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Title 3—

Executive Order 14212 of February 13, 2025

The President

Establishing the President's Make America Healthy Again Commission

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered:

Section 1. Purpose. American life expectancy significantly lags behind other developed countries, with pre-COVID-19 United States life expectancy averaging 78.8 years and comparable countries averaging 82.6 years. This equates to 1.25 billion fewer life years for the United States population. Six in 10 Americans have at least one chronic disease, and four in 10 have two or more chronic diseases. An estimated one in five United States adults lives with a mental illness.

These realities become even more painful when contrasted with nations around the globe. Across 204 countries and territories, the United States had the highest age-standardized incidence rate of cancer in 2021, nearly double the next-highest rate. Further, from 1990–2021, the United States experienced an 88 percent increase in cancer, the largest percentage increase of any country evaluated. In 2021, asthma was more than twice as common in the United States than most of Europe, Asia, or Africa. Autism spectrum disorders had the highest prevalence in high-income countries, including the United States, in 2021. Similarly, autoimmune diseases such as inflammatory bowel disease, psoriasis, and multiple sclerosis are more commonly diagnosed in high-income areas such as Europe and North America. Overall, the global comparison data demonstrates that the health of Americans is on an alarming trajectory that requires immediate action.

This concern applies urgently to America's children. In 2022, an estimated 30 million children (40.7 percent) had at least one health condition, such as allergies, asthma, or an autoimmune disease. Autism spectrum disorder now affects 1 in 36 children in the United States—a staggering increase from rates of 1 to 4 out of 10,000 children identified with the condition during the 1980s. Eighteen percent of late adolescents and young adults have fatty liver disease, close to 30 percent of adolescents are prediabetic, and more than 40 percent of adolescents are overweight or obese.

These health burdens have continued to increase alongside the increased prescription of medication. For example, in the case of Attention Deficit Disorder/Attention Deficit Hyperactivity Disorder, over 3.4 million children are now on medication for the disorder—up from 3.2 million children in 2019–2020—and the number of children being diagnosed with the condition continues to rise.

This poses a dire threat to the American people and our way of life. Seventy-seven percent of young adults do not qualify for the military based in large part on their health scores. Ninety percent of the Nation's \$4.5 trillion in annual healthcare expenditures is for people with chronic and mental health conditions. In short, Americans of all ages are becoming sicker, beset by illnesses that our medical system is not addressing effectively. These trends harm us, our economy, and our security.

To fully address the growing health crisis in America, we must re-direct our national focus, in the public and private sectors, toward understanding and drastically lowering chronic disease rates and ending childhood chronic disease. This includes fresh thinking on nutrition, physical activity, healthy

lifestyles, over-reliance on medication and treatments, the effects of new technological habits, environmental impacts, and food and drug quality and safety. We must restore the integrity of the scientific process by protecting expert recommendations from inappropriate influence and increasing transparency regarding existing data. We must ensure our healthcare system promotes health rather than just managing disease.

Sec. 2. Policy. It shall be the policy of the Federal Government to aggressively combat the critical health challenges facing our citizens, including the rising rates of mental health disorders, obesity, diabetes, and other chronic diseases. To do so, executive departments and agencies (agencies) that address health or healthcare must focus on reversing chronic disease. Under this policy:

(a) all federally funded health research should empower Americans through transparency and open-source data, and should avoid or eliminate conflicts of interest that skew outcomes and perpetuate distrust;

(b) the National Institutes of Health and other health-related research funded by the Federal Government should prioritize gold-standard research on the root causes of why Americans are getting sick;

(c) agencies shall work with farmers to ensure that United States food is the healthiest, most abundant, and most affordable in the world; and

(d) agencies shall ensure the availability of expanded treatment options and the flexibility for health insurance coverage to provide benefits that support beneficial lifestyle changes and disease prevention.

Sec. 3. Establishment and Composition of the President's Make America Healthy Again Commission. (a) There is hereby established the President's Make America Healthy Again Commission (Commission), chaired by the Secretary of Health and Human Services (Chair), with the Assistant to the President for Domestic Policy serving as Executive Director (Executive Director).

(b) In addition to the Chair and the Executive Director, the Commission shall include the following officials, or their designees:

(i) the Secretary of Agriculture;

(ii) the Secretary of Housing and Urban Development;

(iii) the Secretary of Education;

(iv) the Secretary of Veterans Affairs;

(v) the Administrator of the Environmental Protection Agency;

(vi) the Director of the Office of Management and Budget;

(vii) the Assistant to the President and Deputy Chief of Staff for Policy;

(viii) the Director of the National Economic Council;

(ix) the Chairman of the Council of Economic Advisers;

(x) the Director of the Office of Science and Technology Policy;

(xi) the Commissioner of Food and Drugs;

(xii) the Director for the Centers for Disease Control and Prevention;

(xiii) the Director of the National Institutes of Health; and

(xiv) other members of my Administration invited to participate, at the discretion of the Chair and the Executive Director.

Sec. 4. Fighting Childhood Chronic Disease. The initial mission of the Commission shall be to advise and assist the President on how best to exercise his authority to address the childhood chronic disease crisis. Therefore, the Commission shall:

(a) study the scope of the childhood chronic disease crisis and any potential contributing causes, including the American diet, absorption of toxic material, medical treatments, lifestyle, environmental factors, Government policies, food production techniques, electromagnetic radiation, and corporate influence or cronyism;

(b) advise and assist the President on informing the American people regarding the childhood chronic disease crisis, using transparent and clear facts; and

(c) provide to the President Government-wide recommendations on policy and strategy related to addressing the identified contributing causes of and ending the childhood chronic disease crisis.

Sec. 5. *Initial Assessment and Strategy from the Make America Healthy Again Commission.* (a) *Make our Children Healthy Again Assessment.* Within 100 days of the date of this order, the Commission shall submit to the President, through the Chair and the Executive Director, the Make Our Children Healthy Again Assessment, which shall:

(i) identify and describe childhood chronic disease in America compared to other countries;

(ii) assess the threat that potential over-utilization of medication, certain food ingredients, certain chemicals, and certain other exposures pose to children with respect to chronic inflammation or other established mechanisms of disease, using rigorous and transparent data, including international comparisons;

(iii) assess the prevalence of and threat posed by the prescription of selective serotonin reuptake inhibitors, antipsychotics, mood stabilizers, stimulants, and weight-loss drugs;

(iv) identify and report on best practices for preventing childhood health issues, including through proper nutrition and the promotion of healthy lifestyles;

(v) evaluate the effectiveness of existing educational programs with regard to nutrition, physical activity, and mental health for children;

(vi) identify and evaluate existing Federal programs and funding intended to prevent and treat childhood health issues for their scope and effectiveness;

(vii) ensure transparency of all current data and unpublished analyses related to the childhood chronic disease crisis, consistent with applicable law;

(viii) evaluate the effectiveness of current Federal Government childhood health data and metrics, including those from the Federal Interagency Forum on Child and Family Statistics and the National Survey of Children's Health;

(ix) restore the integrity of science, including by eliminating undue industry influence, releasing findings and underlying data to the maximum extent permitted under applicable law, and increasing methodological rigor; and

(x) establish a framework for transparency and ethics review in industry-funded projects.

(b) *Make our Children Healthy Again Strategy.* Within 180 days of the date of this order, the Commission shall submit to the President, through the Chair and the Executive Director, a Make Our Children Healthy Again Strategy (Strategy), based on the findings from the Make Our Children Healthy Again Assessment described in subsection (a) of this section. The Strategy shall address appropriately restructuring the Federal Government's response to the childhood chronic disease crisis, including by ending Federal practices that exacerbate the health crisis or unsuccessfully attempt to address it, and by adding powerful new solutions that will end childhood chronic disease.

(c) The Chair may hold public hearings, meetings, roundtables, and similar events, as appropriate, and may receive expert input from leaders in public health and Government accountability.

Sec. 6. *Additional Reports.* (a) Following the submission to the President of the Strategy, and any final strategy reports thereafter, the Chair and

the Executive Director shall recommend to the President updates to the Commission's mission, including desired reports.

(b) The Commission shall not reconvene, following submission of the Strategy, until an updated mission is submitted to the President through the Executive Director.

Sec. 7. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

A handwritten signature in black ink, appearing to be a stylized name, located on the right side of the page.

THE WHITE HOUSE,
February 13, 2025.

