public land and approximately 27 million acres of Federal mineral estate. The decision area includes all 8.3 million acres of BLM-administered surface land (except where Federal minerals have been withdrawn from mineral leasing) plus approximately 4.7 million acres of Federal mineral split estate where the surface is owned by private owners, local government, or the State.

The Approved RMP Amendment describes the actions and management guidance for the conservation of big game High Priority Habitat (HPH) and oil and gas management. The RMP Amendment aligns BLM management of oil and gas in big game HPH with the Colorado Energy and Carbon Management Commission (ECMC) rules for oil and gas development in elk, mule deer, pronghorn, and bighorn sheep HPH (Rule 1202.c, d; Rule 1203). Where lands are open to oil and gas leasing under existing RMPs, the plan prescribes measures consistent with the ECMC rules to conserve seasonal habitats and connectivity within big game HPH in support of Colorado Parks and Wildlife's (CPW) big game population objectives. The approved RMP Amendment calls for the BLM to consider alternative locations for oil and gas operations that either avoid big game HPH altogether, or, where avoidance is not feasible, minimize adverse impacts to the maximum extent possible. The plan includes a controlled surface use stipulation that limits facility density to no more than one active oil and gas location per square mile in big game HPH. A consideration of CPW recommendations for route density is included as an objective and as a lease notice to further guide implementation.

This surface density limitation would require the operator to address adverse direct and unavoidable indirect impacts through mitigation. This includes avoidance, minimization, and compensatory mitigation strategies in subsequent implementation-level National Environmental Policy Act (NEPA) analyses for proposed actions that may result in big game HPH loss and degradation. Subsequent implementation-level mitigation could limit the duration and extent of development activities in big game HPH through all phases of development by avoiding activities in HPH, applying surface density and timing limitations, and mitigating residual impacts. The BLM may also require compensatory mitigation to offset disturbance or density limitation exceedances and adverse direct and unavoidable indirect impacts that result in the functional loss of habitat from oil and gas development in big game HPH. The BLM, after coordination with CPW, will determine whether compensatory mitigation proposed by the operator is sufficient to protect big game HPH from adverse direct and unavoidable indirect impacts.

The BLM has the discretion to require an operator to modify surface operations to change or add specific mitigation measures when supported by scientific analysis and consistent with existing rights. Potential mitigation or conservation measures not already required as stipulations would be analyzed in a site-specific NEPA document and incorporated, as appropriate, as conditions of approval of the permit, plan of development, or other use authorization. The plan would require operators to develop and implement mitigation plans to minimize and offset direct, indirect, and cumulative adverse impacts. The RMP Amendment includes management guidance for enhanced coordination and use of best available science and information during implementation.

The BLM provided the Proposed RMP/Final EIS on July 19, 2024, for a 30-day protest period and did not receive any valid protests. No changes to the Proposed RMP Amendment/EIS were necessary.

The BLM provided the Proposed RMP Amendment to the Governor of Colorado for a 60-day Governor's consistency review. No inconsistencies with State or local plans, policies, or programs were identified during the Governor's consistency review of the Proposed RMP Amendment. No changes to the RMP Amendment or EIS were necessary as a result of the Governor's consistency review.

(Authority: 40 CFR 1506.6, 40 CFR 1506.10, 43 CFR 1610.2)

Douglas J. Vilsack,

State Director.

[FR Doc. 2024–24336 Filed 10–21–24; 8:45 am]

BILLING CODE 4331–16–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[BLM_CO_FRN_MO4500181910]

Availability of the Records of Decision and Approved Resource Management Plans for the Grand Junction Field Office and the Colorado River Valley Field Office, Colorado

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of availability.

SUMMARY: The Bureau of Land Management (BLM) announces the availability of the Records of Decision (RODs) for the approved Resource Management Plans (RMPs) for the Colorado River Valley Field Office (CRVFO) and the Grand Junction Field Office (GJFO) located in western Colorado. The Colorado State Director signed the RODs on October 16, 2024, which constitutes the decision of the BLM and makes the approved RMPs effective immediately.

DATES: The Colorado State Director signed the RODs on October 16, 2024.

ADDRESSES: The RODs/approved RMPs are available online at *https://eplanning.blm.gov/eplanning-ui/project/2016085/510.* Printed copies of the RODs/approved RMPs are available for public inspection at the Colorado River Valley and Grand Junction Field Offices or can be provided upon request by contacting BLM Project Manager Heather Sauls at *hsauls@blm.gov* or 970–878–3855.

A copy of the Protest Resolution Report is available at: *https://www.blm.gov/programs/planning-and-nepa/public-participation/protest-resolution-reports.*

FOR FURTHER INFORMATION CONTACT: Heather Sauls, Project Manager, telephone 970–878–3855; address BLM Upper Colorado River District, 2518 H Road, Grand Junction, CO 81506; email *hsauls@blm.gov.* Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services for contacting Ms. Sauls. 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 planning area is identical to the combined planning areas for the 2015 CRVFO RMP and the 2015 GJFO RMP. Within the CRVFO portion of the supplemental EIS planning area, approximately 517,500 acres of BLM-administered surface lands and approximately 711,300 acres of BLM-administered Federal fluid mineral estate are in Eagle, Garfield, Mesa, Pitkin, and Routt Counties in Colorado. Within the GJFO portion of the planning area, approximately 1,067,500 acres of BLM-administered surface lands and approximately 1,235,600 acres of BLM-administered Federal fluid mineral estate are in Garfield, Mesa, Montrose, and Rio Blanco Counties in Colorado. The decision area is BLM-administered surface lands (BLM-administered lands) and the Federal fluid mineral estate below BLM-administered lands, split-estate lands, and other Federal lands (but not National Forest System lands).

The BLM prepared a supplemental environmental impact statement (EIS) to the 2014 CRVFO RMP/final EIS and 2015 GJFO RMP/Final EIS. The BLM issued RODs and approved the RMPs for the CRVFO and GJFO in 2015. The supplemental EIS was written in response to a United States District Court, District of Colorado, opinion and order (1:16–cv–01822–LTB) regarding the CRVFO RMP ROD and a subsequent settlement agreement. The court granted a partial remand without vacating the decisions contained in the EIS and ROD so that the BLM could address two deficiencies identified by the court. The supplemental EIS also responds to a court-approved voluntary remand of the GJFO ROD (1–19–cv–02869–REB) to allow the BLM to address the same deficiencies identified in the CRVFO case.

Through this collaborative planning effort, the approved RMPs describe the actions to guide future management and meet desired resource conditions. The proposed RMP (Alternative G) in the final supplemental EIS was carried forward as the approved RMP. As part of this supplemental EIS planning effort, the BLM identified several units within the planning area requiring an updated wilderness characteristics inventory; the updated inventory increased the size of the Flat Tops unit (from 3,500 acres to 6,900 acres) and the Pisgah Mountain unit (from 14,500 acres to 16,300 acres).

The approved RMP retains the areas closed to fluid mineral leasing in the 2015 CRVFO and GJFO RMPs and also

retains the fluid mineral stipulations. Within the CRVFO, areas closed to oil and gas leasing in the 2015 RMP include: all Wilderness Study Areas (WSAs); lands within municipal boundaries; the Upper Colorado River Special Recreation Management Area (SRMA); Blue Hill, Bull Gulch, Deep Creek, and Thompson Creek Areas of Critical Environmental Concern (ACECs); Deep Creek, Flat Tops Addition, Pisgah Mountain, and Thompson Creek lands with wilderness characteristics; Deep Creek and two Colorado River segments found eligible for inclusion in the National Wild and Scenic Rivers System; and all State wildlife areas. Within the GJFO, areas closed to oil and gas leasing in the 2015 RMP include: all WSAs; Bangs, Dolores River, and Palisade Rim SRMAs; Gunnison River Bluffs Extensive Recreation Management Area; Badger Wash, Dolores River Riparian, Juanita Arch, Rough Canyon, Sinbad Valley, The Palisade, and Unaweep Seep ACECs; Bangs, Maverick, and Unaweep lands with wilderness characteristics; Gunnison sage-grouse critical habitat and greater sage-grouse habitat within 1 mile of an active lek; Grand Junction and Palisade municipal watersheds; and Bureau of Reclamation withdrawal areas.

The approved RMPs close the no-known and low oil and gas development potential areas to future fluid mineral leasing, except for the helium potential area (GJFO), which remains open to leasing. Medium oil and gas development potential areas are closed where they are surrounded by low oil and gas development potential areas within the CRVFO. Medium oil and gas development potential areas that are either adjacent to (CRVFO) or surrounded by (GJFO) high oil and gas development potential areas remain open for oil and gas leasing. The high potential areas remain open for fluid mineral leasing. Within the high potential and open medium potential areas, there are areas closed to fluid mineral leasing due to specific resource concerns. Geothermal resources remain open to leasing, except for those within areas closed to oil and gas leasing due to specific resource concerns, and fluid mineral stipulations in the approved RMPs apply.

The approved RMPs also close five existing designated ACECs to fluid mineral leasing to protect their relevant and important values, including the Glenwood Springs Debris Flow Hazard Zones and Grand Hogback ACECs in CRVFO, and the Atwell Gulch, Indian Creek, and Pyramid Rock ACECs in GJFO. The approved RMPs expand the existing Grand Hogback ACEC (CRVFO) and Pyramid Rock ACEC (GJFO).

Within the CRVFO, the approved RMP designates the Castle Peak Addition lands with wilderness characteristics unit as a WSA and closes the Thompson Divide Withdrawal Area to oil and gas leasing. Within the GJFO, the approved RMP manages Cone Mountain, Granite Creek, Kings Canyon, Lumsden Canyon, and West Creek units for protection of their wilderness characteristics.

Increased protections for the Roan and Carr Creeks ACEC and Jerry Creek, Mesa/Powderhorn, and Collbran municipal water source areas within the GJFO are provided through application of No-Surface-Occupancy stipulations.

The BLM provided the proposed RMP/final supplemental EIS on June 21, 2024, for a 30-day protest period and received three protest letters and one comment letter. The BLM Assistant Director resolved all protests. Responses to protest issues have been compiled and documented in a Protest Resolution Report (see **ADDRESSES**).

The BLM provided the proposed RMP/final supplemental EIS to the Governor of Colorado for a 60-day Governor's consistency review. No inconsistencies with State or local plans, policies, or programs were identified during the Governor's consistency review of the proposed RMP/final supplemental EIS. No changes to the proposed RMP/final supplemental EIS were necessary as a result of the Governor's consistency review.

(Authority: 40 CFR 1506.6; 43 CFR 1610.5–1)

Douglas J. Vilsack,

BLM Colorado State Director.

[FR Doc. 2024–24333 Filed 10–21–24; 8:45 am]

BILLING CODE 4331–16–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0038932; PPWOCRADN0–PCU00RP14.R50000]

Intended Repatriation: Field Museum, Chicago, IL

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Field Museum intends to repatriate a certain cultural item that meets the definition of an unassociated funerary object and that has a known lineal descendant.

DATES: Repatriation of the cultural item in this notice may occur on or after November 21, 2024.

ADDRESSES: June Carpenter, NAGPRA Director, Field Museum, 1400 S Lake Shore Drive, Chicago, IL 60605, telephone (312) 665–7820, email *jcarpenter@fieldmuseum.org.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the Field Museum, and additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

A total of one cultural item has been requested for repatriation. The unassociated funerary object is a ki'i lā'au (represented by Field Museum catalog number 272689). The ki'i lā'au was removed from the Hale o Keawe on the Island of Hawai'i in 1825 by one of the crewmembers of the H.M.S. Blonde. The Field Museum purchased the ki'i lā'au from A.W. F. Fuller in 1958. Fuller acquired the ki'i in 1911 from F.G. Spranger, who received it from a family member. No potentially hazardous substances are known to have been used to treat this item.

Determinations

The Field Museum has determined that:

- The one unassociated funerary object described in this notice is reasonably believed to have been placed intentionally with or near human remains, and is connected, either at the time of death or later as part of the death rite or ceremony of a Native American culture according to the Native American traditional knowledge of a lineal descendant, Indian Tribe, or Native Hawaiian organization. The unassociated funerary object has been identified by a preponderance of the evidence as related to human remains, specific individuals, or families, or removed from a specific burial site or burial area of an individual or individuals with cultural affiliation to an Indian Tribe or Native Hawaiian organization.
- A known lineal descendant (name withheld per request) is connected to the cultural item described in this notice.

Requests for Repatriation

Additional, written requests for repatriation of the cultural item in this

notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural item in this notice to a requestor may occur on or after November 21, 2024. If competing requests for repatriation are received, the Field Museum must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural item are considered a single request and not competing requests. The Field Museum is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3004 and the implementing regulations, 43 CFR 10.9.

Dated: October 11, 2024.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2024–24423 Filed 10–21–24; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0038916; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: San Bernardino County Museum, Redlands, CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the San Bernardino County Museum has completed an inventory of human remains and associated funerary objects and has determined that there is a cultural affiliation between the human remains and associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains and associated funerary objects in this notice may occur on or after November 21, 2024.

ADDRESSES: Tamara Serrao-Leiva, San Bernardino County Museum, 2024 Orange Tree Lane, Redlands, CA 92374, telephone (909) 798–8623, email *tserrao-leiva@sbcm.sbcounty.gov.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the San Bernardino County Museum, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains, representing at least one individual, have been identified. The one associated funerary object is one lot of ceramic sherds. This collection, cataloged as SBCM–5965, was part of the B.E. McCown collection, affiliated with the now-defunct Archaeological Survey Association. He was given this collection by an individual, referenced in a note that reads, ''Gleeson—Eye for Amerind [American Indian] . . . Donated by Jones, Cochise Co., Arizona.'' When ASA disbanded, this collection was donated to the county museum in the early 2000s.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographical location or acquisition history of the human remains and associated funerary objects described in this notice.

Determinations

The San Bernardino County Museum has determined that:

- The human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- The one lot of objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a connection between the human remains and associated funerary objects described in this notice and the Hopi Tribe of Arizona; Pascua Yaqui Tribe of Arizona; San Carlos Apache Tribe of the San Carlos Reservation, Arizona; Tohono O'odham Nation of Arizona; Tonto Apache Tribe of Arizona; White Mountain Apache Tribe of the Fort Apache Reservation, Arizona; Yavapai-Apache Nation of the Camp Verde Indian Reservation, Arizona; and the Zuni Tribe of the Zuni Reservation, New Mexico.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains and associated funerary objects described in this notice to a requestor may occur on or after November 21, 2024. If competing requests for repatriation are received, the San Bernardino County Museum must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. The San Bernardino County Museum is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: October 11, 2024.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2024–24413 Filed 10–21–24; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0038935; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion Amendment: U. S. Army Garrison, Fort Leonard Wood, MO

AGENCY: National Park Service, Interior.

ACTION: Notice; amendment.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the U.S. Army Garrison, Fort Leonard Wood (Fort Leonard Wood) has amended a notice of inventory completion published in the **Federal Register** on March 7, 2017. This notice amends the

Indian Tribes or Native Hawaiian organizations with cultural affiliation.

DATES: Repatriation of the human remains may occur on or after November 21, 2024.

ADDRESSES: Stephanie Nutt, Archaeologist/Cultural Resources Manager, 8112 Nebraska Avenue, Building 11400, Fort Leonard Wood, MO 65473, telephone (573) 596–7607, email *stephanie.l.nutt.civ@army.mil.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of Fort Leonard Wood and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Amendment

This notice amends the determination of cultural affiliation published in a notice of inventory completion in the **Federal Register** (82 FR 12835–12836, March 7, 2017). Repatriation of the human remains in the original notice of inventory completion has not occurred.

Determinations

Fort Leonard Wood has determined that:

- There is a connection between the human remains described in the original notice and The Osage Nation.

Requests for Repatriation

Written requests for repatriation of the human remains in the original notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains described in the original notice to a requestor may occur on or after November 21, 2024. If competing requests for repatriation are received, Fort Leonard Wood must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains are considered a single request and not competing requests. Fort Leonard Wood is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: October 11, 2024.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2024–24426 Filed 10–21–24; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0038925; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Los Rios Community College District, Sacramento, CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Los Rios Community College District (LRCCD) has completed an inventory of human remains and an associated funerary object and has determined that there is a cultural affiliation between the human remains and associated funerary object and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains and associated funerary object in this notice may occur on or after November 21, 2024.

ADDRESSES: Jamey Nye, Los Rios Community College District, 1919 Spanos Ct, Arden-Arcade, CA 95825, telephone (916) 568–3031, email *nagpra@losrios.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of LRCCD, and additional information on the determinations in this notice, including the results of consultation, can be found in the inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Based on the information available, one associated funerary object that was removed from Allen or Allyn Mound (CA–SAC–96), Sacramento County, CA has been identified. The associated funerary object was likely removed by Robert F. Heizer sometime in 1949 or 1950. Heizer was a previous student who worked closely with Jeremiah B. Lillard at Sacramento Junior College, now Sacramento City College, one of four campuses within the Los Rios Community College District.

Based on the information available, human remains representing, at least, one individual have been reasonably identified. The individual was removed from Morse Mound (CA–SAC–66), Sacramento County, CA, in January of 1938 by Sacramento Junior College under the direction of Jeremiah B. Lillard. Sacramento Junior College, now named Sacramento City College (SCC), is one of four campuses within the Los Rios Community College District. The individual was located in the SCC Biology Department during an audit of all campus collections in January 2024. No associated funerary objects present.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is clearly identified by the information available about the human remains and associated funerary object described in this notice.

Determinations

LRCCD has determined that:

- The human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- The one object described in this notice is reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a reasonable connection between the associated funerary object described in this notice and the Buena Vista Rancheria of Me-wuk Indians of California; California Valley Miwok Tribe, California; Chicken Ranch Rancheria of Me-Wuk Indians of California; Ione Band of Miwok Indians of California; Jackson Band of Miwuk Indians; Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria (Verona Tract), California; Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California; United Auburn Indian Community of the Auburn Rancheria of California; and the Wilton Rancheria, California.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary object in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the human remains and associated funerary object in this notice to a requestor may occur on or after November 21, 2024. If competing requests for repatriation are received, LRCCD must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary object are considered a single request and not competing requests. LRCCD is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: October 11, 2024.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2024–24418 Filed 10–21–24; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0038926; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Repatriation: Yale Peabody Museum, Yale University, New Haven, CT

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Yale Peabody Museum, Yale University, intends to repatriate certain cultural items that meet the definition of unassociated funerary objects and that have a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the cultural items in this notice may occur on or after November 21, 2024.

ADDRESSES: Professor David Skelly, Director, Yale Peabody Museum, P.O. Box 208118, New Haven, CT 06520–8118, telephone (203) 432–3752, email *david.skelly@yale.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the Yale Peabody Museum, and additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

A total of 473 cultural items have been requested for repatriation.

The one unassociated funerary object is a soapstone pendant removed by Walter Sheppard from the area of Avalon on Santa Catalina Island within Los Angeles County on an unknown date. In 1915, Sheppard donated the item to the Yale Peabody Museum.

The three unassociated funerary objects are one lot of bone rings and bone cylinders attributed to grave 1, one lot of glass and shell beads, pearls, an arrowpoint, a sea otter jaw, and fish vertebrae attributed to grave 2, and one lot of glass, shell, and stone beads, shell ornaments, stone pendants, knives, arrowheads, microliths, ochre fragments, basketry fragments, bone items, faunal remains, soapstone items. W. George Washington Harford removed the items from San Miguel Island in Santa Barbara County circa 1871 and donated the material to the Yale Peabody Museum in 1872.

The four unassociated funerary objects are one lot of unworked shells, one fishhook, one lot of bone fragments, and one lot of glass and shell beads removed from Dos Pueblos in Santa Barbara County by George Bird Grinnell and donated to the Yale Peabody Museum in 1876.

The eight unassociated funerary objects are four soapstone pipes, one stone mortar, one stone pestle, and two soapstone ollas removed from La Cieneguitas in Santa Barbara County by George Bird Grinnell and donated to the Yale Peabody Museum in 1876.

The seven unassociated funerary objects are two soapstone ollas, two stone mortars, and three stone pestles removed from La Patera in Santa Barbara County by George Bird Grinnell and donated to the Yale Peabody Museum in 1876.

The two unassociated funerary objects are one stone mortar and one stone pestle removed from Linville Mound in Santa Barbara County by George Bird Grinnell and donated to the Yale Peabody Museum in 1876.

The three unassociated funerary objects are two stone mortars and one stone bowl removed from the area of Santa Barbara in Santa Barbara County by George Bird Grinnell and donated to the Yale Peabody Museum in 1876.

The one unassociated funerary object is a stone mortar. Circa 1864–1872, Benjamin Silliman, Jr., removed the item from Santa Catalina Island within Los Angeles County and donated it to the Yale Peabody Museum in 1877.

The 371 lots of unassociated funerary items are stone items used in making red ochre, quartz pendants, stone pipes, shell cups, a brass cup, pebbles, stone polishers, selenite, hammerstones, grinding stones, plummets, stone netsinkers, adzes, pestles, mortars, paint mortars, soapstone bowls, soapstone vessel fragments, metates, bone whistles with asphaltum, unworked faunal remains, horn implements, fossilized faunal remains, perforated eagle claws, ceramic vessels and sherds, bone awls, bone needles, metal buttons with glass beads, worked shell, glass, shell, and stone beads, shell pendants, shell gorgets, asphaltum, ochre, netting for fishing, fabric, a leather belt, a leather purse, soapstone root brushes, iron and shell fishhooks, an asphaltum water bottle, brass items, fragments of an unknown material. In 1875, Reverend Stephen Bowers removed these items from graves in the region of Santa Barbara in Santa Barbara County. Bowers sold the cultural items to Elias Root Beadle circa 1876. The items were donated to the Yale Peabody Museum in 1916 by Herbert H. Beadle.

The 38 lots of unassociated funerary objects removed from Mescalitan Island in Santa Barbara County by Reverend Stephen Bowers in 1875 are stone items, plummets, a carved polished stone head, an unfinished soapstone item, quartz set in asphaltum, mortar, pestles, glass, shell, and stone beads and pendants, a pipe, arrow-shaft smoothers, mica, stone paint pots, worked shell, incised bone, and unmodified stones. Bowers sold the cultural items to Elias Root Beadle circa 1876. The items were donated to the Yale Peabody Museum in 1916 by Herbert H. Beadle.

The 30 lots of unassociated funerary objects removed from the Sisquoc River region near the city of Santa Barbara in Santa Barbara County by Reverend Stephen Bowers in 1875 are projectile points, drills, scrapers, hammerstones, bone whistles with asphaltum, shell, glass, and stone beads, bone fishhooks, shell ornaments, and a fragment of a soapstone vessel. Bowers sold the cultural items to Elias Root Beadle circa 1876. The items were donated to the

Yale Peabody Museum in 1916 by Herbert H. Beadle.

The one unassociated funerary object removed from Pisarro Rancho in Santa Barbara County by Reverend Stephen Bowers in 1875 is a stone implement. Bowers sold the cultural items to Elias Root Beadle circa 1876. The items were donated to the Yale Peabody Museum in 1916 by Herbert H. Beadle.

The one unassociated funerary object removed from Santa Ynez in Santa Barbara County by Reverend Stephen Bowers in 1875 is a metal boot spur. Bowers sold the cultural items to Elias Root Beadle circa 1876. The items were donated to the Yale Peabody Museum in 1916 by Herbert H. Beadle.

The two unassociated funerary objects removed from Guadalupe in San Luis Obispo County by Reverend Stephen Bowers in 1875 are two stone knives. Bowers sold the cultural items to Elias Root Beadle circa 1876. The items were donated to the Yale Peabody Museum in 1916 by Herbert H. Beadle.

The one unassociated funerary object removed from Pesino Rancheria in San Luis Obispo County by Reverend Stephen Bowers in 1875 is a lot of shell beads. Bowers sold the cultural items to Elias Root Beadle circa 1876. The items were donated to the Yale Peabody Museum in 1916 by Herbert H. Beadle.

Determinations

The Yale Peabody Museum has determined that:

- The 473 unassociated funerary objects described in this notice are reasonably believed to have been placed intentionally with or near human remains, and are connected, either at the time of death or later, to a death rite or ceremony of a Native American culture according to the Native American traditional knowledge of a lineal descendant, Indian Tribe, or Native Hawaiian organization. The unassociated funerary objects have been identified by a preponderance of the evidence as related to human remains, specific individuals, or families, or removed from a specific burial site or burial area of an individual or individuals with cultural affiliation to an Indian Tribe or Native Hawaiian organization.
- There is a reasonable connection between the cultural items described in this notice and the Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation, California.

Requests for Repatriation

Additional, written requests for repatriation of the cultural items in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural items in this notice to a requestor may occur on or after November 21, 2024. If competing requests for repatriation are received, the Yale Peabody Museum must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural items are considered a single request and not competing requests. The Yale Peabody Museum is responsible for sending a copy of this notice to the Indian Tribes identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3004 and the implementing regulations, 43 CFR 10.9.

Dated: October 11, 2024.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2024–24419 Filed 10–21–24; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0038939; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Eastern California Museum, Independence, CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Eastern California Museum has completed an inventory of human remains and associated funerary objects and has determined that there is no lineal descendant and no Indian Tribe or Native Hawaiian organization with cultural affiliation.

DATES: Upon request, repatriation of the human remains and associated funerary objects in this notice may occur on or after November 21, 2024.

ADDRESSES: Shawn Lum, Eastern California Museum, 155 N Grant St., Independence, CA 93526, telephone (760) 878–0258, email *ecmuseum@inyocounty.us.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the Eastern California Museum, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing, at least, one individual have been identified. The two associated funerary objects are pieces of shell and obsidian flakes. These items were donated to the museum by the Lindsey family of Lone Pine, CA on 4–14–1977 and they were assigned accession #1977.103 (ID #NL3).

Consultation

Invitations to consult were sent to the Big Pine Paiute Tribe of the Owens Valley; Bishop Paiute Tribe; Fort Independence Indian Community of Paiute Indians of the Fort Independence Reservation, California; Lone Pine Paiute-Shoshone Tribe; and the Timbisha Shoshone Tribe.

Cultural Affiliation

The following types of information about the cultural affiliation of the human remains and associated funerary objects in this notice are available: geographical. The information, including the results of consultation, identified:

1. No earlier group connected to the human remains or associated funerary objects.
2. Lone Pine Paiute-Shoshone Tribe as an Indian Tribe or Native Hawaiian organization connected to the human remains or associated funerary objects.
3. No relationship of shared group identity between the earlier group and the Indian Tribe or Native Hawaiian organization that can be reasonably traced through time.

Determinations

The Eastern California Museum has determined that:

- The human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- The two objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- No known lineal descendant who can trace ancestry to the human remains

and associated funerary objects in this notice has been identified.

• No Indian Tribe or Native Hawaiian organization with cultural affiliation to the human remains and associated funerary objects in this notice has been clearly or reasonably identified.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Upon request, repatriation of the human remains and associated funerary objects described in this notice may occur on or after November 21, 2024. If competing requests for repatriation are received, the Eastern California Museum must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. The Eastern California Museum is responsible for sending a copy of this notice to any consulting lineal descendant, Indian Tribe, or Native Hawaiian organization.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: October 11, 2024.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2024–24428 Filed 10–21–24; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0038929; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: University of Tennessee, McClung Museum of Natural History & Culture, Knoxville, TN

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the University of Tennessee, McClung Museum of Natural History & Culture (UTK), has completed an inventory of human remains and associated funerary objects and has determined that there is a cultural affiliation between the human remains and associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains and associated funerary objects in this notice may occur on or after November 21, 2024.

ADDRESSES: Dr. Ellen Lofaro, University of Tennessee, Office of Repatriation, 5723 Middlebrook Pike, Knoxville, TN 37921–6053, telephone (865) 974–3370, email *nagpra@utk.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of UTK, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing, at least, 56 individuals have been identified. The 397 lots of associated funerary objects are 146 lots of ceramics, 105 lots of faunal remains, 29 lots of lithics, 88 lots of daub, one lot of petrified wood, 17 lots of indeterminate/other objects, 10 lots of botanicals, and one lot of historic objects.

The remains and funerary objects were removed from 40SY1, the Chucalissa site, in Shelby County, TN. The site was excavated in 1940 by T.M.N. Lewis, George Lidberg, and C.H. Nash of the University of Tennessee, Knoxville. After excavation ended, the remains and funerary objects were transferred to UTK. Chucalissa was a Mississippian site, with the most intensive occupation between 900–1500 CE. Some of the remains and associated funerary objects have been ''repaired'' using an unknown adhesive/s, but to our knowledge, no potentially hazardous substances were used to treat the remains or objects.

During consultation the Quapaw Nation communicated their cultural affiliation with the Chucalissa site, based off the following types of information: historical, geographical, linguistic, anthropological, archaeological, folkloric, oral tradition, and expert opinion.

During consultation, The Chickasaw Nation communicated their cultural affiliation with the Chucalissa site based off historical and geographical information, specifically referencing the Treaty with the US and the Chickasaw of 1818.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is clearly identified by the information available about the human remains and associated funerary objects described in this notice.

Determinations

UTK has determined that:

• The human remains described in this notice represent the physical remains of 56 individuals of Native American ancestry.

• The 397 lots of objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.

• There is a connection between the human remains and associated funerary objects described in this notice and the Quapaw Nation and The Chickasaw Nation.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains and associated funerary objects described in this notice to a requestor may occur on or after November 21, 2024. If competing requests for repatriation are received, UTK must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. UTK is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: October 11, 2024.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2024–24422 Filed 10–21–24; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0038934; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: St. Louis County Office of the Medical Examiner, St. Louis, MO

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the St. Louis County Office of the Medical Examiner (MEO) has completed an inventory of human remains and has determined that there is a cultural affiliation between the human remains and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains in this notice may occur on or after November 21, 2024.

ADDRESSES: Dr. Lindsay Trammell, St. Louis County Office of the MEO, 6059 North Hanley Road, St. Louis, MO 63134, telephone (314) 615–0809, email *LTrammell@stlouiscountymo.gov.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the St. Louis County MEO and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing, at least, two individuals have been identified. No associated funerary objects are present. Remains were discovered in a private residence in Florissant, Missouri on May 5, 2024. They were reportedly originally collected by a private citizen in the 1960's in Clarksville, Missouri, near the Clarksville Mound Groups site, 23PI6. These remains are from the Late Woodland to Emergency Mississippian Period and culturally affiliated with the Osage Nation.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographical location and acquisition history of the human remains described in this notice.

Determinations

The St. Louis County MEO has determined that:

- The human remains described in this notice represent the physical remains of two individuals of Native American ancestry.
- There is a connection between the human remains described in this notice and The Osage Nation.

Requests for Repatriation

Written requests for repatriation of the human remains in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains described in this notice to a requestor may occur on or after November 21, 2024. If competing requests for repatriation are received, the St. Louis County MEO must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains are considered a single request and not competing requests. The St. Louis County MEO is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: October 11, 2024.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2024–24425 Filed 10–21–24; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0038923; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Repatriation: Museum of Us, San Diego, CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Museum of Us intends to repatriate certain cultural items that meet the definition of unassociated funerary objects and that have a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the cultural items in this notice may occur on or after November 21, 2024.

ADDRESSES: Carmen Mosley, NAGPRA Repatriation Manager, Museum of Us, 1350 El Prado, Balboa Park, San Diego, CA 92101, telephone (619) 239–2001 Ext. 42, email *cmosley@museumofus.org.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the Museum of Us, and additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

A total of 12 cultural items have been requested for repatriation. The 12 unassociated funerary objects are from three separate acquisitions.

In December of 1954, Adele Ronecker of San Diego, CA, donated one blade from Stewart County, TN and one bird effigy pipe from Southeastern United States to the San Diego Museum of Man (now Museum of Us), along with a collection of 112 other Native American cultural items from California, Texas, New Mexico, Southeastern United States, Mexico and Southeast Asia. Acquisition records indicate that Ms. Ronecker received the cultural items from Lemley Osborne of Las Cruces, New Mexico.

In May of 1955, the San Diego Museum of Man (now Museum of Us) purchased one shell gorget from Hamilton County, TN, along with 11 other Native North American items,

from Earl Townsend Jr., an attorney from Indianapolis, IN. The donor collected the gorget from a mound in the Tennessee River at the mouth of the Chickamauga Creek.

In July of 1957, George A. Leupold of San Diego, CA, donated seven lanceolate points and one adze from Sparta, White County, TN, and one discoidal from Tyron, Polk County, NC, to the San Diego Museum of Man (now Museum of Us). This acquisition included an additional 57 Native American cultural items (*e.g.,* points, axes, ceramic sherds, bone awls, and discoidals) from Wisconsin, Illinois, Missouri, Tennessee, and adjoining areas. The Museum of Us has no additional information on how and/or when Mr. Leupold acquired the aforementioned items.

Determinations

The Museum of Us has determined that:

- The 12 unassociated funerary objects described above are reasonably believed to have been placed intentionally with or near individual human remains, and are connected, either at the time of death or later as part of the death rite or ceremony and are believed, by a preponderance of the evidence, to have been removed from a specific burial site of an individual or individuals with cultural affiliation to an Indian Tribe or Native Hawaiian organization.
- There is a reasonable connection between the cultural items described in this notice and the Cherokee Nation; Eastern Band of Cherokee Indians; and the United Keetoowah Band of Cherokee Indians in Oklahoma.

Requests for Repatriation

Additional, written requests for repatriation of the cultural items in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural items in this notice to a requestor may occur on or after November 21, 2024. If competing requests for repatriation are received, the Museum of Us must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural items are considered a single request and not competing requests. The Museum of Us is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3004 and the implementing regulations, 43 CFR 10.9.

Dated: October 11, 2024.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2024–24416 Filed 10–21–24; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0038917; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: San Bernardino County Museum, Redlands, CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the San Bernardino County Museum has completed an inventory of human remains and associated funerary objects and has determined that there is a cultural affiliation between the human remains and associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains and associated funerary objects in this notice may occur on or after November 21, 2024.

ADDRESSES: Tamara Serrao-Leiva, San Bernardino County Museum, 2024 Orange Tree Lane, Redlands, CA 92374, telephone (909) 798–8623, email *tserrao-leiva@sbcm.sbcounty.gov.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the San Bernardino County Museum, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing, at least, one individual has been identified. The seven associated funerary objects are burned beads, glass beads, shell, pipe fragments, petrified wood, pottery, and stone tools. The Deep Canyon collection housed at the museum was collected by a private corporation in the summer of 1972 in and around Deep Canyon in Palm Desert, CA. While the original field records do not mention human remains, the museum's records show that one skull fragment is associated with SBCM–5600 (Deep Canyon). Records show Gorden Redtfeldt and M.R. Harrington at the Southwest Museum were corresponding regarding a site report in 1955.

Human remains representing, at least, one individual has been identified. The two associated funerary objects are fish and faunal bone. The Lake LeConte collection (SBCM–5922) housed at the museum was originally part of the McCown collection, who was affiliated with Archaeological Survey Association. When ASA disbanded, this collection was donated to the county museum in the early 2000s.

Human remains representing, at least, one individual has been identified. The four associated funerary objects are pottery, historic-era objects, bone awls, and organic material. In the 1970s an ancestor and objects were sent to Riverside Sheriff's department for a small exhibit installed in the department. In early 2024, sheriff/coroner rediscovered these items in a box labelled ''SBCM'' which included the human remains and objects. In May 2024, coroner communicated this and dropped off the box to the museum. The ceramic potsherd found with ancestor is Cahuilla.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographical local or acquisition history of the human remains and associated funerary objects described in this notice.

Determinations

The San Bernardino County Museum has determined that:

- The human remains described in this notice represent the physical remains of three individuals of Native American ancestry.
- The 13 objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a connection between the human remains and associated funerary objects described in this notice and the Agua Caliente Band of Cahuilla Indians of the Agua Caliente Indian Reservation, California; Augustine Band of Cahuilla

Indians, California; Cabazon Band of Cahuilla Indians (previously listed as Cabazon Band of Mission Indians, California); Cahuilla Band of Indians; Los Coyotes Band of Cahuilla and Cupeno Indians, California; Morongo Band of Mission Indians, California; Ramona Band of Cahuilla, California; Santa Rosa Band of Cahuilla Indians, California; and the Torres Martinez Desert Cahuilla Indians, California.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains and associated funerary objects described in this notice to a requestor may occur on or after November 21, 2024. If competing requests for repatriation are received, the San Bernardino County Museum must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. The San Bernardino County Museum is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: October 11, 2024.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2024–24414 Filed 10–21–24; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0038928; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: William S. Webb Museum of Anthropology, University of Kentucky, Lexington, KY

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the William S. Webb Museum of Anthropology, University of Kentucky (WSWM) has completed an inventory of human remains and has determined that there is a cultural affiliation between the human remains and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains in this notice may occur on or after November 21, 2024.

ADDRESSES: Celise Chilcote-Fricker, William S. Webb Museum of Anthropology, University of Kentucky, 1020 Export Street, Lexington, KY 40504, telephone (859) 257–5124, email *celise.fricker@uky.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the WSWM, and additional information on the determinations in this notice, including the results of consultation, can be found in the inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Based on the information available, human remains representing, at least, two individuals have been reasonably identified. No associated funerary objects are present. Site 15BA08 was surface collected and then donated to the WSWM by Thomas Mitchell, Director of Division of Game, State of Kentucky, Ballard County Waterfowl Refuge in December of 1957. No known hazardous substances are present.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographical location and acquisition history of the human remains described in this notice.

Determinations

The WSWM has determined that:

- The human remains described in this notice represent the physical remains of two individuals of Native American ancestry.
- There is a reasonable connection between the human remains described in this notice and the Cherokee Nation; Eastern Band of Cherokee Indians; The Chickasaw Nation; and the United Keetoowah Band of Cherokee Indians in Oklahoma.

Requests for Repatriation

Written requests for repatriation of the human remains in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the human remains in this notice to a requestor may occur on or after November 21, 2024. If competing requests for repatriation are received, the WSWM must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains are considered a single request and not competing requests. The WSWM is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: October 11, 2024.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2024–24421 Filed 10–21–24; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0038936; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: U.S. Department of the Interior, National Park Service, Hopewell Culture National Historical Park, Chillicothe, OH

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the U.S. Department of the Interior, National Park Service, Hopewell Culture National Historical Park (HOCU) has completed an inventory of associated funerary objects and has determined that there is a cultural affiliation between the associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the associated funerary objects in this notice may occur on or after November 21, 2024.