Presidential Documents

Memorandum of February 13, 2025

Reciprocal Trade and Tariffs

Memorandum for the Secretary of the Treasury[,] the Secretary of Commerce[,] the Secretary of Homeland Security[,] the Director of the Office of Management and Budget[,] the United States Trade Representative[,] the Assistant to the President for Economic Policy[, and] the Senior Counselor to the President for Trade and Manufacturing

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered:

Section 1. *Background.* The United States has one of the most open economies and has among the lowest average weighted tariff rates in the world. The United States imposes fewer barriers to imports than other major world economies, including those with similar political and economic systems. For many years, the United States has been treated unfairly by trading partners, both friend and foe. This lack of reciprocity is one source of our country's large and persistent annual trade deficit in goods—closed markets abroad reduce United States exports and open markets at home result in significant imports.

Our workers and industries bear the brunt of unfair practices and limited access to foreign markets. As noted in the Presidential Memorandum of January 20, 2025 (America First Trade Policy Memorandum), this situation is untenable. The trade deficit of the United States threatens our economic and national security, has hollowed out our industrial base, has reduced our overall national competitiveness, and has made our Nation dependent on other countries to meet our key security needs. By making trade more reciprocal and balanced, we can reduce the trade deficit; grow the United States economy; and improve our trade relationships with trading partners to the benefit of American workers, manufacturers, farmers, ranchers, entrepreneurs, and businesses.

Sec. 2. *Policy.* It is the policy of the United States to reduce our large and persistent annual trade deficit in goods and to address other unfair and unbalanced aspects of our trade with foreign trading partners. In pursuit of this policy, I will introduce the “Fair and Reciprocal Plan”(Plan). Under the Plan, my Administration will work strenuously to counter non-reciprocal trading arrangements with trading partners by determining the equivalent of a reciprocal tariff with respect to each foreign trading partner. This approach will be of comprehensive scope, examining non-reciprocal trade relationships with all United States trading partners, including any:

- (a) tariffs imposed on United States products;
- (b) unfair, discriminatory, or extraterritorial taxes imposed by our trading partners on United States businesses, workers, and consumers, including a value-added tax;
- (c) costs to United States businesses, workers, and consumers arising from nontariff barriers or measures and unfair or harmful acts, policies, or practices, including subsidies, and burdensome regulatory requirements on United States businesses operating in other countries;
- (d) policies and practices that cause exchange rates to deviate from their market value, to the detriment of Americans; wage suppression; and other

mercantilist policies that make United States businesses and workers less competitive; and

(e) any other practice that, in the judgment of the United States Trade Representative, in consultation with the Secretary of the Treasury, the Secretary of Commerce, and the Senior Counselor to the President for Trade and Manufacturing, imposes any unfair limitation on market access or any structural impediment to fair competition with the market economy of the United States.

The Plan shall ensure comprehensive fairness and balance across the international trading system by factoring in losses as a result of measures that disadvantage the United States as applied, regardless of what they are called or whether they are written or unwritten.

Sec. 3. *Taking Action.* (a) After the submission of the specified agency reports due under the America First Trade Policy Memorandum, the Secretary of Commerce and the United States Trade Representative, in consultation with the Secretary of the Treasury, the Secretary of Homeland Security, the Assistant to the President for Economic Policy, the Senior Counselor to the President for Trade and Manufacturing, and the heads of such other executive departments and agencies as the Secretary of Commerce and the United States Trade Representative deem relevant, shall initiate, pursuant to their respective legal authorities, all necessary actions to investigate the harm to the United States from any non-reciprocal trade arrangements adopted by any trading partners. Upon completion of such necessary actions, they shall submit to me a report detailing proposed remedies in pursuit of reciprocal trade relations with each trading partner.

(b) Within 180 days of the date of this memorandum, the Director of the Office of Management and Budget shall assess all fiscal impacts on the Federal Government and the impacts of any information collection requests on the public, and shall deliver an assessment in writing to the President.

Sec. 4. *Definitions.* For the purposes of this memorandum:

(a) “Value-added tax” means a type of consumption tax that is levied on the incremental increase in value of a good or service at each stage of the supply chain.

(b) “Nontariff barrier” or “measure” means any government-imposed measure or policy or nonmonetary barrier that restricts, prevents, or impedes international trade in goods, including import policies, sanitary and phytosanitary measures, technical barriers to trade, government procurement, export subsidies, lack of intellectual property protection, digital trade barriers, and government-tolerated anticompetitive conduct of state-owned or private firms.

Sec. 5. *General Provisions.* (a) Nothing in this memorandum shall be construed to impair or otherwise affect:

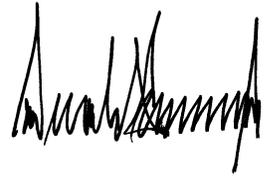
(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

(d) The United States Trade Representative is authorized and directed to publish this memorandum in the *Federal Register*.

A handwritten signature in black ink, appearing to be a stylized name, possibly "Donald Trump", written in a cursive style.

THE WHITE HOUSE,
Washington, February 13, 2025

[FR Doc. 2025-02872
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Federal Register

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1306

[Docket No. DEA-948; DEA-407VA]

RIN 1117-AB78; 1117-AB40; 1117-AB88

DEPARTMENT OF HEALTH AND HUMAN SERVICES

42 CFR Part 12

Expansion of Buprenorphine Treatment via Telemedicine Encounter and Continuity of Care via Telemedicine for Veterans Affairs Patients

AGENCY: Drug Enforcement Administration, Department of Justice; Substance Abuse and Mental Health Services Administration, Department of Health and Human Services.

ACTION: Final rule; delay of effective dates and request for comments.

SUMMARY: In the January 17, 2025, issue of the **Federal Register**, the Drug Enforcement Administration and the Department of Health and Human Services published two final rules related to the practice of telemedicine, titled “Expansion of Buprenorphine Treatment via Telemedicine Encounter” and “Continuity of Care via Telemedicine for Veterans Affairs Patients.” These final rules were scheduled to become final on February 18, 2025. In accordance with the Presidential Memorandum of January 20, 2025, titled “Regulatory Freeze Pending Review,” the Drug Enforcement Administration and the Department of Health and Human Services are delaying the effective dates of these two final rules to March 21, 2025, and are soliciting public comments specifically regarding this delayed effective date.

DATES:

Effective date delay: As of February 14, 2025, the effective date of the two

final rules amending CFR part 1306 and 42 CFR part 12 published in the **Federal Register** on January 17, 2025, at 90 FR 6504 and 90 FR 6523, respectively, are delayed to March 21, 2025.

Comment date: Electronic comments must be submitted, and written comments must be postmarked, on or before February 28, 2025.

ADDRESSES: To ensure proper handling of comments, please reference “Docket No. DEA-948” or “Docket No. DEA-407VA” on all correspondence, including any attachments.

- *Electronic comments:* DEA encourages that all comments be submitted electronically through the Federal eRulemaking Portal, which provides the ability to type comments directly into the comment field on the web page or to attach a file containing comments. Please go to <https://www.regulations.gov> and follow the online instructions at that site for submitting comments. Upon completion of your submission, you will receive a Comment Tracking Number for your comment generated by <https://www.regulations.gov>. Please be aware that submitted comments are not instantaneously available for public view on <https://www.regulations.gov>. If you have received a Comment Tracking Number, your comment has been successfully submitted, and there is no need to resubmit the same comment. Commenters should be aware that the electronic Federal Docket Management System will not accept comments after 11:59 p.m. Eastern Time on the last day of the comment period.

- *Paper comments:* Paper comments that duplicate the electronic submission are discouraged. Should you wish to mail a paper comment *in lieu of* submitting a comment electronically, it should be sent via regular or express mail to: Drug Enforcement Administration, Attn: DEA Federal Register Representative/DPW, 8701 Morrisette Drive, Springfield, Virginia 22152. Hand-delivered comments will not be accepted.

FOR FURTHER INFORMATION CONTACT: Heather Achbach, Regulatory Drafting and Policy Support Section, Diversion Control Division, Drug Enforcement Administration; Telephone: (571) 776-3882.

SUPPLEMENTARY INFORMATION:

Posting of Public Comments

Please note that all comments received, including attachments and other supporting materials, in response to this docket are considered part of the public record. The Drug Enforcement Administration (DEA) generally will make all comments available for public inspection online at <https://www.regulations.gov>. The Freedom of Information Act applies to all comments received. Confidential information or personal identifying information (PII), such as account numbers or Social Security numbers, or names of other individuals, should not be included. Submissions will not be edited to remove any identifying or contact information.

Comments with confidential information, which should not be made publicly available, should be submitted as written/paper submissions. Two written/paper copies should be submitted. One copy will include the confidential information with a heading or cover sheet that states “CONTAINS CONFIDENTIAL INFORMATION.” DEA will review this copy, including the claimed confidential information, in its consideration of comments. The second copy should have the claimed confidential information redacted/blacked out. DEA will make this copy available for public inspection online at <https://www.regulations.gov>. Other information, such as name and contact information, that should not be made available, may be included on the cover sheet but not in the body of the comment, and must be clearly identified as “confidential.” Any information clearly identified as “confidential” will not be disclosed except as required by law.