ADDRESSES: Chris Alford, Superintendent, Hopewell Culture National Historical Park, 16062 State Route 104, Chillicothe, OH 45601, telephone (740) 774–1126, email *chris_alford@nps.gov*.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the Superintendent, HOCU, and additional information on the determinations in this notice, including the results of consultation, can be found in the inventory or related records.

Abstract of Information Available

In 1963, associated funerary objects were removed from the Mound City Group, Ross County, OH during an excavation by the Ohio Historical Society under contract to the National Park Service (NPS). The associated funerary objects were removed from Federal property and were accessioned into the collections at Mound City Group National Monument (now Hopewell Culture National Historical Park). The funerary objects are associated with human remains that were included in a Notice of Inventory Completion published in the **Federal Register** on January 3, 2024 (89 FR 403) and most probably date to the Middle Woodland period. No known hazardous substances are present. The 22 associated funerary objects are seven shell beads and 15 copper artifacts.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is clearly identified by the information available about the associated funerary objects described in this notice.

Determinations

HOCU has determined that:

- The 22 objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a connection between the associated funerary objects described in this notice and the Absentee-Shawnee Tribe of Indians of Oklahoma; Eastern Shawnee Tribe of Oklahoma; and the Shawnee Tribe.

Requests for Repatriation

Written requests for repatriation of the associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.
2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the associated funerary objects in this notice to a requestor may occur on or after November 21, 2024. If competing requests for repatriation are received, HOCU must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the associated funerary objects are considered a single request and not competing requests. HOCU is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: October 11, 2024.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2024–24427 Filed 10–21–24; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0038933; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Repatriation: Bryn Mawr College, Bryn Mawr, PA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), Bryn Mawr College intends to repatriate certain cultural items that meet the definition of objects of cultural patrimony and that have a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the cultural items in this notice may occur on or after November 21, 2024.

ADDRESSES: Marianne Weldon, Bryn Mawr College, 101 N Merion Avenue, Bryn Mawr, PA 19010, telephone (610) 526–5022, email *mweldon@brynmawr.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of Bryn Mawr College, and additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

A total of one lot of cultural items have been requested for repatriation. The one lot of objects of cultural patrimony are a lot of petroglyphs. The cultural items were believed to be removed from the Delaware Water Gap or Susquehanna River. The petroglyphs have been in Special Collections since prior to 2008, but it is unknown how or exactly when Bryn Mawr College acquired them. Bryn Mawr College has no knowledge of any potentially hazardous substances used to treat the objects of cultural patrimony.

Determinations

Bryn Mawr College has determined that:

- The one lot of objects of cultural patrimony described in this notice have ongoing historical, traditional, or cultural importance central to the Native American group, including any constituent sub-group (such as a band, clan, lineage, ceremonial society, or other subdivision), according to the Native American traditional knowledge of an Indian Tribe or Native Hawaiian organization.
- There is a reasonable connection between the cultural items described in this notice and the Delaware Nation, Oklahoma; Delaware Tribe of Indians; and the Stockbridge Munsee Community, Wisconsin.

Requests for Repatriation

Additional, written requests for repatriation of the cultural items in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or

a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural items in this notice to a requestor may occur on or after November 21, 2024. If competing requests for repatriation are received, Bryn Mawr College must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural items are considered a single request and not competing requests. Bryn Mawr College is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3004 and the implementing regulations, 43 CFR 10.9.

Dated: October 11, 2024.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2024–24424 Filed 10–21–24; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0038918; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion Amendment: Los Angeles County Museum of Natural History, Los Angeles, CA

AGENCY: National Park Service, Interior.

ACTION: Notice; amendment.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Los Angeles County Museum of Natural History (LACMNH) has amended a notice of inventory completion published in the **Federal Register** on June 22, 2023. This notice amends the Indian Tribes or Native Hawaiian organizations with cultural affiliation.

DATES: Repatriation of the human remains in this notice may occur on or after November 21, 2024.

ADDRESSES: Amy E. Gusick, NAGPRA Officer, Los Angeles County Museum of Natural History, 900 Exposition Boulevard, Los Angeles, CA 90007, telephone (213) 763–3370, email *agusick@nhm.org.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the LACMNH, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Amendment

This notice amends the determination of cultural affiliation published in a notice of inventory completion in the **Federal Register** (88 FR 40854–40855, June 22, 2023). Repatriation of the items in the original notice has not occurred.

Determinations

The LACMNH has determined that:

- There is a connection between the human remains described in the original notice and the Pueblo of Cochiti, New Mexico; Pueblo of San Felipe, New Mexico; Pueblo of Santa Ana, New Mexico; and the Santo Domingo Pueblo.

Requests for Repatriation

Written requests for repatriation of the human remains in the original notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains described in the original notice to a requestor may occur on or after November 21, 2024. If competing requests for repatriation are received, the LACMNH must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains are considered a single request and not competing requests. The LACMNH is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: October 11, 2024.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2024–24415 Filed 10–21–24; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0038927; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Yale Peabody Museum, Yale University, New Haven, CT

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Yale Peabody Museum, Yale University has completed an inventory of human remains and associated funerary objects and has determined that there is a cultural affiliation between the human remains and associated funerary objects and the Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains and associated funerary objects in this notice may occur on or after November 21, 2024.

ADDRESSES: Professor David Skelly, Director, Yale Peabody Museum, P.O. Box 208118, New Haven, CT 06520–8118, telephone (203) 432–3752, email *david.skelly@yale.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the Yale Peabody Museum, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains, representing, at least, three individuals have been identified. The seven associated funerary objects are one lot of glass, shell, and stone beads, four lots of shell beads, one stone item, and one lot of bone implements. In 1875, the Reverend Stephen Bowers removed the human remains and cultural items from two proveniences within Santa Barbara County, which are San Miguel Island and the region of Santa Barbara, and then sold the collection to Elias Root Beadle circa 1876. The collection was donated to the Yale Peabody Museum in 1916 by Herbert H. Beadle.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is clearly identified by the

information available about the human remains and associated funerary objects described in this notice.

Determinations

The Yale Peabody Museum has determined that:

- The human remains described in this notice represent the physical remains of three individuals of Native American ancestry.
- The seven objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of a death rite or ceremony.
- There is a reasonable connection between the human remains and associated funerary objects described in this notice and the Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation, California.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains and associated funerary objects described in this notice to a requestor may occur on or after November 21, 2024. If competing requests for repatriation are received, the Yale Peabody Museum must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. The Yale Peabody Museum is responsible for sending a copy of this notice to the Indian Tribes identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: October 11, 2024.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2024–24420 Filed 10–21–24; 8:45 am]

BILLING CODE 4312–52–P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–405–406 and 408 and 731–TA–899–901 and 906–908 (Fourth Review)]

Hot-Rolled Steel Products From China, India, Indonesia, Taiwan, Thailand, and Ukraine; Notice of Commission Determination To Conduct Full Five-Year Reviews

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice that it will proceed with full reviews pursuant to the Tariff Act of 1930 to determine whether revocation of the countervailing duty orders on hot-rolled steel from India, Indonesia, and Thailand and revocation of the antidumping duty orders on hot-rolled steel from China, India, Indonesia, Taiwan, Thailand, and Ukraine would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time. A schedule for the reviews will be established and announced at a later date.

DATES: October 4, 2024

FOR FURTHER INFORMATION CONTACT: Caitlyn Costello (202–205–2058), Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by accessing its internet server (*https://www.usitc.gov*). The public record for these reviews may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.*

For further information concerning the conduct of these reviews and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

SUPPLEMENTARY INFORMATION: On October 4, 2024, the Commission determined that it should proceed to full reviews in the subject five-year reviews pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)).[1] The Commission found that the domestic industry party group response to its notice of institution (89 FR 54528, July 1, 2024) was adequate and that the respondent interested party group responses were inadequate, but the Commission found that other circumstances warranted conducting full reviews. A record of the Commissioners' votes will be available from the Office of the Secretary and at the Commission's website.

Authority: These reviews are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to § 207.62 of the Commission's rules.

By order of the Commission.

Issued: October 15, 2024.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2024–24222 Filed 10–21–24; 8:45 am]

BILLING CODE 7020–02–P

[1] Commissioner Rhonda Schmidtlein dissented and voted to expedite these reviews.

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree Under the Clean Water Act

On October 15, 2024, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the District of Puerto Rico in the lawsuit entitled *U.S.* v. *Municipality of Ponce, Puerto Rico,* Case No. 3:24–cv–1478.

The United States filed this lawsuit to seek civil penalties and injunctive relief for Ponce's violation of the Clean Water Act, 33 U.S.C. 1251, *et seq.* (''Act'') in connection with the operation of its Municipal Separate Storm Sewer System (''MS4''). The United States alleges that Ponce: (i) discharged pollutants from its MS4 outfalls into U.S. Waters without a permit; and (ii) failed to comply with various requirements of the National Pollutant Discharge Elimination System (''NPDES'') General Permit for Discharges from Small MS4s within the Commonwealth of Puerto Rico. The Consent Decree resolves the claims in the complaint and requires Ponce to implement various injunctive measures that will prevent future unpermitted discharges from its Small MS4 and that will bring Ponce into compliance with its NPDES permit. The Consent Decree also requires Ponce to pay a $25,000 civil penalty, based on its limited ability to pay.

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 *U.S.* v. *Municipality of Ponce,* Civil Action No. 3:24–cv–1478 and D.J. Ref. No. 90–5–1–1–11715. All comments must be submitted no later than 45 days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	*Send them to:*
By email	*pubcomment-ees.enrd@usdoj.gov.*
By mail	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

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.

Eric D. Albert,

Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 2024–24330 Filed 10–21–24; 8:45 am]

BILLING CODE 4410–15–P

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Stipulation of Settlement and Judgment Under the System Unit Resource Protection Act

On October 17, 2024, the Department of Justice lodged a proposed Stipulation of Settlement and Judgment (''Stipulation'') with the United States District Court for the Eastern District of Washington in the lawsuit entitled *United States* v. *Avista Corporation,* Civil Action No. 2:24–cv–358.

The United States filed this lawsuit under the System Unit Resource Protection Act and Washington State and federal trespass law. The complaint alleges that defendant Avista Corporation's unauthorized activities to stabilize, move, and replace an unpermitted power pole within the Lake Roosevelt National Recreation Area (the ''Park'') in northeastern Washington caused significant injuries to cultural and natural resources at the Park. The complaint seeks recovery of damages and response costs.

Under the Stipulation, Defendant will pay $900,000 to the U.S. Department of the Interior, National Park Service, for response costs and damages, with interest.

The publication of this notice opens a period for public comment on the Stipulation. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States* v. *Avista Corporation,* D.J. Ref. No. 90–5–1–1–12423. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	*Send them to:*
By email	*pubcomment-ees.enrd@usdoj.gov.*
By mail	Assistant Attorney General, U.S. DOJ–ENRD, P.O. Box 7611, Washington, DC 20044–7611.

During the public comment period, the Stipulation may be examined and downloaded at this Justice Department website: *https://www.justice.gov/enrd/consent-decrees.* If you require assistance accessing the Stipulation, 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. 2024–24463 Filed 10–21–24; 8:45 am]

BILLING CODE 4410–15–P

DEPARTMENT OF LABOR

Employment and Training Administration

Agency Information Collection Activities; Comment Request; Guam Military Base Realignment Contractor Recruitment Standards

ACTION: Notice.

SUMMARY: The Department of Labor's (DOL) Employment and Training Administration (ETA) is soliciting comments concerning a proposed extension for the authority to conduct the information collection request (ICR) titled, ''Guam Military Base Realignment Contractor Recruitment Standards''. This comment request is part of continuing Departmental efforts to reduce paperwork and respondent burden in accordance with the Paperwork Reduction Act of 1995 (PRA).

DATES: Consideration will be given to all written comments received by December 23, 2024.

ADDRESSES: A copy of this ICR with applicable supporting documentation, including a description of the likely respondents, proposed frequency of response, and estimated total burden, may be obtained for free by contacting Donald Haughton by telephone at 202–693–2784 (this is not a toll-free number). For persons with a hearing or speech disability who need assistance to use the telephone system, please dial 711 to access telecommunications relay services.

Submit written comments about or requests for a copy of this ICR by mail or courier to the U.S. Department of Labor, Employment and Training Administration—Division of National Programs Tools and Technical Assistance, 200 Constitution Avenue NW, C4526, Washington, DC 20210; or by email: *haughton.donald.w@dol.gov.*

SUPPLEMENTARY INFORMATION: DOL, as part of continuing efforts to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and federal agencies an opportunity to comment on proposed and/or continuing collections of information before submitting them to the Office of Management and Budget (OMB) for final approval. This program helps to ensure requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements can be properly assessed.

DOL seeks to revise the Guam Military Base Realignment Contractor Recruitment Standards ICR based on revised Department of Defense projections on the number of workers needed for the next several years. The National Defense Authorization Act for Fiscal Year 2010 (Pub. L. 111–84), enacted October 28, 2009, authorizes this information collection.

This information collection is subject to the PRA. A federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. *See* 5 CFR 1320.5(a) and 1320.6.

Interested parties are encouraged to provide comments to the contact shown in the **ADDRESSES** section. Comments must be written to receive consideration, and they will be summarized and included in the request for OMB approval of the final ICR. To help ensure appropriate consideration, comments should mention Guam Military Base Realignment Contractor Recruitment Standards, OMB Control Number 1205–0484.

Submitted comments will also be a matter of public record for this ICR and posted on the internet, without redaction. DOL encourages commenters not to include personally identifiable information, confidential business data, or other sensitive statements/information in any comments.

DOL is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;
- Evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, (*e.g.,* permitting electronic submission of responses).

Agency: DOL–ETA.

Type of Review: Revision.

Title of Collection: Guam Military Base Realignment Contractor Recruitment Standards.

Form: None.

OMB Control Number: 1205–0484.

Affected Public: Private sector (for-profit businesses and not-for-profit organizations).

Estimated Number of Respondents: 62.

Frequency: Annually.

Total Estimated Annual Responses: 62.

Estimated Average Time per Response: 90 minutes.

Estimated Total Annual Burden Hours: 93 hours.

Total Estimated Annual Other Cost Burden: $3,401.

Authority: 44 U.S.C. 3506(c)(2)(A).

José Javier Rodríguez,

Assistant Secretary for Employment and Training, Labor.

[FR Doc. 2024–24382 Filed 10–21–24; 8:45 am]

BILLING CODE 4510–FN–P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; EBSA Participant Assistance Program Customer Survey

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Employee Benefits Security Administration (EBSA)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that the agency receives on or before November 21, 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.* 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: Michael Howell by telephone at 202–693–6782, or by email at *DOL_PRA_PUBLIC@dol.gov.*

SUPPLEMENTARY INFORMATION: EBSA conducts the surveys to evaluate the Participant Assistance Program (PAP) provided by the benefits advisor staff nationwide to understand how well the Agency is meeting service delivery goals by; (1) assessing EBSA's customers' perception of the services provided by the EBSA benefit advisors, and (2) determining what actions the performance data indicate could enable each regional office to provide the best possible participant assistance service; and (3) establishing a current baseline for EBSA's (Government Performance and Accountability Act GPRA) measurement. EBSA will use the data from the survey to track the agency's progress on accomplishing it's GPRA measurement goal. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on February 5, 2024 (89 FR 7732).

Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) the accuracy of the agency's estimates 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.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. *See* 5 CFR 1320.5(a) and 1320.6.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Agency: DOL–EBSA.

Title of Collection: EBSA Participant Assistance Program Customer Survey.

OMB Control Number: 1210–0161.

Affected Public: Individuals or households.

Total Estimated Number of Respondents: 14,081.

Total Estimated Number of Responses: 14,081.

Total Estimated Annual Time Burden: 2,347 hours.

Total Estimated Annual Other Costs Burden: $0.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Michael Howell,

Senior Paperwork Reduction Act Analyst.

[FR Doc. 2024–24383 Filed 10–21–24; 8:45 am]

BILLING CODE 4510–29–P

MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Morris K. Udall and Stewart L. Udall Foundation.

ACTION: Notice of request for public comment and submission to OMB of proposed collection of information.

SUMMARY: The Morris K. Udall and Stewart L. Udall Foundation (Udall Foundation) submitted the Information Collection Request (ICR) described below to the Office of Management and Budget (OMB) for approval. In accordance with the Paperwork Reduction Act, the agency is requesting comments on this information collection from all interested individuals and organizations. The purpose of this notice is to allow 30 days for public comment.

DATES: Interested persons are invited to submit comments on or before November 21, 2024.

ADDRESSES: Written comments and recommendations for the proposed information collection should be submitted within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find the information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: For specific questions or to request additional information about this ICR, contact Gwendolyn Franks at *franks@udall.gov,* or by telephone at 520–901–8552. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION: The Udall Foundation, in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501 *et seq.*), previously provided the general public and Federal agencies with an opportunity to comment on this proposed collection of information during a 60-day period in the **Federal Register**, 89 FR 65679, August 12, 2024. No comments were received and therefore no changes were made based on public comment. The Udall Foundation finalized the content of the proposed ICR. The proposed ICR is necessary to improve the Udall Foundation's delivery of its services. The ICR is not expected to have a significant economic impact on respondents or to affect a substantial number of small entities. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: Survey of Alumni—Eligibility Criteria.

OMB Control Number: Not Assigned.

Respondents/Affected Public: Individuals or households.

Total Estimated Number of Annual Responses: 100.

Total Estimated Number of Annual Burden Hours: 30.

Abstract: This voluntary anonymous survey collects information from Udall Foundation Scholarship, Internship, and Fellowship alumni to gather feedback from them on potential agency changes to the formulation of its eligibility criteria for certain Native American and Alaska Native award categories in the future. The survey will gather specific feedback from the alumni about their participation in the Scholarship, Internship, and/or Graduate Fellowship Programs after their award year has concluded; feedback related to the potential agency changes to eligibility criteria for Native American and Alaska Native programming; and feedback related to whether and how their level of participation in and support of the Scholarship, Internship, and Graduate Fellowship Programs is likely to change if the eligibility criteria are updated as proposed. This survey is a primary means by which the Udall Foundation will receive and evaluate such feedback from program alumni. It is not anticipated that the survey will be administered more than one time, which will be in the first quarter of calendar year 2025. (20 U.S.C. 5601–5609)

Dated: October 17, 2024.

David P. Brown,

Executive Director, Morris K. Udall and Stewart L. Udall Foundation.

[FR Doc. 2024–24461 Filed 10–21–24; 8:45 am]

BILLING CODE 6820–FN–P

NATIONAL CREDIT UNION ADMINISTRATION

Revision of Agency Information Collection of a Previously Approved Collection; Request for Comments

AGENCY: National Credit Union Administration (NCUA).

ACTION: Notice of submission to the Office of Management and Budget.

SUMMARY: As required by the Paperwork Reduction Act of 1995, The National Credit Union Administration (NCUA) is submitting the following extensions and revisions of currently approved collections to the Office of Management and Budget (OMB) for renewal.

DATES: Written comments should be received on or before November 21, 2024 to be assured 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.* 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 submission may be obtained by contacting Dacia Rogers at (703) 518–6547, emailing *PRAComments@ncua.gov,* or viewing the entire information collection request at *www.reginfo.gov.*

SUPPLEMENTARY INFORMATION:

OMB Number: 3133–0067.

Title: Corporate Credit Union Monthly Call Report and Annual Report of Officers.

Type of Review: Revision of a currently approved collection.

Abstract: Section 202(a)(1) of the Federal Credit Union Act (Act) requires federally insured credit unions to make reports of condition to the NCUA Board upon dates selected by it. Corporate credit unions report this information monthly on NCUA Form 5310, also known as the Corporate Credit Union Call Report. The financial and statistical information is essential to NCUA in carrying out its responsibility for supervising corporate credit unions. The Federal Credit Union Act, 12 U.S.C. 1762, specifically requires federal credit unions to report the identity of credit union officials. Section 741.6(a) requires federally-insured credit unions to submit a Report of Officials annually to NCUA containing the annual certification of compliance with security requirements. The branch information is requested under the authority of § 741.6 of the NCUA Rules and Regulations. NCUA utilizes the information to monitor financial conditions in corporate credit unions, and to allocate supervision and examination resources.

Affected Public: Private Sector: Not-for-profit institutions.

Estimated Number of Respondents: 11.

Estimated Number of Responses per Respondent: 13.

Estimated Total Annual Responses: 143.

Estimated Hours per Response: 3.769230769.

Estimated Total Annual Burden Hours: 539.

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. The public is invited to submit comments concerning: (a) whether the collection of information is necessary for the proper performance of the function of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of the information on the respondents, including the use of automated collection techniques or other forms of information technology.

By the National Credit Union Administration Board.

Melane Conyers-Ausbrooks,

Secretary of the Board.

[FR Doc. 2024–24329 Filed 10–21–24; 8:45 am]

BILLING CODE 7535–01–P

NATIONAL CREDIT UNION ADMINISTRATION

Sunshine Act Meetings

TIME AND DATE: 10:00 a.m., Thursday, October 24, 2024.

PLACE: Board Room, 7th Floor, Room 7B, 1775 Duke Street, (All visitors must use Diagonal Road Entrance), Alexandria, VA 22314–3428.

STATUS: Open.

MATTERS TO BE CONSIDERED:

1. Board Briefing, Cybersecurity Update.

2. Board Briefing, New Charter and Field of Membership Update

CONTACT PERSON FOR MORE INFORMATION: Melane Conyers-Ausbrooks, Secretary of the Board, Telephone: 703–518–6304.

Melane Conyers-Ausbrooks,

Secretary of the Board.

[FR Doc. 2024–24473 Filed 10–18–24; 11:15 am]

BILLING CODE 7535–01–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–259, 50–260, and 50–296; NRC–2024–0030]

Tennessee Valley Authority; Browns Ferry Nuclear Plant, Units 1, 2, and 3; Intent To Prepare Environmental Impact Statement

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) will prepare a supplemental environmental impact statement (SEIS) to evaluate the environmental impacts for the subsequent license renewal (SLR) of Renewed Facility Operating License Nos. DPR–33, DPR–52, and DPR–68 for Browns Ferry Nuclear Plant, Units 1, 2, and 3 (Browns Ferry).

DATES: October 22, 2024.

ADDRESSES: Please refer to Docket ID NRC–2024–0030 when contacting the NRC about the availability of information for this action. You may obtain publicly available information related to this action by any of the following methods:

- *Federal Rulemaking Website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2024–0030. Address questions about Docket IDs in *Regulations.gov* to Stacy Schumann; telephone: 301–415–0624; email: *Stacy.Schumann@nrc.gov.* For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at *https://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''Begin Web-based ADAMS Search.'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, at 301–415–4737, or by email to *PDR.Resource@nrc.gov.* The ADAMS accession number for each document referenced in this document (if it is available in ADAMS) is provided the first time that it is referenced.
- *NRC's PDR:* The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to *PDR.Resource@nrc.gov* or call 1–800–397–4209 or 301–415–4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.
- *Public Library:* A copy of the SLR application for Browns Ferry, including the environmental report (ER), is available for public review at the following public library location: Athens-Limestone County Public Library, 603 S Jefferson Street, Athens, AL 35611.

FOR FURTHER INFORMATION CONTACT: Jessica Umaña, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–5207, email: *Jessica.Umana@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

On January 19, 2024, Tennessee Valley Authority, submitted to the NRC an application for subsequent license renewal of Renewed Facility Operating License Nos. DPR–33, DPR–52, and DPR–68, for Units 1, 2, and 3, for an additional 20 years of operation (ADAMS Accession No. ML24019A010). This submission initiated the NRC's proposed action of determining whether to grant the SLR application. The Browns Ferry Units are boiling water reactors designed by General Electric and are located on the north shore of Wheeler Reservoir in Limestone County, Alabama, at Tennessee River Mile 294. The current renewed facility operating licenses for Units 1, 2, and 3, expire at midnight on December 20, 2033, June 28, 2034, and July 2, 2036, respectively. The SLR application was submitted pursuant to part 54 of title 10 of the *Code of Federal Regulations* (10 CFR), ''Requirements for Renewal of Operating Licenses for Nuclear Power Plants,'' and seeks to extend the renewed facility operating licenses for Units 1, 2, and 3, to midnight on December 20, 2053, June 28, 2054, and July 2, 2056, respectively.

On April 3, 2024, the NRC published in the **Federal Register**, a notice of intent to conduct a scoping process and prepare a site-specific environmental impact statement (EIS) (89 FR 23056). Consistent with Commission Legal Issuance (CLI–22–03), the SLR application contained an ER in which the impacts of all environmental issues were evaluated on a site-specific basis, and the NRC staff initiated a review to address the impacts for all such issues during the SLR period in a site-specific EIS. The NRC staff stated in the original notice of intent that it would first conduct a scoping process for the site-specific EIS and then prepare a draft site-specific EIS for public comment. During the 30-day scoping period, the NRC received comments through

written correspondence and two public meetings.

II. Discussion

On August 6, 2024, the NRC published a final rule in the **Federal Register** (89 FR 64166) revising its environmental protection regulations in 10 CFR part 51, ''Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions.'' The final rule updates the potential environmental impacts associated with the renewal of an operating license for a nuclear power plant for up to an additional 20 years for either an initial license renewal or one period of SLR. Revision 2 to NUREG–1437, ''Generic Environmental Impact Statement for License Renewal of Nuclear Plants'' (LR GEIS) (ADAMS Package Accession No. ML24087A133) provides the technical basis for the final rule. The revised LR GEIS supports the updated list of environmental issues and associated environmental impact findings contained in table B–1 in appendix B to subpart A of the revised 10 CFR part 51 for both initial license renewals and one period of SLR.

The final rule became effective 30 days after its publication in the **Federal Register** (*i.e.,* on September 5, 2024), and staff must now consider the new and modified issues, as applicable, in its license renewal EISs. Accordingly, the NRC staff intends to prepare a supplement to the LR GEIS for the Browns Ferry SLR application. In contrast to the previously planned site-specific EIS, the SEIS will rely on the LR GEIS determinations for Category 1 (generic) issues that apply to all or a distinct subset of nuclear power plants. Site-specific information will be considered only on Category 2 (site-specific) issues and will be screened for new and significant information on Category 1 issues.

The NRC staff has determined that the original scoping period conducted for a site-specific EIS review is sufficient to include any comments that would have been submitted for a SEIS that relies on site-specific determinations for Category 2 issues and on the LR GEIS generic determinations for Category 1 issues; therefore, an additional scoping period will not be conducted. All information submitted during the 30-day scoping period that began April 3, 2024, will be considered and evaluated as appropriate during the development of the staff's SEIS for the Browns Ferry SLR. When issued, the draft SEIS will be made available for public comment in accordance with 10 CFR 51.73.

Dated: October 16, 2024.

For the Nuclear Regulatory Commission.

Stephen Koenick,

Chief, Environmental Project Management Branch 1, Division of Rulemaking, Environment, and Financial Support, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 2024–24394 Filed 10–21–24; 8:45 am]

BILLING CODE 7590–01–P

PENSION BENEFIT GUARANTY CORPORATION

Submission of Information Collection for OMB Review; Comment Request; Partitions of Eligible Multiemployer Plans

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Notice of request for extension of OMB approval of information collection.

SUMMARY: The Pension Benefit Guaranty Corporation (PBGC) is requesting that the Office of Management and Budget (OMB) extend approval, under the Paperwork Reduction Act, of a collection of information contained in its regulation on Partitions of Eligible Multiemployer Plans. This notice informs the public of PBGC's request and solicits public comment on the collection of information.

DATES: Comments must be submitted on or before November 21, 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.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

All comments received will be posted without change to PBGC's website, *www.pbgc.gov,* including any personal information provided. Do not submit comments that include any personally identifiable information or confidential business information.

A copy of the request will be posted on PBGC's website at *https://www.pbgc.gov/prac/laws-and-regulation/federal-register-notices-open-for-comment.* It may also be obtained without charge by writing to the Disclosure Division (*disclosure@pbgc.gov*), Office of the General Counsel, Pension Benefit Guaranty Corporation, 445 12th Street SW, Washington, DC 20024–2101; or, calling 202–229–4040 during normal business hours. If you are deaf or hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services.

FOR FURTHER INFORMATION CONTACT: Monica O'Donnell (*odonnell.monica@pbgc.gov*), Attorney, Regulatory Affairs Division, Office of the General Counsel, Pension Benefit Guaranty Corporation, 445 12th Street SW, Washington, DC 20024–2101, 202–229–8706. If you are deaf or hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services.

SUPPLEMENTARY INFORMATION: Sections 4233(a) and (b) of the Employee Retirement Income Security Act of 1974 (ERISA) allow a plan sponsor of a multiemployer plan to apply to PBGC for a partition of the plan and state the criteria that PBGC uses to determine a plan's eligibility for a partition.

PBGC's regulation on Partitions of Eligible Multiemployer Plans (29 CFR part 4233) sets forth the procedures for applying for a partition, the information required to be included in a partition application, and notices to interested parties of the application.

PBGC needs the information to determine whether a plan is eligible for partition and whether a proposed partition would comply with the statutory conditions required before PBGC may order a partition.

The collection of information under the regulation has been approved by OMB control number 1212–0068 (expires January 31, 2025). On July 22, 2024, PBGC published in the **Federal Register** (at 89 FR 59173) a notice informing the public of its intent to request an extension of this collection of information. No comments were received. PBGC is requesting that OMB extend approval of the collection for three years. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

PBGC estimates that each year there will be one application for a partition submitted by a plan sponsor under this regulation. The total estimated annual burden of the collection of information is 13 hours and $45,600.

Issued in Washington, DC.

Hilary Duke,

Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation.

[FR Doc. 2024–24467 Filed 10–21–24; 8:45 am]

BILLING CODE 7709–02–P

POSTAL REGULATORY COMMISSION

[Docket Nos. CP2020–178; MC2025–95 and K2025–93; MC2025–96 and K2025–94; MC2025–97 and K2025–95; MC2025–98 and K2025–96; MC2025–99 and K2025–97]

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:* October 24, 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:

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I. Introduction
II. Public Proceeding(s)
III. Summary Proceeding(s)

I. Introduction

Pursuant to 39 CFR 3041.405, the Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to Competitive negotiated service agreement(s). The request(s) may propose the addition of a negotiated service agreement from the Competitive product list or the modification of an existing product currently appearing on the Competitive product list.

The public portions of the Postal Service's request(s) can be accessed via the Commission's website (*http://www.prc.gov*). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3011.301.[1]

Section II identifies the docket number(s) associated with each Postal Service request, if any, that will be reviewed in a public proceeding as defined by 39 CFR 3010.101(p), the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each such request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 and 39 CFR 3000.114 (Public Representative). Section II also establishes comment deadline(s) pertaining to each such request.

The Commission invites comments on whether the Postal Service's request(s) identified in Section II, if any, are consistent with the policies of title 39. Applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3035, and 39 CFR part 3041. Comment deadline(s) for each such request, if any, appear in Section II.

Section III identifies the docket number(s) associated with each Postal Service request, if any, to add a standardized distinct product to the Competitive product list or to amend a standardized distinct product, the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. Standardized distinct products are negotiated service agreements that are variations of one or more Competitive products, and for which financial models, minimum rates, and classification criteria have undergone advance Commission review. *See* 39 CFR 3041.110(n); 39 CFR 3041.205(a). Such requests are reviewed in summary proceedings pursuant to 39 CFR 3041.325(c)(2) and 39 CFR 3041.505(f)(1). Pursuant to 39 CFR 3041.405(c)-(d), the Commission does not appoint a Public Representative or request public comment in proceedings to review such requests.

II. Public Proceeding(s)

1. *Docket No(s).:* CP2020–178; *Filing Title:* Request of the United States Postal Service Concerning Modification Four to Global Reseller Expedited Package 2 Negotiated Service Agreement, Which Includes an Extension of That Agreement; *Filing Acceptance Date:* October 16, 2024; *Filing Authority:* 39 CFR 3035.105, 39 CFR 3041.310, 39 CFR 3041.505, and 39 CFR 3041.515; *Public Representative:* Katalin K. Clendenin; *Comments Due:* October 24, 2024.

2. *Docket No(s).:* MC2025–95 and K2025–93; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 394 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 16, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Christopher C. Mohr; *Comments Due:* October 24, 2024.

3. *Docket No(s).:* MC2025–96 and K2025–94; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 395 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 16, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Gregory S. Stanton; *Comments Due:* October 24, 2024.

4. *Docket No(s).:* MC2025–97 and K2025–95; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 396 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 16, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Gregory S. Stanton; *Comments Due:* October 24, 2024.

5. *Docket No(s).:* MC2025–98 and K2025–96; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 487 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 16, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Arif Hafiz; *Comments Due:* October 24, 2024.

6. *Docket No(s).:* MC2025–99 and K2025–97; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 488 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 16, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Arif Hafiz; *Comments Due:* October 24, 2024.

III. Summary Proceeding(s)

None. *See* Section II for public proceedings.

This Notice will be published in the **Federal Register**.

Erica A. Barker,

Secretary.

[FR Doc. 2024–24435 Filed 10–21–24; 8:45 am]

BILLING CODE 7710–FW–P

[1] *See* Docket No. RM2018–3, Order Adopting Final Rules Relating to Non-Public Information, June 27, 2018, Attachment A at 19–22 (Order No. 4679).

POSTAL REGULATORY COMMISSION

[Docket Nos. MC2025–77 and K2025–75; MC2025–78 and K2025–76; MC2025–79 and K2025–77; MC2025–80 and K2025–78; MC2025–81 and K2025–79; MC2025–82 and K2025–80; MC2025–84 and K2025–82; MC2025–85 and K2025–83; MC2025–86 and K2025–84; MC2025–87 and K2025–85; MC2025–88 and K2025–86; MC2025–89 and K2025–87; MC2025–90 and K2025–88; MC2025–91 and K2025–89; MC2025–92 and K2025–90; MC2025–93 and K2025–91; MC2025–94 and K2025–92]

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:* October 23, 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:

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The public portions of the Postal Service's request(s) can be accessed via the Commission's website (*http://www.prc.gov*). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3011.301.[1]

Section II identifies the docket number(s) associated with each Postal Service request, if any, that will be reviewed in a public proceeding as defined by 39 CFR 3010.101(p), the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each such request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 and 39 CFR 3000.114 (Public Representative). Section II also establishes comment deadline(s) pertaining to each such request.

The Commission invites comments on whether the Postal Service's request(s) identified in Section II, if any, are consistent with the policies of title 39. Applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3035, and 39 CFR part 3041. Comment deadline(s) for each such request, if any, appear in Section II.

Section III identifies the docket number(s) associated with each Postal Service request, if any, to add a standardized distinct product to the Competitive product list or to amend a standardized distinct product, the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. Standardized distinct products are negotiated service agreements that are variations of one or more Competitive products, and for which financial models, minimum rates, and classification criteria have undergone advance Commission review. *See* 39 CFR 3041.110(n); 39 CFR 3041.205(a). Such requests are reviewed in summary proceedings pursuant to 39 CFR 3041.325(c)(2) and 39 CFR 3041.505(f)(1). Pursuant to 39 CFR 3041.405(c)–(d), the Commission does not appoint a Public Representative or request public comment in proceedings to review such requests.

II. Public Proceeding(s)

1. *Docket No(s).:* MC2025–77 and K2025–75; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 473 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 15, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Christopher C. Mohr; *Comments Due:* October 23, 2024.

2. *Docket No(s).:* MC2025–78 and K2025–76; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 474 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 15, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Kenneth R. Moeller; *Comments Due:* October 23, 2024.

3. *Docket No(s).:* MC2025–79 and K2025–77; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 475 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 15, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Kenneth R. Moeller; *Comments Due:* October 23, 2024.

4. *Docket No(s).:* MC2025–80 and K2025–78; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 476 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 15, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Jennaca D. Upperman; *Comments Due:* October 23, 2024.

5. *Docket No(s).:* MC2025–81 and K2025–79; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 477 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 15, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Jennaca D. Upperman; *Comments Due:* October 23, 2024.

6. *Docket No(s).:* MC2025–82 and K2025–80; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 478 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 15, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Gregory S. Stanton; *Comments Due:* October 23, 2024.

7. *Docket No(s).:* MC2025–84 and K2025–82; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 480 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 15, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Christopher C. Mohr; *Comments Due:* October 23, 2024.

[1] *See* Docket No. RM2018–3, Order Adopting Final Rules Relating to Non-Public Information, June 27, 2018, Attachment A at 19–22 (Order No. 4679).

8. *Docket No(s).:* MC2025–85 and K2025–83; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 481 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 15, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Gregory S. Stanton; *Comments Due:* October 23, 2024.

9. *Docket No(s).:* MC2025–86 and K2025–84; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 482 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 15, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Gregory S. Stanton; *Comments Due:* October 23, 2024.

10. *Docket No(s).:* MC2025–87 and K2025–85; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 483 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 15, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Almaroof Agoro; *Comments Due:* October 23, 2024.

11. *Docket No(s).:* MC2025–88 and K2025–86; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 484 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 15, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Almaroof Agoro; *Comments Due:* October 23, 2024.

12. *Docket No(s).:* MC2025–89 and K2025–87; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 390 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 15, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Almaroof Agoro; *Comments Due:* October 23, 2024.

13. *Docket No(s).:* MC2025–90 and K2025–88; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 391 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 15, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Christopher C. Mohr; *Comments Due:* October 23, 2024.

14. *Docket No(s).:* MC2025–91 and K2025–89; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 485 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 15, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Arif Hafiz; *Comments Due:* October 23, 2024.

15. *Docket No(s).:* MC2025–92 and K2025–90; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 392 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 15, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Arif Hafiz; *Comments Due:* October 23, 2024.

16. *Docket No(s).:* MC2025–93 and K2025–91; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 393 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 15, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Maxine Bradley; *Comments Due:* October 23, 2024.

17. *Docket No(s).:* MC2025–94 and K2025–91; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 486 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 15, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Maxine Bradley; *Comments Due:* October 23, 2024.

III. Summary Proceeding(s)

None. *See* Section II for public proceedings.

This Notice will be published in the **Federal Register**.

Erica A. Barker,

Secretary.