Discussion

On January 17, 2025, DEA and the Department of Health and Human Services (HHS) published two final rules titled “Expansion of Buprenorphine Treatment via Telemedicine Encounter” (90 FR 6504) and “Continuity of Care via Telemedicine for Veterans Affairs Patients” (90 FR 6523). These rules, respectively, amended their regulations to expand the circumstances under which: (1) practitioners registered by DEA are authorized to prescribe schedule III-V controlled substances approved by the Food and Drug

Administration for the treatment of opioid use disorder via a telemedicine encounter, including an audio-only telemedicine encounter¹ and (2) Department of Veterans Affairs practitioners acting within the scope of their Veterans Affairs employment are authorized to prescribe schedule II–V controlled substances via telemedicine to a Veterans Affairs patient with whom they have not conducted an in-person medical evaluation, if another VA practitioner has, at any time, previously conducted an in-person medical evaluation of the VA patient, subject to certain conditions.²

On January 20, 2025, the President of the United States issued a memorandum to all executive departments and agencies titled “Regulatory Freeze Pending Review” (the Freeze Memo).³ Paragraph 3 of the Freeze Memo ordered agencies to “consider postponing for 60 days from the date of this memorandum the effective date for any rules that have been published in the **Federal Register**, or any rules that have been issued in any manner but have not taken effect, for the purpose of reviewing any questions of fact, law, and policy that the rules may raise.” The purpose of this delay is “to allow interested parties to provide comments about issues of fact, law, and policy raised by the rules postponed under this memorandum, and consider reevaluating pending petitions involving such rules.” In addition, this delay will allow Department of Justice and Department of Health and Human Services officials further opportunity to review any potential questions of fact, law, and policy raised by those two final rules.

This document extends the effective date of the final rules in the January 17, 2025, issue of the **Federal Register**, titled “Expansion of Buprenorphine Treatment via Telemedicine Encounter”⁴ and “Continuity of Care via Telemedicine for Veterans Affairs Patients,”⁵ from February 18, 2025, to March 21, 2025, consistent with paragraph 3 of the January 20, 2025, Freeze Memo. These new effective dates will not delay or limit the ability of the practitioners covered by these two rules to prescribe via telemedicine, because the “Temporary Extension of COVID–19 Telemedicine Flexibilities for Prescription of Controlled Medications,” which has been in effect since May 10, 2023, permits practitioners to prescribe via

telemedicine through December 31, 2025.⁶

DEA is soliciting comments on the extension of the effective date of these two final rules to March 21, 2025. DEA also is soliciting comments on whether there may be a need for their effective dates to be extended beyond that date, and address issues of fact, law, and policy raised by these rules, for consideration by officials of the two agencies.

Regulatory Analyses

Change to the effective date of these final rules does not affect the economic impact calculated in the final rules. Per Office of Management and Budget (OMB) Circular A–4, analysis is conducted on a time frame which includes all important benefits and costs, and such time frame generally begins at the point when the final rule is expected to begin to have effects.⁷ No portion of the analysis conducted in these final rules was dependent on the original effective date, and therefore the change in the time frame is not expected to change any part of the analysis.

To the extent that 5 U.S.C. 553 applies to this action, it is exempt from notice and comment because it constitutes a rule of procedure under 5 U.S.C. 553(b)(A). In addition, the agencies find good cause that the usual notice and comment procedures are impracticable because the very limited time available for action to delay the February 18th effective dates forecloses the opportunity for a full notice and comment process. 5 U.S.C. 553(b)(B). Furthermore, because this rule is procedural rather than substantive, the usual requirement of 5 U.S.C. 553(d) that a rule not be effective until at least 30 days after publication in the **Federal Register** is inapplicable. DEA also finds good cause to provide an immediate effective date for this rule, because the temporary delay in the effective date until March 21, 2025, is necessary to give Agency officials the opportunity for further review and consideration of the new regulation, consistent with the memorandum described previously. DEA and HHS believe that affected entities need to be informed as soon as possible of the extension and its length

to plan and adjust their implementation process accordingly.

Nonetheless, DEA and HHS are soliciting comments on the delay of the effective date to March 21, 2025.

Executive Orders 12866 and 13563 (Regulatory Review)

The change to the effective date is expected to have no change on the analysis conducted in this section in these two rules. This document merely effectuates a limited delay in the effective dates of two rules, previously scheduled to take effect February 18, 2025. There is no change to the substance of these two final rules.

Regulatory Flexibility Act

The change to the effective date is expected to have no change on the analysis conducted in this section in the final rules.

Paperwork Reduction Act of 1995

The change to the effective date is expected to have no change on the analysis conducted in this section in the final rules.

Executive Order 12988, Civil Justice Reform

This document 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 document does not have federalism implications warranting the application of E.O. 13132. The document 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

DEA and HHS are committed to the principles of collaboration and consultation with Tribal governments, as demonstrated through its plans to conduct the appropriate Executive Order 13175 Tribal consultations and recognizes the significance of these consultations and their role in shaping regulations that impact Tribal communities. Relevant issues regarding Tribal Consultation were discussed in the two final rules published on January 17, 2025.

⁶ 88 FR 30037 (May 10, 2023), as extended by 88 FR 30037 (May 10, 2023) and 89 FR 91253 (Nov. 19, 2024).

⁷ OMB Circular A–4, section 3(b): “The time frame for your analysis should include a period before and after the date of compliance that is long enough to encompass all the important benefits and costs likely to result from the regulation. A logical beginning point for your stream of estimates would be the point in which the regulation will begin to have effects . . .”

¹ 90 FR 6504 (Jan. 17, 2025).

² 90 FR 6523 (Jan. 17, 2025).

³ 90 FR 8249 (Jan. 28, 2025).

⁴ 90 FR 6504 (Jan. 17, 2025).

⁵ 90 FR 6523 (Jan. 17, 2025).

Unfunded Mandates Reform Act of 1995

The estimated annual impact of this notice is minimal. Thus, DEA and HHS have determined in accordance with the Unfunded Mandates Reform Act of 1995 (UMRA) (2 U.S.C. 1501 *et seq.*) that this action 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 for inflation) in any one year. Therefore, neither a Small Government Agency Plan nor any other action is required under provisions of UMRA.

Signing Authority

This document of the Drug Enforcement Administration was signed on February 12, 2025, by Acting Administrator Derek Maltz. 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**.

Heather Achbach,

Federal Register Liaison Officer, Drug Enforcement Administration.

Dorothy A. Fink,

Acting Secretary, Department of Health and Human Services.

[FR Doc. 2025-02793 Filed 2-14-25; 8:45 am]

BILLING CODE 4410-09-P

POSTAL SERVICE**39 CFR Parts 111 and 211****Cremated Remains Packaging Requirements**

AGENCY: Postal Service™.

ACTION: Final rule.

SUMMARY: The Postal Service is amending Publication 52, *Hazardous, Restricted, and Perishable Mail* (Pub 52) by requiring mailers to solely use the Cremated Remains shipping supplies provided by the Postal Service when mailing human or animal cremated remains, also referred to as cremains or ashes, domestically or internationally.

DATES: Effective March 1, 2025.

FOR FURTHER INFORMATION CONTACT: Dale Kennedy, (202) 268-6592, or Jennifer Cox, (202) 268-2108.

SUPPLEMENTARY INFORMATION: The Postal Service hereby amends Publication 52, *Hazardous, Restricted, and Perishable Mail* (Pub 52 or Publication 52), with the provisions set forth herein. While not codified in title 39 of the Code of Federal Regulations (CFR), Publication 52 is a regulation of the Postal Service, and changes to it may be published in the **Federal Register**. 39 CFR 211.2(a)(2). Moreover, Publication 52 is incorporated by reference into *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM) section 601.8.1, which is incorporated by reference, in turn, into the Code of Federal Regulations. Publication 52 is publicly available, in a read-only format, via the Postal Explorer® website at <https://pe.usps.com>. In addition, links to Postal Explorer are provided on the landing page of *USPS.com*, the Postal Service's primary customer-facing website, and on *Postal Pro*, an online informational source available to postal customers.

Summary of New Measures

The Postal Service will require mailers shipping human or animal cremated remains in any state (*e.g.*, ashes, keepsakes and jewelry) to be shipped in the Cremated Remains packaging supplied by the Postal Service. Previously, mailers were permitted to use any box if it was marked with Label 139—*Cremated Remains*.

The Postal Service understands the mailing of cremated remains is a sensitive matter and believes this will improve visibility and enhance handling methods throughout processing and transportation.