[FR Doc. 2024–24354 Filed 10–21–24; 8:45 am]

BILLING CODE 7710–FW–P

POSTAL SERVICE

Addition of New Market Dominant Product: "Connect Local Mail"

AGENCY: Postal Service™.

ACTION: Notice of request to convert experimental product to a permanent offering.

SUMMARY: The Postal Service gives notice its request to convert an experimental product to a permanent offering in accordance with statutory requirements.

DATES: October 22, 2024.

FOR FURTHER INFORMATION CONTACT: Sean C. Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service hereby gives notice pursuant to 39 U.S.C. 3642(d)(1) that it plans to add a new product to the market dominant product list based on the experimental product ''Connect Local Mail'' on January 1, 2025. On October 3, 2024, the Postal Service filed with the Postal Regulatory Commission a request setting out the basis for the Postal Service's determination that the new product meets the criteria established under 39 U.S.C. 3642(b), as discussed below. Documents are available at *www.prc.gov,* Docket No. MC2025–19.

Connect Local Mail is properly classified as a market dominant price category under chapter 36 of title 39 of the United States Code and is consistent with the applicable criteria of the chapter. Firms offering products similar to Connect Local Mail are sufficiently distinguishable that the Postal Service believes Connect Local Mail operates largely in a distinct market unto itself. Moreover, Connect Local Mail is currently subject to the letter monopoly, and hence must be categorized as market dominant for that reason.

Connect Local Mail is designed for the local delivery of documents, fitting into the definition of ''letter'' under 39 CFR 310.1 as a ''message directed to a specific person or address and recorded in or on a tangible object.'' A private express established for the conveyance of such documents for compensation at the established price point would be prohibited under 18 U.S.C. 1696(a). Therefore, Connect Local Mail, like the other price categories under First-Class Mail, is covered by the postal monopoly reserved to the Postal Service under 18 U.S.C. 1696.

The Postal Service views potential substitutes for Connect Local Mail to be local couriers and messengers delivering documents, overnight and/or 2-day delivery services offered by large national competitors, and smaller companies that deliver documents on an expedited basis. Connect Local Mail will not create an unfair or inappropriate advantage for the Postal Service compared to other small businesses in this space, such as local courier services. Local courier services typically build in pick-up on demand services, which justify a higher price and differentiate their services from Connect Local Mail. Connect Local Mail

is in line-of-travel for pick-up and drop-off; there is no direct end-to-end transport offered by Connect Local Mail, and it is therefore not as responsive or customizable as a local courier service. In many ways, Connect Local Mail also offers same-day delivery on a more limited basis than a local courier service. It is better suited to businesses who regularly schedule local deliveries (such as mailing bills to their customers), allowing them to plan to meet the requirements for Connect Local Mail (*e.g.,* drop-off at a designated entry unit by the Critical Entry Time, mail prepared in time for carrier pick-up in their line-of-travel). It is not as well suited to the type of ad hoc document delivery that courier services specialize in.

Sean C. Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2024–24398 Filed 10–21–24; 8:45 am]

BILLING CODE 7710–12–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–101360; File No. SR–NYSEARCA–2024–70]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change To List and Trade Shares of the COtwo Advisors Physical European Carbon Allowance Trust Under NYSE Arca Rule 8.201–E (Commodity-Based Trust Shares)

October 16, 2024.

On August 19, 2024, NYSE Arca, Inc. filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder,[2] a proposed rule change to list and trade shares of the COtwo Advisors Physical European Carbon Allowance Trust. The proposed rule change was published for comment in the **Federal Register** on September 5, 2024.[3] The Commission has received no comments on the proposed rule change.

Section 19(b)(2) of the Act [4] provides that within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding, or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day after publication of the notice for this proposed rule change is October 20, 2024. The Commission is extending this 45-day time period.

The Commission finds it appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the proposed rule change. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[5] designates December 4, 2024 as the date by which the Commission shall either approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change (File No. SR–NYSEARCA–2024–70).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2024–24364 Filed 10–21–24; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–101358; File No. SR–PEARL–2024–47]

Self-Regulatory Organizations; MIAX PEARL, LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Adopt Both an Early and Late Trading Session on its Equity Trading Platform

October 16, 2024.

Pursuant to Section 19(b)(1) [1] of the Securities Exchange Act of 1934 (''Act''),[2] and Rule 19b–4 thereunder,[3] notice is hereby given that on October 3, 2024, MIAX PEARL, LLC (''MIAX Pearl'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to adopt both an early and late trading session on its equity trading platform (referred to herein as ''MIAX Pearl Equities'').

The text of the proposed rule change is available on the Exchange's website at *https://www.miaxglobal.com/markets/us-equities/pearl-equities/rule-filings,* at MIAX Pearl's principal office, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange currently operates one trading session which operates during Regular Trading Hours, *i.e.,* 9:30 a.m. until 4:00 p.m. Eastern Time.[4] Exchange Rule 2600(a) provides that Equity Members [5] may enter orders into the System [6] from 7:30 a.m. until 4:00 p.m. Eastern Time (or such earlier time as may be designated by the Exchange on a day when MIAX Pearl Equities closes early). Exchange Rule 2600(a) further provides that orders entered between 7:30 a.m. and 9:30 a.m. Eastern Time are not eligible for execution until the start of Regular Trading Hours.

The Exchange now proposes to expand its hours of operations by adopting both an Early and Late Trading Session. The proposed Early Trading Session would operate from 4:00 a.m. until 9:30 a.m. Eastern Time. Then the existing Regular Trading Hours [7] would follow, which currently operates from

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 100877 (Aug. 29, 2024), 89 FR 72524.

[4] 15 U.S.C. 78s(b)(2).

[5] *Id.*

[6] 17 CFR 200.30–3(a)(31).

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

[4] The term ''Regular Trading Hours'' means the time between 9:30 a.m. and 4:00 p.m. Eastern Time. *See* Exchange Rule 1901.

[5] The term ''Equity Member'' is a Member authorized by the Exchange to transact business on MIAX Pearl Equities. *See id.*

[6] The term ''System'' means the automated trading system used by the Exchange for the trading of securities. *See* Exchange Rule 100.

[7] *See* Exchange Rule 1901.

9:30 a.m. until 4:00 p.m. Eastern Time. Within Regular Trading Hours, the Exchange also operates the existing Regular Trading Session,[8] which operates from the completion of the Exchange's Opening Process described in Exchange Rule 2615 until 4:00 p.m. Eastern Time. The proposed Late Trading Session would follow and operate from 4:00 p.m. until 8:00 p.m. Eastern Time.

From the Equity Members' operational perspective, the Exchange's goal is to permit trading for those that choose to trade, without imposing burdens on those that do not. Thus, for example, the Exchange will not require any Equity Member to participate in the Early or Late Trading Sessions, including not requiring Equities Market Makers[9] to make two-sided markets outside of Regular Trading Hours. The Exchange will minimize Equity Members' preparation efforts to the greatest extent possible by allowing Equity Members to trade during the Early and Late Trading Sessions with the same equipment, connectivity, order types, and data feeds they currently use from 9:30 a.m. Eastern Time onwards.

The Exchange will route orders to away markets during the Early and Late Trading Sessions, just as it does today during the Regular Trading Session. All routing strategies set forth in Exchange Rule 2617(b) will remain otherwise unchanged, performing the same instructions they do during Regular Trading Hours today. Order processing will operate beginning at 4:00 a.m. just as it does today beginning at 9:30 a.m. There will be no changes to the ranking, display, and execution processes or rules. Trades executed outside of Regular Trading Hours will be reported to the appropriate network processor with the ''.T'' modifier, just like other exchanges report trades during the same timeframes. The Exchange's commitment to high-quality regulation at all times will extend to the Early and Late Trading Sessions. The Exchange will offer all surveillance coverage currently performed by the Exchange's surveillance systems, which will launch by the time trading starts at 4:00 a.m.

To accommodate the proposed Early and Late Trading Sessions, the Exchange proposes to amend its rules to define the Early and Late Trading Sessions, adopt new Time-in-Force (''TIF'') instructions, and modify the operation of its Opening Process. Specifically, the Exchange proposes to amend Exchange Rules 1901, Definitions, 2600, Hours of Trading and Trading Days, 2614, Orders and Order Instructions, 2615, Opening Process for Equity Securities, 2617, Order Execution and Routing, 2618, Risk Settings and Trading Risk Metrics, 2621, Clearly Erroneous Executions, and 2900, Unlisted Trading Privileges. The Exchange also proposes to adopt new Exchange Rule 2120, Customer Disclosures, regarding trading during the Early and Late Trading Sessions. Each change is based on the rules of other national equity exchanges and, therefore, do not present any new or novel issues not already considered by the Commission.

Exchange Rule 1901, Definitions

Exchange Rule 1901, Definitions, would be amended to include definitions of the terms ''Early Trading Session'' and ''Late Trading Session''. Exchange Rule 1901 would define the ''Early Trading Session'' as ''the time between 4:00 a.m. and 9:30 a.m. Eastern Time.'' [10] Exchange Rule 1901 would also define the ''Late Trading Session'' as ''the time between 4:00 p.m. and 8:00 p.m. Eastern Time.'' [11] The Exchange also proposes to amend the definition of the ''Regular Trading Session'' to account for the proposed re-adoption of the Contingent Open under Exchange Rule 2615 and described in more detail below. The amended definition of the term ''Regular Trading Session'' would be ''the time between the completion of the Opening Process *or Contingent Open* as defined in Exchange Rule 2615 and 4:00 p.m. Eastern Time.'' The change is described below under the section entitled, Exchange Rule 2615, Opening Process for Equity Securities.

Exchange Rules 2600, Hours of Trading

Exchange Rule 2600 sets forth when orders may be entered into the System and during which timeframes orders are eligible for execution. Exchange Rule 2600 currently provides that orders may be entered into the System from 7:30 a.m. until 4:00 p.m. Eastern Time (or such earlier time as may be designated by the Exchange on a day when MIAX Pearl Equities closes early). Today, the Exchange begins to accept orders at 7:30 a.m. Eastern Time and Exchange Rule 2600 provides that orders entered between 7:30 a.m. and 9:30 a.m. Eastern Time are not eligible for execution until the start of Regular Trading Hours.

The Exchange proposes to amend Exchange Rule 2600 to account for the addition of the Early and Late Trading Sessions.[12] First, the Exchange proposes to begin to accept orders at 3:30 a.m. Eastern Time. The Exchange, therefore, proposes to amend Exchange Rule 2600 to expand the timeframe during which orders may be entered into the System from 7:30 a.m. until 4:00 p.m. Eastern time to 3:30 a.m. until 8:00 p.m. Eastern Time (or such earlier time as may be designated by the Exchange on a day when MIAX Pearl Equities closes early).[13]

Amended Exchange Rule 2600 would also provide that orders entered between 3:30 a.m. and 4:00 a.m. Eastern Time would not be eligible for execution until the start of the Early Trading Session or Regular Trading Session,[14] depending on the TIF selected by the User.[15] Exchange Rule 2600(a) would also provide that at the commencement of the Early Trading Session, orders entered between 3:30 a.m. and 4:00 a.m. Eastern Time will become eligible for execution and will

[8] *See id.*

[9] The term ''Equities Market Maker'' shall mean an Equity Member that acts as a Market Maker in equity securities, pursuant to Chapter XXVI of the Exchange's rules. *See id.*

[10] *See, e.g.,* NYSE Arca, Inc. (''NYSE Arca'') Rule 7.34–E(a)(1) and (2) (providing that the Early Trading Session will begin at 4:00 a.m. Eastern Time and conclude at the commencement of the Core Trading Session and that the Core Trading Session will begin for each security at 9:30 a.m. Eastern Time).

[11] *See, e.g.,* MEMX LLC (''MEMX'') Rule 1.5 (defining the ''Post-Market Session'' as the ''time between 4:00 p.m. and 8:00 p.m. Eastern Time.''); *and* NYSE Arca Rule 7.34–E(a)(2) and (3) (providing that the Late Trading Session will begin following the conclusion of the Core Trading Session and conclude at 8:00 p.m. Eastern Time and that the Core Trading Session will end at the conclusion of Core Trading Hours or the Core Closing Auction, whichever comes later).

[12] The proposed amendments to Exchange Rule 2600 are generally based on Cboe EDGX Exchange, Inc. (''Cboe EDGX'') Rule 11.1(a). Any slight differences are explained below.

[13] Cboe EDGX Rule 11.1(a)(1) allows for the acceptance of orders beginning at 2:30 a.m. Eastern Time, but, like the Exchange proposes herein, no order becomes eligible for execution until 4:00 a.m. Eastern Time.

[14] Cboe EDGX Rule 11.1(a)(1) provides that orders entered between 2:30 a.m. and 4:00 a.m. Eastern Time would not be eligible for execution until the start of the Early Trading Session or *Regular Trading Hours,* depending on the TIF selected by the User. The Exchange notes that it proposes for orders to not become eligible for execution until the start of the Regular Trading Session, rather than Regular Trading Hours, as is the case on Cboe EDGX. On the Exchange, the Regular Trading Session commences at the conclusion of the Exchange's Opening or Contingent Opening Process set forth under Exchange Rule 2615, which is shortly after the commencement of Regular Trading Hours at 9:30 a.m. Eastern Time. The Exchange, therefore, believes this is not a material difference since Equity Members are free to select the TIF of their choosing which would determine when their order would become eligible for execution. Further, generally, any orders with a TIF of Regular Hours Only (''RHO'') are eligible to participate in the Exchange's Opening or Contingent Opening Process as described in Exchange Rule 2615.

[15] The term ''User'' shall mean any Member or Sponsored Participant who is authorized to obtain access to the System pursuant to Exchange Rule 2602. *See* Exchange Rule 1901.

be handled in time sequence, beginning with the order with the oldest time stamp, and placed on the MIAX Pearl Equities Book,[16] routed, cancelled, or executed in accordance with the terms of the order.[17] Lastly, Exchange Rule 2600(a) provides that the Exchange will not accept Intermarket Sweep Orders (''ISOs''), and all orders with a TIF of Immediate-or-Cancel (''IOC'') prior to 9:30 a.m. Eastern Time. The Exchange proposes to amend this provision in Exchange Rule 2600(a) to account for the Early Trading Session and to include additional order types and modifiers. Therefore, as amended, Exchange Rule 2600(a) would provide that the Exchange would not accept all orders with a TIF instruction of Fill-or-Kill (''FOK''),[18] in addition to ISOs and orders with a TIF instruction of IOC, prior to 4:00 a.m. Eastern Time. The Exchange also proposes to amend Exchange Rule 2600(a) to specify that it would not accept Market Orders (other than Market Orders that include a TIF of RHO that are to be routed to the primary listing exchange's opening process pursuant to the PAC routing option under Rule 2617(b)(5)(ii)) prior to 9:30 a.m. Eastern Time. This is because Market Orders would only be eligible to participate in the Regular Trading Session and the Exchange does not think it is appropriate to accept and hold Market Orders prior to the commencement of the Regular Trading Session due to the nature of the orders type—*i.e.,* it seeks an immediate execution at the then available PBBO or better.[19] During the Early Trading Session, the Exchange would continue to accept Market Orders that include a TIF of RHO that are to be routed to the primary listing exchange's opening process pursuant to the PAC routing option under Rule 2617(b)(5)(ii). This is consistent with current functionality where such Market Orders are routed to the primary listing market's opening process upon receipt and are not eligible for execution because the Exchange currently does not offer pre-market trading.[20] Adding this provision regarding Market Orders that are coupled with both a TIF of RHO and the PAC routing option adds clarity to the Exchange's Rules and would avoid any potential confusion by market participants.

Exchange Rule 2614, Orders and Order Instructions

The Exchange proposes to amend Exchange Rule 2614 to account for the addition of the proposed Early and Late Trading Sessions, adopt new TIF instructions, and to describe which TIF instructions are available with each order type.

Time-in-Force Instructions

The Exchange currently offers two TIF instructions, IOC and RHO, the operation of each are described under Exchange Rule 2614(b)(1) and (2), respectively. Equity Members entering orders into the System may designate such orders to remain in effect and available for display and/or potential execution for varying periods of time. Unless cancelled earlier, once these time periods expire, the order (or unexecuted portion thereof) is cancelled. In sum, IOC is a TIF instruction that provides for the order to be executed in whole or in part as soon as such order is received. The portion not executed immediately on the Exchange or another Trading Center[21] is treated as cancelled and is not posted to the MIAX Pearl Equities Book. RHO is a TIF instruction that designates the order for execution only during Regular Trading Hours, which includes the Opening Process for equity securities.

The Exchange now proposes to add the following four additional TIF instructions under Exchange Rule 2614(b), Time-in-Force Instructions, to account for the addition of the Early and Late Trading Sessions: Day, FOK, Good-'til Time (''GTT''), and Good-'til Extended Day (''GTX'').[22] Each of these proposed TIF instructions are described as follows:

- *Day.* Exchange Rule 2614(b)(3) would describe the Day TIF as an instruction the User may attach to an order stating that an order to buy or sell which, if not executed, expires at the end of Regular Trading Hours. Exchange Rule 2614(b)(3) would further provide that any Day order entered into the System before the opening for business on the Exchange as determined pursuant to Exchange Rule 2600, or after the closing of Regular Trading Hours, will be rejected.
- *FOK.* Exchange Rule 2614(b)(4) would describe the FOK TIF as an instruction the User may attach to an order stating that the order is to be executed in its entirety as soon as it is received and, if not so executed, cancelled. Exchange Rule 2614(b)(4) would further provide that an order with a FOK instruction is not eligible for routing away pursuant to Exchange Rule 2617(b).
- *GTT.* Exchange Rule 2614(b)(5) would describe the GTT TIF as an instruction the User may attach to an order specifying the time of day at which the order expires. Exchange Rule 2614(b)(5) would further provide that any unexecuted portion of an order with a TIF instruction of GTT will be cancelled at the expiration of the User's specified time, which can be no later than the close of the Late Trading Session.
- *GTX.* Exchange Rule 2614(b)(5) would describe the GTX TIF as an instruction the User may attach to an order to buy or sell which, if not executed, will be cancelled by the close of the Late Trading Session.

Order Types and New Time-in-Force Instructions

The Exchange currently offers the following order types, Limit Orders, Market Orders, and Pegged Orders. Pegged Orders consist of Primary Peg Orders and Midpoint Peg Orders. Under the description of each order type in Exchange Rule 2614(a), the Exchange enumerates which TIF instructions that order type may be combined with. The Exchange proposes to amend these provisions in the description of each order type under Exchange Rule 2614(a) to account for the proposed TIF instructions described above as follows:

- *Limit Orders.* Exchange Rule 2614(a)(1)(ii) currently provides that a Limit Order may include a TIF of IOC or RHO. As amended, Exchange Rule 2614(a)(1)(ii) would also provide that a Limit Order may include a TIF of FOK, Day, GTT, or GTX. Exchange Rule 2614(a)(1)(ii) also currently provides that a Limit Order is eligible to participate in the Regular Trading Session. The Exchange proposes to amend this sentence of Exchange Rule 2614(a)(1)(ii) to specify that a Limit Order would also be eligible to

[16] The term ''MIAX Pearl Equities Book'' means the electronic book of orders in equity securities maintained by the System. *See* Exchange Rule 1901.

[17] But for the start time, this provision mirrors Cboe EDGX Rule 11.1(a)(1).

[18] The Exchange also proposes herein to adopt a new TIF known as FOK, which is based on the rules of other exchanges, and described in more detail below. Unlike Cboe EDGX, the Exchange would accept orders with a Post Only instruction and orders with a Minimum Execution Quantity instruction that also include a TIF instruction of RHO prior to 4:00 a.m. Eastern Time. *See* Exchange Rule 2614(c)(2) for a description of Post Only instruction and Exchange Rule 2614(c)(7) for a description of Minimum Execution Quantity instruction.

[19] *See* Cboe EDGX Rule 11.8(a)(5) *and* Exchange Rule 2614(a)(2)(ii).

[20] Exchange Rule 2617(b)(5)(B)(1)(i) provides that a Market Order designated as RHO received before the security has opened on the primary listing market will be routed to participate in the primary listing market's opening process upon receipt.

[21] The term ''Trading Center'' shall have the same meaning as in Rule 600(b)(95) of Regulation NMS. *See* Exchange Rule 100.

[22] Each of these proposed TIF instruction are based on Cboe EDGX Rule 11.6(q)(2)–(5).

participate in the Early and Late Trading Sessions.[23]

• *Market Orders.* Exchange Rule 2614(a)(2)(ii) currently provides that a Market Order may include a TIF of IOC. A Market Order may only include a TIF of RHO when it is to be routed pursuant to the PAC routing option under Rule 2617(b)(5)(ii). As amended, Exchange Rule 2614(a)(2)(ii) would also provide that a Market Order may include a TIF of FOK. Market Orders would not be able to include a TIF of Day, GTT, or GTX.[24] Exchange Rule 2614(b)(5)(ii) also currently provides that a Market Order is eligible to participate in the Regular Trading Session. Market Orders would not be eligible to participate in the Early and Late Trading Sessions. Therefore, the Exchange proposes to amend this sentence of Exchange Rule 2614(b)(5)(ii) to specify that a Market Order is *only* eligible to participate in the Regular Trading Session.

• *Pegged Orders.* Exchange Rule 2614(a)(3)(iii) currently provides that a Pegged Order may include a TIF of IOC or RHO. As amended, Exchange Rule 2614(a)(3)(iii) would also provide that a Pegged Order would also be able to include a TIF of FOK, Day, GTT, or GTX. Exchange Rule 2614(a)(3)(iii) also currently provides that a Pegged Order is eligible to participate in the Regular Trading Session. The Exchange proposes to amend this sentence of Exchange Rule 2614(a)(3)(iii) to specify that a Pegged Order would also be eligible to participate in the Early and Late Trading Sessions.

Primary Peg Orders During Early and Late Trading Session

The Exchange proposes to amend Exchange Rule 2614(a)(3)(iii) to restrict the TIF instruction that a displayed Primary Pegged Order with a Primary Offset Amount may have to RHO, or if entered during Regular Trading Hours, a TIF instruction of RHO or the proposed TIF instruction of Day. Exchange Rule 2614(a)(3)(i)(B) describes a Pegged Order as a Limit Order to buy (sell) that is assigned a working price pegged to the Protected Best Bid (Protected Best Offer),[25] subject to its limit price. Exchange Rule 2614(a)(3)(i)(B)3. states that a User may, but is not required to, select an offset equal to or greater than one minimum price variation (''MPV'') for the security, as defined in Exchange Rule 2612 (''Primary Offset Amount''). The Primary Offset Amount for a displayed Primary Pegged Order to buy (sell) must result in the working price of such order being inferior to or equal to the PBB (PBO), *i.e.,* result in the price of such order being inferior to or equal to the inside quote on the same side of the market.

Other exchanges have observed that displayed Primary Pegged Orders with non-aggressive Primary Offset Amounts that remain active after the end of Regular Trading Hours may be pegged to and repriced off of each other during extended hours trading when no other reference price is available due to orders expiring or being cancelled at 4:00 p.m. Eastern Time.[26] To prevent this from occurring, the Exchange proposes to restrict the TIF instruction that a displayed Primary Pegged Order with a Primary Offset Amount may have to RHO, or, if entered during Regular Trading Hours, a TIF instruction of Day or RHO. Doing so would cause displayed Primary Pegged Orders resting on the MIAX Pearl Equities Book to be eligible for execution from 9:30 a.m. to 4:00 p.m. Eastern Time. Limiting the TIF instructions to RHO and Day only for displayed Primary Pegged Orders with Primary Offset Amounts would ensure that these orders are eligible for execution during Regular Trading Hours, which is the most liquid portion of the trading day, thereby significantly decreasing the possibility that such orders may re-price off similar orders entered on away exchanges in the absence of additional liquidity at the NBB or NBO. The proposed rule change would cause displayed Primary Pegged Orders with Primary Offset Amounts to expire at the end of Regular Trading Hours when a vast majority of orders expire and do not participate in extended hours trading. As amended, Exchange Rule 2614(a)(3)(iii) would be amended to state that a displayed Primary Pegged Order with a Primary Offset Amount shall only include a TIF of RHO or, if entered during Regular Trading Hours, a TIF instruction of Day or RHO.[27] Users may enter displayed Primary Pegged Orders with Primary Offset Amounts and TIF instructions of RHO beginning at 3:30 a.m. Eastern Time. However, those orders would not be eligible for execution until 9:30 a.m. Eastern Time, the start of Regular Trading Hours. Displayed Primary Peg orders with Primary Offset Amounts and a TIF of Day will be rejected if entered prior to 9:30 a.m. Eastern Time, the start of Regular Trading Hours. Primary Pegged orders that do not include a Primary Offset Amount or that are not displayed on the MIAX Pearl Equities Book would have no restrictions on the TIF instructions that may be attached to the order.

ISOs and New Time-in-Force Instructions

ISO is an order instruction that may be attached to an incoming Limit Order. The operation of ISOs will be described in proposed Exchange Rule 2614(d) and is consistent with the description of the ISO exception in Rules 600(b)(30) and 611(b)(5) of Regulation NMS.[28] Proposed Exchange Rule 2614(d) provides that the System will accept incoming ISOs (as such term is defined in Rule 600(b)(31) of Regulation NMS).

To be eligible for treatment as an ISO, the order must be: (A) a Limit Order; (B) marked ''ISO''; and (C) the User entering the order must simultaneously route one or more additional Limit Orders marked ''ISO,'' as necessary, to away Trading Centers to execute against the full displayed size of any Protected Quotation for the security as set forth below. Such orders, if they meet the requirements of the foregoing sentence, may be immediately executed at one or multiple price levels in the System without regard to Protected Quotations at away Trading Centers consistent with Regulation NMS (*i.e.,* may trade through such quotations and will not be rejected or cancelled if it will lock, cross, or be marketable against an away Trading Center).

Exchange Rule 2614(d)(1) provides that an ISO may include a TIF of IOC or RHO and the operation of an ISO will differ depending on the TIF selected. An ISO that includes a TIF of IOC will immediately trade with contra-side interest on the MIAX Pearl Equities Book up to its full size and limit price and any unexecuted quantity will be immediately cancelled. An ISO that includes a TIF of RHO, if marketable on arrival, will also immediately trade with contra-side interest on the MIAX Pearl Equities Book up to its full size and limit price. However, any unexecuted quantity of a RHO ISO will be displayed

[23] The Exchange also proposes to amend the rule text for Limit Order Price Protection described in Exchange Rule 2614(1)(ix), which changes will be described in detail below.

[24] Exchange Rule 2614(a)(1)(iii) also provides that a Market Order may only include a TIF of RHO when it is to be routed pursuant to the PAC routing option under Rule 2617(b)(5)(ii) and that all other Market Orders that include a TIF of RHO will be rejected.

[25] With respect to the trading of equity securities, the term ''Protected NBB'' or ''PBB'' shall mean the national best bid that is a Protected Quotation, the term ''Protected NBO'' or ''PBO'' shall mean the national best offer that is a Protected Quotation, and the term ''Protected NBBO'' or ''PBBO'' shall mean the national best bid and offer that is a Protected Quotation. *See* Exchange Rule 1901.

[26] *See, e.g.,* Securities Exchange Act Release No. 82304 (December 12, 2017), 82 FR 60075 (December 18, 2024) (SR–CboeBZX–2017–008).

[27] *See, e.g.,* Cboe BZX Exchange, Inc. (''Cboe BZX'') Rule 11.9(c)(8)(A).

[28] 17 CFR 242.600(b)(30), 611(b)(5).

at its limit price on the MIAX Pearl Equities Book and may lock or cross a Protected Quotation that was displayed at the time of arrival of the RHO ISO. The Exchange proposes to amend Exchange Rule 2614(d)(1) to provide that an ISO may include a TIF of RHO, Day, GTT, or GTX.[29]

Exchange Rule 2614(d)(1) would also provide that incoming ISOs would not be able to include a TIF instruction of FOK.[30] The Exchange also proposes to amend Exchange Rule 2614(d)(1) to provide that an incoming ISO with a Displayed, Post Only, and TIF instruction of RHO, Day, GTT, or GTX will be cancelled without execution if, when entered, it is immediately marketable against a displayed order resting on the MIAX Pearl Equities Book unless such order removes liquidity pursuant to Rule 2614(c)(2).[31] This provision is consistent with current Exchange functionality that prevents a displayed locked or crossed market.[32] This provision would provide additional specificity regarding the operation of incoming ISOs with a Displayed, Post Only, and TIF instruction of Day, GTT, or GTX that is also similar to other exchanges' rules.[33]

Exchange Rule 2614(d)(1)(i) provides that a User entering an ISO with a TIF of IOC represents that such User has simultaneously routed one or more additional Limit Orders marked ''ISO,'' if necessary, to away Trading Centers to execute against the full displayed size of any Protected Quotation for the security with a price that is superior to the ISO's limit price. Exchange Rule 2614(d)(1)(ii) provides that a User entering an ISO with a TIF of RHO makes the same representation but further represents that it simultaneously routed one or more additional Limit Orders marked ''ISO,'' if necessary, to away Trading Centers to execute against the full displayed size of any Protected Quotation for the security with a price that is *equal* to its limit price. The Exchange proposes to amend Exchange Rule 2614(d)(1)(ii) to include ISOs with a TIF instruction of Day, GTT, or GTX. Orders with a TIF of Day or RHO both expire at the end of Regular Trading Hours. Because the Exchange did not initially offer a TIF of Day, it proposed to handle ISOs with a TIF of RHO the same as Day ISOs are handled on other equity exchanges. The Exchange now proposes to amend Exchange Rule 2614(d)(1)(ii) to include the TIF of Day.[34]

The Exchange also proposes to amend Exchange Rule 2614(d)(1)(ii) to include the TIF instructions of GTT or GTX. Each of these TIF instructions are similar to Day and RHO because they each allow an order to rest on the MIAX Pearl Equities Book for a period of time. While both Day and RHO expire at the end of Regular Trading Hours, GTX allows for the order to expire at the end of the Late Trading Session at 8:00 p.m. Eastern Time. Meanwhile, GTT allows for a User to select a time at which the order would expire, which may be before or after the end of Regular Trading Hours but must be during the same trading day. A User entering an ISO with a TIF of Day, RHO, GTT, or GTX would make the same representations, *i.e.,* that it simultaneously routed one or more additional Limit Orders marked ''ISO,'' if necessary, to away Trading Centers to execute against the full displayed size of any Protected Quotation for the security with a price that is *equal* to its limit price. The portion of the ISO with a TIF of Day, GTT, or GTX that is not executed upon entry, would rest on the MIAX Pearl Equities Book like an ISO with a TIF of RHO may do so today (or an ISO with a TIF of Day does so on other equity exchanges).

Exchange Rule 2615, Opening Process for Equity Securities

The Exchange will not offer an opening process at 4:00 a.m. Eastern Time. Instead, at 4:00 a.m., the System will ''wake up'' by loading all open trading interest entered after 3:30 a.m. Eastern Time in time sequence, beginning with the order with the oldest timestamp onto the MIAX Pearl Equities Book. Such orders are then cancelled, executed, or routed to away Trading Centers in accordance with the terms of the order. Also at 4:00 a.m., the Exchange will open the execution system and accept new eligible orders. Equity Members will be permitted to enter orders beginning at 3:30 a.m. Eastern Time. Market Makers will be permitted, but not required, to open their quotes beginning at 4:00 a.m. Eastern Time in the same manner they open their quotes today beginning at 9:30 a.m. Eastern Time.

Exchange Rule 2615(b) provides that during the Opening Process, the Exchange attempts to match eligible buy and sell orders at the midpoint of the NBBO. All orders eligible to trade at the midpoint are processed in time sequence, beginning with the order with the oldest timestamp. The Opening Process concludes when no remaining orders, if any, can be matched at the midpoint of the NBBO. At the conclusion of the Opening Process, the unexecuted portion of orders that were eligible to participate in the Opening Process are placed on the MIAX Pearl Equities Book in time sequence, cancelled, executed, or routed to away Trading Centers in accordance with the terms of the order.

Pursuant to Exchange Rule 2615(c), the Exchange calculates the midpoint of the NBBO as follows. When the primary listing exchange is the New York Stock Exchange LLC (''NYSE'') or NYSE American LLC (''NYSE American''), the

[29] *See, e.g.,* Cboe EDGA Rule 11.9(c)(1) *and* Cboe EDGX Rule 11.9(c)(1).

[30] *See, e.g., id.*

[31] Exchange Rule 2614(c)(2) provides that an order designated as Post Only will only remove liquidity from the MIAX Pearl Equities Book when: (A) the order is for a security priced below $1.00; or (B) the value of such execution when removing liquidity equals or exceeds the value of such execution if the order instead posted to the MIAX Pearl Equities Book and subsequently provided liquidity including the applicable fees charged or rebates provided. To determine at the time of a potential execution whether the value of such execution when removing liquidity equals or exceeds the value of such execution if the order instead posted to the MIAX Pearl Equities Book and subsequently provided liquidity, the Exchange will use the highest possible rebate paid and highest possible fee charged for such executions on the Exchange.

[32] *See* Exchange Rule 2617(a)(4)(iii) (providing, in sum, that ''the System will never display a locked or crossed market'').

[33] *See, e.g.,* Cboe EDGA Rule 11.9(c)(1) *and* Cboe EDGX Rule 11.9(c)(1). The Exchange notes, however, that the Cboe EDGA and Cboe EDGX Rules do not account for an ISO with a Displayed instruction. The Exchange proposes to specify in proposed Exchange Rule 2614(d)(1) that an incoming ISO could include a Displayed Instruction to provide additional specificity. This addition should make clear that this provision would require an ISO with a Displayed, Post Only, and TIF instruction that would be posted at a price that would lock or cross displayed contra-side interest resting on the MIAX Pearl Equities Book to be cancelled. Doing so, is intended to avoid the Exchange displaying a locked or crossed market as a result of the ISO with a Displayed instruction. *See* Exchange Rule 2617(a)(4)(iv) (not allowing for a displayed locked or crossed market). The Exchange notes that a non-displayed ISO with a Post Only instruction that is not fully executed upon entry may lock or cross contra-side interest resting on the MIAX Pearl Equities Book and the Exchange would handle such orders in accordance with Exchange Rule 2617(a)(4)(iii) and (iv). The Exchange believes this order handling is consistent with Cboe EDGA and Cboe EDGX Rules which also do not allow for a displayed locked or crossed market as well as the same order handling for when they experience a non-displayed locked or crossed book. *See* Cboe EDGA Rule 11.10(a)(4)(C) *and* (D) *and* Cboe EDGX Rule 11.10(a)(4)(C) *and* (D). This functionality is also consistent with MEMX Rules 11.10(a)(4)(C) and (D). *See also* MEMX Rule 11.8(b)(3) and (5) (providing that Limit Order may include a Displayed, Non-Displayed, or ISO instruction and including similar rule text as Cboe EDGA, Cboe EDGX, and as the Exchange proposes herein). *See also* Nasdaq Rule 4703(j) (stating that ''[u]pon receipt of an ISO, the System will consider the stated price of the ISO to be available for other Orders to be entered at that price, unless the ISO is not itself accepted at that price level (for example, a Post-Only Order that has its price adjusted to avoid executing against an Order on the Nasdaq Book) or the ISO is not Displayed'').

[34] *See* Cboe EDGX Rule 11.9(c)(1) *and* Cboe EDGA Rule 11.9(c)(1).

Opening Process is priced at the midpoint of the: (i) first NBBO subsequent to the first reported trade and first two-sided quotation on the primary listing exchange after 9:30:00 a.m. Eastern Time; or (ii) then prevailing NBBO when the first two-sided quotation is published by the primary listing exchange after 9:30:00 a.m. Eastern Time, but before 9:45:00 a.m. Eastern Time if no first trade is reported by the primary listing exchange within one second of publication of the first two-sided quotation by the primary listing exchange. For any other primary listing exchange, such as The Nasdaq Stock Market LLC (''Nasdaq''), NYSE Arca, LLC (''NYSE Arca''), and Cboe BZX, the Opening Process is priced at the midpoint of the first NBBO subsequent to the first two-sided quotation published by the primary listing exchange after 9:30:00 a.m. Eastern Time.

Where a security has not begun to trade on the primary listing market, a Contingent Open serves an important purpose of prescribing an end to the early trading session and beginning of the regular trading session on that non-primary listing exchange. A Contingent Open allows a non-primary listing exchange that provides an early trading session to transition to a regular trading session in a timely manner where a security has not opened for trading on the primary listing market.[35]

Now that the Exchange proposes to offer an Early Trading Session, the Contingent Open would serve as a transition from the Early Trading Session to the Regular Trading Session. Exchange Rule 2615 previously provided for a Contingent Open. Because it did not previously offer an early trading session, the Exchange proposed in December 2023 to remove references to the Contingent Open from its Rules.[36] In sum, the Exchange proposes to reverse those changes it made to its Rules by amending Exchange Rule 2615(d) to provide for a Contingent Open at 9:45 a.m. Eastern Time. Exchange Rule 2615(d) would again describe the Contingent Open and provide that if the conditions to establish the price of the Opening Process described above do not occur by 9:45:00 a.m. Eastern Time, the Exchange will handle all orders in time sequence, beginning with the order with the oldest timestamp, and be placed on the MIAX Pearl Equities Book, cancelled, executed, or routed to away Trading Centers in accordance with the terms of the order. The earlier version of the Contingent Open that the Exchange removed in December 2023 provided that the Exchange will conduct a Contingent Open and match all orders eligible to participate in the Opening Process at the midpoint of the then prevailing NBBO. Instead, due to the likely lack of liquidity in the security and other factors that would cause it to not open on the primary listing exchange, the Exchange proposes to simply feed any orders it may have received in time sequence onto the MIAX Pearl Equities Book, just as it proposes to do at 4:00 a.m. Eastern Time when the Early Trading Session would begin.

Exchange Rule 2615(d) would further provide that if the midpoint of the NBBO is not available for the Contingent Open, all orders are handled in time sequence, beginning with the order with the oldest timestamp, and are placed on the MIAX Pearl Equities Book, cancelled, executed, or routed to away Trading Centers in accordance with the terms of the order. The Exchange also proposes to make a corresponding change to reinsert a reference to the Contingent Open in the definition of Regular Trading Session in Exchange Rule 1901.

Next, the Exchange proposes to describe in Exchange Rule 2615 which orders may be eligible for execution in the time between the start of Regular Trading Hours at 9:30 a.m. and the Exchange's Opening Process or Contingent Opening Process. During this time, ISOs designated as RHO and all other orders without a TIF instruction of RHO may execute against eligible Early Trading Session contra-side interest resting on the MIAX Pearl Equities Book in the time period between the start of 9:30 a.m. Eastern Time and the Exchange's Opening Process or a Contingent Open. Any unexecuted portion of an ISO that is designated RHO will be converted into a non-ISO and be queued for participation in the Opening Process. This provision would be set for under Exchange Rule 2615(a)(1) and the subsequent paragraphs would be renumbered accordingly.[37]

Lastly, the Exchange proposes to adopt Exchange Rule 2615(e)(1)(iii) to describe how the Exchange would re-open a security following a halt during the Early and Late Trading Sessions. Specifically, proposed Exchange Rule 2615(e)(1)(iii) would provide that during the Early Trading Session and Late Trading Session, the Re-Opening Process will occur at the midpoint of the NBBO after one second has passed following: (i) for Tape A securities, the Exchange's receipt of the first NBBO following the resumption of trading after a halt, suspension, or pause; or (ii) for Tape B and C securities, the publication of the first two-sided quotation by the listing exchange following the resumption of trading after a halt, suspension, or pause. The Exchange believes it is reasonable to have different standards for Tape A securities that Tape B and C securities for the following reason. Tape A securities are listing on the NYSE, which is only open during Regular Trading Hours and, therefore, the Exchange believes it is appropriate to look for the first NBBO, which may comprise of quotes from other exchanges that are open for trading outside of Regular Trading Hours. Meanwhile, Tape B and C securities are listing on exchanges that engage in trading outside of Regular Trading Hours and may disseminate a two-sided quotation that may be used to calculate the midpoint of the NBBO. This proposed rule change is identical to the rules of at least one other national securities exchange[38] and would provide clarity to market participants on how the Exchange would re-open a security that was halted during the Early and Late Trading Sessions.

Exchange Rule 2617, Order Execution and Routing

Regulation NMS Compliance

Exchange Rule 2617(a)(2), Compliance with Regulation NMS and Trade-Through Protections, includes subparagraph (i), which provides that for any execution to occur during Regular Trading Hours, the price of an order to buy (sell) must be equal to or lower (greater) than the PBO (PBB), unless the order is marked ISO or the execution falls within another exception set forth in Rule 611(b) of Regulation NMS. To address the addition of the Early and Late Trading Sessions, the Exchange proposes to add subparagraph (ii) to Exchange Rule 2617(a)(2). Proposed subparagraph (ii) to Exchange Rule 2617(a)(2) would be identical to

[35] *See, e.g.,* Securities Exchange Act Release Nos. 72676 (July 25, 2014), 79 FR 44520 (July 31, 2014) (Notice); *and* 73468 (October 29, 2014), 79 FR 65450 (November 4, 2014) (Notice of Filing of Amendment Nos. 1 and 3 and Order Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment Nos. 1 and 3, To Amend EDGX Rule 1.5 and Chapter XI Regarding Current System Functionality Including the Operation of Order Types and Order Instructions) (SR–EDGX–2014–18).

[36] *See* Securities Exchange Act Release No. 99203 (December 18, 2023), 88 FR 88689 (December 22, 2023) (SR–PEARL–2023–71).

[37] *See, e.g.,* Cboe BZX Rule 11.24(a)(1).

[38] *See, e.g.,* Cboe BZX Rule 11.24(e)(1)(C).

the rules of other national securities exchanges,[39] and provide for any execution to occur during the Early Trading Session and Late Trading Session, the price must be equal to or better than the highest Protected Bid or lowest Protected Offer, unless the order is marked ISO or a Protected Bid is crossing a Protected Offer. The addition of Exchange Rule 2617(a)(2)(ii) would align the Exchange's rules with other national securities exchanges and provide investors certainty that the Exchange would execute orders consistent with Regulation NMS's Trade Through protections during the Early and Late Trading Sessions.

PAC Routing Option

The Exchange offers the PAC routing option that enables an Equity Member to designate that their order be routed to the primary listing market to participate in the primary listing market's opening, re-opening or closing process. Specifically, Exchange Rule 2617(b)(5)(ii) describes PAC as a routing option for Market Orders and displayed Limit Orders designated with a TIF of RHO that the entering firm wishes to designate for participation in the opening, re-opening (following a regulatory halt, suspension, or pause), or closing process of a primary listing market if received before the opening, re-opening, or closing process of such market. Exchange Rule 2617(b)(5)(B)2. provides that if a Limit Order designated as IOC is entered after the security has opened on the primary listing market, the Exchange will check the System for available shares and then route the remaining shares pursuant to the PI routing option described under Exchange Rule 2617(b)(5)(iii). Any shares that remain unexecuted after routing will be cancelled in accordance with the terms of the order. The Exchange proposes to amend Exchange Rule 2617(b)(5)(B)2. to describe how the Exchange would handle Limit Orders designated as IOC and coupled with the PAC routing option received during the Early and Late Trading Session. Specifically, the Exchange proposes to handle such Limit Orders as it would if not coupled with the PAC routing option by checking the System for any available shares and any shares that remain unexecuted would be cancelled in accordance with the terms of the order. Limit Orders with a time-in-force of IOC that are not designated as ''Do Not Route'' pursuant to Exchange Rule 2614(c)(1) and that cannot be executed when reaching the Exchange will be eligible for routing away pursuant to Exchange Rule 2617(b). Exchange Rule 2617(b)(5)(B)2. would, therefore, be amended to provide that if a Limit Order designated as IOC is entered during the Early or Late Trading Sessions, the Exchange will check the System for available shares and any shares that remain unexecuted will be *routed pursuant to* Exchange Rule 2617(b)*(4)(ii) or* cancelled in accordance with the terms of the order.

Amendments to Risk Controls

To help Equity Members manage their risk, the Exchange currently offers the Trading Collar, Limit Order Price Protection, and other risk controls that authorize the Exchange to take automated action if certain conditions are met. Such risk controls provide Equity Members with enhanced abilities to manage their risk when trading on the Exchange. All of the Exchange's existing risk controls would be available during the proposed Early and Late Trading Sessions. To account for the different trading environment that occurs during trading outside of Regular Trading Hours described above, the Exchange proposes to adopt one new risk control and to augment the operation of Limit Order Price Protection under Exchange Rule 2614(a)(1)(ix) and Trading Collars under Exchange Rule 2618(b)(1) to provide Equity Members with the proper tools to manage their risk and control their order flow during these times. Each of these changes are described below.

Trading Collar

The Exchange prevents all incoming orders, including those marked as Intermarket Sweep Orders (''ISO''), from executing at a price outside the Trading Collar price range as described in Exchange Rule 2618(b). The Trading Collar prevents buy orders from trading or routing at prices above the collar and prevents sell orders from trading or routing at prices below the collar.

The Exchange's default behavior is to calculate the Trading Collar price range for a security by applying the numerical guidelines for Clearly Erroneous Executions or a specified dollar value established by the Exchange.[40] The result is added to the Trading Collar Reference Price to determine the Trading Collar Price for buy orders, while the result is subtracted from the Trading Collar Reference Price to determine the Trading Collar Price for sell orders. Exchange Rule 2618(b)(1)(B) provides that the Trading Collar Reference Price is equal to the following: (i) consolidated last sale price disseminated during the Regular Trading Hours on trade date; or (ii) if (i) is not available, the prior day's Official Closing Price identified as such by the primary listing exchange, adjusted to account for events such as corporate actions and news events. Exchange Rule 2618(b)(1)(F) provides Equity Members the ability to override the Exchange's default behavior and provides that Equity Members may select a dollar value lower, higher, or equal to the Exchange-specified percentages and dollar value on an order-by-order basis.[41] In other words, Equity Members may select a dollar value equal to, more, or less conservative than the Exchange's specified percentages and dollar value.

The Exchange proposes to amend Exchange Rule 2618(b)(1)(B) to update the hierarchy of reference prices used by the Exchange for Trading Collars due to the adoption of the Early and Late Trading Sessions. Each of the below proposed changes are based on the rules of another national securities exchange.[42] First, the Exchange proposes to amend Exchange Rule 2618(b)(1)(B) to provide that the Trading Collar Reference Price is equal to the most current of the references prices outlined in the Rule. As a result of this change, the Exchange proposes to remove language from current Exchange Rule 2618(b)(1)(B)(ii) that provides that the prior day's Official Closing Price identified as such by the primary listing exchange, adjusted to account for events such as corporate actions and news events, would be used where the consolidated last sale price disseminated during the Regular Trading Hours on trade date under Exchange Rule 2618(b)(1)(B)(i) is unavailable. The Exchange notes that this change does not amend existing functionality because the sequence of reference prices to be used to calculate the Trading Collar would remain the same and the proposed language is simply intended to align the Exchange's Rule with that of another national securities exchange. This proposed change provides clarity that the Exchange would use a reference price that is most current and reflects the

[39] *See, e.g.,* Cboe EDGX Rule 11.10(a)(2) and IEX Rule 11.230(a)(2)(B).

[40] Although the Exchange applies the numerical guidelines for Clearly Erroneous Executions, no order would be executed outside of the prescribed Price Bands pursuant to the Plan to Address Extraordinary Market Volatility.

[41] *See* Securities Exchange Act Release No. 99954 (April 12, 2024), 89 FR 27824 (April 18, 2024) (SR–PEARL–2024–17). *See also* MIAX Pearl Equities Exchange Regulatory Circular 2024–10, Changes to Certain Risk Controls on MIAX Pearl Equities, dated July 1, 2024, *available at https://www.miaxglobal.com/sites/default/files/circular-files/MIAX_Pearl_Equities_RC_2024_10.pdf.*

[42] *See* IEX Rule 11.190(f)(1)(A).

trading behavior of the security at the time the Trading Collar is to be applied.

The Exchange proposes to amend the current hierarchy to add an additional data point that may be used as a reference price that is used by at least one other exchange that offers Limit Order Price Protection and trading outside of Regular Trading Hours.[43] Specifically, the Exchange proposes to amend Exchange Rule 2618(b)(1)(B) to add new paragraph (ii) to provide that the Exchange may use the last trade price for the security on trade date that occurred outside of Regular Trading Hours (Form T, as communicated by the relevant SIP) on trade date which other than for the Form T designation would have been considered a valid last sale price as the reference price. Current Exchange Rule 2618(b)(1)(B)(ii) would be renumbered to paragraph (iii) to reflect the above addition and continue to provide that the prior day's Official Closing Price identified as such by the primary listing exchange, adjusted to account for events such as corporate actions and news events may be used as a reference price.

The Exchange also proposes to make a related change to Exchange Rule 2618(b)(1)(A). Exchange Rule 2618(b)(1)(A) describes when the Trading Collar would not be applied and specifically provides that, upon entry, any portion of an order to buy (sell) that would execute at a price above (below) the Trading Collar price range[44] is cancelled, unless: (i) the prior day's Official Closing Price identified as such by the primary listing exchange, *i.e.,* the price listed under Exchange Rule 2618(b)(1)(B)(ii*i*) described above, is to be applied and a regulatory halt has been declared by the primary listing market during that trading day; (ii) or if no consolidated last sale price has been disseminated following the conclusion of a regulatory halt declared by the primary listing market on that trading day. The Exchange proposes to amend Exchange Rule 2618(b)(1)(A)(ii) to further provide that, upon entry, any portion of an order to buy (sell) that would execute at a price above (below) the Trading Collar Price would not be cancelled where no last trade price for the security that occurred outside of Regular Trading Hours (Form T, as communicated by the relevant SIP) on trade date, which other than for the Form T designation would have been considered a valid last sale price, has been disseminated following the conclusion of a regulatory halt declared by the primary listing market on that trading day. This proposed change would ensure that the Trading Collar is not applied where the applicable Trading Collar Reference Price is unavailable. Again, each of the above changes are based on the rules of another national securities exchange.[45]

Exchange Rule 2618(b)(1)(E) sets forth the numerical guidelines used in the Trading Collar Price calculation to account for the proposed Early and Late Trading Sessions. Specifically, Exchange Rule 2618(b)(1)(E) provides the following numerical guidelines table used in the Trading Collar Price calculation:

Trading collar reference price	Regular trading hours numerical guidelines (%)
Greater than $0.00 up to and including $25.00	10
Greater than $25.00 up to and including $50.00	5
Greater than $50.00	3

The Exchange proposes to amend the explanatory paragraph below the numerical guidelines table in Exchange Rule 2618(b)(1)(E) to provide the default dollar and percentage values will be subject to a multiplier established by the Exchange during the Early and Late Trading Sessions (the ''Extended Hours Multiplier''). Exchange Rule 2618(b)(1)(E) provides that the specified dollar values will be posted to the Exchange's website and the Exchange will announce in advance any changes to the dollar value via a Regulatory Circular. Similarly, the Exchange proposes to amend Exchange Rule 2618(b)(1)(E) to also provide that the amount of the Extended Hours Multiplier would also be posted to the Exchange's website and the Exchange will announce in advance any changes to the Extended Hours Multiplier via a Regulatory Circular. To start, the Exchange would establish the value of the Extended Hours Multiplier to be 2, which make its numerical guideline to be applied during the Early and Late Trading Sessions identical to that of another national securities exchange.[46] Further, the Exchange notes that applying a multiplier to a risk protection outside of Regular Trading Hours is not unique and currently in place on at least one other national securities exchange.[47] Doing so enables the Exchange to better tailor its Trading Collar to reflect the trading conditions that are in place outside of Regular Trading Hours and provide necessary protections to Equity Members without unnecessarily preventing an otherwise acceptable execution. Furthermore, as discussed above, Exchange Rule 2618(b)(1)(F) provides Equity Members the ability to override the Exchange's default behavior and provides that Equity Members may select a dollar value lower, higher, or equal to the Exchange-specified percentages and dollar value on an order-by-order basis. Therefore, Equity Members would have the ability to tailor the Trading Collar to consider the Extended Hours Multiplier in line with their risk appetite during the Early and Late Trading Sessions.

Limit Order Price Protection

Limit Order Price Protection is set forth under Exchange Rule 2614(a)(1)(ix) and provides for the rejection of Limit Orders priced too far away from a specified reference price at the time the order first becomes eligible to trade. A Limit Order entered before Regular Trading Hours that becomes eligible to trade during Regular Trading Hours (*e.g.,* a Limit Order that contains a TIF of RHO) will be subject to Limit

[43] *See* IEX Rule 11.190(f)(1)(B).

[44] The Exchange proposes to make a clarifying change to Exchange Rule 2618(b)(1)(A) to change the term ''Price'' to ''price range'' to more accurately reflect the price at which an order priced outside the Trading Collar would be cancelled.

[45] *See* IEX Rule 11.190(f)(1)(A).

[46] The proposed numerical guidelines for the Early and Late Trading Sessions are based on IEX Rule 11.190(f)(1)(D).

[47] The proposed Extended Hours Multiplier is based on the similar functionality offered by NYSE Arca utilized outside of Regular Trading Hours. *See* NYSE Pillar Risk Controls Manual (document version 4.0), Section 5.5, *available at https://www.nyse.com/publicdocs/nyse/NYSE_Pillar_Risk_Controls.pdf* (''Arca Risk Controls Manual'') (Early/Late Trading Multiplier (optional; Equities Markets)—may be configured to apply a double-wide price check to orders that first become eligible to trade in the Early or Late Trading Sessions (calculated as Price Protection Limit × Early/Late Trading Multiplier)).

Order Price Protection at the time Regular Trading Hours begins.[48]

Currently, Exchange Rule 2614(a)(1)(ix)(A) provides that a Limit Order to buy (sell) will be rejected if it is priced at or above (below) the greater of a specified dollar and percentage away [49] from the following: 1. PBO for Limit Orders to buy, the PBB for Limit Orders to sell; 2. if the PBBO is unavailable, then the consolidated last sale price disseminated during the Regular Trading Hours on trade date; or 3. if neither 1. nor 2. are available, then the prior day's Official Closing Price identified as such by the primary listing exchange, adjusted to account for events such as corporate actions and news events.

The Exchange now proposes to amend Exchange Rule 2614(a)(1)(ix)(A) to amend the hierarchy of reference prices that would be used to account for the Early and Late Trading Sessions and align with the changes to the Trading Collar reference prices under Exchange Rule 2618(b)(1)(B) described above. The Exchange proposes to amend the current hierarchy to add an additional data point that may be used as a reference price that is used by at least one other exchange that offers trading outside of Regular Trading Hours.[50] First, the Exchange proposes to amend Exchange Rule 2614(a)(1)(ix)(A) to include the language in subparagraph 1. and provide that a Limit Order to buy (sell) will be rejected if it is priced at or above (below) the greater of a specified dollar and percentage away from the PBO for Limit Orders to buy, the PBB for Limit Orders to sell. As a result of this change, the Exchange proposes to renumber Exchange Rule 2614(a)(1)(ix)(A)2. as Exchange Rule 2614(a)(1)(ix)(A)1. Exchange Rule 2614(a)(1)(ix)(A) would further be amended to provide that if the PBBO is unavailable, a Limit Order to buy (sell) will be rejected if it is priced at or above (below) the greater of a specified dollar and percentage away from the most current of the following prices currently set forth in the Rule: the consolidated last sale price disseminated during Regular Trading Hours on trade date described under Exchange Rule 2614(a)(1)(ix)(A)1.; or the prior day's Official Closing Price identified as such by the primary listing exchange, adjusted to account for events such as corporate actions and news events described under Exchange Rule 2614(a)(1)(ix)(A)2. (proposed to be renumbered as subparagraph 3. Described immediately below). The Exchange proposes to further amend Exchange Rule 2614(a)(1)(ix)(A) to include an additional price under subparagraph 2. that would align the prices used for Limit Order Price Protection with those to be used for the Trading Collar during the Early and Late Trading Sessions. Specifically, Exchange Rule 2614(a)(1)(ix)(A)2. would provide that the last trade price for the security on trade date that occurred outside of Regular Trading Hours (Form T, as communicated by the relevant SIP) on trade date which other than for the Form T designation would have been considered a valid last sale price would be applied where is it more current than the prices set forth under Exchange Rule 2614(a)(1)(ix)(A)1. and 3. described above. Again, each of the above changes are based on the rules of another national securities exchange [51] and other than using the PBBO, are designed to align the waterfall of reference prices with the changes proposed herein to the Trading Collar risk protection under Exchange Rule 2618(b)(1)(B), described above.

As a result of the above proposed changes, the Exchange proposes to remove language from current Exchange Rule 2614(a)(1)(ix)(A)2. and 3. that the reference price set forth in each Rule would be applied where a preceding reference price is unavailable. The Exchange notes that this change does not amend existing functionality because the sequence of reference prices to be used to calculate Limit Order Price Protection would remain the same and the proposed language is simply intended to align the Exchange's Rule with that of another national securities exchange and to account for the addition of the Early and Late Trading Sessions. The proposed change provides clarity that the Exchange would use a reference price that is most current and reflects the trading behavior of the security at the time Limit Order Price Protection is to be applied and is consistent with the same change proposed above for the Exchange's Trading Collar risk protection.

The Exchange believes its use of the amended reference price waterfall is reasonable because it would ensure that Limit Order Price Protection would continue to be applied when one or more reference prices are unavailable. Unlike on other exchanges,[52] this would provide added protections to Equity Members when trading outside of Regular Trading Hours. The Exchange also believes it is reasonable to use the last trade price for the security on trade date that occurred outside of Regular Trading Hours as a reference price when the PBO (PBB) and consolidated last sale are unavailable because it would ensure that the Exchange is using a reference price that most accurately reflects the security's current trading behavior. Without this ability, the Exchange would use the prior day's official closing price as a reference price, which may be unrelated to the security's current trading behavior, especially during the Late Trading Session due to the official closing price and application of Limit Order Price Protection being separated by almost a complete trading day.

Next, the Exchange proposes to amend Exchange Rule 2614(a)(1)(ix)(B) regarding specified percentage elections for Limit Order Price Protection. Exchange Rule 2614(a)(1)(ix)(B) provides that Equity Members may customize the Limit Order Price Protection specified dollar and percentage values on an MPID and/or per session basis. If an Equity Member does not provide MIAX Pearl Equities specified dollar and percentage values for their order(s), default specified dollar and percentage values established by the Exchange will be applied.[53]

Like the proposed changes described above for the Trading Collar under Exchange Rule 2618(b)(1)(B), the Exchange proposes to apply a multiplier to the Limit Order Price Protection specified dollar and percentage values during the Early and Late Trading Sessions. Specifically, the Exchange proposes to amend Exchange Rule 2614(a)(1)(ix)(B) to provide that during the Early Trading Session and Late Trading Session, the default dollar and percentage values will be subject to a multiplier established by the Exchange (referred to as the ''LOPP Extended Hours Multiplier''). This functionality is available on at least one other national

[48] Further, a Limit Order in a security that is subject to a trading halt becomes first eligible to trade when the halt is lifted and continuous trading has resumed. *See* Exchange Rule 2614(a)(1)(ix)(C).

[49] *See* MIAX Pearl Equities Regulatory Circular 2020–06, Limit Order Price Protection Default Values (dated September 14, 2020), *available at https://www.miaxglobal.com/sites/default/files/circular-files/MIAX_PEARL_Equities_RC_2020_06.pdf* (providing default specified dollar and percentage values for Limit Order Price Protection in the event that Equity Members do not customize the dollar and percentage values on a per session basis).

[50] *See* IEX Rule 11.190(f)(1)(A).

[51] *See* IEX Rule 11.190(f)(1)(A).

[52] *See* NYSE Arca Rule 7.31–E(a)(2)(B)(ii) (stating that ''[d]uring the Early and Late Trading Sessions, Limit Order Price Protection will not be applied to an incoming Limit Order to buy (sell) if there is no NBO (NBB)'').

[53] The default specified dollar and percentage values are posted to the Exchange's website. *See supra* note 6. The Exchange will announce in advance any changes to those dollar and percentage values via a Regulatory Circular.

securities exchange.[54] Exchange Rule 2614(a)(1)(ix)(B) would further provide that the default amount of the LOPP Extended Hours Multiplier will be posted to the Exchange's website and the Exchange will announce in advance any changes to the LOPP Extended Hours Multiplier via a Regulatory Circular, which is the case today for the default specified dollar and percentage established by the Exchange.

Lastly, Exchange Rule 2614(a)(1)(ix)(B) would also provide that Equity Members may select a LOPP Extended Hours Multiplier that is higher than, equal to, or lower than the default LOPP Extended Hours Multiplier established by the Exchange. This proposed rule change would allow Equity Members to select their own LOPP Extended Hours Multiplier, enabling them to customize Limit Order Price Protection based on their own risk appetite during the Early and Late Trading Sessions. Importantly, the proposed rule change would not only allow Equity Members to select a LOPP Extended Hours Multiplier more aggressive than the Exchange's defaults, but also more conservative in cases where they seek to apply a tighter Limit Order Price Protection thresholds in line with their risk appetite. The ability to override the Exchange's LOPP Extended Hours Multiplier would be completely voluntary and all orders would continue to be subject to other risk protections provided by the Exchange.

Lastly, the Exchange proposes to amend Exchange Rule 2614(a)(1)(ix)(C) regarding when Limit Order Price Protection would be applied to account for the addition of the Early and Late Trading Sessions as well as align with the reference prices set forth under amended Exchange Rule 2614(a)(1)(ix)(B) described above. Currently, Exchange Rule 2614(a)(1)(ix)(C) provides that Limit Order Price Protection will not be applied if: the prices listed under paragraphs (a)(1)(ix)(A)1., 2., or 3 of Exchange Rule 2614 are unavailable; or 2. the price listed under paragraph (a)(1)(ix)(A)3. of Exchange Rule 2614. is to be applied and a regulatory halt has been declared by the primary listing market during that trading day; or 3. if no consolidated last sale price or the last trade price for the security has been disseminated following the conclusion of a regulatory halt declared by the primary listing market during that trading day. The Exchange proposes to delete Exchange Rule 2614(a)(1)(ix)(C)3. and remove references to subparagraphs 1., 2., and 3. of Exchange Rule 2614(a)(1)(ix)(A) to account for the above changes and the result that Limit Order Price Protection would not be applied when any of the prices listed under Exchange Rule 2614(a)(1)(ix)(A) are not available. Deleting Exchange Rule 2614(a)(1)(ix)(C)3. is not a substantive change because Exchange Rule 2614(a)(1)(ix)(C)1. accounts for there being no consolidated last sale price (or even no last trade price for the security on trade date that occurred outside of Regular Trading Hours). These changes to Exchange Rule 2614(a)(1)(ix)(C) would align it with the reference prices set forth under Exchange Rule 2614(a)(1)(ix)(B), as well as when the Trading Collar would be applied under Exchange Rule 2618(b)(1)(A), both of which are described above.

Early/Late Trading Session Pre-Order Risk Control

The Exchange offers Equity Members the ability to establish certain risk control parameters that assist Equity Members in managing their market risk on a per order basis. These optional risk controls are set forth under Exchange Rule 2618(a)(1) and offer Equity Members protection from entering orders outside of certain size and price parameters, and selected order type and modifier combinations, as well as protection from the risk of duplicative executions. The Exchange also permits Equity Members to block new orders, to cancel all open orders, block both new orders and cancel all open orders, and automatically cancel all orders to the extent the Equity Member loses its connection to MIAX Pearl Equities.[55] The risk controls are available to all Equity Members, but are particularly useful to Equity Market Makers, who are required to continuously quote in the equity securities to which they are assigned.

Pursuant to Exchange Rule 2618(a)(1)(C), the risk controls include, among others, controls related to the order types or modifiers that can be utilized (including short sales and ISOs). The Exchange proposes to amend Exchange Rule 2618(a)(1)(C) to include pre-market and post-market in the list of risk controls for certain orders and is based on the rules of another national securities exchange.[56] With the proposed change, Equity Members would have the ability to instruct the Exchange to block any orders entered during the proposed Early and Late Trading Sessions.[57] Use of this pre-order risk control would be completely voluntary. Equity Members who do not wish to trade outside of Regular Trading Hours may use this risk control to ensure that an order that they may have inadvertently entered during the Early or Late Trading Sessions would be rejected by the Exchange.

* * * * *

The Exchange does not guarantee that the risk settings in this proposal are sufficiently comprehensive to meet all of an Equity Member's risk management needs. Pursuant to Rule 15c3–5 under the Act,[58] a broker-dealer with market access must perform appropriate due diligence to assure that controls are reasonably designed to be effective, and otherwise consistent with the rule.[59] Use of the Exchange's risk settings will not automatically constitute compliance with Exchange or federal rules and responsibility for compliance with all Exchange and Commission rules remains with the Equity Member.

Exchange Rule 2621, Clearly Erroneous Executions

Clearly Erroneous Trade Processing. The Exchange will process trade breaks beginning at 4:00 a.m. pursuant to amended Exchange Rule 2621, Clearly Erroneous Executions. The Exchange proposes to amend Exchange Rule 2621 to account for the Early and Late Trading Sessions by adopting provisions that are substantially identical with those of other equity exchanges, all of which adopted and enforce identical rules regarding clearly erroneous executions.[60] This includes amending the title of Exchange Rule 2621(c)(2) and

[54] The proposed LOPP Extended Hours Multiplier is based on the similar functionality offered by NYSE Arca during its early and late trading sessions. *See* NYSE Pillar Risk Controls Manual (document version 4.0), Section 5.5, *available at https://www.nyse.com/publicdocs/nyse/NYSE_Pillar_Risk_Controls.pdf* (''Arca Risk Controls Manual'') (Early/Late Trading Multiplier (optional; Equities Markets)—may be configured to apply a double-wide price check to orders that first become eligible to trade in the Early or Late Trading Sessions (calculated as Price Protection Limit x Early/Late Trading Multiplier)).

[55] *See* Exchange Rule 2618(a)(7)(a) (proposed herein to be renumbered as Exchange Rule 2618(a)(7)(A)). The Exchange also proposes to renumber Exchange Rule 2618(a)(7)(b) as Exchange Rule 2618(a)(7)(B).

[56] The inclusion of pre-market and post-market in the list of risk control settings is based on EDGX Rule 11.10(c).

[57] The configuration to block/reject orders from the proposed Early and Late Trading Sessions is also based on a similar configuration available on NYSE Arca. *See* the Arca Risk Controls Manual, Section 5.3 (Order Restriction), *supra* note 52.

[58] 17 CFR 240.15c3–5.

[59] *See* Division of Trading and Markets, Responses to Frequently Asked Questions Concerning Risk Management Controls for Brokers or Dealers with Market Access, *available at https://www.sec.gov/divisions/marketreg/faq-15c-5-risk-management-controls-bd.htm.*

[60] *See, e.g.,* Cboe BZX Rule 11.17 *and* MEMX Rule 11.15.

subparagraphs (A), (B), (C), and (D) to include the Early and Late Trading Sessions, as well as further amending subparagraph (A) to include numerical guidelines for the Early and Late Trading Sessions, which are identical to those of other equities exchanges.[61] This also includes amending Exchange Rule 2621(d)(3) to mirror other equities exchange by including the Early and Late Trading Sessions.[62]

Exchange Rule 2120, Customer Disclosures

The Exchange proposes to adopt new Exchange Rule 2120, Customer Disclosures, which require Equity Members to make certain disclosures regarding the risk of trading outside of Regular Trading Hours. Proposed Exchange Rule 2120 is substantially identical to the rules of other equity exchanges,[63] and includes provisions requiring disclosures concerning the risk of lower liquidity, high volatility, changing prices, unlinked markets, news announcement, wider spreads, and the lack of calculation or dissemination of underlying Index Values or Intraday Indicative Values (''IIV'').

Exchange Rule 2900, Unlisted Trading Privileges

Exchange Rule 2900(a) provides that the Exchange may extend unlisted trading privileges (''UTP'') to any security that is an NMS Stock that is listed on another national securities exchange or with respect to which unlisted trading privileges may otherwise be extended in accordance with Section 12(f) of the Act[64] and any such security shall be subject to all Exchange rules applicable to trading on the Exchange, unless otherwise noted. Pursuant to Exchange Rule 2900(n)(1), the Exchange distributes an information circular prior to the commencement of trading in each such UTP Exchange Traded Product that generally includes the same information as is contained in the information circular provided by the listing exchange, including (a) the special risks of trading the new Exchange Traded Product, (b) the Exchange Rules that will apply to the new Exchange Traded Product, and (c) information about the dissemination of value of the underlying assets or indices. The Exchange proposes to amend Exchange Rule 2900(b)(1) to provide that the information circular distributed by the Exchange also include risk of trading during the Early Trading Session (4:00 a.m.–9:30 a.m. Eastern Time) and Late Trading Session (4:00 p.m.–8:00 p.m. Eastern Time) due to the lack of calculation or dissemination of the Intraday Indicative Value (''IIV'') or a similar value. The proposed text is identical to the rules of at least one other national securities exchange.[65]

Exchange Rule 2900(b)(3) provides that the Exchange will halt trading in a UTP Exchange Traded Product as provided for in Exchange Rule 2622. The Exchange proposes to amend Exchange Rule 2900(b)(3) to include language that is identical to at least one other national securities exchange[66] that describes how the Exchange would halt or continue trading during its proposed extended hours trading sessions. First, the Exchange proposes to add subparagraph (A) to Exchange Rule 2900(b)(3) entitled, Early Trading Session and Late Trading Session, which would provide that if a UTP Derivative Security begins trading on the Exchange in the Early Trading Session or Late Trading Session and subsequently a temporary interruption occurs in the calculation or wide dissemination of the IIV or the value of the underlying index, as applicable, to such UTP Derivative Security, by a major market data vendor, the Exchange may continue to trade the UTP Derivative Security for the remainder of the Early Trading Session and Late Trading Session. Then, the Exchange proposes to add subparagraph (B) to Exchange Rule 2900(b)(3), entitled, Late Trading Session and Next Business Day's Early Trading Session. Proposed subparagraph (i) to Exchange Rule 2900(b)(3)(B) would provide that if the IIV or the value of the underlying index became unavailable during the Early Trading Session or Regular Trading Hours and continues not to be calculated or widely available after the close of Regular Trading Hours, the Exchange may trade the UTP Derivative Security in the Late Trading Session only if the listing market traded such securities until the close of its regular trading session without a halt. Lastly, proposed subparagraph (ii) of Exchange Rule 2900(b)(3)(B), subsection (ii) would provide that if the IIV or the value of the underlying index became unavailable as discussed under proposed paragraph (A) of proposed Exchange Rule 2900(b)(3) discussed above and continues not to be calculated or widely available as of the commencement of the Early Trading Session on the next business day, the Exchange shall not commence trading of the UTP Derivative Security in the Early Trading Session that day. If an interruption in the calculation or wide dissemination of the IIV or the value of the underlying index continues, the Exchange may resume trading in the UTP Derivative Security only if calculation and wide dissemination of the IIV or the value of the underlying index resumes or trading in the UTP Derivative Security resumes in the listing market.

Again, each of the above proposed changes to Exchange Rule 2900 are identical to those of at least one other national securities exchange. Codifying these provisions in its rules would ensure that the Exchange's rules are aligned with other national securities exchanges and describe that the Exchange will continue to disseminate information circulars for, and halt trading in, UTP Derivative Securities in accordance with industry practice.

Implementation

Due to the technological changes associated with this proposed change, the Exchange will issue a trading alert publicly announcing the implementation date of the proposed enhancements to its risk controls set forth herein. The Exchange anticipates that the implementation date will be in the first or second quarter of 2025.

2. Statutory Basis

The proposed rule change is consistent with Section 6(b) of the Act,[67] in general, and furthers the objectives of Section 6(b)(5),[68] in particular, because it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Specifically, the Exchange believes the proposed amendments will remove impediments to and perfect the mechanism of a free and open market and a national market system because it would provide market participants an additional pool of liquidity outside of Regular Trading Hours. The Exchange simply proposes to expand the hours

[61] *Id.*

[62] *Id.*

[63] *See, e.g.,* Cboe BZX Rule 3.21 *and* MEMX Rule 3.21.

[64] 17 CFR 78*l*.12(f).

[65] *See, e.g.,* Cboe EDGX Rule 14.1(c)(1).

[66] *See, e.g.,* Cboe EDGX Rule 14.1, Interpretations and Policies .01(a) and (b).

[67] 15 U.S.C. 78f(b).

[68] 15 U.S.C. 78f(b)(5).

during which trading occurs on the Exchange as well as expand functionality and risk controls in a manner that either mirrors or is substantially similar to what is currently available on other exchanges. The Exchange also believes that the proposed rule change is non-discriminatory as it would apply to all Equity Members uniformly. In other words, any Equity Member that wishes to participate in the proposed Early or Late Trading Sessions may do so equally. The proposed rule change in whole is designed to attract more order flow to the Exchange between 4:00 a.m. and 9:30 a.m. Eastern Time and 4:00 p.m. and 8:00 p.m. Eastern Time. Increased liquidity during these times should lead to improved price discovery and increased execution opportunities on the Exchange, therefore, promoting just and equitable principles of trade, and removing impediments to and perfecting the mechanism of a free and open market and a national market system.

Early and Late Trading Sessions

The Exchange believes its proposal to adopt the Early and Late Trading Sessions promotes just and equitable principles of trade, removes impediments to and perfects the mechanism of a free and open market and a national market system, prevents fraudulent and manipulative acts and practices, and, in general, protects investors and the public interest. The Exchange believes that the Early and Late Trading Sessions will benefit investors, the national market system, Equity Members, and the Exchange market by increasing competition for order flow and executions, and thereby spur product enhancements and lower prices. The Early and Late Trading Sessions will benefit Equity Members and the Exchange market by increasing trading opportunities between 4:00 a.m. and 9:30 p.m. and 4:00 p.m. and 8:00 p.m. Eastern Time without increasing ancillary trading costs (telecommunications, market data, connectivity, etc.) and, thereby, decreasing average trading costs per share. The Exchange notes that trading during the proposed Early and Late Trading Session is currently available on MEMX, NYSE Arca, and elsewhere and its proposed definitions under Exchange Rule 1901 are based on the rules of these exchanges.[69] The Exchange believes that the availability of trading between 4:00 a.m. and 9:30 p.m. and 4:00 p.m. and 8:00 p.m. Eastern Time has been beneficial to market participants including investors and issuers on other markets. Introduction of the Early and Late Trading Sessions on the Exchange will further expand these benefits.

Additionally, the Exchange Act's goal of creating an efficient market system includes multiple policies such as price discovery, order interaction, and competition among markets. The Exchange believes that offering competing trading sessions will promote all of these policies and will enhance quote competition, improve liquidity in the market, support the quality of price discovery, promote market transparency, and increase competition for trade executions while reducing spreads and transaction costs. Additionally, increasing liquidity during the Early and Late Trading Sessions will raise investors' confidence in the fairness of the markets and their transactions, particularly due to the lower volume of trading occurring prior to opening.

The expansion of trading hours through the creation of the Early and Late Trading Sessions promotes just and equitable principles of trade by providing market participants with additional options in seeking executions on the Exchange. The Exchange will report the best bid and offer on the Exchange to the appropriate network processor and via the Exchange's proprietary data feeds beginning at 4:00 a.m. Eastern Time.[70] The proposal will, therefore, facilitate a well-regulated, orderly, and efficient market during a period of time that is currently underserved.

The Exchange believes that the proposed rule change is designed to prevent fraudulent and manipulative acts and practices because all surveillance coverage currently performed by the Exchange's surveillance systems will launch by the time trading starts at 4:00 a.m. Eastern Time and continue until 8:00 p.m. Eastern Time. Proposed Exchange Rule 2120 is substantially identical to the rules of other equity exchanges,[71] and includes provisions requiring disclosures concerning the risk of lower liquidity, high volatility, changing prices, unlinked markets, news announcement, wider spreads, and the lack of calculation or dissemination of underlying Index Values or IIV. The Exchange believes that the proposed rule change will protect investors and the public interest because the Exchange is adopting customer disclosure requirements under proposed Exchange Rule 2120 to prohibit equity Members from accepting an order from a customer for execution in the Early and Late Trading Session without disclosing to their customer that extended hours trading involves material trading risks, including the possibility of lower liquidity, high volatility, changing prices, unlinked markets, an exaggerated effect from news announcements, wider spreads and any other relevant risk.