Response to Comments

In response to the proposed rule (89 FR 93238, November 26, 2024), the Postal Service received one favorable formal response to the changes to Pub 52.

Kevin Rayburn,

Attorney, Ethics & Legal Compliance.

The Postal Service adopts the following changes to Publication 52, *Hazardous, Restricted, and Perishable Mail*, incorporated by reference into *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM), section 601.8.1, which is further incorporated by reference in the Code of Federal Regulations. 39 CFR 111.1, 111.3. Publication 52 is also a regulation of the Postal Service, changes to which may be published in the **Federal Register**. 39 CFR 211.2(a). Accordingly, for the reasons stated in the preamble,

the Postal Service amends Publication 52 as follows:

Publication 52, Hazardous, Restricted and Perishable Mail

* * * * *

4 Restricted Matter

* * * * *

45 Other Restricted Materials

* * * * *

451.22 Cremated Remains

[Revise section as follows:]

Human or animal cremated remains in any state (*e.g.*, ashes, keepsakes and jewelry) are permitted for mailing as follows:

a. Domestic:

1. Must be sent via Priority Mail Express Service.

2. Must be packaged according to 451.3b and Packaging Instruction 10C.

3. Mailers must use one of the special Priority Mail Express cremated remains branded boxes (BOX-CRE) available on *usps.com*.

4. Extra Services permitted with mailpieces containing cremated remains are additional insurance and return receipt only.

5. Shipping labels may be printed and affixed through Click-N-Ship or other USPS-approved methods or at a Post Office location. Mailer generated labels must bear an Intelligent Mail package barcode (IMpb) with the proper cremated remains Service Type Code (STC) and include the proper Extra Services Code (ESC) in the Shipping Services File (see Publication 199 on *PostalPro* at *postalpro.usps.com*).

b. International:

1. When permitted by the destination country, cremated remains must be sent via Priority Mail Express International service. Mailers must verify that the destination country accepts Priority Mail Express International and cremated remains before mailing.

2. Mailers must use one of the special Priority Mail Express cremated remains branded boxes (BOX-CRE) available on *usps.com*.

3. Must be packaged as required in 451.3b and Packaging Instruction 10C.

4. The contents "cremated remains" must be indicated on the applicable customs declaration form.

* * * * *

451.3 Packaging and Marking

[Revise item b. and create new item c. as follows:]

b. *Powders.* Dry materials that could cause soiling, damage, discomfort or destruction, upon escape (leakage) must be packaged in sift proof or other sealed

primary containers and placed into sealed, durable, outer containers.

c. *Cremated Remains.* Must be shipped in USPS-branded BOX-CRE and prepared according to Packaging Instruction 10C in Appendix C.

Appendix C

* * * * *

USPS Packaging Instructions 10C

[Revise opening paragraph as follows:]

Cremated Remains

Human or animal cremated remains in any state (e.g., ashes, keepsakes and jewelry) are permitted for mailing with restrictions, provided they are appropriately prepared according to section 451 and the following instructions.

* * * * *

[Revise the following sections as follows:]

Mailability

International Mail: Permitted via Priority Mail Express International Service when permitted by the destination country (see the Individual Country Listings in the IMM).

Domestic Mail: Permitted via Priority Mail Express service only.

Required Packaging

Primary Container

International: A funeral urn is required as the inner container. It must be sealed and sift proof.

Domestic: The inner container must be strong and durable and be constructed in such a manner as to protect and securely contain the contents inside and it must be properly sealed so that it is sift proof.

Note: A sift proof container is any vessel that does not allow loose powder to leak or sift out during transit.

* * * * *

[Revise the following sections as follows:]

Outer Container

All cremated remains mailings must utilize the USPS-produced Cremated Remains (BOX-CRE) outer packaging, found on usps.com.

Insert your inner container into a sealed plastic bag, then place in the shipping box and add padding to the bottom, sides, and top to ensure there is no movement of contents during transit.

Note: It is recommended that you attach a slip of paper to the sealed plastic bag with the complete return and delivery addresses and the words "Cremated Remains" in the event the

mailing label becomes detached from the outer container after acceptance.

Marking

Domestic: A complete return address and delivery address must be used.

International: A complete return address and delivery address must be used. The mailer must indicate the contents (Cremated Remains) on the applicable customs declaration form.

Documentation

International: If available, and when required by the destination post, the cremation certificate and any other certificates or permits should be attached to the outer packaging or made easily accessible. The sender is responsible for obtaining all the necessary documentation and permissions required by the national laws in the country of origin and the country of destination prior to dispatching these items. See the Individual Country Listings in the IMM.

* * * * *

[FR Doc. 2025-02544 Filed 2-18-25; 8:45 am]

BILLING CODE 7710-12-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 63

[EPA-HQ-OAR-2005-0155; FRL-8391-01-OAR]

RIN 2060-AV44

National Emission Standards for Hazardous Air Pollutants: National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities Technology Review

Correction

In rule document 2024-31223 beginning on page 1041 in the issue of Tuesday, January 7, 2025, make the following correction:

On page 31223, in the third column, under the heading DATES, in the second line "January 7, 2024" should read "January 7, 2025".

[FR Doc. C1-2024-31223 Filed 2-18-25; 8:45 am]

BILLING CODE 0099-10-D

DEPARTMENT OF HEALTH AND HUMAN SERVICES

45 CFR Part 5b

[Docket Number NIH-2022-0002]

RIN 0925-AA69

Privacy Act; Implementation

AGENCY: National Institutes of Health (NIH), Department of Health and Human Services (HHS).

ACTION: Final rule; delay of effective date.

SUMMARY: On January 16, 2025, the Department of Health and Human Services published a final rule to make effective the exemptions that were previously proposed for a new Privacy Act system of records, "NIH Police Records," maintained by the National Institutes of Health (NIH), from certain requirements of the Act. That final rule was originally scheduled to take effect on February 18, 2025. This document announces that the effective date is delayed until March 21, 2025, in response to the memorandum titled "Regulatory Freeze Pending Review," issued by the President on January 20, 2025.

DATES: As of February 18, 2025, the effective date of the final rule published on January 16, 2025 (90 FR 4673), is delayed to a new effective date of March 21, 2025.

FOR FURTHER INFORMATION CONTACT: Dustin Close, Office of Management Assessment, National Institutes of Health, 6705 Rockledge Drive, Suite 601, Bethesda, Maryland 20892, telephone 301-402-6469, email privacy@mail.nih.gov.

SUPPLEMENTARY INFORMATION: On January 16, 2025, HHS issued a final rule (90 FR 4673) to make effective the exemptions that were proposed (89 FR 48536) for a new Privacy Act system of records maintained by NIH from certain requirements of the Act. The new system of records covers criminal and non-criminal law enforcement investigatory material maintained by the NIH Division of Police, a component of NIH which performs criminal law enforcement as its principal function. The exemptions are necessary and appropriate to protect the integrity of law enforcement proceedings and records compiled during the course of NIH Division of Police activities, prevent disclosure of investigative techniques, and protect the identity of confidential sources involved in those activities.

On January 20, 2025, President Donald J. Trump issued a memorandum

titled “Regulatory Freeze Pending Review” (90 FR 8249) that instructs Federal agencies to consider delaying the effective date of rules published in the **Federal Register**, but which have not yet taken effect, for a period of 60 days from the date of the memorandum. In accordance with that memorandum, HHS is delaying for 60 days from the date of the President’s memorandum the effective date of the final rule titled “Privacy Act; Implementation” that published on January 16, 2025.

The effective date of that final rule, which would have been February 18, 2025, is now March 21, 2025.

Dorothy A. Fink,

Acting Secretary, Department of Health and Human Services.

[FR Doc. 2025–02810 Filed 2–14–25; 8:45 am]

BILLING CODE 4150–01–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 25–121; FR ID 280112]

Radio Broadcasting Services; Various Locations

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document amends the Table of FM Allotments, of the Federal Communications Commission’s (Commission) rules, by removing certain vacant FM allotment channels that were auctioned through our FM competitive bidding process and are no longer considered vacant FM allotments. The FM allotments are currently authorized licensed stations. FM assignments for authorized stations and reserved facilities will be reflected solely in Media Bureau’s Licensing Management System (LMS). These FM allotment channels have previously undergone notice and comment rule making. This action constitutes an editorial change in the FM Table of Allotments. Therefore, we find for good cause that further notice and comment are unnecessary.

DATES: Effective February 19, 2025.

FOR FURTHER INFORMATION CONTACT: Rolanda F. Smith, Media Bureau, (202) 418–2054, *Rolanda-Faye.Smith@fcc.gov*.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission’s *Order*, adopted February 10, 2025, and released February 10, 2025. The full text of this Commission decision is available online at <https://apps.fcc.gov/ecfs/>. The full text of this document can also be

downloaded in Word or Portable Document Format (PDF) at <https://www.fcc.gov/edocs/>. This document does not contain information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104–13. The Commission will not send a copy of the *Order* in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A), because the *Order* is a ministerial action.