Exchange Rules 2600, Hours of Trading

The Exchange believes its proposed amendments to Exchange Rule 2600 promote just and equitable principles of trade and remove impediments to and perfect the mechanism of a free and open market and a national market system. Exchange Rule 2600 sets forth when orders may be entered into the System and during which timeframes orders are eligible for execution. The Exchange proposes to amend Exchange Rule 2600 to account for the addition of the Early and Late Trading Sessions and is based on the rules of other exchanges,[72] with slight immaterial differences. For example, Cboe EDGX Rule 11.1(a)(1) provides that orders entered between 2:30 a.m. and 4:00 a.m. Eastern Time would not be eligible for execution until the start of the Early Trading Session or *Regular Trading Hours,* depending on the TIF selected by the User. The Exchange notes that, in addition to becoming eligible for execution at the start of the Early Trading Session, it proposes to state that orders may also become eligible for execution at the start of the Regular Trading Session, rather than Regular Trading Hours, as is the case on Cboe EDGX. On the Exchange, the Regular Trading Session commences at the conclusion of the Exchange's Opening or Contingent Opening Process set forth under Exchange Rule 2615, which is shortly after the commencement of Regular Trading Hours at 9:30 a.m. Eastern Time. The Exchange, therefore, believes this is not a material difference since Equity Members are free to select the TIF of their choosing which would determine when their order would become eligible for execution. Further, generally, any order with a TIF of RHO becomes eligible for execution at the start of Regular Trading Hours at 9:30 a.m. Eastern Time [73] and is eligible to participate in the Exchange's Opening or Contingent Opening Process as described in Exchange Rule 2615.

[69] *See supra* notes 9 and 10.

[70] *See, e.g.,* 17 CFR 242.603(a).

[71] *See, e.g.,* Cboe BZX Rule 3.21 *and* MEMX Rule 3.21.

[72] Cboe EDGX Rule 11.1(a) *and* (a)(1).

[73] *See, e.g.,* proposed Exchange Rule 2615(a)(1).

Exchange Rule 2600(a) would also provide that the Exchange would not accept all orders with a TIF instruction of FOK, in addition to ISOs and orders with a TIF instruction of IOC, prior to 4:00 a.m. Eastern Time. Unlike Cboe EDGX, the Exchange would accept orders with a Post Only instruction and orders with a Minimum Execution Quantity instruction that also include a TIF instruction of RHO prior to 4:00 a.m. Eastern Time.

Exchange Rule 2600(a) would also provide that the Exchange would not accept Market Orders (other than Market Orders that include a TIF of RHO that are to be routed to the primary listing exchange's opening process pursuant to the PAC routing option under Rule 2617(b)(5)(ii)) prior to 9:30 a.m. Eastern Time. The Exchange believes this is reasonable because Market Orders would only be eligible to participate in the Regular Trading Session and the Exchange does not think it is appropriate to accept and hold Market Orders prior to the commencement of the Regular Trading Session due to the nature of the orders type—*i.e.,* it seeks an immediate execution at the then available PBBO or better.[74] Also unlike Cboe EDGX, the Exchange would continue to accept Market Orders that include a TIF of RHO during the Early Trading Session that are to be routed to the primary listing exchange's opening process pursuant to the PAC routing option under Rule 2617(b)(5)(ii). The Exchange again believes that this difference is immaterial. The proposal to continue to accept Market Orders that are coupled with both a TIF of RHO and the PAC routing option is consistent with current functionality where such Market Orders are routed to the primary listing market's opening process upon receipt and are not eligible for execution because the Exchange currently does not offer pre-market trading.[75] Adding this provision in Exchange Rule 2600 regarding Market Orders that are coupled with both a TIF of RHO and the PAC routing option generally repeats what is already set forth in Exchange Rule 2617(b)(5)(ii)(A)1. This proposed change would add clarity to the Exchange's Rules as well as would avoid any potential confusion by market participants.

Today, the Exchange also does not accept orders with a Post Only instruction and orders with a Minimum Execution Quantity instruction that also include a TIF instruction of RHO prior to 9:30 a.m. Eastern Time, the time after which the Exchange would conduct its Opening Process and begin to execute orders. At such time, the Exchange would begin to accept Post Only instruction and orders with a Minimum Execution Quantity instruction that also include a TIF instruction of RHO. The Exchange is simply updating its Exchange Rule 2600 to reflect the new time it would begin to execute orders and at which it would begin to accept Post Only instruction and orders with a Minimum Execution Quantity instruction that also include a TIF instruction of RHO. Doing so would provide market participants seeking to utilize those order types during the Early Trading Session with an additional exchange to send those orders for potential execution.

Exchange Rule 2614, Orders and Order Instructions

The Exchange proposes to amend Exchange Rule 2614 to account for the addition of the proposed Early and Late Trading Sessions, adopt new TIF instructions, describe which TIF instructions are available with each order type, and adopt other similar functionality as other exchanges that provide trading outside of Regular Trading Hours. Each of these changes remove impediments to and perfect the mechanism of a free and open market and a national market system because they would allow the Exchange to provide efficient trading modifiers and functionality that is in place on other exchanges and would provide for efficient executions and order interactions during the Early and Late Trading Sessions.

Time-in-Force Instructions

The Exchange believes its proposed TIF instructions promote just and equitable principles of trade, and remove impediments to and perfect the mechanism of a free and open market and a national market system. The Exchange believes that the proposed TIF instructions will benefit investors by providing them with greater control over their orders. The proposed TIF instructions simply provide market participants with additional functionality they may use to instruct the Exchange when their orders may be or are to become eligible for execution.

In addition, Equity Members will maintain the ability to cancel or modify the terms of their order at any time, including during the Early and Late Trading Sessions. As a result, an Equity Member who utilizes the proposed TIF instructions, but later determines that market conditions favor execution during another trading session, such as Regular Trading Hours, can cancel the order resting on the MIAX Pearl Equities Book and enter a separate order with a TIF instruction that would provide that the order be eligible for execution during the trading session(s) they prefer.

The ability to select the trading sessions or time upon which an order is to be eligible for execution is not novel and is currently available on the Exchange and other market centers. For example, on the Exchange, a User may currently enter an order starting at 7:30 a.m. Eastern Time and select that such order not be eligible for execution until 9:30 a.m., the start of Regular Trading Hours, using TIF instructions of Regular Hours Only.[76] In addition, each of the proposed TIF instructions are well established in the equities markets and available on most other national securities exchanges.[77]

Primary Peg Orders During Early and Late Trading Session

The proposed rule change removes impediments to and perfects the mechanism of a free and open market and a national market system by ensuring that Primary Pegged Orders with Primary Offset Amounts displayed on the MIAX Pearl Equities Book do not inadvertently re-price off similar orders on away exchanges in absence of other liquidity creating the illusion of aberrant prices for the security. The proposed rule change would restrict the use of the order type to Regular Trading Hours only, the most liquid part of the trading day, thereby significantly decreasing the possibility of such orders re-pricing off of each other in the absence of additional liquidity. The Exchange does not propose to amend or alter the operation of Primary Pegged Orders in any other manner. The proposed rule change also promotes just and equitable principles of trade by limiting the times at which such orders are active so as to ensure that the order pegs to prices that reflect the true NBBO of the security and not the Primary Offset Amount of a pegged order in the absence of other liquidity. The proposed rule change also removes impediments to and perfects the mechanism of a free and open market and a national market system because also it aligns with

[74] *See* Cboe EDGX Rule 11.8(a)(5) *and* Exchange Rule 2614(a)(2)(ii).

[75] Exchange Rule 2617(b)(5)(B)(1)(i) provides that a Market Order designated as RHO received before the security has opened on the primary listing market will be routed to participate in the primary listing market's opening process upon receipt.

[76] *See* Exchange Rule 2600(a). *See also* Nasdaq Rule 4703(a) (outlining TIF instructions that do not activate orders until 9:30 a.m. Eastern Time).

[77] Each of these proposed TIF instruction are based on Cboe EDGX Rule 11.6(q)(2)—(5).

similar functionality availability on other national securities exchanges.[78]

Exchange Rule 2615, Opening Process for Equity Securities

Opening and Re-Opening Processes. The Exchange believes its proposed amendments to Exchange Rule 2615(a)(1) promotes just and equitable principles of trade removes impediments to and perfects the mechanism of a free and open market and a national market system. Amended Exchange Rule 2615(a)(1) would provide market participants clarity as to how the Exchange would handle orders between 9:30 a.m. Eastern Time and its Opening or Contingent Opening Process. This proposal is also identical to the rules of at least one other national securities exchange [79] and would, therefore, provide for consistent functionality across exchanges.

Likewise, the Exchange believes its proposal to adopt Exchange Rule 2615(e)(1)(iii) to describe how the Exchange would re-open a security following a halt during the Early and Late Trading Sessions promotes just and equitable principles of trade because it would provide clarity to market participants on how the Exchange would re-open a security that was halted during the Early of Late Trading Sessions. This proposal is also identical to the rules of at least one other national securities exchange [80] and would, therefore, provide for consistent functionality across exchanges.

Contingent Open. The Exchange believes its proposed amendments to Exchange Rule 2615(d) to reinstate the Contingent Opening Process promotes just and equitable principles of trade because a Contingent Open serves an important purpose of prescribing an end to the early trading session and beginning of the regular trading session on that non-primary listing exchange where a security has not begun to trade on the primary listing market. A Contingent Open allows a non-primary listing exchange that provides an early trading session to transition to a regular trading session in a timely manner where a security has not opened for trading on the primary listing market.

Because it did not previously offer an early trading session, the Exchange proposed in December 2023 to remove references to the Contingent Open from its Rules.[81] Now that the Exchange proposes to offer an Early Trading Session, the Contingent Open would serve as a transition from the Early Trading Session to the Regular Trading Session. Also, other exchanges that provide for pre-market trading also conduct a Contingent Open.[82]

The Exchange notes, however, that the earlier version of the Contingent Open that the Exchange removed in December 2023 provided that the Exchange will conduct a Contingent Open and match all orders eligible to participate in the Opening Process at the midpoint of the then prevailing NBBO. The Exchange no longer proposes to do so and rather, in cases where the conditions to establish the price of the Opening Process described in Exchange Rule 2615(c) do not occur by 9:45:00 a.m. Eastern Time, handle all orders in time sequence, beginning with the order with the oldest timestamp, and be placed on the MIAX Pearl Equities Book, cancelled, executed, or routed to away Trading Centers in accordance with the terms of the order. The Exchange proposes this change to simply feed any orders it may have received in time sequence onto the MIAX Pearl Equities Book due to the likely lack of liquidity in the security and other factors that would cause it to not open on the primary listing exchange by 9:45 a.m. Eastern Time. This change is not material because it would be identical to how the Exchange proposes to handle orders at 4:00 a.m. Eastern Time when the Early Trading Session would begin as well as how other non-primary listing exchanges that do not perform an opening process handle orders when they commence trading. Therefore, the Exchange's proposal to reinstitute the Contingent Opening Process, as proposed, is consistent with the Act because it would allow for orders to be fed onto the MIAX Pearl Equities Book in a consistent manner when the Exchange does not conduct an Opening Process because the conditions in Exchange Rule 2615(c) have not been satisfied.

Exchange Rule 2617, Order Execution and Routing

Regulation NMS Compliance

The Exchange believes its proposed adoption of Exchange Rule 2617(a)(2)(ii) promotes just and equitable principles of trade and removes impediments to and perfects the mechanism of a free and open market and a national market system because provide investors certainty that the Exchange would execute orders consistent with Regulation NMS's Trade Through protections during the Early and Late Trading Sessions. It is also identical to the rules of other national securities exchanges [83] and would, therefore, align the Exchange's rules with other national securities exchanges, thereby avoiding potential investor confusion by providing for consistent rules across exchanges.

PAC Routing Option

The Exchange believes its proposal to amend Exchange Rule 2617(b)(5)(B)2. to describe how the Exchange would handle Limit Orders designated as IOC and coupled with the PAC routing option received during the Early and Late Trading Session promotes just and equitable principles of trade and removes impediments to and perfects the mechanism of a free and open market and a national market system. The Exchange simply proposes to handle such Limit Orders as it would if not coupled with the PAC routing option by checking the System for any available shares and any shares that remain unexecuted would either be routed or cancelled in accordance with the terms of the order, and not in a different manner.

Adding this provision in Exchange Rule 2617(b)(5)(B)2. generally repeats what is already set forth in Exchange Rule 2614(b)(1) which describes the TIF instruction of IOC. Amending Exchange Rule 2617(b)(5)(B)2. to include the treatment of an order coupled with a TIF instruction of IOC, albeit also coupled with the PAC routing option, would provide added clarity to the Rule to the benefit of investors and national market system by seeking to avoid potential investor confusion.

Amendments to Risk Controls

The proposed changes to select risk controls during the Early and Late Trading Session are consistent with Section 6(b) of the Act,[84] in general, and further the objectives of Section

[78] *See, e.g.,* Securities Exchange Act Release No. 82304 (December 12, 2017), 82 FR 60075 (December 18, 2024) (SR–CboeBZX–2017–008).

[79] *See, e.g.,* Cboe BZX Rule 11.24(a)(1).

[80] *See, e.g.,* Cboe BZX Rule 11.24(e)(1)(iii).

[81] *See* Securities Exchange Act Release No. 99203 (December 18, 2023), 88 FR 88689 (December 22, 2023) (SR–PEARL–2023–71).

[82] *See, e.g.,* Securities Exchange Act Release Nos. 72676 (July 25, 2014), 79 FR 44520 (July 31, 2014) (Notice); *and* 73468 (October 29, 2014), 79 FR 65450 (November 4, 2014) (Notice of Filing of Amendment Nos. 1 and 3 and Order Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment Nos. 1 and 3, To Amend EDGX Rule 1.5 and Chapter XI Regarding Current System Functionality Including the Operation of Order Types and Order Instructions) (SR–EDGX–2014–18).

[83] *See, e.g.,* Cboe EDGX Rule 11.10(a)(2) and IEX Rule 11.230(a)(2)(B)

[84] 15 U.S.C. 78f(b).

6(b)(5),[85] in particular, because they are designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

Specifically, the Exchange believes the proposed changes will remove impediments to and perfect the mechanism of a free and open market and a national market system because they provide additional functionality that is calibrated to account for the different trading environment so that Equity Members may appropriately manage their risk during the Early and Late Trading Sessions. The Exchange believes that the proposed changes would protect investors and the public interest because the proposed additional functionality is a form of risk mitigation that will aid Equity Members in minimizing their financial exposure and reduce the potential for disruptive, market-wide events during the Early and Late Trading Sessions. In turn, the application of such risk management functionality could enhance the integrity of trading on the securities markets and help to assure the stability of the financial system, particularly during the Early and Late Trading Sessions. The proposed rule changes would provide an additional option for Equity Members seeking to further tailor their risk management capability while transacting on the Exchange outside of Regular Trading Hours.

Trading Collars

The Exchange's proposal to amend Exchange Rule 2618(b)(1)(B) to update the hierarchy of reference prices used by the Exchange for Trading Collars due to the adoption of the Early and Late Trading Sessions perfects the mechanism of a free and open market and a national market system because it would provide clarity within Exchange Rule 2618(b)(1)(B) and align the Exchange's Rule with that of another national securities exchange.[86] This proposed change does not amend existing functionality as the sequence of reference prices to be used to calculate the Trading Collar would generally remain the same. The proposed rule change would also provide consistent rules across exchanges on how the Trading Collar and like risk controls would operate. The proposed rule change, therefore, removes impediments to and perfects the mechanism of a free and open market and a national market system.

The Exchange believes its proposal to amend Exchange Rule 2618(b)(1)(B) to update the current hierarchy to add an additional data point that may be used as a reference price for Trading Collars removes impediments to and perfects the mechanism of a free and open market. To account for the addition of the Early and Late Trading Sessions, the Exchange proposes to also use the last trade price for the security on trade date that occurred outside of Regular Trading Hours on trade date as the Trading Collar Reference Price in the scenario where it was the most current price as compared to the consolidated last sale price disseminated during Regular Trading Hours on trade date and the prior day's Official Closing Price. This proposed change removes impediments to and perfects the mechanism of a free and open market by providing the Exchange with a more recent reference price to use for Trading Collars outside of Regular Trading Hours, where reference prices may be more stale using the two data points outlined in current Exchange Rule 2618(b)(1)(B). This proposed change will also align the Exchange's Rule with that of another national securities exchange [87] and, therefore, avoid potential investor confusion regarding how the Trading Collar and like risk controls would be calculated.

The Exchange also believes its proposal to make a related change to Exchange Rule 2618(b)(1)(A) regarding when the Trading Collar would not be applied perfects the mechanism of a free and open market and a national market system because it would ensure that the Trading Collar is not applied where the applicable Trading Collar Reference Price is unavailable as set forth under amended Exchange Rule 2618(b)(1)(B) described above. As amended, both Exchange Rules 2618(b)(1)(A) and (B) would be consistent and not apply the Trading Collar where there is not only no Official Closing Price or consolidated last sale price, but no last trade price for the security on trade date that occurred outside of Regular Trading Hours on trade date following the conclusion of a regulatory halt on that trading day. In such cases, there would be no reference price to use to calculate the Trading Collar and, therefore, the Trading Collar should not be applied. Again, each of the above changes are based on the rules of another national securities exchange.[88]

The Exchange believes its proposal to provide an Extended Hours Multiplier for the Trading Collar Reference Price calculation to be used during the proposed Early and Late Trading Sessions also removes impediments to and perfects the mechanism of a free and open market, and promotes just and equitable principles of trade because it provides appropriate risk setting parameters to be applied outside of Regular Trading Hours under Exchange Rule 2618(b)(1)(E). Today, Exchange Rule 2618(b)(1)(E) provides that the specified dollar values are posted to the Exchange's website and the Exchange announces in advance any changes to the dollar value via a Regulatory Circular. Similarly, amended Exchange Rule 2618(b)(1)(E) would also provide that the amount of the Extended Hours Multiplier would be posted to the Exchange's website and the Exchange will likewise announce in advance any changes to the Extended Hours Multiplier via a Regulatory Circular. Doing so enables the Exchange to better tailor its Trading Collar to reflect the trading conditions that are in place outside or Regular Trading Hours and provide necessary protections to Equity Members without unnecessarily preventing an otherwise acceptable execution. Furthermore, as discussed above, Exchange Rule 2618(b)(1)(F) provides Equity Members the ability to override the Exchange's default behavior and provides that Equity Members may select a dollar value lower, higher, or equal to the Exchange-specified percentages and dollar value on an order-by-order basis. Therefore, Equity Members would have the ability to tailor the Trading Collar to consider the Extended Hours Multiplier in line with their risk appetite during the Early and Late Trading Sessions.

The Exchange notes that applying a multiplier to a risk protection outside of Regular Trading Hours is not unique and currently in place on at least one other national securities exchange.[89] Therefore, like the above changes, this

[85] 15 U.S.C. 78f(b)(5).

[86] *See* IEX Rule 11.190(f)(1)(A).

[87] *See* IEX Rule 11.190(f)(1)(A).

[88] *See id.*

[89] The proposed Extended Hours Multiplier is based on the similar functionality offered by NYSE Arca utilized outside of Regular Trading Hours. *See* NYSE Pillar Risk Controls Manual (document version 4.0), Section 5.5, *available at https://www.nyse.com/publicdocs/nyse/NYSE_Pillar_Risk_Controls.pdf* (''Arca Risk Controls Manual'') (Early/Late Trading Multiplier (optional; Equities Markets)—may be configured to apply a double-wide price check to orders that first become eligible to trade in the Early or Late Trading Sessions (calculated as Price Protection Limit × Early/Late Trading Multiplier)).

proposed change will also align the Exchange's Rule with that of another national securities exchange, and therefore, avoid potential investor confusion regarding how the Trading Collar and like risk controls would be calculated outside of Regular Trading Hours.

The Exchange believes that the proposed Extended Hours Multiplier to be used during Early and Late Trading Sessions for Trading Collars is designed to protect investors and the public interest because it is an additional risk setting parameter and form of risk mitigation that can aid Equity Members in minimizing their financial exposure and reduce the potential for disruptive, market-wide events during irregular trading hours. In turn, this enhances the integrity of trading on the securities markets during the Early and Late Trading Sessions and helps to assure the stability of the financial system.

Limit Order Price Protection

The Exchange's proposal to amend Exchange Rule 2614(a)(1)(ix)(A) is also designed to protect investors and the public interest because it would align the Exchange's Rule with that of another national securities exchange [90] and is consistent with the same change proposed above for the Exchange's Trading Collar risk protection.

The Exchange believes its proposal to amend Exchange Rule 2614(a)(1)(ix)(A) to update the current hierarchy and to add an additional data point that may be used as a reference price for Limit Order Price Protection removes impediments to and perfects the mechanism of a free and open market. Each of these proposed changes are based on the rules of another national securities exchange [91] and other than using the PBBO, are designed to align the waterfall of reference prices with the changes proposed herein to the Trading Collar risk protection under Exchange Rule 2618(b)(1)(B), described above.

The Exchange would continue to reject a Limit Order to buy (sell) that is priced at or above (below) the greater of a specified dollar and percentage away from the PBO for Limit Orders to buy, the PBB for Limit Orders to sell. To account for the addition of the Early and Late Trading Sessions, the Exchange proposes to then use as the Limit Order Price Protection Reference Price the most current of the: (i) consolidated last sale trade price for the security disseminated during Regular Trading Hours on trade date; (ii) the last trade price for the security that occurred outside of Regular Trading Hours on trade date; or (iii) the prior day's Official Closing Price. The proposed reference price waterfall would ensure that the Exchange uses the most recent reference price that most accurately reflects the security's current trading behavior. Without this ability, the Exchange may use a stale reference price and possibly not reflective of the security's current trading behavior. The proposed change to Exchange Rule 2614(a)(1)(ix)(A)2. removes impediments to and perfects the mechanism of a free and open market by providing the Exchange with a more recent reference price to use for Limit Order Price Protection outside of Regular Trading Hours, where reference prices may be more stale using the two data points outlined in current Exchange Rule 2614(a)(1)(ix)(A). This proposed change will also align the Exchange's Rule with that of another national securities exchange [92] and, therefore, help mitigate potential investor confusion regarding how the Limit Order Price Protection and like risk controls would be calculated in light of the proposed addition of the Early and Late Trading Sessions. Unlike on other exchanges who do not apply Limit Order Price Protection when certain reference prices are unavailable and allow trades to occur at prices that would otherwise been prevented,[93] the Exchange's proposal would provide added reasonable protections to Equity Members when trading outside of Regular Trading Hours, which perfects the mechanism of a free and open market.

This proposed change also aligns the waterfall of reference prices with the changes described above for the Trading Collar risk protection under Exchange Rule 2618(b)(1)(B). The proposed changes also provide clarity that the Exchange would use a reference price that is most current and reflects the trading behavior of the security at the time Limit Order Price Protection is to be applied and is consistent with the same change proposed above for the Exchange's Trading Collar risk protection.

The Exchange believes its proposal to establish the LOPP Extended Hours Multiplier during the proposed Early and Late Trading Sessions removes impediments to and perfects the mechanism of a free and open market, and promotes just and equitable principles of trade because it provides additional risk setting parameters during irregular trading hours. The Exchange notes that Equity Members may select a LOPP Extended Hours Multiplier that is higher than, equal to, or lower than the default LOPP Extended Hours Multiplier established by the Exchange. The Exchange believes its proposal is designed to protect investors and the public interest because the proposed additional risk setting parameters are forms of risk mitigation that can aid Equity Members in minimizing their financial exposure and reduce the potential for disruptive, market-wide events outside of Regular Trading Hours. In turn, this enhances the integrity of trading on the securities markets during the Early and Late Trading Sessions and help to assure the stability of the financial system. This functionality is also available on at least one other national securities exchange.[94]

As described above, Exchange Rule 2614(a)(1)(ix)(B) would provide that the default amount of the LOPP Extended Hours Multiplier will be posted to the Exchange's website and the Exchange will announce in advance any changes to the LOPP Extended Hours Multiplier via a Regulatory Circular, which is the case today for the default specified dollar and percentage established by the Exchange. The Exchange believes its proposal to allow Equity Members to select a LOPP Extended Hours Multiplier that is higher than, equal to, or lower than the default LOPP Extended Hours Multiplier established by the Exchange promotes just and equitable principles of trade because it would provide Equity Members with additional flexibility in constructing a Limit Order Price Protection range (tighter or wider) that better suits their risk appetite when trading outside of

[90] The proposed Extended Hours Multiplier is based on the similar functionality offered by NYSE Arca utilized outside of Regular Trading Hours. *See* NYSE Pillar Risk Controls Manual (document version 4.0), Section 5.5, *available at https://www.nyse.com/publicdocs/nyse/NYSE_Pillar_Risk_Controls.pdf* (''Arca Risk Controls Manual'') (Early/Late Trading Multiplier (optional; Equities Markets)—may be configured to apply a double-wide price check to orders that first become eligible to trade in the Early or Late Trading Sessions (calculated as Price Protection Limit × Early/Late Trading Multiplier)).

[91] *See* IEX Rule 11.190(f)(1)(A).

[92] *See* IEX Rule 11.190(f)(1)(A).

[93] *See* NYSE Arca Rule 7.31–E(a)(2)(B)(ii) (stating that ''[d]uring the Early and Late Trading Sessions, Limit Order Price Protection will not be applied to an incoming Limit Order to buy (sell) if there is no NBO (NBB)'').

[94] The proposed LOPP Extended Hours Multiplier is based on the similar functionality offered by NYSE Arca during its early and late trading sessions. *See* NYSE Pillar Risk Controls Manual (document version 4.0), Section 5.5, *available at https://www.nyse.com/publicdocs/nyse/NYSE_Pillar_Risk_Controls.pdf* (''Arca Risk Controls Manual'') (Early/Late Trading Multiplier (optional; Equities Markets)—may be configured to apply a double-wide price check to orders that first become eligible to trade in the Early or Late Trading Sessions (calculated as Price Protection Limit × Early/Late Trading Multiplier)).

Regular Trading Hours. Importantly, the proposed rule change would not only allow Equity Members to select a LOPP Extended Hours Multiplier more aggressive than the Exchange's defaults, but also more conservative in cases where they seek to apply a tighter Limit Order Price Protection thresholds in line with their risk appetite. The ability to override the Exchange's LOPP Extended Hours Multiplier would be completely voluntary and all orders would continue to be subject to other risk protections provided by the Exchange. Market participants' ability to adjust risk settings to a more restrictive range is not unique and was recently proposed for Trading Collars in another proposed rule change filed with the Commission that will be effective shortly.[95]

Early/Late Trading Session Pre-Order Risk Control

The Exchange believes its proposal to amend Exchange Rule 2618(a)(1)(C) to include pre-market and post-market in the list of risk controls for certain orders is designed to protect investors and the public interest. With the proposed change, Equity Members would be able to instruct the Exchange to block any orders from it entered during the proposed Early and Late Trading Sessions. The Exchange believes this aspect of the proposal provides a risk mitigation tool that can aid Equity Members in minimizing their financial exposure and ensure that an order that they may have inadvertently entered during the Early or Late Trading Session would be rejected by the Exchange. Use of this pre-order risk control would be completely voluntary and is based on the rules of another national securities exchange.[96]

Exchange Rule 2621, Clearly Erroneous Executions

The Exchange believes its proposed changes to Exchange Rule 2621 promote just and equitable principles of trade removes impediments to and perfects the mechanism of a free and open market and a national market system because they would amend Exchange Rule 2621 to account for the Early and Late Trading Sessions by adopting provisions that are substantially identical with those of other equity exchanges, all of which adopted and enforce identical rules regarding clearly erroneous executions.[97] Doing so would also protects investors and the public interest by setting forth in the Exchange's rules the Clearly Erroneous Execution the standards for how potentially erroneous executions would be handled outside of Regular Trading Hours when LULD price protections are not in effect.

Exchange Rule 2900, Unlisted Trading Privileges

The Exchange believes its proposed changes to Exchange Rule 2900 promote just and equitable principles of trade and removes impediments to and perfects the mechanism of a free and open market and a national market system because they would codify in its rules provisions that provide for the Exchange including a description of the risk of trading UTP Derivative Securities outside of Regular Trading Hours in its information circulars, and describe when the Exchange would halt trading in a UTP Derivative Security that is consistent with industry practice. The proposed changes would also ensure the Exchange's rules are identical to and aligned with other national securities exchanges.[98]

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

The Exchange believes its proposal will not impose any burden on inter-market competition, but rather foster it by providing an additional pool of liquidity outside of Regular Trading Hours for investors and other market participant to access. The Exchange believes that the proposed rule change will benefit investors and the national market system by increasing competition for order flow and executions during outside of Regular Trading Hours, thereby spurring product enhancements and potentially lowering prices. The Exchange believes the proposed Early and Late Trading Sessions would enhance competition by enabling the Exchange to directly compete for order flow and executions outside of Regular Trading Hours with other national securities exchanges that provide extended hours trading. In addition, the proposed functionality during the Early and Late Trading Session, such the as the proposed TIF instructions, will enhance competition by enabling the Exchange to offer functionality to that of other national securities exchanges. The fact that the extending of the proposed Early Trading Session and related functionality are themselves a response to the competition provided by other markets and is evidence of the proposals pro-competitive nature.

The Exchange believes its proposal will not impose any burden on intra-market competition because all Equity Members would be able to trade during the Early and Late Trading Session and may choose to do so based on their own business decisions and risk appetite. All of the proposed functionality would be available to all Equity Members who choose to participate in the proposed Early and Late Trading Sessions.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not:

(i) significantly affect the protection of investors or the public interest;

(ii) impose any significant burden on competition; and

(iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act and Rule 19b–4(f)(6) thereunder.[99]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

[95] *See* Securities Exchange Act Release No. 99954 (April 12, 2024), 89 FR 27824 (April 18, 2024) (SR–PEARL–2024–17). *See also* MIAX Pearl Equities Exchange Regulatory Circular 2024–10, Changes to Certain Risk Controls on MIAX Pearl Equities, dated July 1, 2024, *available at https://www.miaxglobal.com/sites/default/files/circular-files/MIAX_Pearl_Equities_RC_2024_10.pdf.*

[96] The inclusion of pre-market and post-market in the list of risk control settings is based on EDGX Rule 11.10(c).

[97] *See, e.g.,* Cboe BZX Rule 11.17 *and* MEMX Rule 11.15.

[98] *See, e.g.,* Cboe EDGX Rule 14.1(c)(1). *See also, e.g.,* Cboe EDGX Rule 14.1, Interpretations and Policies .01(a) and (b).

[99] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–PEARL–2024–47 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–PEARL–2024–47. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–PEARL–2024–47 and should be submitted on or before November 12, 2024.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[100]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2024–24363 Filed 10–21–24; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[SEC File No. 270–149, OMB Control No. 3235–0130]

Proposed Collection; Comment Request; Extension: Rule 17Ad–2(c), (d), and (h)

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'') is soliciting comments on the existing collection of information provided for in Rule 17Ad–2(c), (d), and (h), (17 CFR 240.17Ad–2(c), (d), and (h)), under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*). The Commission plans to submit this existing collection of information to the Office of Management and Budget (''OMB'') for extension and approval.

Rule 17Ad–2(c),(d), and (h) enumerates the requirements with which transfer agents must comply to inform the Commission or the appropriate regulator of a transfer agent's failure to meet the minimum performance standards set by the Commission rule by filing a notice.

While it is estimated that there are 740 transfer agents, only approximately three notices pursuant to Rule 17Ad–2(c), (d), and (h) are filed annually. In view of (a) the readily available nature of most of the information required to be included in the notice (since that information must be compiled and retained pursuant to other Commission rules); (b) the summary fashion in which such information must be presented in the notice (most notices are one page or less in length); and (c) the experience of the staff regarding the notices, the Commission staff estimates that, on the average, most notices require approximately one-half hour to prepare. The Commission staff thus estimates that transfer agents spend an average of a total of one and a half hours per year complying with the rule (3 × .5 hours = 1.5 hours).

[100] 17 CFR 200.30–3(a)(12), (59).

Written comments are invited on: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's estimates of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted by December 23, 2024.

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.

Please direct your written comments to: Austin Gerig, Director/Chief Data Officer, Securities and Exchange Commission, c/o Tanya Ruttenberg, 100 F Street NE, Washington, DC 20549, or send an email to: *PRA_Mailbox@sec.gov.*

Dated: October 16, 2024.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2024–24338 Filed 10–21–24; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

Investment Company Act Release No. 35362; File No. 812–15563; AFA Private Credit Fund, et al.

October 17, 2024.

AGENCY: Securities and Exchange Commission (''Commission'' or ''SEC'').

ACTION: Notice.

SUMMARY: Notice of application for an order (''Order'') under sections 17(d) and 57(i) of the Investment Company Act of 1940 (the ''Act'') and rule 17d–1 under the Act to permit certain joint transactions otherwise prohibited by sections 17(d) and 57(a)(4) of the Act and rule 17d–1 under the Act.

ADDRESSES: The Commission: *Secretarys-Office@sec.gov.* Applicants: Marco Hanig, Alternative Fund Advisors LLC, *marco.hanig@alternativefundadvisors.com;* and Joshua B. Deringer, Esq. and Veena K. Jain, Esq., Faegre Drinker Biddle & Reath LLP, at *joshua.deringer@faegredrinker.com* and *veena.jain@faegredrinker.com,* respectively.

FOR FURTHER INFORMATION CONTACT: Chris Chase, Senior Counsel, or Lisa Reid Ragen, Branch Chief, at (202) 551–6825 (Division of Investment Management, Chief Counsel's Office).

SUPPLEMENTARY INFORMATION:

Summary of Application: Applicants request an order to permit certain business development companies and closed-end management investment companies to co-invest in portfolio companies with each other and with certain affiliated investment entities.

Applicants: AFA Private Credit Fund; Alternative Fund Advisors LLC; and AFA Private Credit LP.

Filing Dates: The application was filed on April 12, 2024, and amended on July 23, 2024.

Hearing or Notification of Hearing: An order granting the requested relief will be issued unless the Commission orders a hearing. Interested persons may request a hearing on any application by emailing the SEC's Secretary at *Secretarys-Office@sec.gov* and serving the Applicants with a copy of the request by email, if an email address is listed for the relevant Applicant below, or personally or by mail, if a physical address is listed for the relevant Applicant below. Hearing requests should be received by the Commission by 5:30 p.m. on November 11, 2024, and should be accompanied by proof of service on applicants, in the form of an affidavit or, for lawyers, a certificate of service. Pursuant to rule 0–5 under the Act, hearing requests should state the nature of the writer's interest, any facts bearing upon the desirability of a hearing on the matter, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by emailing the Commission's Secretary at *SecretarysOffice@sec.gov.*

For Applicants' representations, legal analysis, and conditions, please refer to Applicants' first amended and restated application, dated July 23, 2024, which may be obtained via the Commission's website by searching for the file number at the top of this document, or for an Applicant using the Company name search field, on the SEC's EDGAR system. The SEC's EDGAR system may be searched at, at *http://www.sec.gov/edgar/searchedgar/legacy/companysearch.html.* You may also call the SEC's Public Reference Room at (202) 551–8090.

For the Commission, by the Division of Investment Management, under delegated authority.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2024–24459 Filed 10–21–24; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–101380; File No. SR–NASDAQ–2024–037]

Self-Regulatory Organizations; The Nasdaq Stock Market LLC; Notice of Withdrawal of a Proposed Rule Change To Amend Rule 5820 To Codify the Standards of Review That Govern Appeals Before the Nasdaq Listing and Hearing Review Council and Calls for Review by the Nasdaq Listing and Hearing Review Council

October 17, 2024.

On July 3, 2024, The Nasdaq Stock Market LLC (''Nasdaq'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder,[2] a proposed rule change to amend Rule 5820 to codify the standards of review that govern appeals before the Nasdaq Listing and Hearing Review Council and calls for review by the Nasdaq Listing and Hearing Review Council. The proposed rule change was published for comment in the **Federal Register** on July 23, 2024.[3] On August 30, 2024, pursuant to Section 19(b)(2) of the Act,[4] the Commission designated a longer period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to approve or disapprove the proposed rule change.[5]

On October 15, 2024, the Exchange withdrew the proposed rule change (SR–NASDAQ–2024–037).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2024–24470 Filed 10–21–24; 8:45 am]

BILLING CODE 8011–01–P

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 100544 (July 17, 2024), 89 FR 59782 (''Notice''). Comments on the proposed rule change are available at: *https://www.sec.gov/comments/sr-nasdaq-2024-037/srnasdaq2024037.htm.*

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 100879 (August 30, 2024), 89 FR 72501 (September 5, 2024). The Commission designated October 21, 2024, as the date by which the Commission shall approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change.

[6] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–101367; File No. SR–CBOE–2024–044]

Self-Regulatory Organizations; Cboe Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend its Fees Schedule

October 16, 2024.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on October 1, 2024, Cboe Exchange, Inc. (the ''Exchange'' or ''Cboe Options'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Cboe Exchange, Inc. (the ''Exchange'' or ''Cboe Options'') proposes to amend its Fees Schedule. The text of the proposed rule change is provided in Exhibit 5.

The text of the proposed rule change is also available on the Exchange's website (*http://www.cboe.com/AboutCBOE/CBOELegalRegulatoryHome.aspx*), at the Exchange's Office of the Secretary, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend its Fees Schedule, effective October 1, 2024.

XSP Fees

The Exchange first proposes to amend certain fees related to transactions in Mini-SPX Index (''XSP'') options. Specifically, the proposed rule changes amends and adopts certain fees for XSP in the ''Rate Table for All Products Excluding Underlying Symbol List A'', as follows:

- Amends fee code XC, appended to all Customer (capacity ''C'') orders in XSP that are for less than 10 contracts and provides a rebate of $0.13 per contract, to provide a rebate of $0.30 per contract.
- Amends fee code MY, appended to all Market-Maker (capacity ''M'') in XSP contra to non-customers that remove liquidity and that are executed electronically and assesses a fee of $0.14 per contract, to assess a fee of $0.30 per contract.

GTH Executing Agent Subsidy Program

Next, the Exchange proposes to amend the Global Trading Hours (''GTH'') Executing Agent Subsidy Program, set forth in the Fees Schedule. The GTH Executing Agent Subsidy Program offers a monthly subsidy to Trading Permit Holders (''TPHs'') with executing agent operations [3] during the GTH trading session. Pursuant to the current GTH Executing Agent Subsidy Program, a designated GTH executing agent receives the monthly subsidy amount that corresponds to the number of contracts executed on behalf of customers (including public and broker-dealer customers) during GTH in a calendar month per the GTH Executing Agent Subsidy Program table, as shown in the table below. Qualifying customer volume is limited to SPX and VIX options.