List of Subjects in 47 CFR Part 73

Radio, Radio broadcasting.

Federal Communications Commission.

Nazifa Sawez,

Assistant Chief, Audio Division, Media Bureau.

Final Rules

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 73 as follows:

PART 73—RADIO BROADCAST SERVICES

■ 1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 155, 301, 303, 307, 309, 310, 334, 336, 339.

■ 2. In § 73.202(b), amend table 1 (Table of FM Allotments) by:

- a. Removing the entries for “Desert Hills” and “Tusayan” under Arizona;
- b. Removing the entries for “Boonville,” “Cartago,” “Cottonwood,” “Essex,” “Ft. Bragg,” “Ludlow,” “Randsburg,” and “Sacramento” under California;
- c. Removing the entries for “Eckley,” “Hugo,” and “Stratton” under Colorado;
- d. Removing the entry for “Fort Walton Beach” under Florida;
- e. Removing the entry for “Pembroke” under Georgia;
- f. Removing the entry for “Abingdon” under Illinois;
- g. Removing the entries for “Dunkerton” and “Rockford” under Iowa;
- h. Removing the entry for “Orange” under Massachusetts;
- i. Removing the entries for “Custer,” “Houghton,” and “Pigeon” under Michigan;
- j. Removing the entries for “Cleveland” and “New Albany” under Mississippi;
- k. Removing the entry for “Maryville” under Missouri;
- l. Removing the entry for “Bayard” under Nebraska;
- m. Removing the entry for “Tonopah” under Nevada;

- n. Removing the entry for “Jefferson” under New Hampshire;
- o. Removing the entries for “Chama” and “Skyline-Ganipa” under New Mexico;
- p. Removing the entries for “Narrowsburg,” “Sagaponack,” “Shelter Island,” and “Westfield” under New York;
- q. Removing the entry for “Gackle” under North Dakota;
- r. Removing the entry for “Edgefield” under South Carolina;
- s. Removing the entry for “Englewood” under Tennessee;
- t. Under Texas:

 - i. Removing the entry for “Albany;”
 - ii. Revising the entries for “Carrizo Springs,” “Junction,” and “Mullin;”
 - iii. Removing the entry for “Olney;”
 - iv. Revising the entries for “Premont” and “Richland Springs;”
 - v. Removing the entries for “Roscoe” and “Rule;”
 - vi. Revising the entry for “San Isidro;” and
 - vii. Removing the entries for “Sanger” and “Wells;”
 - u. Removing the entries for “Huntington” and “Paragonah” under Utah;
 - v. Removing the entry for “West Rutland” under Vermont;
 - w. Removing the entries for “Kahlotus,” “Raymond,” and “Trout Lake” under Washington;
 - x. Removing the entries for “Crandon” and “Tomahawk” under Wisconsin; and
 - y. Under Wyoming:

 - i. Removing the entries for “Albin,” “Cora,” and “Rawlins;” and
 - ii. Revising the entry for “Wheatland.”

The revisions read as follows:

§ 73.202 Table of Allotments.

* * * * *
(b) * * *

TABLE 1 TO PARAGRAPH (b)
[U.S. States]

	Channel No.
*	*
Texas	
*	*
Carrizo Springs	295A
*	*
Junction	228C2, 290A
*	*
Mullin	224A
*	*
Premont	287A

TABLE 1 TO PARAGRAPH (b)—
Continued
[U.S. States]

	Channel No.
Richland Springs	299A
* * * *	*
San Isidro	255A
* * * *	*
Wyoming	
* * * *	*
Wheatland	286A
* * * *	*

[FR Doc. 2025–02756 Filed 2–18–25; 8:45 am]
BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 25–120; FR ID 280081]

Radio Broadcasting Services; Various Locations

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document amends the Table of FM Allotments, of the Federal Communications Commission’s (Commission) rules, by reinstating certain channels as a vacant FM allotment in various communities. The FM allotments were previously removed from the FM Table because a construction permit and/or license was granted. These FM allotments are now considered vacant because of the cancellation of the associated FM authorizations or the dismissal of long-form auction FM applications. A staff engineering analysis confirms that all of the vacant FM allotments complies with the minimum distance separation requirements and principle community coverage requirements of the Commission’s rules. The window period for filing applications for these vacant FM allotments will not be opened at this time. Instead, the issue of opening these allotments for filing will be addressed by the Commission in subsequent order.

DATES: Effective February 19, 2025.

FOR FURTHER INFORMATION CONTACT: Rolanda F. Smith, Media Bureau, (202) 418–2054, *Rolanda-Faye.Smith@fcc.gov*.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission’s *Order*, adopted February 10, 2025, and released

February 10, 2025. The full text of this Commission decision is available online at <https://apps.fcc.gov/ecfs/>. The full text of this document can also be downloaded in Word or Portable Document Format (PDF) at <https://www.fcc.gov/edocs>. This document does not contain information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104–13. The Commission will not send a copy of the *Order* in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A), because these allotments were previously reported.

List of Subjects in 47 CFR Part 73

Radio, Radio broadcasting.
Federal Communications Commission.
Nazifa Sawez,
Assistant Chief, Audio Division, Media Bureau.

Final Rules

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 73 as follows:

PART 73—RADIO BROADCAST SERVICES

■ 1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 155, 301, 303, 307, 309, 310, 334, 336, 339.

- 2. In § 73.202(b), amend table 1 to paragraph (b) by:
 - a. Adding the entry for “Loleta” in alphabetical order under California.
 - b. Under Texas:
 - i. Adding the entries for “Adamsville” and “Fabens” in alphabetical order; and
 - ii. Revising the entry for “Pearsall”.
 - c. Adding the entry for “Basin City” in alphabetical order under Washington.

The revision and additions read as follows:

§ 73.202 Table of Allotments.

* * * *	*
(b) * * *	*

TABLE 1 TO PARAGRAPH (b)
[U.S. States]

	Channel No.
* * * *	*
California	
* * * *	*
Loleta	254C1

TABLE 1 TO PARAGRAPH (b)—
Continued
[U.S. States]

	Channel No.
* * * *	*
Texas	
Adamsville	285A
* * * *	*
Fabens	276A
* * * *	*
Pearsall	227A, 277A
* * * *	*
Washington	
Basin City	248C1
* * * *	*

[FR Doc. 2025–02747 Filed 2–18–25; 8:45 am]
BILLING CODE 6712–01–P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary of Transportation

49 CFR Part 37

[Docket No. DOT–OST–2024–0090]

RIN 2105–AF05

Transportation for Individuals With Disabilities; Adoption of Accessibility Standards for Pedestrian Facilities in the Public Right-of-Way

AGENCY: Office of the Secretary of Transportation (OST), U.S. Department of Transportation.

ACTION: Notification of enforcement discretion.

SUMMARY: This document announces that the U.S. Department of Transportation (DOT) will not take enforcement action until March 20, 2025, against regulated entities for failing to comply with the Accessibility Standards for Pedestrian Facilities in the Public Right-of-Way.

DATES: As of February 19, 2025, enforcement of the amendments enacted in the final rule published December 18, 2024, at 89 FR 102800, is delayed until March 20, 2025.

FOR FURTHER INFORMATION CONTACT: For general questions, Holly Ceasar-Fox, Office of the General Counsel, U.S. Department of Transportation, (202) 366–7420, *holly.ceasarfox@dot.gov*.

For legal questions related to PROWAG, James T. Esselman, Office of

Chief Counsel, Federal Highway Administration, (202) 366-6181, james.esselman@dot.gov.

For legal questions related to transit, Diane Alexander, Office of Chief Counsel, Federal Transit Administration, (202) 366-3101, diane.alexander@dot.gov.

For questions related to intercity or high-speed rail, Linda Martin, Federal Railroad Administration, Office of Chief Counsel, 202-689-9408, Linda.Martin@dot.gov.

Electronic Access and Filing: This document, the notice of proposed rulemaking, all comments received, the final rule, and all background material may be viewed online at www.regulations.gov using the docket number listed above. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year. An electronic copy of this document may also be downloaded from the Office of the

Federal Register's website at www.federalregister.gov and the Government Publishing Office's website at www.GovInfo.gov.

SUPPLEMENTARY INFORMATION: On December 18, 2024, DOT issued a final rule titled, "Transportation for Individuals with Disabilities; Adoption of Accessibility Standards for Pedestrian Facilities in the Public Right-of-Way" (PROWAG) (89 FR 102800). The final rule adopted, without modification, the Architectural and Transportation Barriers Compliance Board's PROWAG as DOT's regulatory standards for new construction and alterations of transit stops in the public right-of-way. The final rule became effective on January 17, 2025.

On January 20, 2025, the President issued a memorandum titled, "Regulatory Freeze Pending Review,"¹

¹ Available at <https://www.whitehouse.gov/presidential-actions/2025/01/regulatory-freeze-pending-review/> (last accessed Feb. 3, 2025).

to direct executive departments and agencies to consider postponing for 60 days the effective date for any rules that had been published in the **Federal Register** but had not taken effect for the purpose of reviewing any questions of fact, law, and policy that the rules may raise. While not explicitly subject to the President's memorandum, DOT is providing notice that it will exercise its enforcement discretion and not enforce the provisions of the PROWAG final rule until March 20, 2025, to allow the officials appointed or designated by the President to review the final rule to ensure that it is consistent with the law and Administration policies.

Issued in Washington, DC, under authority delegated in 49 CFR 1.27(a):

Gregory D. Cote,

Acting General Counsel.

[FR Doc. 2025-02811 Filed 2-18-25; 8:45 am]

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Proposed Rules

Federal Register

Vol. 90, No. 32

Wednesday, February 19, 2025

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

NUCLEAR REGULATORY COMMISSION

10 CFR Parts 170 and 171

[NRC–2023–0069]

RIN 3150–AK95

Fee Schedules; Fee Recovery for Fiscal Year 2025

AGENCY: Nuclear Regulatory Commission.

ACTION: Proposed rule.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is proposing to amend the licensing, inspection, special project, and annual fees charged to its applicants and licensees. The proposed amendments are necessary to comply with the Nuclear Energy Innovation and Modernization Act, which requires the NRC to recover, to the maximum extent practicable, approximately 100 percent of its annual budget less certain amounts excluded from this fee recovery requirement. In addition, the NRC is proposing amendments to implement a reduced hourly rate for advanced nuclear reactor applicants and pre-applicants for certain activities as required by the Accelerating Deployment of Versatile, Advanced Nuclear for Clean Energy Act of 2024.

DATES: Submit comments by March 21, 2025. Comments received after this date will be considered if it is practical to do so, but the NRC is able to ensure consideration of only comments received before this date. Because the Nuclear Energy Innovation and Modernization Act requires the NRC to collect fees for fiscal year 2025 by September 30, 2025, the NRC must finalize any revisions to its fee schedules promptly, and thus is unable to grant any extension request of the comment period.

ADDRESSES: You may submit comments by any of the following methods; however, the NRC encourages electronic comment submission through the Federal rulemaking website:

- *Federal rulemaking Website:* Go to <https://www.regulations.gov> and search for Docket ID NRC–2023–0069. Address questions about NRC dockets to Helen Chang; telephone: 301–415–3228; email: Helen.Chang@nrc.gov. For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this proposed rule.

- *Email comments to:* Rulemaking.Comments@nrc.gov. If you do not receive an automatic email reply confirming receipt, then contact us at 301–415–1677.

- *Fax comments to:* Secretary, U.S. Nuclear Regulatory Commission at 301–415–1101.

- *Mail comments to:* Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, ATTN: Rulemakings and Adjudications Staff.

- *Hand deliver comments to:* 11555 Rockville Pike, Rockville, Maryland 20852, between 7:30 a.m. and 4:15 p.m. eastern time, Federal workdays; telephone: 301–415–1677.

You can read a plain language description of this proposed rule at <https://www.regulations.gov/docket/NRC-2023-0069>. For additional direction on obtaining information and submitting comments, see “Obtaining Information and Submitting Comments” in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: William Blaney, Office of the Chief Financial Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, telephone: 301–415–5092; email: William.Blaney@nrc.gov.

SUPPLEMENTARY INFORMATION:

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I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2023–0069 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–2023–0069.
- *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 or 301–415–4737, or by email to PDR.Resource@nrc.gov. For the convenience of the reader, the ADAMS accession numbers are provided in the “Availability of Documents” section of this document.

- *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, Monday through Friday, except Federal holidays.

B. Submitting Comments

The NRC encourages electronic submission of comments through the Federal rulemaking website (<https://www.regulations.gov>). Please include Docket ID NRC–2023–0069 in your comment.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at <https://www.regulations.gov> as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include

identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comments into ADAMS.

II. Background; Statutory Authority

The NRC's fee regulations are primarily governed by two laws: (1) the Independent Offices Appropriation Act, 1952 (IOAA) (31 U.S.C. 9701); and (2) the Nuclear Energy Innovation and Modernization Act (NEIMA) (42 U.S.C. 2215). The IOAA authorizes and encourages Federal agencies to recover, to the fullest extent possible, costs attributable to services provided to identifiable recipients. Under NEIMA, the NRC must recover, to the maximum extent practicable, approximately 100 percent of its annual budget, less the budget authority for excluded activities. Under section 102(b)(1)(B) of NEIMA, "excluded activities" include any fee-relief activity as identified by the Commission, generic homeland security activities, waste incidental to reprocessing activities, Nuclear Waste Fund activities, advanced reactor regulatory infrastructure activities, Inspector General (IG) services for the Defense Nuclear Facilities Safety Board, research and development at universities in areas relevant to the NRC's mission, and a nuclear science and engineering grant program. In fiscal year (FY) 2025, the fee-relief activities identified by the Commission are consistent with prior fee rules (see table I, "Excluded Activities," of this document for the list of all excluded activities).

Under NEIMA, the NRC must use its IOAA authority first to collect service fees for NRC work that provides specific benefits to identifiable recipients (such as licensing work, inspections, and special projects). The NRC's regulations in part 170 of title 10 of the *Code of Federal Regulations* (10 CFR), "Fees for Facilities, Materials, Import and Export Licenses, and Other Regulatory Services Under the Atomic Energy Act of 1954, as Amended," explain how the agency collects service fees from specific beneficiaries. Because the NRC's fee recovery under the IOAA (10 CFR part 170) will not equal 100 percent of the agency's total budget authority for the FY (less the budget authority for excluded activities), the NRC also assesses "annual fees" under 10 CFR part 171, "Annual Fees for Reactor Licenses and Fuel Cycle Licenses and Materials Licenses, Including Holders of

Certificates of Compliance, Registrations, and Quality Assurance Program Approvals and Government Agencies Licensed by the NRC," to recover the remaining amount necessary to comply with NEIMA.

Additionally, on July 9, 2024, the President signed into law the Accelerating Deployment of Versatile, Advanced Nuclear for Clean Energy Act of 2024 (ADVANCE Act), which, among other things, amended fee-related provisions in NEIMA. Specifically, the ADVANCE Act includes three fee-related provisions and provides an effective date of October 1, 2025 (FY 2026), for each of these provisions: (1) section 101, "International Nuclear Export and Innovation Activities," establishes a new excluded activity for "[c]osts for international nuclear export and innovation activities described in section 101(a)" of the ADVANCE Act; (2) section 201, "Fees for Advanced Nuclear Reactor Application Review," requires a reduced hourly rate for advanced nuclear reactor applicants and advanced nuclear reactor pre-applicants for certain activities (Reduced Hourly Rate) and creates new excluded activities associated with the Reduced Hourly Rate; and (3) section 204, "Enabling Preparations for the Demonstration of Advanced Nuclear Reactors on Department of Energy Sites or Critical National Security Infrastructure Sites," establishes two more excluded activities for costs for application reviews and pre-application activities for an early site permit to demonstrate an advanced nuclear reactor on a Department of Energy or "critical national security infrastructure" site.

This proposed rule would include revisions to 10 CFR part 170 to implement section 201 of the ADVANCE Act in preparation for the October 1, 2025 (FY 2026), statutory effective date for the Reduced Hourly Rate. In short, the NRC would establish two hourly rates: (1) the professional hourly rate; and (2) the Reduced Hourly Rate for advanced nuclear reactor applicants and pre-applicants. The professional hourly rate is expected to be effective in August 2025, and the Reduced Hourly Rate would take effect separately on October 1, 2025 (FY 2026), consistent with the statutory effective date. The professional hourly rate would be the typical full-cost professional hourly rate calculated using the NRC's established process, as described in Section III, "FY 2025 Fee Collection—Professional Hourly Rate" of this document. Implementation of section 201 Reduced Hourly Rate in the FY 2025 fee rule would allow for public

notice and comment before the October 1, 2025 (FY 2026), statutory effective date; would avoid delays in billing for advanced nuclear reactor applicants and pre-applicants; and would also reduce unnecessary burden to the NRC and affected entities while promoting regulatory transparency, consistency, certainty, and public engagement. The proposed revisions to 10 CFR part 170 to implement this proposed policy change are further described in Section II, Discussion, "FY 2025—Policy Changes," of this document.