GTH Monthly customer SPX and VIX options volume	Subsidy
0–19,999 contracts	$0.00
20,000–99,999 contracts	15,000
100,000+ contracts	50,000

[3] Under current rules, an executing agent operation is one that accepts orders from customers (who may be public or broker-dealer customers) and submits the orders for execution (either directly to the Exchange or through another TPH).

To become a designated GTH executing agent, a TPH must submit a form to the Exchange no later than 3:00 p.m. on the second to last business day of a calendar month to be designated an GTH executing agent under the program, and thus eligible for the subsidy, beginning the following calendar month. The current criteria states that a TPH must include on or with the form information demonstrating it maintains an GTH executing agent operation: (1) physically staffed throughout each entire GTH trading session and (2) willing to accept and execute orders on behalf of customers. The designation will be effective the first business day of the following calendar month, subject to the Exchange's confirmation the TPH's GTH executing agent operations satisfies these two conditions and will remain in effect until the Exchange receives an email from the TPH terminating its designation or the Exchange determines the TPH's GTH executing agent operation no longer satisfies these two conditions.

The Exchange proposes to amend the GTH Executing Agent Subsidy Program to include Professional Customers (*i.e.,* capacity ''U'') in the program, so that a designated GTH executing agent receives the monthly subsidy amount that corresponds to the number of contracts executed on behalf of customers (including professional, public and broker-dealer customers) during GTH in a calendar month per the GTH Executing Agent Subsidy Program table.

The proposed changes are designed to continue to encourage designated GTH executing agents to increase their order flow executed as agent (on behalf of customers, including professional customers) in SPX and VIX options that trade during GTH, to meet the volume thresholds and receive the corresponding subsidies. The Exchange notes that incentivizing TPHs to conduct executing agent operations willing to accept orders from all customers, including professional customers, during GTH is intended to increase customer accessibility to the GTH trading session. The Exchange believes that increased order flow through designated GTH executing agents would allow the Exchange to grow participation during GTH, which may benefit all market participants, as additional liquidity to the Exchange during GTH would create more trading opportunities during GTH, and in turn attract market participants to submit additional order flow during GTH.

Flex Surcharge Fee

The Exchange also proposes to adopt the FLEX Surcharge fee for XND (Nasdaq 100 Micro Index Options) FLEX Options orders. Currently, the Exchange assesses a FLEX Surcharge Fee of $0.10-per-contract credit for DJX, MRUT, MXEA, MXEF, MXACW, MXUSA, MXWLD, NDX, NDXP and XSP FLEX Options orders (all capacity codes) executed electronically (except for Cboe Compression Service (''CCS'') and FLEX Micro transactions). The FLEX Surcharge Fee is only charged up to the first 2,500 contracts per trade ($250 per trade). The Exchange proposes to amend its Fees Schedule, to assess the FLEX Surcharge Fee to XND. The FLEX Surcharge Fee assists the Exchange in recouping the cost of developing and maintaining the FLEX system.

RTH XSP LMM Incentive Program

Finally, the Exchange proposes to amend its Regular Trading Hours (''RTH'') XSP Lead Market-Maker (''LMM'') Incentive Program (the ''Program''). By way of background, the Exchange offers several LMM Incentive Programs which provide a rebate to TPHs with LMM appointments to the respective incentive program that meet certain quoting standards in the applicable series in a month. The Exchange notes that meeting or exceeding the quoting standards in each of the LMM Incentive Program products to receive the applicable is optional for an LMM appointed to a program. Particularly, an LMM appointed to an incentive program is eligible to receive the corresponding rebate if it satisfies the applicable quoting standards, which the Exchange believes encourages appointed LMMs to provide liquidity in the applicable class and trading session (*i.e.,* RTH or GTH). The Exchange may consider other exceptions to the programs' quoting standards based on demonstrated legal or regulatory requirements or other mitigating circumstances. In calculating whether an LMM appointed to an incentive program meets the applicable program's quoting standards each month, the Exchange excludes from the calculation in that month the business day in which the LMM missed meeting or exceeding the quoting standards in the highest number of the applicable series.

The Exchange proposes to amend the current Program. Currently, the Program provides that, if an LMM appointed to the Program provides continuous electronic quotes during RTH that meet

or exceed the basic quoting standards (below) in at least 95% of the series 93% of the time in a given month, the LMM will receive (i) a payment for that month in the amount of $40,000 (or pro-rated amount if an appointment begins after the first trading day of the month or ends prior to the last trading day of the month) and (ii) a rebate of $0.09 per XSP contract that is executed in RTH in Market-Maker capacity and adds liquidity electronically contra to non-customer capacity.

WIDTH

Moneyness *	Expiring option	1 day	2 days to 5 days	6 days to 14 days	15 days to 35 days
VIX Value at Prior Close ≤30:					
[≤3% ITM)	$0.20	$0.25	$0.25	$0.50	$1.00
[3% ITM to 2% ITM)	0.10	0.15	0.15	0.25	0.75
[2% ITM to 0.25% ITM)	0.04	0.05	0.05	0.06	0.10
[0.25% ITM to ATM)	0.02	0.03	0.04	0.05	0.08
[ATM to 1% OTM)	0.02	0.02	0.02	0.03	0.06
[>1% OTM]	0.02	0.02	0.02	0.02	0.04
VIX Value at Prior Close >30:					
[>3% ITM)	0.25	0.30	0.30	0.55	1.05
[3% ITM to 2% ITM)	0.15	0.20	0.20	0.30	0.80
[2% ITM to 0.25% ITM)	0.05	0.06	0.06	0.07	0.11
[0.25% ITM to ATM)	0.03	0.04	0.05	0.06	0.09
[ATM to 1%OTM)	0.03	0.03	0.03	0.04	0.07
[>1% OTM]	0.03	0.03	0.03	0.03	0.05

* Moneyness is calculated as 1 − strike/index for calls, strike/index −1 for puts. Negative numbers are Out of the Money (''OTM'') and positive values are In the Money (''ITM''). A Moneyness value of zero for either calls or puts is considered At the Money (''ATM''). For example, if the index is at 400, the 396 call = 1 - 396/400 = 0.01 = 1% ITM, whereas the 396 put = 396/400 −1 = - 0.01 = 1% OTM.

Moneyness	Size (0 to 35 days to expiry)
[>3% ITM)	5
[3% ITM to 2% ITM)	10
[2% ITM to 0.25% ITM)	15
[0.25% ITM to ATM)	20
[ATM to 1% OTM)	20
[>1% OTM]	20

The Exchange proposes to restructure the Program by adopting two sets of quoting standards for XSP options, a set of basic quoting standards and a set of advanced quoting standards. First, the Exchange proposes to adopt the basic quoting standards (below) under the Program.

WIDTH

Moneyness	Expiring option	1 day	2 days to 5 days	6 days to 14 days	15 days to 35 days
VIX Value at Prior Close ≤30:					
[≤3% ITM)	$0.40	$0.40	$0.40	$0.40	$0.75
[3% ITM to 2% ITM)	0.30	0.30	0.30	0.30	0.50
[2% ITM to 0.25% ITM)	0.12	0.12	0.15	0.20	0.30
[0.25% ITM to ATM)	0.08	0.08	0.10	0.12	0.18
[ATM to 1% OTM)	0.05	0.05	0.06	0.06	0.12
[>1% OTM]	0.03	0.04	0.05	0.05	0.08
VIX Value at Prior Close >30:					
[>3% ITM)	0.50	0.50	0.50	0.80	1.00
[3% ITM to 2% ITM)	0.30	0.30	0.30	0.50	0.75
[2% ITM to 0.25% ITM)	0.20	0.20	0.20	0.25	0.50
[0.25% ITM to ATM)	0.08	0.10	0.12	0.15	0.20
[ATM to 1% OTM)	0.05	0.06	0.07	0.09	0.12
[>1% OTM]	0.04	0.05	0.05	0.06	0.10

SIZE

	Expiring option	1 day	2 days to 5 days	6 days to 14 days	15 days to 35 days
[>3% ITM)	5	5	5	5	5
[3% ITM to 2% ITM)	5	5	5	10	10
[2% ITM to 0.25% ITM)	10	10	10	15	15
[0.25% ITM to ATM)	20	20	20	20	20
[ATM to 1% OTM)	20	20	20	20	20
[>1% OTM]	20	20	20	20	20

As proposed, under the Program, if an appointed LMM provides continuous electronic quotes during RTH that meet or exceed the basic quoting standards in at least 90% the series 90% of the time in a given month, the LMM will receive $15,000 (or pro-rated amount if an appointment begins after the first trading day of the month or ends prior to the last trading day of the month). In addition, the proposed rule change adopts a performance payment under the Program, which provides that, in addition to the above rebate, the LMM with the highest performance in satisfying the above basic quoting standards in a month will receive a performance payment of $10,000 for that month. In order to be eligible to receive the performance payment in a month, an LMM must meet or exceed the above quoting standards in that month. Highest performance is measured as the cumulative sum of series in which an LMM meets or exceeds the basic quoting requirements by the total series each day (excluding the day in which an LMM missed meeting or exceeding the basic quoting standard in the highest number of series).

The Exchange proposes to eliminate the additional credit of $0.03 per contract applied to all XSP contracts executed in a Market-Maker capacity which add liquidity electronically contra to non-customer capacity, currently offered to an LMM appointed to the Program which provides continuous electronic quotes during RTH that meet or exceed the XSP heightened quoting standards.

The Exchange proposes to amend the Program to adopt advanced quoting standards (provided below). As proposed, if an LMM appointed to the Program provides continuous electronic quotes during RTH that meet or exceed the proposed advanced quoting standards (below) in at least 85% of the series 85% of the time in a given month, the LMM will receive a payment for that month in the amount of $20,000 (or pro-rated amount if an appointment begins after the first trading day of the month or ends prior to the last trading day of the month).

WIDTH

Moneyness	Expiring option	1 day	2 days to 5 days	6 days to 14 days	15 days to 35 days
VIX Value at Prior Close ≤30:					
[>3% ITM)	$0.30	$0.25	$0.30	$0.40	$0.75
[3% ITM to 2% ITM)	0.12	0.15	0.20	0.25	0.50
[2% ITM to 0.25% ITM)	0.10	0.10	0.15	0.16	0.25
[0.25% ITM to ATM)	0.06	0.06	0.08	0.10	0.15
[ATM to 1% OTM)	0.03	0.03	0.05	0.06	0.10
[>1% OTM]	0.02	0.03	0.04	0.05	0.06
VIX Value at Prior Close >30:					
[>3% ITM)	0.30	0.40	0.50	0.70	1.00
[3% ITM to 2% ITM)	0.20	0.25	0.25	0.30	0.75
[2% ITM to 0.25% ITM)	0.15	0.20	0.20	0.25	0.40
[0.25% ITM to ATM)	0.08	0.09	0.12	0.15	0.20
[ATM to 1% OTM)	0.05	0.06	0.07	0.09	0.10
[≤1% OTM]	0.03	0.04	0.05	0.06	0.07

SIZE

	Expiring option	1 day	2 days to 5 days	6 days to 14 days	15 days to 35 days
[>3% ITM)	5	5	5	5	5
[3% ITM to 2% ITM)	5	5	5	10	10
[2% ITM to 0.25% ITM)	10	10	10	15	15
[0.25% ITM to ATM)	20	20	20	20	20
[ATM to 1% OTM)	20	20	20	20	20
[>1% OTM]	20	20	20	20	20

The Exchange believes the proposed basic and advanced quoting requirements for XSP options under the Program are designed to continue to encourage LMMs appointed to the program to provide significant liquidity in XSP options during RTH, which, in turn, would provide greater trading opportunities, added market transparency and enhanced price discovery for all market participants in XSP. Further, by providing a set of advanced quoting standards that provide for tighter width standards, the proposed rule change offers LMMs appointed to the Program a more challenging opportunity, thus further incentive, to strive to meet the heightened quoting standards in order to receive the additional rebate.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the ''Act'') and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[4] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[5] requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[6] requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

[4] 15 U.S.C. 78f(b).

[5] 15 U.S.C. 78f(b)(5).

[6] *Id.*

The Exchange also believes the proposed rule change is consistent with Section 6(b)(4) of the Act,[7] which requires that Exchange rules provide for the equitable allocation of reasonable dues, fees, and other charges among its TPHs and other persons using its facilities.

The Exchange believes that the proposed fee changes for certain Customer and Market-Maker orders in XSP are reasonable, equitable and not unfairly discriminatory. The Exchange believes that it is equitable and not unfairly discriminatory to provide a rebate of $0.30 per contract for all Customer orders in XSP that are for less than 10 contracts, as such rebate is designed to incentivize Customer volume in XSP on the Exchange. The Exchange believes that incentivizing more Customer orders in XSP will create more trading opportunities, which, in turn attracts Market-Makers. A resulting increase in Market-Maker activity facilitates tighter spreads, which may lead to additional increase of order flow in XSP from other market participants, further contributing to a deeper, more liquid market to the benefit of all market participants by creating a more robust and well-balanced market ecosystem.

Further, the Exchange believes the proposed change to the fee for Market-Maker orders in XSP contra to non-customers that remove liquidity and that are executed electronically is reasonable. The proposed fee, in general, aligns with current fees for other types of orders in XSP, namely Non-Customer, Non-Market Maker XSP orders contra to a customer or contra to a non-customer that add liquidity and are executed electronically (which yield fee code XF). The Exchange believes that the changes are reasonable and that the fee, even as amended, will continue to incentivize TPHs to send additional Market-Maker orders to the Exchange.

The Exchange believes that the proposed fees for certain Customer and Market-Maker orders in XSP are equitable and not unfairly discriminatory because the proposed fees will apply automatically and uniformly to all applicable Customer and Market-Maker orders in XSP which yield fee codes XC and MY, respectively.

Additionally, the Exchange believes that the proposed amendment to the GTH Executing Agent Subsidy Program, to include Professional Customers (*i.e.,* capacity ''U'') in the program, so that a designated GTH executing agent may receive specified subsidy amounts that correspond to the number of contracts executed on behalf of customers (including professional, public and broker-dealer customers) during GTH in a calendar month, is reasonable. The GTH Executing Agent Subsidy Program is overall designed to encourage designated GTH executing agents to increase their customer order flow in SPX and VIX options traded during GTH. The Exchange believes that adding professional customer capacity orders to the program will encourage increased order flow, which would allow the Exchange to grow participation in the GTH trading session to the benefit of all market participants that trade during GTH, by providing greater trading opportunities as a result of increased liquidity, thereby attracting additional order flow from market participants during GTH.

The Exchange also believes that the proposed rule changes related to the GTH Executing Agent Subsidy Program are equitable and not unfairly discriminatory. In particular, the Exchange believes the proposed changes are equitable and not unfairly discriminatory because all TPHs that conduct this type of operation during GTH will continue to have the opportunity to become a designated GTH executing agent and to execute relevant orders on behalf of customers, including professional customers, and thus be eligible for the monthly subsidy commensurate with applicable customer volumes. As noted above, the proposed changes reflect the growth of the GTH trading session and are designed to continue to encourage designated GTH executing agents to increase their order flow executed as agent in SPX and VIX symbols that trade during GTH, to meet the volume thresholds and receive corresponding subsidies. TPHs that conduct executing agent operations provide benefits to investors during GTH, including increased customer accessibility, including for professional customers, to the GTH trading session and increased order flow.

The Exchange believes assessing a FLEX Surcharge Fee of $0.10 per contract for all XND orders executed electronically on FLEX and capping it at $250 (*i.e.,* first 2,500 contracts per trade) is reasonable because it is the same amount currently charged to other index products for the same transactions.[8] The proposed Surcharge is also equitable and not unfairly discriminatory because the amount will be assessed to all market participants to whom the FLEX Surcharge applies.

The Exchange believes the amended XSP RTH LMM Incentive Program, as proposed, is reasonable, equitable and not unfairly discriminatory. The Exchange believe the series and time requirement for the basic quoting standards (which are less than current Program requirements), as well as the basic quoting standards themselves (which are in general wider in quote size and quote width than current Program standards), are reasonable. As compared to the current Program, such changes are reasonably designed to slightly ease the difficulty in meeting the heightened quoting standards offered under the Program (for which an appointed LMM receives the respective rebates), which, in turn, provides increased incentive for LMMs appointed to these programs to provide significant liquidity in XSP options. Such liquidity benefits all market participants by providing more trading opportunities, tighter spreads, and added market transparency and price discovery, and signals to other market participants to direct their order flow to those markets, thereby contributing to robust levels of liquidity.

The Exchange also believes the proposed rebate offered under the Program to an LMM appointed to the program for meeting the basic quoting standards in a given month ($15,000) remains reasonably designed to incentivize an appointed LMM to meet the applicable quoting standards for XSP options, thereby providing liquid and active markets, which facilitates tighter spreads, increased trading opportunities, and overall enhanced market quality to the benefit of all market participants. The Exchange further believes that the proposed rule change is reasonable because it is comparable to and within the range of the rebates offered by other LMM Incentive Programs. For example, the GTH1 and GTH2 XSP LMM Programs each currently offer $15,000 to appointed LMMs for XSP options if the heightened quoting standards are met in a given month.

Further, the Exchange believes the proposed performance payment of $10,000 provided to the LMM with the highest performance in satisfying the relevant heightened quoting standards for the Program is reasonable and equitable as the LMM Incentive Programs for MXEA and MXEF, MXACW, MXUSA, and MXWLD options offers a similar performance payment. All appointed LMMs are eligible for the performance payment, which is designed to incentivize LMMs

[7] 15 U.S.C. 78f(b)(4).

[8] *See* Cboe Options Fees Schedule, Rate Table—All Products Excluding Underlying Symbol List A, FLEX Surcharge Fee.

to provide liquid and active markets in XSP options to encourage product growth.

The Exchange also believes the elimination of the additional per contract credit incentive is reasonable, as the Exchange is not required to maintain the additional per contract incentive and now wishes to eliminate it from the Program.

Additionally, the Exchange believes the proposed advanced quoting standards are reasonable. As noted above, by providing a set of advanced quoting standards that provide for tighter width standards, the proposed rule change offers LMMs appointed to the Program a more challenging opportunity, thus further incentive, to strive to meet the heightened quoting standards in order to receive the additional rebate.

In general, the proposed Program is a reasonable financial incentive program because the proposed heightened quoting standards and rebate amounts for meeting the heightened quoting standards in XSP series are reasonably designed to incentivize LMMs appointed to the Program to meet the proposed heightened quoting standards during RTH for XSP, thereby providing liquid and active markets, which facilitates tighter spreads, increased trading opportunities, and overall enhanced market quality to the benefit of all market participants.

The Exchange believes that the proposed heightened quoting standards are reasonable because they are similar to the detail and format of the quoting standards currently in place for LMM Incentive Programs for other proprietary Exchange products that trade during RTH.[9] The Exchange also believes that proposed heightened quoting requirements are reasonably tailored to reflect market characteristics of XSP. For example, the Exchange believes the generally smaller widths appropriately reflect the lower-priced and smaller notional sized XSP product (XSP options are 1/10th the size of SPX options). The Exchange believes continuing to utilize moneyness as a quoting standard is reasonable, given the program objectives to achieve tight liquidity in a market where options premiums change quickly.

Finally, the Exchange believes it is equitable and not unfairly discriminatory to offer the financial incentive to LMMs appointed to the Program because it will benefit all market participants trading in XSP during RTH by encouraging the appointed LMMs to satisfy the basic and advanced quoting standards, which incentivizes continuous increased liquidity and thereby may provide more trading opportunities and tighter spreads. Indeed, the Exchange notes that these LMMs serve a crucial role in providing quotes and the opportunity for market participants to trade XSP, which can lead to increased volume, providing for robust markets. The Exchange ultimately proposes to offer the Program to sufficiently incentivize the appointed LMMs to provide key liquidity and active markets in XSP options to encourage liquidity, thereby protecting investors and the public interest. The Exchange also notes that an LMM appointed to the Program may undertake added costs each month to satisfy that heightened quoting standards (*e.g.,* having to purchase additional logical connectivity). The Exchange believes the Program is equitable and not unfairly discriminatory because similar programs currently exist for LMMs appointed to programs in other proprietary products,[10] including for XSP during the GTH sessions, and the Program will equally apply to any TPH that is appointed as an LMM to the Program. Additionally, if an appointed LMM does not satisfy the heightened quoting standard in XSP for any given month, then it simply will not receive the offered payments or rebates for that month.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange does not believe that the proposed rule change related to XSP fee codes will impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act because the proposed fees will apply automatically and uniformly to all applicable Customer and Market-Maker orders in XSP which yield fee codes XC and MY, respectively.

In regard to the proposed changes to the GTH Executing Agent Subsidy Program, all TPHs that conduct executing agent operations willing to accept orders from all customers (including professional customers) will continue to have an opportunity to be eligible for the GTH Executing Agent Subsidy program. Also, such TPHs that conduct this type of operation may provide benefits to investors during GTH, including increased customer accessibility to, and liquidity and trading opportunities during, the GTH trading session. The proposed changes are designed to continue to encourage designated GTH executing agents to increase their order flow executed as agent in SPX and VIX symbols that trade during GTH, to receive specified subsidies.

In regard to the proposed FLEX Surcharge rule changes, the Exchange believes that the proposed rule change will not impose any burden on intramarket competition because the proposed rule changes apply to all market participants that trade XND FLEX Options.

The Exchange does not believe that the proposed rule change will impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act because the amendments to RTH XSP LMM Program will apply uniformly to any LMM appointment to the programs. To the extent LMMs appointed to these LMM Incentive Programs receive a benefit that other market participants do not, as stated, these LMMs in their role as Market-Makers on the Exchange have different obligations and are held to different standards. An LMM appointed to an incentive program may also undertake added costs each month to satisfy that heightened quoting standards (*e.g.,* having to purchase additional logical connectivity).

The Exchange also notes that the proposed changes are designed to attract additional order flow to the Exchange, wherein greater liquidity benefits all market participants by providing more trading opportunities, tighter spreads, and added market transparency and price discovery, and signals to other market participants to direct their order flow to those markets, thereby contributing to robust levels of liquidity. As a result, the Exchange believes that the proposed change furthers the Commission's goal in adopting Regulation NMS of fostering competition among orders, which promotes ''more efficient pricing of

[9] *See* Cboe Options Fees Schedule, ''RTH SPESG LMM Incentive Program'', ''MRUT LMM Incentive Program'', ''MXACW LMM Incentive Program'', ''MXUSA LMM Incentive Program'', ''MXWLD Incentive Program'', ''NANOS LMM Incentive Program'', and ''MSCI LMM Incentive Program.''

[10] *See* Cboe Options Fees Schedule, ''MRUT LMM Incentive Program'', ''MSCI LMM Incentive Program'', ''MXACW LMM Incentive Program'', ''MXUSA LMM Incentive Program'', ''MXWLD Incentive Program'', ''NANOS LMM Incentive Program'', ''GTH VIX/VIXW LMM Incentive Program'', ''GTH1/GTH2 SPX/SPXW LMM Incentive Programs'', ''GTH1/GTH2 XSP LMM Incentive Programs'', and ''RTH SPESG LMM Incentive Program.''

individual stocks for all types of orders, large and small.'' [11]

The Exchange does not believe that the proposed rule changes will impose any burden on intermarket competition that is not necessary or appropriate in furtherance of the purposes of the Act because the proposed fees and programs apply to Exchange proprietary products, which are traded exclusively on the Exchange. To the extent that the proposed changes make Cboe Options a more attractive marketplace for market participants at other exchanges, such market participants are welcome to become Cboe Options market participants.

Additionally, the Exchange notes that it operates in a highly competitive market. TPHs have numerous alternative venues that they may participate on and direct their order flow, including 17 other options exchanges, as well as off-exchange venues, where competitive products are available for trading. Based on publicly available information, no single options exchange has more than 16% of the market share.[12] Therefore, no exchange possesses significant pricing power in the execution of option order flow. Indeed, participants can readily choose to send their orders to other exchange, and, additionally off-exchange venues, if they deem fee levels at those other venues to be more favorable. Moreover, the Commission has repeatedly expressed its preference for competition over regulatory intervention in determining prices, products, and services in the securities markets. Specifically, in Regulation NMS, the Commission highlighted the importance of market forces in determining prices and SRO revenues and, also, recognized that current regulation of the market system ''has been remarkably successful in promoting market competition in its broader forms that are most important to investors and listed companies.'' [13] The fact that this market is competitive has also long been recognized by the courts. In NetCoalition v. Securities and Exchange Commission, the D.C. Circuit stated as follows: ''[n]o one disputes that competition for order flow is 'fierce.' . . . As the SEC explained, '[i]n the U.S. national market system, buyers and sellers of securities, and the broker-dealers that act as their order-routing agents, have a wide range of choices of where to route orders for execution'; [and] 'no exchange can afford to take its market share percentages for granted' because 'no exchange possesses a monopoly, regulatory or otherwise, in the execution of order flow from broker dealers'. . ..''.[14] Accordingly, the Exchange does not believe its proposed fee change imposes any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A) of the Act [15] and paragraph (f) of Rule 19b–4 [16] thereunder. At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–CBOE–2024–044 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–CBOE–2024–044. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–CBOE–2024–044 and should be submitted on or before November 12, 2024.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[17]

J. Matthew DeLesDernier,

Deputy Secretary.

[FR Doc. 2024–24371 Filed 10–21–24; 8:45 am]

BILLING CODE 8011–01–P

[11] Securities Exchange Act Release No. 51808, 70 FR 37495, 37498–99 (June 29, 2005) (S7–10–04) (Final Rule).

[12] *See* Cboe Global Markets U.S. Options Market Volume Summary, Month-to-Date (March 29, 2023), available at *https://markets.cboe.com/us/options/market_statistics/.*

[13] *See* Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37496, 37499 (June 29, 2005).

[14] NetCoalition v. SEC, 615 F.3d 525, 539 (D.C. Cir. 2010) (quoting Securities Exchange Act Release No. 59039 (December 2, 2008), 73 FR 74770, 74782–83 (December 9, 2008) (SR–NYSEArca-2006–21)).

[15] 15 U.S.C. 78s(b)(3)(A).

[16] 17 CFR 240.19b–4(f).

[17] 17 CFR 200.30–3(a)(12).

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #20701 and #20702; NORTH CAROLINA Disaster Number NC–20007]

Presidential Declaration Amendment of a Major Disaster for the State of North Carolina

AGENCY: Small Business Administration.

ACTION: Amendment 2.

SUMMARY: This is an amendment of the Presidential declaration of a major

disaster for the State of North Carolina (FEMA–4827–DR), dated 09/28/2024.

Incident: Tropical Storm Helene.

Incident Period: 09/25/2024 and continuing.

DATES: Issued on 10/15/2024.

Physical Loan Application Deadline Date: 11/27/2024.

Economic Injury (EIDL) Loan Application Deadline Date: 06/30/2025.

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 North Carolina, dated 09/28/2024, is hereby amended to include the following areas as adversely affected by the disaster:

Primary Counties (Physical Damage and Economic Injury Loans): Cabarrus, Cherokee, Forsyth, Graham, Iredell, Lee, Nash, Rowan, Stanly, Surry, Union, Yadkin.

Contiguous Counties (Economic Injury Loans Only):

North Carolina: Anson, Chatham, Davidson, Davie, Edgecombe, Franklin, Guilford, Halifax, Harnett, Johnston, Montgomery, Moore, Richmond, Rockingham, Stokes, Wake, Warren, Wilson.

Tennessee: Monroe, Polk.

South Carolina: Chesterfield.

Virginia: Carroll, Patrick.

Georgia: Fannin.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Number 59008)

Rafaela Monchek,

Deputy Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2024–24396 Filed 10–21–24; 8:45 am]

BILLING CODE 8026–09–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #20720 and #20721; NORTH CAROLINA Disaster Number NC–20009]

Presidential Declaration Amendment of a Major Disaster for Public Assistance Only for the State of North Carolina

AGENCY: U.S. 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 North Carolina (FEMA–4827–DR), dated 10/02/2024.

Incident: Tropical Storm Helene.

Incident Period: 09/25/2024 and continuing.

DATES: Issued on 10/15/2024.

Physical Loan Application Deadline Date: 12/02/2024.

Economic Injury (EIDL) Loan Application Deadline Date: 07/02/2025.

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 North Carolina, dated 10/02/2024, is hereby amended to include the following areas as adversely affected by the disaster.

Primary Counties: Swain.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Number 59008)

Rafaela Monchek

Deputy Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2024–24397 Filed 10–21–24; 8:45 am]

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SOCIAL SECURITY ADMINISTRATION

[Docket No: SSA–2024–0040]

Agency Information Collection Activities: Comment Request

The Social Security Administration (SSA) publishes a list of information collection packages requiring clearance by the Office of Management and Budget (OMB) in compliance with Public Law 104–13, the Paperwork Reduction Act of 1995, effective October 1, 1995. This notice includes two new collections for OMB approval, as well as revisions of OMB-approved information collections.

SSA is soliciting comments on the accuracy of the agency's burden estimate; the need for the information; its practical utility; ways to enhance its quality, utility, and clarity; and ways to minimize burden on respondents, including the use of automated collection techniques or other forms of information technology. Mail, email, or fax your comments and recommendations on the information collection(s) to the OMB Desk Officer and SSA Reports Clearance Officer at the following addresses or fax numbers.

(OMB) Office of Management and Budget, Attn: Desk Officer for SSA

(SSA) Social Security Administration, OLCA, Attn: Reports Clearance Director, Mail Stop 3253 Altmeyer, 6401 Security Blvd., Baltimore, MD 21235, Fax: 833–410–1631, Email address: *OR.Reports.Clearance@ssa.gov*

Or you may submit your comments online through *https://www.reginfo.gov/public/do/PRAmain* by clicking on Currently under Review—Open for Public Comments and choosing to click on one of SSA's published items. Please reference Docket ID Number [SSA–2024–0040] in your submitted response.

SSA submitted the information collections below to OMB for clearance. Your comments regarding these information collections would be most useful if OMB and SSA receive them 30 days from the date of this publication. To be sure we consider your comments, we must receive them no later than November 21, 2024. Individuals can obtain copies of these OMB clearance packages by writing to the *OR.Reports.Clearance@ssa.gov*.

1. *New Applicant Survey (NAS)—0960–NEW. Background:* The Social Security Administration (SSA) provides income assistance to more than 13 million working-age adults and children with disabilities through the Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) programs. To evaluate these respondents as they navigate SSA's application process, we are implementing the New Applicant Survey (NAS). The objective of the New Applicant Survey (NAS) is to provide SSA's Office of Research, Demonstration, and Employment Support (ORDES) with information about recent applicants' experience at different stages or touchpoints in the disability application process. SSA will use findings from the survey to inform testable policy interventions to improve the application experience for applicant.

NAS Description: The primary goal of NAS is to help SSA improve our current application process through the use of feedback from the public who use it. The research questions and survey will allow SSA to evaluate current practices and improve upon them. Ultimately, we expect the purpose of this survey will help SSA to implement a better overall application experience for respondents, as they use SSA's systems.

To provide information to SSA regarding applicants' experiences at the different touchpoints in the disability application process, SSA's evaluation will include the following analysis components:

- *Comparison of Characteristics:* Comparing characteristics of non-respondents (or the total sample) to those of respondents using information available for both non-respondents and respondents.
- *Modeling:* Modeling response propensity using multivariate analyses, including observation and analysis of several outcome variables.
- *Evaluation of Differences:* Evaluating differences found in comparisons between unadjusted (*i.e.,* base-) weighted estimates of selected sampling frame characteristics based on the survey respondents and the corresponding population (frame) parameter.
- *Comparison of Estimates:* Comparing weighted survey estimates (*e.g.,* selected error rates by type) using unadjusted (base) weights versus nonresponse-adjusted weights.

We expect the NAS will help SSA answer the following research questions:

- What are the pre- and post-application employment experiences of awarded and denied SSDI and SSI applicants?
- What employment-, vocational-, medical-, or income-related services and supports did applicants use leading up to and since application?
- What sources of information about SSDI or SSI did the applicant use or have access to?
- What were the applicants' experiences with representation during the application or post-application periods?

SSA will conduct this survey with 10,000 respondents nationally. SSA will provide a list of recent adult applicants who have applied for Social Security disability benefits to the contractor to use for sample selection. To ensure that sampled applicants have recent experiences with the application process, we will restrict the target population to those who have applied, appealed, or received a determination in the six months prior to sampling. The sample will include individuals to whom SSA awarded benefits (beneficiaries), those to whom SSA denied benefits, as well as applicants who remain at different stages of the application process.

For this survey, we will use the following methods for recruitment:

- SSA Announcement
- Email to Appointed Representative from Appointed Representative Associations
- Email to Appointed Representative (Directly)
- First USPS Mailing to All Applicants, which will include a small cash incentive of $2, a letter, and an information sheet
- Second USPS Mailing to All Applicants
- Third USPS Mailing to Nonrespondents
- Fourth USPS Mailing to Nonrespondents
- Fifth contact introducing the telephone modality.

As part of recruitment, we will also conduct experiments regarding more cash incentives, invitations to complete the survey using multiple modalities (internet, paper, telephone), as well as an early-bird incentive.

The Survey Instrument: The survey asks questions that focus on the applicant's experience with different aspects of the application process. We will use it to collect data from 10,000 new applicants at different touchpoints in the application process to understand applicant experiences at each stage and obtain the information needed to address the research questions.

To accommodate respondent preferences, we will create three modalities of the survey instrument: internet-based, automated-telephone, and paper. The internet and telephone versions will have essentially the same design as these modalities, by using dynamic pathing. This will facilitate the automatic skipping of questions based on the respondents' earlier responses. We will include instructions and formatting on the paper instrument which will also allow the respondents to skip questions based on previous responses; however, they will be able to see all of the questions (which is not the case on the internet and telephone versions).

The survey questions will focus on the following applicant experiences:

- Touchpoints in the application process completed and applicants' experience with the most recent touchpoints;
- Use of appointed representatives;
- Actions taken when applicants receive an unfavorable SSA decision;
- Use of and experience with SSA services;
- Recommendations for improvements to the application process;
- Personal financial environment including use of assistance programs;
- Personal support system; and
- Demographic information.

SSA will use the information we collect from this survey to understand applicants' experiences at different stages in the application process, as well as the types of SSA services applicants accessed, and to evaluate changes to the application process that could potentially improve applicants' experience.

We will encourage respondents to complete the survey via the internet modality, but will not restrict them, or penalize respondents who choose a different method (paper or telephone). We will require informed consent for all participants.

Ultimately, we expect the survey will help SSA to implement a better overall application experience for respondents, as they use SSA's systems.

The respondents are current SSA beneficiaries who have undergone the application process; individuals to whom SSA denied benefits; applicants for Social Security services in various stages of the application process, and their representatives (as applicable).

Type of Request: Request for a new information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)	Average theoretical hourly cost amount (dollars) *	Total annual opportunity cost (dollars) **
Internet Survey (including informed consent and screener)	5,000	1	35	2,917	$7.25	$21,148
Paper Survey (including informed consent and screener)	3,500	1	35	2,280	7.25	16,530
Telephone Survey (including informed consent and screener)	1,500	1	40	1,000	7.25	7,250
Totals	10,000	.....	.....	6,197	.....	44,928

* We base this figure on the Federal minimum wage of $7.25, as survey participants will have recently applied for SSA disability benefits and will typically not have started receiving benefits yet (*https://www.dol.gov/general/topic/wages/minimumwage*).

Note: Our contractor will schedule an appointment to call the recipient at their preferred date and time; therefore, the respondents will not incur an average wait time.

** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. *There is no actual charge to respondents to complete the application.*

2. *Statutory Benefit Continuation Election Statement—20 CFR 404.1597a, and 416.996—0960–NEW.* Sections 223(g) and 1631(a)(7) of the Social Security Act (Act) provide that, when a disability Title II beneficiary or Title XVI recipient requests an appeal of a Social Security Administration's (SSA) determination stating that their physical or mental impairment(s) ceased or is no longer disabling during a continuing disability review (CDR), the individual has the right to request disability benefits continue during their appeal. This process, known as Statutory Benefit Continuation (SBC), follows regulations set forth in 20 CFR 404.1597a(f) and 416.996(c–d) of the Code of Federal Regulations (Code). Currently, when SSA determines an individual's disability ceased or is no longer disabling, SSA sends the individual a notice of benefit termination informing them within 10 days after receipt of the notice their disability benefits will end, and they must submit in writing, or use Form SSA–795, Statement of Claimant or Other Person (OMB No. 0960–0045), to complete a statement to elect or decline continuation of benefits. However, Form SSA–795 does not specifically address SBC elections, which often leads to incomplete submissions for those cases. For SBC cases, SSA's field office staff frequently need to follow-up with individuals to clarify their election or explain the available options. The SBC election is effective until SSA makes the determination or decision at the applicable appeal level. SSA requires the individual to make a separate election at each level of appeal, through the hearing level before an administrative law judge (ALJ). SBC is not available at the appeals council (AC) or federal court levels; however, if the AC remands a case back to the ALJ hearing level, and the individual did not previously elect SBC, SSA grants the individual another opportunity to make an SBC election at that time. If the individual elected SBC at a prior ALJ hearing level, the field office (FO) automatically reinstates SBC after the AC sends the case to the hearing office. The FO reinstates benefits retroactive to the first month of non-payment resulting from the now vacated prior ALJ decision. A claimant has two opportunities to elect SBC during the appeal process: (1) the claimant can request SBC when appealing at the reconsideration level and then again at the hearing level, and (2) the claimant can request SBC at the hearing level only.

The following individuals are eligible for SCB: SSI recipients whose benefits are based on disability or blindness; primary disability insurance beneficiaries; auxiliaries receiving benefits on the record of a primary disability beneficiary, disabled widow or widowers, disabled adult children; mothers or fathers receiving benefits based on having a disabled adult child in their care, and mothers or fathers receiving benefits based on having in their care a child under age 18 but over age 15 who is disabled and receiving child's benefits.

SSA is requesting OMB approval of Form SSA–792, Statutory Benefit Continuation Election Statement to standardize our collection of an individual's benefit continuation election choice. Form SSA–792 will allow the individual to elect from a variety of options available to them for continued disability benefits and Medicare coverage. The respondents are Title II and Title XVI disability beneficiaries and recipients and Title II auxiliaries.

Type of Request: Request for a new information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)	Average theoretical hourly cost amount (dollars) *	Average wait time in field office (minutes) **	Total annual opportunity cost (dollars) ***
Reconsideration Appeal Level: Form SSA–792	60,038	1	40	40,025	* $22.39	** 24	*** $1,433,856
Hearing Appeal Level: Form SSA–792	17,107	1	40	11,405	* 22.39	** 24	*** 408,573
Totals	77,145			51,430			*** 1,842,429

* We based this figure on the average of both DI payments based on SSA's current FY 2024 data (*https://mwww.ba.ssa.gov/legislation/2024FactSheet.pdf),* and U.S. worker's hourly wages, as reported by Bureau of Labor Statistics data (*https://www.bls.gov/oes/current/oes_nat.htm*).

** We based this figure on averaging the average FY 2024 wait times for field offices, based on SSA's current management information data.

*** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. *There is no actual charge to respondents to complete the application.*

3. *Disability Report-Appeal—20 CFR 404.1512, 416.912, 404.916(c), 416.1416(c), 422.140, 404.1713, 416.1513, 404.1740(b)(4), 416.1540(b)(4), and 405 Subpart C—0960–0144.* SSA requires disability applicants who wish to appeal an unfavorable determination to complete Form SSA–3441–BK; the associated Electronic Disability Collect System (EDCS) interview; or the internet application, i3441. This allows claimants to disclose any changes to their disability, or resources, which might influence SSA's unfavorable determination. SSA may use the information to: (1) reconsider and review an initial disability determination; (2) review a continuing disability; and (3) evaluate a request for a hearing. This information assists the State Disability Determination Services (DDS) and ALJ in preparing for the appeals and hearings, and in issuing a determination or decision on an individual's entitlement (initial or continuing) to disability benefits. In addition, the information we collect on the SSA–3441–BK, or related modalities, facilitates SSA's collection of medical information to support the applicant's request for reconsideration; request for benefits cessation appeal; and request for a hearing before an ALJ. Respondents are individuals who appeal denial, reduction, or cessation of Social Security disability benefits and Supplemental Security Income (SSI) payments; individuals who wish to request a hearing before an ALJ; or their representatives.

Type of Request: Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)	Average theoretical hourly cost amount (dollars) *	Average wait time in field office (minutes) **	Total annual opportunity cost (dollars) ***
SSA–3441–BK (Paper Form)	24,645	1	50	20,538	* $13.31		*** $273,361
Electronic Disability Collect System (EDCS)—Individuals	159,971	1	50	133,309	* 13.31	** 24	*** 2,626,023
Electronic Disability Collect System (EDCS)—Representatives	44,192	1	45	33,144	* 58.40		*** 1,935,610
i3441 (Internet Application)—Individuals	696,896	1	33	383,293	* 13.31		*** 5,101,630
i3441 (Internet Application)—Representatives	583,031	1	28	272,081	* 58.40		*** 15,889,530
Totals	1,508,735			842,365			*** 25,826,154

* We based these figures on average DI hourly wages for single students based on SSA's current FY 2024 data (*https://mwww.ba.ssa.gov/legislation/2024FactSheet.pdf*) and average U.S. citizen's hourly salary, as reported by Bureau of Labor Statistics data (*https://www.bls.gov/oes/current/oes231011.htm*), as well as a combination of those two figures (for the paper form, as we do not collect data on whether the paper forms are filled out by individuals or representatives or both).

** We based this figure on the average FY 2024 wait times for field offices, and the average teleservice wait time based on SSA's current management information data.

*** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. *There is no actual charge to respondents to complete the application.*

4. Request for 800# Automated Telephone Services Knowledge-Based Authentication (RISA–KBA)—20 CFR 401.45—0960–0596. The Request for 800# Automated Telephone Services Knowledge-Based Authentication is the knowledge-based authentication method SSA uses to allow individuals access to their personal information through our Automated Telephone Services. SSA's system asks requestors using the automated telephone services to provide additional identifying information unique to those individuals so SSA can authenticate their identities before releasing personal information. The system requests this unique identifying information to authenticate both individuals and third parties who use our automated telephone system to seek personal information from SSA records, or to make changes to SSA records. The respondents are current beneficiaries, or third parties who use the automated telephone system to request personal information from SSA.

Type of Request: Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)	Average theoretical hourly cost amount (dollars) *	Total annual opportunity cost (dollars) **
Automated Telephone Requestors	1,716,315	1	4	114,421	* $31.48	** $3,601,973

* We based these figures on average U.S. citizen's hourly salary, as reported by Bureau of Labor Statistics data (*https://www.bls.gov/oes/current/oes231011.htm*)

** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. *There is no actual charge to respondents to complete the application.*

5. Prohibition of Payment of SSI Benefits to Fugitive Felons and Parole/Probation Violators—20 CFR 416.708(o)—0960–0617. Section 1611(e)(4) of the Act precludes eligibility for SSI payments for certain fugitives and probation or parole violators. Our regulation at 20 CFR 416.708(o) requires individuals applying for, or receiving SSI to report to SSA that: (1) they are fleeing to avoid prosecution for a crime; (2) they are fleeing to avoid custody or confinement after conviction of a crime; or (3) they are violating a condition of probation or parole. SSA uses the information we receive to determine eligibility on an initial claim for SSI payments or a redetermination of existing recipients. The collection is mandatory to ensure that an applicant or recipient does not have a warrant for one of the three fleeing codes. If the respondent has a warrant for one of the three fleeing codes, SSA uses this information to deny payments. The respondents are SSI applicants and recipients, or their representative payees, who are reporting their status as a fugitive felon or probation or parole violator.

Type of Request: Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)	Average theoretical hourly cost amount (dollars) *	Total annual opportunity cost (dollars) **
Fugitive Felon and Parole or Probation Violation screens within the SSI Claims System	1,000	1	1	17	$31.48*	$535**

* We based this figure on average U.S. worker's hourly wages, as reported by Bureau of Labor Statistics data (*https://www.bls.gov/oes/current/oes_nat.htm#00-0000*).

** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. *There is no actual charge to respondents to complete the application.*

6. Testimony by Employees and the Production of Records and Information in Legal Proceedings—20 CFR 403.100–403.155—0960–0619. Regulations at 20 CFR 403.100–403.155 of the Code establish SSA's policies and procedures

for an individual; organization; or government entity to request official agency information, records, or testimony of an agency employee in a legal proceeding when the agency is not a party. The request, which respondents submit in writing to SSA, must: (1) fully set out the nature and relevance of the sought testimony; (2) explain why the information is not available by other means; (3) explain why it is in SSA's interest to provide the testimony; and (4) provide the date, time, and place for the testimony. Respondents are individuals or entities who request testimony from SSA employees in connection with a legal proceeding.

Type of Request: Extension of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)	Average theoretical hourly cost amount (dollars) *	Total annual opportunity cost (dollars) **
20 CFR 403.100–403.155	50	1	60	50	* $31.48	** $1,574

* We based this figure on the average U.S. worker's mean hourly wages, as reported by Bureau of Labor Statistics data (*https://www.bls.gov/oes/current/oes_nat.htm#00-0000*).

** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. *There is no actual charge to respondents to complete the application.*

Dated October 17, 2024.

Tasha Harley,

Acting Reports Clearance Officer, Social Security Administration.

[FR Doc. 2024–24391 Filed 10–21–24; 8:45 am]

BILLING CODE 4191–02–P

DEPARTMENT OF STATE

[Public Notice: 12568]

Notice of Public Meeting of the Advisory Committee on Responsible Business Conduct

SUMMARY: This notice announces the public meeting of the Advisory Committee on Responsible Business Conduct (RBC Advisory Committee) on November 14, 2024, from 9:00 a.m. to 5:00 p.m. ET.

FOR FURTHER INFORMATION CONTACT: Emily Santor, Foreign Affairs Analyst, telephone: 202–679–5368, email: *RBCAdvisoryCommittee@state.gov.*

SUPPLEMENTARY INFORMATION: The RBC Advisory Committee will meet in a hybrid meeting on November 14, 2024, from 9:00 a.m. to 5:00 p.m. to hear, deliberate, and vote on the preliminary recommendations of its subcommittees: the Subcommittee on the U.S. National Contact Point for the Organization for Economic Cooperation and Development Guidelines for Multinational Enterprises, the Subcommittee on National Action Plan Implementation, and the Subcommittee on Human Rights and Environmental Due Diligence.

Members of the public wishing to participate must register by 11:59 p.m. ET November 6, 2024, via email to *RBCAdvisoryCommittee@state.gov,* with the subject line ''Registration.'' To register, please include your name, title, affiliation, and the email you will use to access the meeting. The Department will provide login information prior to the meeting. Meeting minutes and future recommendation reports will be available to the public at the RBC Advisory Committee website and the RBC Advisory Committee page of the FACA Database.

Public comments and requests for accommodation can be sent to *RBCAdvisoryCommittee@state.gov* and must be submitted by 11:59 p.m. ET on November 11, 2024. The subject line for comment submissions should include ''Public Comment.'' During this meeting, there will not be an option for members of the public to make oral statements. Requests for reasonable accommodation should be submitted with the subject line ''Accommodations Request.'' Reasonable accommodation requests received after the submission deadline will be considered but may not be possible to fulfill.

(Authority: 5 U.S.C. 1001 *et seq.* and 5 U.S.C. 552)

Jordyn E. Arndt,

Senior Foreign Affairs Officer, Office of Multilateral and Global Affairs, Department of State.

[FR Doc. 2024–24460 Filed 10–21–24; 8:45 am]

BILLING CODE 4710–18–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Buy America Waiver Notification

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

ACTION: Notice.

SUMMARY: This notice provides information regarding FHWA's finding that it is appropriate to grant a non-availability Buy America waiver to the Utah Department of Transportation (UDOT) for procurement and installation of 16 suspended explosive charge remote avalanche control systems (RACS), which contain non-domestic iron and steel components, along Mount Superior overlooking SR–210 in Little Cottonwood Canyon, Utah. The waiver relates specifically to iron and steel components that are part of the tower, deployment box, and charges of the RACS.

DATES: The effective date of the waiver October 23, 2024.

FOR FURTHER INFORMATION CONTACT: For questions about this notice, please contact Mr. Brian Hogge, FHWA Office of Infrastructure, (202) 366–1562, or via email at *Brian.Hogge@dot.gov*. For legal questions, please contact Mr. David Serody, FHWA Office of the Chief Counsel, (202) 366–1345, or via email at *David.Serody@dot.gov*. Office hours for FHWA are from 8:00 a.m. to 4:30 p.m., E.T., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Electronic Access

An electronic copy of this document may be downloaded from the **Federal Register**'s home page at: *www.FederalRegister.gov* and the U.S. Government Publishing Office's database at: *www.GovInfo.gov.*

Background

The FHWA's Buy America requirements for steel and iron are set forth at 23 U.S.C. 313 and 23 CFR 635.410 and require that all steel and iron that are permanently incorporated into a Federal-aid project must be produced in the United States unless a waiver is granted, including predominantly steel and iron components of a manufactured

product.[1] Under these requirements, all manufacturing processes, including the application of a coating, must occur in the United States.[2]

Under 23 U.S.C. 313(b)(2) and 23 CFR 635.410(c)(1)(ii), FHWA may waive the application of its Buy America requirement for steel and iron when products are not produced in the United States in sufficient and reasonably available quantities of a satisfactory quality. This notice provides information regarding FHWA's finding that it is appropriate to grant UDOT a non-availability Buy America waiver for procurement of 16 suspended explosive charge RACS, which include non-domestic iron and steel components, for installation along Mount Superior overlooking SR–210 in Little Cottonwood Canyon, Utah. For each of the 16 RACS, this waiver will cover only: (i) the tower; (ii) the deployment box; and (iii) the charges (collectively ''waiver items''). This waiver does not apply to the reinforced foundation of the RACS, which consists of anchor kits and a base plate; such foundation must be domestically sourced and compliant with FHWA's Buy America requirements.

Background on the Project: In 2020, the U.S. Army asked all members of the Avalanche Artillery Users of North America Committee to submit an exit plan for their use of military artillery. Currently, UDOT leases a P-Ridge howitzer from the U.S. Army to fire live artillery ammunition for avalanche control in Little Cottonwood Canyon. This is the only location in North America where live artillery is fired over inhabited buildings. The UDOT has committed to ending the use of the howitzer by 2025 and replacing it with RACS, which use remotely detonated explosives to mitigate avalanches and save lives. This project is to install 16 RACS using suspended explosive charges along SR–210 in Little Cottonwood Canyon to minimize safety concerns from the overhead fire of live artillery over inhabited structures.

Background on Waiver Request: The UDOT is part of the Transportation Avalanche Research Pool, which has identified three main types of RACS used in the United States: gas-delivered explosives, propelled explosive charges, and suspended explosive charges. The UDOT believes that the most appropriate products for this project based on the unique terrain in the deployment area are RACS that utilize suspended explosive charges. Prior to submitting a waiver request, UDOT identified only one domestic supplier of any type of RACS; however, that company uses gas-delivered explosives, and such a system is not viable for this project due to the extreme terrain, excessive rockfall, and extensive distance of the required gas line that would be needed to operate the system. The UDOT also used the National Institute of Standards and Technology's Manufacturing Extension Partnership Supplier Scouting service to seek out any domestic manufacturers of RACS, but no domestic alternatives were identified.

The UDOT thus requested a waiver for the tower, deployment box, and charges that are part of the RACS for 16 systems that will use suspended explosive charges.

In accordance with section 122 of Division F of the Consolidated Appropriations Act, 2024 (Pub. L. 118–42), section 117 of the SAFETEA–LU Technical Corrections Act of 2008 (Pub. L. 110–244), and 23 U.S.C. 313(g), FHWA posted a notice of the waiver request on its website on April 10, 2024, soliciting public comment on the intent to issue a waiver of the waiver items for a 15-day period.[3]

Waiver Justification Summary

Comments to the Notice of Waiver Request: The FHWA received five comments in response to the notice of the waiver request. One commenter stated that FHWA's Buy America requirements are outdated and indicated that FHWA should grant the waiver. Another stated that FHWA should grant the waiver and argued that FHWA should not apply its Buy America requirements to predominantly steel and iron components.

Two other commenters provided information not relevant to the waiver request. One questioned the environmental impacts of RACS, which is not an issue within the scope of this waiver request.

Another commenter stated that the Office of Management and Budget (OMB) policy eliminated the need for the waiver request because OMB requirements apply to manufactured products, not just iron and steel. The FHWA's Buy America requirements with respect to manufactured products, however, differ from requirements applicable to other Federal Agencies under BABA, which was included as part of the BIL (Pub. L. 117–58). The FHWA has waived its statutory Buy America requirements as to all manufactured products that are not predominantly steel and iron; however, FHWA applies its Buy America requirements to predominantly iron and steel components of manufactured products, and such components must comply with FHWA's requirements that all iron and steel must be domestically manufactured. Although BABA requires that manufactured products be manufactured in the United States and the cost of the manufactured product's components that are mined, produced, or manufactured in the United States must be greater than 55 percent of the total cost of all components of the manufactured product, BABA does not specifically mandate that iron and steel components in particular must be domestically manufactured.[4] See BIL section 70912(6)(B).

In other words, FHWA applies its own Buy America requirements to steel, iron, and manufactured products used on FHWA funded projects, not the standards for steel, iron, and manufactured products under BABA. See BIL section 70917(a)–(b). Accordingly, manufactured products used on FHWA funded projects are only compliant with Buy America if all of their predominantly steel and iron components are domestically manufactured. Manufactured products that meet BABA's standards, being manufactured in the United States and having 55 percent of the components, by cost, be mined, produced, or

[1] Under 23 U.S.C. 313, FHWA has a Buy America requirement for manufactured products; however, FHWA has a standing waiver under 23 U.S.C. 313(b), known as the Manufactured Products General Waiver, which covers manufactured products that are not predominantly steel and iron. *See* 48 FR 53099 (Nov. 25, 1983).

[2] While the Build America, Buy America Act (BABA), included in the Infrastructure Investment and Jobs Act (also known as the ''Bipartisan Infrastructure Law'' (BIL)) (Pub. L. 117–58), sets out Buy America preferences for steel, iron, manufactured products, and construction materials, these preferences only apply to the extent that a domestic content procurement preference, as described in section 70914 of BABA, does not already apply to iron, steel, manufactured products, and construction materials. BIL section 70917(a)–(b). As FHWA has existing domestic content preferences for steel, iron, and manufactured products at 23 U.S.C. 313, the requirements under 23 U.S.C. 313 apply to steel, iron, and manufactured products instead of the requirements under BABA. As FHWA's existing Buy America requirement does not specifically cover construction materials, the Buy America preference under section 70914 of BABA applies for construction materials.

[3] *https://www.fhwa.dot.gov/construction/contracts/waivers.cfm?id=175*.

[4] To meet the requirement that 55 percent of components, by cost, be mined, produced, or manufactured in the United States for a manufactured product containing predominantly iron or steel components, a manufacturer may choose to domestically produce those components. This is different from FHWA's Buy America requirements, which mandate that all predominantly steel or iron components be domestically produced, regardless of the percent, by cost, of which they make up the manufactured product.

manufactured in the United States, are not inherently compliant with FHWA's Buy America and may not necessarily be permanently incorporated into FHWA-funded projects.

Finally, the fifth commenter, representing the domestic supplier identified by UDOT as using gas-delivered explosives noted above, stated that the company was not consulted on the viability of its product to work in the project terrain and contested the statement from UDOT that its products are not a viable alternative for the project. When determining whether steel and iron materials or products are not produced in the United States in sufficient and reasonably available quantities which are of a satisfactory quality pursuant to 23 U.S.C. 313(b)(2) and 23 CFR 635.410(c)(1)(ii), FHWA considers whether the recipient has used appropriate due diligence to identify domestic products or domestically available alternative products that meet the recipient's specifications. A comparable product that performs a similar function is not necessarily a domestic alternative; the product must also meet the recipient's specific requirements that are deemed necessary in order to achieve the performance objectives of the project. The FHWA's statutory requirements do not require recipients to change product specifications in order to utilize domestic products that do not meet the recipient's original specifications. Accordingly, as FHWA views this fifth commenter as arguing UDOT should modify their original specifications to accommodate their domestic product, FHWA does not believe that this commenter has demonstrated that they have a suitable domestic alternative.

In sum, no commenter provided information on potential domestic manufacturers of suspended explosive charge RACS. Thus, UDOT did not receive any new information indicating that the waiver items could be produced by domestic manufacturers from any of the commenters.

The FHWA believes that UDOT has made substantial efforts to find suitable Buy America-compliant waiver items that will safely and effectively serve the purpose of this project but that such products are unavailable.

Timing and Need for a Waiver: The waiver items are essential to achieving the goal of replacing the current use of live artillery with a safer remote-activated system that can provide highway avalanche mitigation.

While UDOT did not request a waiver for the reinforced foundation of the RACS, as such foundation can be domestically manufactured, the waiver items are engineered to work together as a single system, and exchanging parts of the system would reduce the reliability and safety of the system. Accordingly, the waiver items at issue must be purchased and installed as a single system, and UDOT has not located any domestic manufacturers for the waiver items meeting the project's specifications, nor has any domestic manufacturer identified the ability to produce Buy America-compliant waiver items through the public comment process.

Executive Order 14005: Executive Order (E.O.) 14005, entitled ''Ensuring the Future is Made in All of America by All of America's Workers,'' provides that Federal Agencies should, consistent with applicable law, maximize the use of goods, products, and materials produced in, and services offered in, the United States. 86 FR 7475 (Jan. 28, 2021). Based on the information contained in the waiver request from UDOT and the lack of responsive comments to the notice of waiver request, FHWA concludes that issuing a waiver is not inconsistent with E.O. 14005.

Finding and Request for Comments

Based on all the information available to the Agency, FHWA concludes that there are no Buy America-compliant waiver items meeting the project's specifications and is waiving its Buy America requirements for steel and iron set forth at 23 U.S.C. 313 and 23 CFR 635.410 for recipient purchases of 16 RACS using suspended explosive charges for avalanche highway mitigation in Little Cottonwood Canyon. For each RACS, this waiver will cover only: (i) the tower; (ii) the deployment box; and (iii) the charges (collectively ''waiver items''). This waiver does not apply to other components of the RACS, such as reinforced foundations, which must be compliant with FHWA's Buy America requirements. In addition, this waiver does not cover additional charges purchased for the RACS.

The waiver applies to the waiver items used in the project that are subject to FHWA's Buy America requirements as a result of obligations of Federal financial assistance made by FHWA for the project.

The UDOT and its contractors and subcontractors involved in the procurement of the relevant components are reminded of the need to comply with the Cargo Preference Act in 46 CFR part 38, if applicable.

In accordance with the provisions of section 117 of the SAFETEA–LU Technical Corrections Act of 2008, FHWA is providing this notice as its finding that a waiver of its Buy America requirements for steel and iron is appropriate. The FHWA invites public comment on this finding for an additional five days following the effective date of the finding. Comments may be submitted to FHWA's website via the link provided to the waiver page noted above.

Authority: 23 U.S.C. 313; Pub. L. 110–161; 23 CFR 635.410.

Kristin R. White,

Acting Administrator, Federal Highway Administration.

[FR Doc. 2024–24334 Filed 10–21–24; 8:45 am]

BILLING CODE 4910–22–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2017–0319]

Parts and Accessories Necessary for Safe Operation; Exemption Renewal for Agricultural and Food Transporters Conference of American Trucking Associations

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

ACTION: Notice of final disposition; grant of application for exemption.

SUMMARY: FMCSA announces its decision to renew an exemption requested by the Agricultural and Food Transporters Conference (AFTC) of American Trucking Associations (ATA), which will allow certain alternative methods for the securement of agricultural commodities transported in wood and plastic boxes and bins and large fiberglass tubs, as well as hay, straw, and cotton bales that are grouped together into large singular units. FMCSA concludes that renewing the exemption, subject to the terms and conditions set forth below, is likely to achieve a level of safety equivalent to or greater than the level of safety that would be achieved absent the exemption.

DATES: This renewed exemption is effective April 15, 2024, through April 15, 2029.

FOR FURTHER INFORMATION CONTACT: Mr. David Sutula, Chief, Vehicle and Roadside Operations Division, Office of Carrier, Driver, and Vehicle Safety, FMCSA, 1200 New Jersey Avenue SE, Washington, DC 20590–0001; (202) 366–9209; *MCPSV@dot.gov.* If you have questions on viewing or submitting material to the docket, call Dockets Operations at (202) 366–9826.

SUPPLEMENTARY INFORMATION:

I. Viewing Comments and Documents

To view any documents mentioned as being available in the docket, go to *https://www.regulations.gov/docket/FMCSA-2017-0319/document* and choose the document to review. To view comments, click this notice, then 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.

II. Legal Basis

FMCSA has authority under 49 U.S.C. 31136(e) and 31315(b)(2) and 49 CFR 381.300(b) to renew an exemption from the FMCSRs for subsequent periods of up to 5 years if it finds that such exemption would likely maintain a level of safety that is equivalent to, or greater than, the level that would be achieved by the current regulation (49 CFR 381.305(a)).

III. Background

On June 18, 2024, FMCSA issued a notice of provisional renewal of exemption for AFTC for a period of 6 months.[1] FMCSA requested comments on the application for exemption from AFTC on the use of alternative cargo securement methods. The comment period closed on July 18, 2024. The Agency did not receive any comments to the notice.

IV. Exemption Decision

A. Grant of Exemption

As explained in the provisional renewal of exemption notice, the Agency believes that granting the temporary exemption to allow alternative methods for the securement of agricultural commodities in wood and plastic boxes and bins and large fiberglass tubs, as well as hay, straw, and cotton bales that are grouped together into larger singular units, as proposed by AFTC in its original exemption application, will likely provide a level of safety that is equivalent to, or greater than, the level of safety achieved without the exemption. The Agency hereby grants an exemption for a 5-year period, beginning April 15, 2024, and ending April 15, 2029, from 49 CFR 393.102, 393.106, 393.110, and 393.114, to allow alternate methods for the securement of (1) agricultural commodities transported in wood and plastic boxes and bins and large fiberglass tubs, and (2) hay, straw, and cotton bales that are grouped together into large singular units.

B. Applicability of Exemption

During the exemption period, motor carriers operating commercial motor vehicles (CMVs) may use certain alternative methods for the securement of agricultural commodities transported in wood and plastic boxes and bins and large fiberglass tubs, as well as hay, straw, and cotton bales that are grouped together into large singular units, as proposed by AFTC in its original exemption application.

C. Terms and Conditions

1. *General:*

Motor carriers and CMVs operating under this exemption must comply with all other applicable Federal Motor Carrier Safety Regulations (FMCSRs) (49 CFR parts 350–399), unless specifically exempted from a requirement.

2. *Limitation of Exemption:*

This exemption applies exclusively to CMVs transporting agricultural commodities in wood and plastic boxes and bins and large fiberglass tubs, as well as hay, straw, and cotton bales that are grouped together into large singular units.

3. *Recurring Data Reporting Requirements:*

AFTC must provide recurring yearly data submissions to include information on crashes and incidents involving CMVs transporting agricultural commodities in wood and plastic boxes and bins and large fiberglass tubs, as well as hay, straw, and cotton bales that are grouped together into large singular units when operating under this exemption. The first submission is due 5 months after the date of publication of the provisional exemption renewal in the **Federal Register** (published June 18, 2024), and subsequent submissions are due every 12-months thereafter until the exemption expires or is revoked. The yearly data submissions must be sent via email to FMCSA at *MCPSD@dot.gov.* If AFTC lacks certain categories of information, alternative information may be discussed with FMCSA and submitted if approved.

4. *Data Reporting Requirements for Crashes and Incidents:*

At the end of each 12-month period, AFTC must submit a report detailing crash rates, vehicle miles traveled, number and type of CMVs operating under the exemption, and the date of the crash or incident, time, location, and a brief description of the event. AFTC must provide any available information indicating malfunction of the alternative cargo securement methods.

5. *Meetings:*

AFTC must meet with FMCSA upon request to answer questions regarding data and information provided under the exemption.

D. Preemption

In accordance with 49 U.S.C. 31315(d), as implemented by 49 CFR 381.600, during the period this exemption is in effect, no State shall enforce any law or regulation that conflicts with or is inconsistent with this exemption with respect to a person operating under the exemption. States may, but are not required to, adopt the same exemption with respect to operations in intrastate commerce.

E. Termination

FMCSA does not believe that motor carriers, drivers, and CMVs covered by the exemption will experience any deterioration of safety below the level that would be achieved without the exemption. The exemption will be rescinded if: (1) motor carriers, drivers, or CMVs fail to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was maintained before it was granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315(b).

Vincent G. White,

Deputy Administrator.

[FR Doc. 2024–24446 Filed 10–21–24; 8:45 am]

BILLING CODE 4910–EX–P

[1] 89 FR 51586.

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2014–0071]

Hours of Service of Drivers: McKee Foods Transportation, LLC, Application for Exemption

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

ACTION: Notice of application for renewal of exemption; extension of comment period.

SUMMARY: FMCSA reopens the comment period for its July 10, 2024, notice requesting public comment on an application from McKee Foods Transportation, LLC (MFT) for a renewal of its exemption from the hours-of-service regulation pertaining to the use of a sleeper berth. FMCSA has

added a supplemental document to the docket titled ''McKee Foods Transportation Sleeper-Berth Exemption Provisions Interpretation.'' FMCSA reopens the comment period to allow the public an opportunity to review MFT's application for renewal of its exemption along with the supplemental document available for review in the docket.

DATES: Comments must be received on or before November 21, 2024.

FOR FURTHER INFORMATION CONTACT: Ms. Pearlie Robinson, FMCSA Driver and Carrier Operations Division; Office of Carrier, Driver and Vehicle Safety Standards; FMCSA; 1200 New Jersey Avenue SE, Washington, DC 20590–0001; (202) 366–4225; or *pearlie.robinson@dot.gov.* If you have questions on viewing or submitting material to the docket, contact Docket Services, telephone (202) 366–9826.

SUPPLEMENTARY INFORMATION:

I. Public Participation and Request for Comments

Instructions and additional information concerning submitting comments may be viewed under the **ADDRESSES** heading and in section I of the **SUPPLEMENTARY INFORMATION** heading in the July 10, 2024, notice of MFT's exemption renewal application at 89 FR 56787–56788.

II. Background

FMCSA published a notice of MFT's application to renew its exemption ''for the maximum available period'' from the sleeper berth requirements, which previously were set forth in 49 CFR 395.1(g)(1)(ii)(A) and (B) on July 10, 2024, with a comment deadline of August 9, 2024. That notice sought public comment on the renewal application but did not include the supplemental document titled ''McKee Foods Transportation Sleeper-Berth Exemption Provisions Interpretation'' in the docket. FMCSA believes that potential commenters should have an opportunity to review both documents. Accordingly, FMCSA reopens the comment period for all comments on MFT's application for renewal of its exemption in light of the supplemental document explaining the interpretation of the exemption.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2024–24451 Filed 10–21–24; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2018–0090]

Parts and Accessories Necessary for Safe Operation; Exemption Renewal for Automobile Carriers Conference and Auto Haulers Association of America

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

ACTION: Notice of final disposition; renewal of exemption.

SUMMARY: FMCSA announces its final decision to renew an exemption requested jointly by the Automobile Carriers Conference (ACC) of the American Trucking Associations and the Auto Haulers Association of America (AHAA) to relieve motor carriers operating stinger-steered automobile transporter equipment from the requirement to place warning flags on projecting loads of new and used motor vehicles. The Federal Motor Carrier Safety Regulations (FMCSRs) require any commercial motor vehicle (CMV) transporting a load which extends more than 4 feet beyond the rear of the vehicle be marked with a single red or orange fluorescent warning flag at the extreme rear if the projecting load is 2 feet wide or less and two warning flags if the projecting load is wider than 2 feet. The exemption is renewed for 5 years, unless revoked earlier.

DATES: This renewed exemption is effective August 9, 2024, through February 15, 2029, unless revoked earlier. Comments must be received on or before November 21, 2024.

FOR FURTHER INFORMATION CONTACT: David Sutula, Vehicle and Roadside Operations Division, Office of Carrier, Driver, and Vehicle Safety, FMCSA, 1200 New Jersey Avenue SE, Washington, DC 20590–0001; (202) 366–9209; *MCPSV@dot.gov.* If you have questions on viewing material in the docket, call Dockets Operations at (202) 366–9826.

SUPPLEMENTARY INFORMATION:

I. Public Participation

A. Viewing Comments and Documents

To view any documents mentioned as being available in the docket, go to *https://www.regulations.gov/docket/FMCSA-2018-0090/document* and choose the document to review. To view comments, click this notice, then 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

In accordance with 49 U.S.C. 31315(b)(6), DOT solicits comments from the public to better inform its exemption process. DOT posts these comments, including any personal information the commenter provides, to *www.regulations.gov* as described in the system of records notice DOT/ALL 14 (Federal Docket Management System (FDMS)), which can be reviewed at *https://www.transportation.gov/individuals/privacy/privacy-act-system-records-notices.* The comments are posted without edit and are searchable by the name of the submitter.

II. Legal Basis

FMCSA has authority under 49 U.S.C. 31136(e) and 31315(b)(2) and 49 CFR 381.300(b) to renew an exemption from the FMCSRs for subsequent 5-year periods if it finds that such exemption would likely maintain a level of safety that is equivalent to, or greater than, the level that would be achieved by the current regulation (49 CFR 381.305(a)). ACC and AHAA have requested a 5-year extension of the current exemption.

III. Background

Current Regulatory Requirements

FMCSA requires in § 393.87 any CMV transporting a load which extends beyond the sides by more than 4 inches, or more than 4 feet beyond the rear, to have the extremities of the load marked with red or orange fluorescent warning flags. Each warning flag must be at least 18 inches square. There must be a single flag at the extreme rear if the projecting load is 2 feet wide or less, and two warning flags are required if the projecting load is wider than 2 feet.[1] The flags must be located to indicate the maximum width of loads which extend beyond the sides and/or rear of the vehicle.

[1] In their renewal request, the applicants additionally asked for relief from 49 CFR 393.11, which requires ''lamps or reflective devices'' to be affixed to the rear of a load that extends more than 4 feet beyond a trailer. Because this is a new request for exemption, FMCSA is not considering the request with the renewal of the current exemption. FMCSA will process that request separately.

Original Exemption

In its original exemption application, ACC requested an exemption from § 393.87 for motor carriers operating stinger-steered automobile transporter equipment. A stinger-steered transporter has a fifth wheel hitch located on a drop frame behind and below the rear-most axle of the power unit. It was noted that stinger-steered automobile transporters have been allowed to have a rear vehicular overhang of at least 6 feet since December 2015 (49 U.S.C. 31111(b)(1)(G)). Previously, a minimum 4-foot rear overhang was allowed for all automobile transporters.

ACC contended that adhering to flag requirements while transporting new motor vehicles posed a challenge to the vehicle industry. Vehicle manufacturers prohibit affixing flags or any items to their vehicles due to the potential for scratches and damage. Auto transporters tried to comply with the intent of § 393.87 by attaching flags to the rear of their trailers. However, this effort did not adhere to the letter of the regulation and resulted in carriers receiving numerous citations for being in violation of the flag requirements.

ACC emphasized that motor vehicles are the only commodity to be transported that must adhere to the requirements of Federal Motor Vehicle Safety Standard (FMVSS) No. 108, ''*Lamps, reflective devices, and associated equipment,*'' which has mandated since 1968 the use of side-facing reflex reflectors,[2] amber reflectors at the front, and red reflectors at the rear of vehicles. ACC believed that these reflective devices, combined with the required lighting and conspicuity treatments on the trailers, adequately fulfill the intention of § 393.87 by notifying other motorists when a load extends more than 4 feet beyond the rear of the trailer. Additionally, ACC noted that FMVSS No. 108 imposes specific performance criteria for these required reflectors, while no such performance requirements exist for the flags mandated by § 393.87.

ACC pointed out that the population of automobile transporter vehicles is relatively small, comprising around 16,000 units, with stinger-steered vehicles being a subset of that population. ACC cited statistics showing that, following the enactment of the FAST Act which allowed 6 feet of overhang on the rear of the transporter, the frequency of rear-end collisions with auto transporters has been minuscule, with a rate of less than 0.05 percent.

On February 15, 2019, following notice and consideration of the comments received, FMCSA determined that an exemption for motor carriers operating stinger-steered automobile transporters from the requirement to place warning flags on projecting loads of motor vehicles would likely maintain a level of safety that is equivalent to or greater than the level of safety that would be obtained by complying with § 393.87 and granted ACC's exemption request for a 5-year period (84 FR 4602). In its decision, FMCSA stated that the transport of automobiles that are permitted, by statute, to extend up to 6 feet beyond the rearmost portion of a stinger-steered auto transporter is a unique situation as compared to the transportation of other items because automobiles extend across virtually the entire width of the transporter and are easily identifiable as automobiles to the motoring public. FMCSA stated further that this is especially true if the rearmost automobile being transported faces the front of the auto transporter, as the rear of the automobile is required to be equipped with two reflex reflectors located as far apart as practicable, which meet the photometric requirements specified in FMVSS No. 108. To the contrary, § 393.87 requires extending loads be marked with red or orange fluorescent warning flags, but does not impose any specific photometric requirements for these flags, *i.e.,* required level of visibility from a certain distance, etc. While FMVSS No. 108 does not require the front of automobiles to be equipped with reflex reflectors, FMCSA noted that even if the rearmost automobile being transported is facing the rear of the auto transporter, oncoming motorists will easily identify the extending load as an automobile that extends across the full width of the auto transporter.

Application for Renewal of Exemption

In the renewal application, ACC and AHAA stated that since the granting of the exemption in 2019, they are unaware of any events that suggest the exemption has resulted in a lower level of safety than would be achieved by complying with § 393.87 or that the exemption has jeopardized public safety in any way. They also requested that FMCSA clarify that the exemption applies to transportation of both new and used vehicles. ACC and AHAA stated it is their view that the exemption granted for transportation of ''motor vehicles'' already includes new and used vehicles; however, not everyone in CMV enforcement agrees with their interpretation. A copy of the request to renew the exemption is available in the docket.

IV. Provisional Renewal of Exemption

On February 21, 2024, after review of ACC's renewal application, FMCSA published its decision to provisionally grant a (6) month renewal of the exemption effective February 15, 2024, through August 9, 2024, and requested public comment (89 FR 14126). The Agency makes that renewal final for the remainder of the five-year period.

Today's notice supersedes the February 21, 2024, and finalizes the provisionally granted five-year exemption, through February 15, 2029.

V. Public Comments

Two comments were submitted to the docket, both supporting the renewal of the exemption. Nationwide Auto Transport, Inc. expressed gratitude for delaying further regulation, seeing it as a relief for the already overburdened industry. US Auto Logistics, LLC appreciated the six-month extension of the warning flag waiver, noting its positive impact on commerce and the people involved.

VI. Agency Decision

FMCSA is not aware of any evidence indicating that providing relief to motor carriers operating stinger-steered automobile transporter equipment from the requirement to place warning flags on projecting loads of new and used motor vehicles in accordance with the conditions of the original exemption has resulted in any degradation in safety. ACC and AHAA are also unaware of any events that suggest the exemption has resulted in a lower level of safety than would be maintained by complying with § 393.87. The Agency, however, is continuing to analyze crash data to better assess the safety of this exemption. Therefore, for the reasons discussed above and in the prior notice granting the original exemption request, FMCSA concludes that renewing the exemption granted on February 15, 2019, for the remainder of the five-year period, on the terms and conditions set forth in this exemption renewal decision, would likely maintain a level of safety that is equivalent to, or greater than, the level of safety achieved without the exemption.

VII. Exemption Decision

A. Grant of Exemption

FMCSA renews the exemption for four (4) years and six (6) months subject to the terms and conditions of this decision. The exemption from the requirements of 49 CFR 393.87 is

[2] FMVSS No. 108 defines reflex reflectors as devices used on vehicles to give an indication to approaching drivers using reflected light from the lamps of the approaching vehicle (49 CFR 571.108).

otherwise effective August 9, 2024, through February 15, 2029, 11:59 p.m. local time, unless revoked.