Because sections 101 and 204 of the ADVANCE Act completely remove certain activities from the fee-recovery requirement as new excluded activities effective October 1, 2025 (FY 2026), these provisions do not present an implementation issue that would benefit from rule changes being developed in advance of the statutory effective date. As a result, the NRC plans to propose rule changes to implement sections 101 and 204 of the ADVANCE Act as part of the FY 2026 fee rule, consistent with the FY 2026 statutory effective date.

III. Discussion

FY 2025 Fee Collection—Overview

The NRC is issuing this FY 2025 proposed fee rule based on the FY 2025 budget request as further described in the NRC's FY 2025 Congressional Budget Justification (CBJ) (NUREG-1100, Volume 40) because a full-year appropriation has not yet been enacted for FY 2025. The NRC will adjust the fees described in this proposed rule to reflect the enacted budget authority for FY 2025. The FY 2025 budget request is \$994.9 million and proposes the use of \$20.0 million in carryover to offset the Nuclear Reactor Safety budget. As a result, the gross budget authority in the FY 2025 budget request and the total budget authority used in the FY 2025 proposed fee rule is \$974.9 million, which is an increase of \$30.8 million from FY 2024. The increase is primarily to support salaries and benefits, in accordance with the U.S. Office of Management and Budget (OMB) guidance.

As explained previously, certain portions of the NRC's total budget authority are excluded from the fee recovery requirement under section 102(b)(1)(B) of NEIMA. Based on the FY 2025 budget request, these exclusions total \$151.0 million, which is an increase of \$13.9 million from FY 2024. These excluded activities consist of \$104.7 million for fee-relief activities, \$19.2 million for advanced reactor regulatory infrastructure activities, \$14.4 million for generic homeland

security activities, \$10.0 million for the University Nuclear Leadership Program, \$1.5 million for IG services for the Defense Nuclear Facilities Safety Board,

and \$1.2 million for waste incidental to reprocessing activities. Table I summarizes the excluded activities for the FY 2025 proposed fee rule. The FY

2024 amounts are provided for comparison purposes.

TABLE I—EXCLUDED ACTIVITIES
[Dollars in millions]

	FY 2024 Final rule	FY 2025 Proposed rule
Fee-Relief Activities:		
International activities	31.1	32.3
Agreement State oversight	12.5	11.5
Medical isotope production infrastructure	1.5	0.7
Fee exemption for nonprofit educational institutions	17.7	18.4
Costs not recovered from small entities under 10 CFR 171.16(c)	10.5	9.7
Regulatory support to Agreement States	12.0	15.7
Generic decommissioning/reclamation activities (not related to the operating power reactors and spent fuel storage fee classes)	2.7	8.2
Uranium recovery program and unregistered general licensees	5.3	5.2
Potential Department of Defense remediation program Memorandum of Understanding activities	0.8	0.8
Non-military radium sites	0.2	0.2
Minority Serving Institutions Grant Program	2.5	2.0
Subtotal Fee-Relief Activities	96.8	104.7
Activities under section 102(b)(1)(B)(ii) of NEIMA (Generic Homeland Security activities, University Nuclear Leadership Program, Waste Incidental to Reprocessing activities, and the Defense Nuclear Facilities Safety Board)	16.5	27.1
Advanced reactor regulatory infrastructure activities	23.8	19.2
Total Excluded Activities	137.1	151.0

After accounting for the exclusions from the fee recovery requirement and net billing adjustments (i.e., for FY 2025 invoices that the NRC estimates will not be paid during the FY, less payments received in FY 2025 for prior-year invoices), the NRC estimates that it must recover approximately \$826.1 million in fees in FY 2025. Of this amount, the NRC estimates that \$216.0 million will be recovered through 10 CFR part 170 service fees and approximately \$610.1 million will be recovered through 10 CFR part 171 annual fees. Table II of

this document summarizes the fee recovery amounts for the FY 2025 proposed fee rule using the FY 2025 budget request and takes into account the budget authority for excluded activities and net billing adjustments. For all information presented in the following tables in this proposed rule, individual values may not sum to totals due to rounding. Please see the work papers, available as indicated in the “Availability of Documents” section of this document, for actual amounts.

Since a full-year appropriation has not yet been enacted, the FY 2025 proposed fee rule is based on the FY 2025 budget request. Consistent with the FY 2025 budget request, this proposed rule assumes the utilization of \$20.0 million in carryover to offset the Nuclear Reactor Safety budget. The FY 2024 amounts are provided for comparison purposes. If the NRC receives an appropriation providing a different total budget authority, the final fee rule will reflect the final appropriation.

TABLE II—BUDGET AND FEE RECOVERY AMOUNTS
[Dollars in millions]

	FY 2024 Final rule	FY 2025 Proposed rule
Total Budget Authority	\$944.1	\$974.9
Less Budget Authority for Excluded Activities	- 137.1	- 151.0
Balance	807.0	823.9
Fee Recovery Percent	100.0	100.0
Total Amount to be Recovered	807.0	823.9
Less Estimated Amount to be Recovered through 10 CFR part 170 Fees	- 202.2	- 216.0
Estimated Amount to be Recovered through 10 CFR part 171 Fees	604.8	608.0
10 CFR part 171 Billing Adjustments:		
Unpaid Current Year Invoices (estimated)	4.3	4.5
Less Payments Received in Current Year for Previous Year Invoices (estimated)	- 3.0	- 2.4
Adjusted 10 CFR part 171 Annual Fee Collections Required	606.1	610.1
Adjusted Amount to be Recovered through 10 CFR parts 170 and 171 Fees	808.3	826.1

FY 2025 Fee Collection—Professional Hourly Rate

This section discusses the methodology for calculating the NRC's typical full-cost hourly rate. The proposed methodology for calculating the Reduced Hourly Rate is discussed in," Section III, Discussion, "FY 2025—Policy Change," of this document.

The NRC uses a professional hourly rate to assess fees under 10 CFR part 170 for specific services it provides. The professional hourly rate also helps determine flat fees (which are used for the review of certain types of license applications). The full costs of fees

under §§ 170.21, "Schedule of fees for production and utilization facilities, review of standard referenced design approvals, special projects, inspections and import and export licenses," and 170.31, "Schedule of fees for materials licenses and other regulatory services, including inspections, and import and export licenses" will be determined based on either the professional hourly rate or the Reduced Hourly Rate, effective October 1, 2025 (FY 2026). The NRC's professional hourly rate is derived by adding budgeted resources for: (1) mission-direct program salaries and benefits; (2) mission-indirect program support; and (3) agency

support (corporate support and the IG). The NRC then subtracts certain offsetting receipts and divides this total by the mission-direct full-time equivalent (FTE) converted to hours (the mission-direct FTE converted to hours is the product of the mission-direct FTE multiplied by the estimated annual mission-direct FTE productive hours). The only budgeted resources excluded from the professional hourly rate are those for mission-direct contract resources, which are generally billed to licensees separately. The following shows the professional hourly rate calculation:

$$\text{Professional Hourly Rate} = \frac{\text{Budgeted Resources}}{\text{Mission-Direct FTE Converted to Hours}} = \frac{\$822.3 \text{ million}}{1,687.4 \times 1,507} = \$323$$

For FY 2025, the NRC is proposing to increase the professional hourly rate from \$317 to \$323. The proposed 2.0 percent increase in the professional hourly rate is primarily due to an approximately \$5.4 million increase in resources requested in the FY 2025 budget request. The FY 2025 CBJ explains that the increase in budgeted resources is primarily to support the following: (1) non-power reactor construction permit and operating license applications; (2) the relocation and the design and construction of the Headquarters Operations Center (HOC) necessary to exit one of the NRC headquarters buildings before its lease expiration in November 2027; (3) the development and implementation of several required IT and cybersecurity measures, including an Artificial Intelligence (AI) infrastructure to facilitate the responsible adoption of AI to support efforts related to Executive Order (E.O.) 14110, "Safe, Secure, and Trustworthy Development and use of Artificial Intelligence"; (4) an increase

in the fully-costed FTE rate compared to FY 2024 due to an increase in salaries and benefits to support Federal pay raises for NRC employees.