B. Applicability of Exemption

During the temporary exemption period, motor carriers operating stinger-steered automobile transporter equipment are exempt from the requirements of § 393.87 to place warning flags on loads of new or used motor vehicles that project up to 6 feet from the rear of the stinger-steered automobile transporter. The Agency encourages drivers to keep an electronic or hard copy of the renewal exemption with them or in the CMV.

C. Terms and Conditions

1. This exemption is limited to stinger-steered automobile transporter equipment and the transport of new or used motor vehicles. It does not apply to any other type of transporter equipment or other types of projecting or oversized loads.

2. Motor carriers operating under this exemption involved in any crash to the rear end of the stinger-steered automobile transporter equipment during the transport of new or used motor vehicles must notify FMCSA within 7 business days of the crash by email at *MCPSV@DOT.GOV,* even if such crash is not a reportable crash as defined in § 390.5T.

3. New and used motor vehicles transported on Stinger-steered automobile transporters that overhang from the transporter must be equipped with all other lights and reflective devices required by the applicable FMVSS or FMCSRs.

4. Motor carriers and CMVs operating under this exemption must comply with all other applicable FMCSRs (49 CFR parts 350–399), unless specifically exempted from a requirement.

D. Preemption

In accordance with 49 U.S.C. 31315(d), as implemented by 49 CFR 381.600, during the period this exemption is in effect, no State shall enforce any law or regulation that conflicts with or is inconsistent with this exemption with respect to a person operating under the exemption. States may, but are not required to, adopt the same exemption with respect to operations in intrastate commerce.

E. Termination

The exemption will be valid for as provided in section V.A. above, unless revoked earlier by FMCSA. FMCSA does not believe that motor carriers and CMVs covered by the exemption will experience any deterioration of their safety record. However, should this occur, FMCSA will take all steps necessary to protect the public interest, including revocation of the exemption without prior notice. The exemption may be immediately rescinded if: (1) motor carriers and/or CMVs fail to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was maintained before it was granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136 or chapter 313.

Interested parties possessing information that would demonstrate that this exemption or motor carriers operating stinger-steered automobile transporter equipment without warning flags and with loads of new or used motor vehicles projecting up to 6 feet beyond the rear of the automobile transporter are not achieving the requisite statutory level of safety should immediately notify FMCSA by email at *MCPSV@DOT.GOV.* The Agency will evaluate any such information and, if safety is being compromised or if the continuation of the exemption is not consistent with the goals and objectives of 49 U.S.C. 31136 or chapter 313, may take immediate steps to revoke the exemption or impose additional requirements as part of the exemption.

VI. Request for Comments

In accordance with 49 U.S.C. 31315(b), FMCSA requests public comment from all interested persons on ACC and AHAA's application for renewal of the exemption from § 393.87.

All comments received before the close of business on the comment closing date indicated at the beginning of this notice will be considered and will be available for examination in the docket at the location listed under the Addresses section of this notice. Comments received after the comment closing date will be filed in the public docket and will be considered to the extent practicable. In addition to late comments, FMCSA will also continue to file, in the public docket, relevant information that becomes available after the comment closing date. Interested persons should continue to examine the public docket for new material.

Vincent G. White,

Deputy Administrator.

[FR Doc. 2024–24326 Filed 10–21–24; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2010–0027]

Hours of Service of Drivers: WestRock Application for Renewal of Exemption

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

ACTION: Notice of final disposition; renewal of exemption.

SUMMARY: FMCSA announces its final decision to renew the exemption granted to WestRock from the hours-of-service (HOS) regulations that prohibit drivers from operating property-carrying commercial motor vehicles (CMVs) after 14 hours on duty and require 10 hours off duty before resuming driving. The exemption allows WestRock's drivers to transport paper mill products short distances on a public road between its shipping and receiving locations without complying with those HOS limits.

DATES: This renewed exemption is effective from April 17, 2024, and expires on April 16, 2029.

FOR FURTHER INFORMATION CONTACT: Pearlie Robinson, Driver and Carrier Operations Division; Office of Carrier, Driver and Vehicle Safety Standards; FMCSA; 202–366–4225; *pearlie.robinson@dot.gov.* If you have questions on viewing or submitting material to the docket, contact Dockets Operations, (202) 366–9826.

SUPPLEMENTARY INFORMATION:

I. Public Participation

Viewing Comments and Documents

To view comments, go to *www.regulations.gov,* insert the docket number ''FMCSA–2010–0027'' in the keyword box, and click ''Search.'' Next, sort the results by ''Posted (Newer-Older),'' choose the first notice listed, and click ''Browse Comments.''

To view documents mentioned in this notice as being available in the docket, go to *www.regulations.gov,* insert the docket number ''FMCSA–2010–0027'' in the keyword box, click ''Search,'' and choose the document to review.

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., 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.

II. Legal Basis

FMCSA has authority under 49 U.S.C. 31136(e) and 31315(b) to grant exemptions from Federal Motor Carrier Safety Regulations (FMCSRs). FMCSA must publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). The Agency must provide the public an opportunity to inspect the information relevant to the application, including the applicant's safety analysis. The Agency must provide an opportunity for public comment on the request.

The Agency reviews safety analyses and public comments submitted and determines whether granting the exemption would likely achieve a level of safety equivalent to, or greater than, the level that would be achieved by the current regulation (49 CFR 381.305(a)). The Agency must publish its decision in the **Federal Register** (49 CFR 381.315(b)). If granted, the notice will identify the regulatory provision from which the applicant will be exempt, the effective period, and all terms and conditions of the exemption (49 CFR 381.315(c)(1)). If the exemption is denied, the notice will explain the reason for the denial (49 CFR 381.315(c)(2)). The exemption may be renewed (49 CFR 381.300(b)).

III. Background

Current Regulatory Requirements

Under 49 CFR 395.3(a)(2), non-short haul drivers may not drive after having been on duty for a period of 14 consecutive hours until they have been off duty for a minimum of 10 consecutive hours, or the equivalent of at least 10 consecutive hours off duty. However, certain short-haul drivers are allowed a 16-hour driving window once a week (49 CFR 395.1(o)), and other short-haul drivers not requiring a commercial driver's license are allowed two 16-hour duty periods per week provided specified conditions are met (49 CFR 395.1(e)(2)).

IV. Application for Renewal of Exemption

The renewal application from WestRock was described in detail in a **Federal Register** notice of January 19, 2024 (89 FR 3704), and will not be repeated here as the facts have not changed since then.

V. Public Comments

On January 19, 2024, FMCSA published its decision to provisionally grant WestRock a five-year renewal through April 24, 2029 (89 FR 3704). Two comments were submitted to the docket, one supporting and the other opposing the exemption renewal. MWS Cartage LLC supports granting the renewal and said, ''this should be a simple yes.'' Trevor Bartz opposed the renewal and said, ''WestRock is understaffed and its employees overworked.'' Neither commenter provided information in support of their assertions.

VI. Agency Decision

Since 2012, FMCSA has determined that the operations of WestRock's drivers, pursuant to the terms and conditions of the exemption, would likely achieve a level of safety equivalent to, or greater than, the level of safety achieved without the exemption. The Agency has reviewed the comments to the docket and believes that WestRock's overall safety performance, as reflected in its ''satisfactory'' safety rating, and the short distance drivers will operate a CMV under the exemption, will likely enable it to achieve a level of safety that is equivalent to, or greater than, the level of safety achieved without the exemption (49 CFR 381.305(a)). FMCSA is unaware of any evidence of a degradation of safety attributable to the prior exemptions for WestRock's drivers. Further, WestRock asserted that, since the initial approval of its waiver, it has operated safely without incident. There is no indication of an adverse impact on safety while WestRock drivers have operated under the terms and conditions specified in the initial exemption or the renewals.

FMCSA therefore concludes that renewing the exemption granted on July 29, 2019, for another five years, under the terms and conditions listed below, will likely achieve a level of safety that is equivalent to, or greater than, the level of safety achieved without the exemption.

VII. Exemption Decision

A. Grant of Provisional Renewal of Exemption

FMCSA reaffirms its provisional decision to renew the WestRock exemption for a period of five years, subject to the terms and conditions of this decision. The exemption from the requirements of 49 CFR 395.3(a)(1) (the 10-hour off-duty rule) and (a)(2) (the ''14-hour rule'') is effective beginning April 17, 2024, through April 16, 2029, 11:59 p.m. local time, unless revoked earlier.

B. Applicability of Exemption

During the exemption period, WestRock's shipping department employees and occasional substitute commercial driver's license (CDL) holders who transport paper mill products between the shipping and receiving locations along the designated route on Compress Street in Chattanooga, TN, may work up to 16 consecutive hours in a duty period and return to work with a minimum of at least 8 hours off duty when necessary.

C. Terms and Conditions

Applicability

The exemption is restricted to shipping department employees and occasional substitute CDL holders employed by WestRock who are exclusively assigned to a specific route. This specific route is entirely on Compress Street, between WestRock's shipping and receiving departments, measuring approximately 275 feet in one direction.

Notification to FMCSA

WestRock must notify FMCSA within 5 business days of any accident (as defined in 49 CFR 390.5), involving any of the motor carrier's CMVs operating under the terms of this exemption. The notification must include the following information:

(a) Name of the exemption: ''WestRock'';

(b) Date of the accident;

(c) City or town, and State, in which the accident occurred, or which is closest to the accident scene;

(d) Driver's name and license number;

(e) Vehicle number and State license number;

(f) Number of individuals suffering physical injury;

(g) Number of fatalities;

(h) The police-reported cause of the accident;

(i) Whether the driver was cited for violation of any traffic laws, motor carrier safety regulations; and

(j) The driver's total driving time and total on-duty time prior to the accident. Reports filed under this provision shall be emailed to *MCPSD@DOT.GOV.*

D. Preemption

In accordance with 49 U.S.C. 31315(d), as implemented by 49 CFR 381.600, during the period this exemption is in effect, no State shall enforce any law or regulation that conflicts with or is inconsistent with this exemption with respect to a firm or person operating under the exemption.

E. Termination

FMCSA does not believe the drivers covered by this exemption will experience any deterioration of their safety record. The exemption will be rescinded if: (1) WestRock and drivers operating under the exemption fail to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was maintained before it was granted; or (3) continuation of the exemption would not be consistent with the goals and objects of 49 U.S.C. 31136(e) and 31315(b).

Vincent G. White,

Deputy Administrator.

[FR Doc. 2024–24327 Filed 10–21–24; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2024–0097]

Petition for Waiver of Compliance

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that by letter dated August 5, 2024, SMS Rail Service (SLRS) petitioned the Federal Railroad Administration (FRA) for a special approval pursuant to 49 CFR part 215 (Railroad Freight Car Safety Standards), and a waiver of compliance from both 49 CFR part 215 and 49 CFR part 223 (Safety Glazing Standards—Locomotives, Passenger Cars and Cabooses). FRA assigned the petition Docket Number FRA–2024–0097.

Specifically, SLRS requests a special approval pursuant to § 215.203, *Restricted cars,* for 3 cars (SLRS 51651, SLRS 17695, and SLRS 10301) that are more than 50 years from the dates of original construction. SLRS also seeks relief from § 215.303, *Stenciling of restricted cars,* and 49 CFR part 223 for safety glazing, on the 3 cars. The cars will operate on SLRS trackage in differing capacities in tourist excursion service. SLRS 51651 will primarily be used to store seasonal supplies and SLRS 17695 will primarily be used in maintenance-of-way service.

In its petition, SLRS stated that ''the cars have been restored to their original, as-built appearance for tourist excursion and educational purposes'' and that the adding the stenciling and safety glazing required by the regulations would ''detract from the historical and educational impression [the] cars are intended to preserve.''

A copy of the petition, as well as any written communications concerning the petition, is available for review online at *www.regulations.gov.*

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment and a public hearing, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted at *www.regulations.gov.* Follow the online instructions for submitting comments.

Communications received by December 23, 2024 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable. Anyone can search the electronic form of any written communications and comments received into any of the U.S. Department of Transportation's (DOT) dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to *www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *https://www.transportation.gov/privacy.* See also *https://www.regulations.gov/privacy-notice* for the privacy notice of regulations.gov.

Issued in Washington, DC.

John Karl Alexy,

Associate Administrator for Railroad Safety, Chief Safety Officer.

[FR Doc. 2024–24455 Filed 10–21–24; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2024–0100]

Petition for Waiver of Compliance

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that on August 26, 2024, Metro-North Railroad (Metro-North) petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 229 (Railroad Locomotive Safety Standards). FRA assigned the petition Docket Number FRA–2024–0100.

Specifically, Metro-North requests relief from § 229.136(f)(3), *Locomotive image and audio recording devices—Recording uses,* which states the situations in which image and audio recordings from a locomotive ''in commuter or intercity passenger service'' can be used. Metro-North seeks to use the recordings for training and safety videos.

In support of its request, Metro-North states that it has used the recordings from ''outward facing video and inward facing video and audio systems'' ''in manners that provide significant safety benefits to the railroad, and its passengers'' since 2017. Further, Metro-North intends that the recordings will be ''provided for enhanced training presentations, more meaningful and impactful safety messaging regarding incidents and near[-]misses, and individual employee training opportunities.''

A copy of the petition, as well as any written communications concerning the petition, is available for review online at *www.regulations.gov.*

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested parties desire an opportunity for oral comment and a public hearing, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted at *www.regulations.gov.* Follow the online instructions for submitting comments.

Communications received by December 23, 2024 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable.

Anyone can search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), DOT solicits comments from the public to better

inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to *www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *https://www.transportation.gov/privacy.* See also *https://www.regulations.gov/privacy-notice* for the privacy notice of *regulations.gov.*

Issued in Washington, DC.

John Karl Alexy,

Associate Administrator for Railroad Safety, Chief Safety Officer.

[FR Doc. 2024–24457 Filed 10–21–24; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2024–0101]

Petition for Waiver of Compliance

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that by letter dated September 3, 2024, the Kentucky & Tennessee Railway (K&T), in conjunction with the McCreary County Heritage Foundation, petitioned the Federal Railroad Administration (FRA) for a special approval pursuant to 49 CFR part 215 (Railroad Freight Car Safety Standards), and a waiver of compliance from 49 CFR part 215. FRA assigned the petition Docket Number FRA–2024–0101.

Specifically, K&T requests a special approval pursuant to § 215.203, *Restricted cars,* for 6 flatcars (KT 1701, KT 1703, KT 1004, KT 1005, KT 1006, and KT 1007) and 1 caboose (KT 1) that are more than 50 years from the dates of original construction. K&T also seeks relief from § 215.303, *Stenciling of restricted cars,* on all equipment. The equipment is used in tourist/excursion service, and the flatcars have been converted to carry passengers. K&T stated that the caboose does not carry passengers and is used as ''the technical car'' in the Polar Express event.

In its petition, K&T stated that the equipment will be operated on 6.5 miles of track on K&T and Big South Fork Scenic Railway. K&T added that in 2023, it handled more than 30,000 passengers and that the equipment is ''vital to the ongoing mission of the [McCreary County] Heritage Foundation, which is to educate guests through interpretation of the area's rich history of coal, timber, and railroading.''

A copy of the petition, as well as any written communications concerning the petition, is available for review online at *www.regulations.gov.*

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment and a public hearing, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted at *www.regulations.gov.* Follow the online instructions for submitting comments.

Communications received by December 23, 2024 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable. Anyone can search the electronic form of any written communications and comments received into any of the U.S. Department of Transportation's (DOT) dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to *www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *https://www.transportation.gov/privacy.* See also *https://www.regulations.gov/privacy-notice* for the privacy notice of *regulations.gov.*

Issued in Washington, DC.

John Karl Alexy,

Associate Administrator for Railroad Safety, Chief Safety Officer.

[FR Doc. 2024–24458 Filed 10–21–24; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2024–0099]

Petition for Waiver of Compliance

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that on September 5, 2024, Texas & Eastern Railroad (TESR) petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 230 (Steam Locomotive Inspection and Maintenance Standards). FRA assigned the petition Docket Number FRA–2024–0099.

Specifically, TESR requests relief from § 230.98(a)(6) and (7), *Driving, trailing, and engine truck axles—condemning defects,* for some driving journals on steam locomotive TSR 400. The regulations provide that a defect is considered condemning if ''any axle [is] worn ½ inch or more in diameter below the original/new journal diameter'' except if ''any driving axles other than main driving axles with an original or new diameter greater than 6 inches . . . are worn ¾ inch or more in diameter below the original/new diameter.'' In its petition, TESR stated that ''some driving journals have been turned under the original diameter and are at or under the minimum diameters'' given in part 230. TESR added that the journals were last turned prior to TSR 400 being removed from service in the early 2000s, and that the journals ''exhibit no indications of appreciable wear since they were last turned.''

TESR requests relief until TSR 400's 1,472 service day inspection in early 2029, when all wheels will be removed for inspection and possible axle renewal. The locomotive ''has experienced no issues regarding hot journals or scouring,'' and it is inspected over an inspection pit twice daily during operations, with ''all journals, cellars, and pads . . . inspected closely for position, oil, and wear.''

A copy of the petition, as well as any written communications concerning the petition, is available for review online at *www.regulations.gov.*

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment and a public hearing, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted at *www.regulations.gov.* Follow the online instructions for submitting comments.

Communications received by December 23, 2024 will be considered by FRA before final action is taken.

Comments received after that date will be considered if practicable. Anyone can search the electronic form of any written communications and comments received into any of the U.S. Department of Transportation's (DOT) dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to *www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *https://www.transportation.gov/privacy.* See also *https://www.regulations.gov/privacy-notice* for the privacy notice of *regulations.gov*.

Issued in Washington, DC.

John Karl Alexy,

Associate Administrator for Railroad Safety Chief Safety Officer.

[FR Doc. 2024–24456 Filed 10–21–24; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2011–0085]

Petition for Extension of Waiver of Compliance

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that on August 29, 2024, BNSF Railway Company (BNSF) petitioned the Federal Railroad Administration (FRA) for an extension of a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 213 (Track Safety Standards). The relevant Docket Number is FRA–2011–0085.

Specifically, BNSF seeks an extension of relief from § 213.109(d)(9), *Crossties,* and § 213.317, *Rail fastening systems,* to allow BNSF to continue using ''three-quarter'' concrete crossties at certain locations. The current waiver ''permits BNSF to operate trains on concrete crossties in which both rail seats are intact, but only one rail seat permits rail fastening as required under the above-cited regulations.'' The crossties must be repositioned ''end-for-end, so both rails are secured at every other rail seat.''

BNSF stated, in support of its request, that BNSF has maintained an inventory of locations where these crossties are installed and, when replacing these crossties for normal maintenance, brought the locations into compliance with the appropriate regulations. Additionally, BNSF noted that since the issuance of the waiver, no derailments caused by the crossties have occurred on the subject track segments. BNSF added that no passenger trains operate over the subject locations.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at *www.regulations.gov.*

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested parties desire an opportunity for oral comment and a public hearing, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted at *www.regulations.gov.* Follow the online instructions for submitting comments.

Communications received by December 23, 2024 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable.

Anyone can search the electronic form of any written communications and comments received into any of the U.S. Department of Transportation's (DOT) dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to *www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *https://www.transportation.gov/privacy.* See also *https://www.regulations.gov/privacy-notice* for the privacy notice of *regulations.gov.*

Issued in Washington, DC.

John Karl Alexy,

Associate Administrator for Railroad Safety, Chief Safety Officer.

[FR Doc. 2024–24454 Filed 10–21–24; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

Agency Information Collection Activities: Information Collection Renewal; Submission for OMB Review; Fiduciary Activities

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, ''Fiduciary Activities.'' The OCC also is giving notice that it has sent the collection to OMB for review.

DATES: Comments must be received by November 21, 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*.
- *Mail:* Chief Counsel's Office, Attention: Comment Processing, Office of the Comptroller of the Currency, Attention: 1557–0140, 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 ''1557–0140'' in your comment. In general, the OCC will publish comments on *www.reginfo.gov* without change, including any business or personal information provided, such as name and address information, email addresses, or phone numbers. Comments received, including attachments and other supporting materials, are part of the public record and subject to public disclosure. Do not include any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure.

Written comments and recommendations for the proposed information collection should also be

sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* You can find this information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

You may review comments and other related materials that pertain to this information collection following the close of the 30-day comment period for this notice by the method set forth in the next bullet.

• *Viewing Comments Electronically:* Go to *www.reginfo.gov.* Hover over the ''Information Collection Review'' tab and click on ''Information Collection Review'' from the drop-down menu. From the ''Currently under Review'' drop-down menu, select ''Department of Treasury'' and then click ''submit.'' This information collection can be located by searching OMB control number ''1557–0140'' or ''Fiduciary Activities.'' Upon finding the appropriate information collection, click on the related ''ICR Reference Number.'' On the next screen, select ''View Supporting Statement and Other Documents'' and then click on the link to any comment listed at the bottom of the screen.

• For assistance in navigating *www.reginfo.gov,* please contact the Regulatory Information Service Center at (202) 482–7340.

FOR FURTHER INFORMATION CONTACT: Shaquita Merritt, Clearance Officer, (202) 649–5490, Chief Counsel's Office, Office of the Comptroller of the Currency, 400 7th Street SW, Washington, DC 20219. If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services.

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501 *et seq.*), Federal agencies must obtain approval from the OMB for each collection of information that they conduct or sponsor. ''Collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) to include agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. The OCC asks the OMB to extend its approval of the collection in this notice.

Title: Fiduciary Activities.

OMB Control No.: 1557–0140.

Type of Review: Regular.

Affected Public: Businesses or other for-profit.

Description: The OCC regulates the fiduciary activities of national banks and Federal savings associations (FSAs), including the administration of collective investment funds (CIFs), pursuant to 12 U.S.C. 92a and 12 U.S.C. 1464(n), respectively. Twelve CFR part 9 contains the regulations that national banks must follow when conducting fiduciary activities, and 12 CFR part 150 contains the regulations that FSAs must follow when conducting fiduciary activities. The OCC's CIF regulation in 12 CFR 9.18 governs CIFs managed by both national banks and FSAs.

Twelve CFR 9.8 and 12 CFR 150.410–150.430 require that national banks and FSAs document the establishment and termination of each fiduciary account and maintain adequate records. Records must be retained for a period of three years from the later of the termination of the account or the termination of any litigation. The records must be separate and distinct from other records of the institution.

Twelve CFR 9.9 and 150.480 require national banks and FSAs to note the results of any audit conducted (including significant actions taken as a result of the audit) in the minutes of the board of directors. National banks and FSAs that adopt a continuous audit system must note the results of all discrete audits performed since the last audit report (including significant actions taken as a result of the audits) in the minutes of the board of directors at least once during each calendar year.

Twelve CFR 9.17(a) and 150.530 require that a national bank or FSA seeking to surrender its fiduciary powers file with the OCC a certified copy of the resolution of its board of directors evidencing that intent.

Twelve CFR 9.18(b)(1) (and 12 CFR 150.260 by cross-reference) require national banks and FSAs to establish and maintain each CIF in accordance with a written plan (Plan). The Plan must include provisions relating to:

• Investment powers and policies;

• Allocation of income, profits, and losses;

• Fees and expenses that will be charged to the fund and to participating accounts;

• Terms and conditions regarding admission and withdrawal of participating accounts;

• Audits of participating accounts;

• Basis and method of valuing assets in the fund;

• Expected frequency for income distribution to participating accounts;

• Minimum frequency for valuation of fund assets;

• Amount of time following a valuation date during which the valuation must be made;

• Bases upon which the institution may terminate the fund; and

• Any other matters necessary to define clearly the rights of participating accounts.

Twelve CFR 9.18(b)(1) (and 12 CFR 150.260 by cross-reference) require that national banks and FSAs make a copy of the Plan available for public inspection at their main offices and provide a copy of the Plan to any person who requests it.

Twelve CFR 9.18(b)(4)(iii)(E) (and 12 CFR 150.260 by cross-reference) require that national banks and FSAs adopt portfolio and issuer qualitative standards and concentration restrictions for STIFs.

Twelve CFR 9.18(b)(4)(iii)(F) (and 12 CFR 150.260 by cross-reference) require that national banks and FSAs adopt liquidity standards and include provisions that address contingency funding needs for STIFs.

Twelve CFR 9.18(b)(4)(iii)(G) (and 12 CFR 150.260 by cross-reference) require that national banks and FSAs adopt shadow pricing procedures for STIFs that calculate the extent of difference, if any, of the mark-to-market net asset value per participating interest from the STIF's amortized cost per participating interest and to take certain actions if that difference exceeds $0.005 per participating interest.

Twelve CFR 9.18(b)(4)(iii)(H) (and 12 CFR 150.260 by cross-reference) require that national banks and FSAs adopt, for STIFs, procedures for stress testing of the STIF's ability to maintain a stable net asset value per participating interest and provide for reporting the results.

Twelve CFR 9.18(b)(4)(iii)(I) (and 12 CFR 150.260 by cross-reference) require that national banks and FSAs adopt, for STIFs, procedures that require an institution to disclose to the OCC and to STIF participants within five business days after each calendar month-end the following information about the fund: total assets under management; mark-to-market and amortized cost net asset values; dollar-weighted average portfolio maturity; dollar-weighted average portfolio life maturity as of the last business day of the prior calendar month; and certain other security-level information for each security held.

Twelve CFR 9.18(b)(4)(iii)(J) (and 12 CFR 150.260 by cross-reference) require that national banks and FSAs adopt, for STIFs, procedures that require a national bank or FSA that manages a STIF to notify the OCC prior to or within one business day thereafter of certain events.

Twelve CFR 9.18(b)(4)(iii)(K) (and 12 CFR 150.260 by cross-reference) require that national banks and FSAs, adopt, for STIFs, certain procedures in the event that the STIF has repriced its net asset value below $0.995 per participating interest.

Twelve CFR 9.18(b)(4)(iii)(L) (and 12 CFR 150.260 by cross-reference) require that national banks and FSAs adopt, for STIFs, procedures for initiating liquidation of a STIF upon the suspension or limitation of withdrawals as a result of redemptions.

Twelve CFR 9.18(b)(5)(iii)(A) (and 12 CFR 150.260 by cross-reference) provides that a national bank or FSA administering a collective investment fund that is invested primarily in real estate or other assets that are not readily marketable may require a prior notice period, not to exceed one year, for withdrawals.

Section 9.18(b)(5)(iii)(B) (and 12 CFR 150.260 by cross-reference) provides that a national bank or FSA that requires a prior notice period for withdrawals must withdraw an account from the fund within the prior notice period or, if permissible under the fund's written plan, within one year after the date on which notice was required.

Section 9.18(b)(5)(iii)(C) (and 12 CFR 150.260 by cross-reference) provides that a national bank or FSA may, with OCC approval, withdraw an account from a collective investment fund up to one year after the end of the standard withdrawal period in 12 CFR 9.18(b)(5)(iii)(B) if certain conditions are satisfied. Among other conditions, the fund's written plan, including its notice and withdrawal policy, must authorize an extended withdrawal period and be fully disclosed to fund participants. In addition, the bank's or FSA's board of directors, or a committee authorized by the board of directors, must determine that, due to unanticipated and severe market conditions for specific assets held by the fund, an extended withdrawal period is necessary in order to preserve the value of the fund's assets for the benefit of fund participants.

Twelve CFR 9.18(b)(5)(iii)(D) (and 12 CFR 150.260 by cross-reference) provides that a national bank or FSA may request that the OCC approve an extension beyond the initial one-year extended withdrawal period in 12 CFR 9.18(b)(5)(iii)(C) if certain conditions are satisfied. Extensions past the initial one-year extension must be requested and approved annually for a maximum of two years after the initial one-year extension period.

Twelve CFR 9.18(b)(6)(ii) (and 12 CFR 150.260 by cross-reference) require, for CIFs, that national banks and FSAs, at least once during each 12-month period, prepare a financial report of the fund based on the audit required by section 9.18(b)(6)(i). The report must disclose the fund's fees and expenses in a manner consistent with applicable state law in the state which the institution maintains the fund and must contain:

- A list of investments in the fund showing the cost and current market value of each investment;
- A statement covering the period after the previous report showing the following (organized by type of investment):
  - A summary of purchases (with costs);
  - A summary of sales (with profit or loss and any investment change);
  - Income and disbursements; and
  - An appropriate notation of investments.

Twelve CFR 9.18(b)(6)(iv) (and 12 CFR 150.260 by cross-reference) require that a national bank or FSA managing a CIF provide a copy of the financial report, or provide notice that a copy of the report is available upon request without charge, to each person who ordinarily would receive a regular periodic accounting with respect to each participating account. The national bank or FSA may provide a copy to prospective customers. In addition, the institution must provide a copy of the report upon request to any person for a reasonable charge.

Twelve CFR 9.18(c)(5) (and 12 CFR 150.260 by cross-reference) require that, for special exemption CIFs, national banks and FSAs, respectively, must submit to the OCC a written plan that sets forth:

- The reason the proposed fund requires a special exemption;
- The provisions of the fund that are inconsistent with section 9.18(a) and (b);
- The provisions of section 9.18(b) for which the institution seeks an exemption; and
- The manner in which the proposed fund addresses the rights and interests of participating accounts.

Estimated Burden:

Estimated Frequency of Response: On occasion.

Estimated Number of Respondents: 282.

Estimated Total Annual Burden: 198,957 hours.

Comments: On July 03, 2024, the OCC published a 60-day notice for this information collection, (89 FR 55308). No comments were received.

Comments continue to be invited on:

(a) Whether the collection of information is necessary for the proper performance of the functions of the OCC, including whether the information has practical utility;

(b) The accuracy of the OCC's estimate of the burden of the collection of information;

(c) Ways to enhance the quality, utility, and clarity of the information to be collected;

(d) Ways to minimize the burden of the collection on respondents, including through the use of automated collection techniques or other forms of information technology; and

(e) Estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Patrick T. Tierney,

Assistant Director, Office of the Comptroller of the Currency.

[FR Doc. 2024–24407 Filed 10–21–24; 8:45 am]

BILLING CODE 4810–33–P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Notice of OFAC Sanctions Actions

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Notice.

SUMMARY: The U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) is publishing the names of one or more persons that have been placed on OFAC's Specially Designated Nationals and Blocked Persons List (SDN List) based on OFAC's determination that one or more applicable legal criteria were satisfied. All property and interests in property subject to U.S. jurisdiction of these persons are blocked, and U.S. persons are generally prohibited from engaging in transactions with them.

DATES: This action was issued on October 16, 2024. See Supplementary Information section for relevant dates.

FOR FURTHER INFORMATION CONTACT: OFAC: Associate Director for Global Targeting, tel.: 202–622–2420; Assistant Director for Sanctions Compliance, tel.: 202–622–2490 or *https://ofac.treasury.gov/contact-ofac.*

SUPPLEMENTARY INFORMATION:

Electronic Availability

The SDN List and additional information concerning OFAC sanctions programs are available on OFAC's website: *https://ofac.treasury.gov.*

Notice of OFAC Action

On October 16, 2024, OFAC determined that the property and interests in property subject to U.S. jurisdiction of the following persons are blocked under the relevant sanctions authorities listed below.

BILLING CODE 4810–AL–P

Individuals

1. ATWI, Silvana (Arabic: سلفانا عطوي) (a.k.a. 'UTWI, Silvana Rida), Kaafat Atwi Building, Baabda, Lebanon; DOB 13 Jan 1995; POB Markaba, Marjayoun, Nabatieh, Lebanon; nationality Lebanon; Additional Sanctions Information - Subject to Secondary Sanctions Pursuant to the Hizballah Financial Sanctions Regulations; Gender Female; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; National ID No. 000020552228 (Lebanon) (individual) [SDGT] (Linked To: HIZBALLAH).

   Designated pursuant to section 1(a)(iii)(C) of Executive Order 13224 of September 23, 2001, "Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten to Commit, or Support Terrorism," 66 FR 49079, as amended by Executive Order 13886 of September 9, 2019, "Modernizing Sanctions To Combat Terrorism," 84 FR 48041 (E.O. 13224, as amended), for having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, HIZBALLAH, a person whose property and interests in property are blocked pursuant to E.O. 13224.

2. GHAFFAR, Haidar Houssam Al-Din Abdul (Arabic: حيدر حسام الدين عبد الغفار) (a.k.a. 'ABD-AL-GHAFFAR, Haydar Husam-al-Din; a.k.a. ABDELGHAFFAR, Haidar H.; a.k.a. GHAFFAR, Haidar Houssem Elddine Abdul), Baabda, Lebanon; DOB 25 Apr 1991; POB Damascus, Syria; nationality Lebanon; Additional Sanctions Information - Subject to Secondary Sanctions Pursuant to the Hizballah Financial Sanctions Regulations; Gender Male; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Passport LR2661263 (Lebanon); alt. Passport LR0747845 (Lebanon); National ID No. 000027844263 (Lebanon) (individual) [SDGT] (Linked To: HIZBALLAH).

   Designated pursuant to section 1(a)(iii)(C) of E.O. 13224, as amended, for having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or service to or in support of, HIZBALLAH, a person whose property and interests in property are blocked pursuant to E.O. 13224.

3. HAMADI, Houssam Hasan (Arabic: حسام حسن حمادي), Beirut, Lebanon; DOB 24 Aug 1986; nationality Lebanon; Additional Sanctions Information - Subject to Secondary Sanctions Pursuant to the Hizballah Financial Sanctions Regulations; Gender Male; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Passport LR2070754 (Lebanon); National ID No. 000020043068 (Lebanon) (individual) [SDGT] (Linked To: HIZBALLAH).

Designated pursuant to section 1(a)(iii)(C) of E.O. 13224, as amended, for having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or service to or in support of, HIZBALLAH, a person whose property and interests in property are blocked pursuant to E.O. 13224.

4. HAMIDEH, Abdellatif (Arabic: عبداللطيف حميده) (a.k.a. HAMID, Abdul Latif), Syria; DOB 12 Jan 1977; POB Aleppo, Syria; nationality Syria; Gender Male; National ID No. 02020194015 (Syria) (individual) [SYRIA].

   Designated pursuant to section 1(b)(i) of E.O. 13582 of August 17, 2011, "Blocking Property of the Government of Syria and Prohibiting Certain Transactions With Respect to Syria," 76 FR 52209 (E.O. 13582), for having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of, the GOVERNMENT OF SYRIA.

5. FALHOUT, Raji, Syria; DOB 03 Oct 1985; POB Atil, Syria; nationality Syria; Gender Male (individual) [SYRIA] (Linked To: SYRIAN MILITARY INTELLIGENCE DIRECTORATE).

   Designated pursuant to Section 1(b)(iii) of E.O. 13572 of April 29, 2011, "Blocking Property of Certain Persons with Respect to Human Rights Abuses in Syria," 76 FR 24787 (E.O. 13572), for having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of, SYRIAN MILITARY INTELLIGENCE DIRECTORATE, a person whose property and interests in property are blocked pursuant to E.O. 13572.

6. HAMIEH, Khaldoun, Syria; DOB 25 Dec 1973; nationality Lebanon; Gender Male; Passport LR1939852 (Lebanon) (individual) [SYRIA] [SYRIA-CAESAR].

   Designated pursuant to section 1(b)(i) of E.O. 13582 for having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of, the GOVERNMENT OF SYRIA. Also designated pursuant to Section 7412(a)(2)(A)(i) of the Caesar Syria Civilian Protection Act of 2019, Public Law 116-92, § 7401 et seq. (Dec. 20, 2019) (the Caesar Act), for being a foreign person that knowingly provides significant financial, material, or technological support to, or knowingly engages in a significant transaction with, the GOVERNMENT OF SYRIA (including any entity owned or controlled by the GOVERNMENT OF SYRIA).

Entities

1. GLOBAL TRADELINE SARL, Al Mahmul Street, Al Hadath, Lebanon; Additional Sanctions Information - Subject to Secondary Sanctions Pursuant to the Hizballah Financial Sanctions Regulations; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Organization Established Date 08 Nov 2019; Organization Type: Non-specialized wholesale trade; Commercial Registry Number 2058236 (Lebanon) [SDGT] (Linked To: HIZBALLAH).

   Designated pursuant to section 1(a)(iii)(C) of Executive Order 13224 E.O. 13224, as amended, for having materially assisted, sponsored, or provided financial,

material, or technological support for, or goods or services to or in support of, HIZBALLAH, a person whose property and interests in property are blocked pursuant to E.O. 13224.

2. GM FARM (a.k.a. G.M. FARM SARL; a.k.a. JM PHARM), Al Ghubayri, Beirut, Lebanon; Website gmfarmco.com; Additional Sanctions Information - Subject to Secondary Sanctions Pursuant to the Hizballah Financial Sanctions Regulations; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Organization Established Date 26 Mar 2016; Organization Type: Non-specialized wholesale trade [SDGT] (Linked To: ATWI, Silvana).

   Designated pursuant to section 1(a)(iii)(A) of E.O. 13224, as amended, for being owned, controlled, or directed by, directly or indirectly, SILVANA ATWI, a person whose property and interests in property are blocked pursuant to E.O. 13224, as amended.

3. LIBAN OUI SARL, 1 Ouzai St, Beirut, Lebanon; Additional Sanctions Information - Subject to Secondary Sanctions Pursuant to the Hizballah Financial Sanctions Regulations; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886 [SDGT] (Linked To: GHAFFAR, Haidar Houssam Al-Din Abdul).

   Designated pursuant to section 1(a)(iii)(A) of E.O. 13224, as amended, for being owned, controlled, or directed by, directly or indirectly, HAIDAR HOUSSAM AL-DIN ABDUL GHAFFAR, a person whose property and interests in property are blocked pursuant to E.O. 13224, as amended.

4. UNITED SONS (Arabic: متحدون الأناء), Lebanon; Additional Sanctions Information - Subject to Secondary Sanctions Pursuant to the Hizballah Financial Sanctions Regulations; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Commercial Registry Number 3312742 (Lebanon) issued 27 Jan 2024 [SDGT] (Linked To: HAMADI, Houssam Hasan).

   Designated pursuant to section 1(a)(iii)(A) of E.O. 13224, as amended, for being owned, controlled, or directed by, directly or indirectly, HOUSSAM HASAN HAMADI, a person whose property and interests in property are blocked pursuant to E.O. 13224, as amended.

Lisa M. Palluconi,
Acting Director, Office of Foreign Assets Control.

[FR Doc. 2024–24389 Filed 10–21–24; 8:45 am]
BILLING CODE 4810–AL–C

Reader Aids

Federal Register

Vol. 89, No. 204

Tuesday, October 22, 2024

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