In addition, the NRC anticipates a decrease in mission-direct FTEs. The professional hourly rate is inversely related to the mission-direct FTE amount; therefore, as the number of mission-direct FTE decrease, the professional hourly rate may increase. Based on the FY 2025 budget request, the number of mission-direct FTE is expected to decrease by approximately 33, primarily due to the following: (1) a reduction in resources to support license renewal application reviews based on updated assessment workload projections and an associated budget model informed by recently completed license renewal application reviews; (2) a reduction in new reactor pre-application resources informed by the anticipated application timelines and historical budget execution; (3) a reduction in oversight activities, including allegations and vendor

inspections; (4) a decrease in research systems analysis activities; (5) the completion of the NRC's review of the Kairos Power, LLC's (Kairos) construction permit application for the Hermes 2 test reactor facilities ahead of schedule; and (6) the completion of the NRC's review of the Kairos construction permit application for the Hermes 1 test reactor, which was issued on December 12, 2023.

The FY 2025 estimate for annual mission-direct FTE productive hours is 1,507 hours, which is an increase from 1,500 hours in FY 2024. This estimate reflects the average number of hours that a mission-direct employee spends on mission-direct work annually. This estimate, therefore, excludes hours charged to annual leave, sick leave, holidays, training, and general administrative tasks. Table III of this document shows the professional hourly rate calculation methodology. The FY 2024 amounts are provided for comparison purposes.

TABLE III—PROFESSIONAL HOURLY RATE CALCULATION
[Dollars in millions, except as noted]

	FY 2024 Final rule	FY 2025 Proposed rule
Mission-Direct Program Salaries & Benefits	\$384.4	\$371.4
Mission-Indirect Program Support	\$118.9	\$117.8
Agency Support (Corporate Support and the IG)	\$313.6	\$333.1
Subtotal	\$816.9	\$822.3
Less Offsetting Receipts ¹	\$0.0	0.0
Total Budgeted Resources Included in the Professional Hourly Rate	\$816.9	\$822.3
Mission-Direct FTE	1,720.3	1,687.4
Annual Mission-Direct FTE Productive Hours (Whole numbers)	1,500	1,507
Mission-Direct FTE Converted to Hours (Mission-Direct FTE multiplied by Annual Mission-Direct FTE Productive Hours)	2,580,450	2,542,912
Professional Hourly Rate (Total Budgeted Resources Included in Professional Hourly Rate Divided by Mission-Direct FTE Converted to Hours) (Whole Numbers)	\$317	\$323

FY 2025 Fee Collection—Flat Application Fee Changes

The NRC proposes to amend the flat application fees it charges in its schedule of fees in § 170.31 to reflect the revised professional hourly rate of \$323. The NRC charges these fees to applicants for materials licenses and other regulatory services, as well as to holders of materials licenses. The NRC calculates flat fees by multiplying the average professional staff hours needed to process the licensing actions by the FY 2025 professional hourly rate. Biennially, the NRC analyzes the actual hours spent performing licensing actions and estimates the five-year average of professional staff hours that are needed to process licensing actions. The biennial review is required by section 205(a) of the Chief Financial Officers Act of 1990 (31 U.S.C. 902(a)(8)). The NRC performed this review for the FY 2025 proposed fee rule and will perform this review again for the FY 2027 proposed fee rule. The biennial review adjustment and the higher professional hourly rate of \$323 are the primary reasons for the increase in flat application fees (see the work papers).

In order to simplify billing, the NRC rounds these flat fees to a minimal degree. Specifically, the NRC rounds these flat fees (up or down) in such a way that ensures both convenience for its stakeholders and minimal effects due to rounding. Accordingly, fees under \$1,000 are rounded to the nearest \$10, fees between \$1,000 and \$100,000 are rounded to the nearest \$100, and fees greater than \$100,000 are rounded to the nearest \$1,000.

The proposed flat fees are applicable for certain materials licensing actions (see fee categories 1.C. through 1.D., 2.B. through 2.F., 3.A. through 3.S., 4.B. through 5.A., 6.A. through 9.D., 10.B., 15.A. through 15.L., 15.R., and 16 of § 170.31). Applications filed on or after the effective date of the FY 2025 final fee rule will be subject to the revised fees in the final rule. Since international activities are excluded from the fee recovery requirement, fees are not assessed for import and export licensing actions under 10 CFR parts 170 and 171.

FY 2025 Fee Collection—Low-Level Waste Surcharge

The NRC proposes to assess a generic low-level waste (LLW) surcharge of

\$4.005 million. Disposal of LLW occurs at commercially operated LLW disposal facilities that are licensed by either the NRC or an Agreement State. Four existing LLW disposal facilities in the United States accept various types of LLW. All are regulated by an Agreement State, rather than the NRC. The NRC proposes to allocate this surcharge to its licensees based on data available in the U.S. Department of Energy’s (DOE’s) Manifest Information Management System. This database contains information on total LLW volumes disposed of by four generator classes: academic, industrial, medical, and utility. The ratio of waste volumes disposed of by these generator classes to total LLW volumes disposed over a period of time is used to estimate the portion of this surcharge that will be allocated to the power reactors, fuel facilities, and the materials users fee classes. The materials users fee class portion is adjusted to account for the large percentage of materials licensees that are licensed by the Agreement States rather than the NRC.

Table IV of this document shows the allocation of the LLW surcharge and its allocation across the various fee classes.

TABLE IV—ALLOCATION OF LLW SURCHARGE, FY 2025
[Dollars in millions]

Fee classes	LLW surcharge	
	Percent	\$
Operating Power Reactors	85.0	3.404
Spent Fuel Storage/Reactor Decommissioning	0.0	0.000
Non-Power Production or Utilization Facilities	0.0	0.000
Fuel Facilities	11.9	0.477

¹ The fees collected by the NRC for Freedom of Information Act (FOIA) services and indemnity fees (financial protection required of all licensees for public liability claims at 10 CFR part 140) are subtracted from the budgeted resources amount

when calculating the 10 CFR part 170 professional hourly rate, per the guidance in OMB Circular A–25, “User Charges.” The budgeted resources for FOIA activities are allocated under the product for Information Services within the Corporate Support

business line. The budgeted resources for indemnity activities are allocated under the Licensing Actions and Research and Test Reactors products within the Operating Reactors business line.

TABLE IV—ALLOCATION OF LLW SURCHARGE, FY 2025—Continued
[Dollars in millions]

Fee classes	LLW surcharge	
	Percent	\$
Materials Users	3.1	0.124
Transportation	0.0	0.000
Rare Earth Facilities	0.0	0.000
Uranium Recovery	0.0	0.000
Total	100.0	4.005

FY 2025 Fee Collection—Revised Annual Fees

In accordance with SECY-05-0164, “Annual Fee Calculation Method,” the NRC rebaselines its annual fees every year. “Rebaselining” entails analyzing the budgeted resources in detail and then allocating the budgeted resources to various classes or subclasses of licensees. Rebaselining also includes

updating the number of NRC licensees in its fee calculation methodology. As shown in Table II above, the NRC calculates the total amount to be recovered through 10 CFR part 171 annual fees by first taking the annual budget (less the budget authority for excluded activities) and subtracting the estimated amount to be recovered through 10 CFR part 170 fees. The NRC then makes certain billing adjustments

to arrive at the total adjusted amount to be recovered through 10 CFR part 171 fees.

The NRC is proposing revisions to its annual fees in §§ 171.15 and 171.16 based on the FY 2025 budget request.

Table V of this document shows the proposed rebaselined fees for FY 2025 for a sample of licensee categories. The FY 2024 amounts are provided for comparison purposes.

TABLE V—REBASELINED ANNUAL FEES
[Actual dollars]

Class/category of licenses	FY 2024 final annual fee	FY 2025 proposed annual fee
Operating Power Reactors	\$5,336,000	\$5,359,000
+ Spent Fuel Storage/Reactor Decommissioning	326,000	341,000
Total, Combined Fee	5,662,000	5,700,000
Spent Fuel Storage/Reactor Decommissioning	326,000	341,000
Non-Power Production or Utilization Facilities	97,200	124,400
High Enriched Uranium Fuel Facility (Category 1.A.(1)(a))	6,412,000	6,412,000
Low Enriched Uranium Fuel Facility (Category 1.A.(1)(b))	2,173,000	2,173,000
Uranium Enrichment (Category 1.E)	2,794,000	2,794,000
UF ₆ Conversion and Deconversion Facility (Category 2.A.(1))	1,361,000	1,361,000
Basic <i>In Situ</i> Recovery Facilities (Category 2.A.(2)(b))	53,200	51,900
Typical Users:		
Radiographers (Category 3O)	43,700	30,600
All Other Specific Byproduct Material Licensees (Category 3P)	14,600	15,100
Medical Other (Category 7C)	21,400	20,900
Device/Product Safety Evaluation—Broad (Category 9A)	29,800	25,900

The work papers that support this proposed rule show in detail how the NRC allocates the budgeted resources for each class of licensees and calculates the fees.

Paragraphs a. through h. of this section describe the budgeted resources allocated to each class of licensees and

the calculations of the rebaselined fees. For more information about detailed fee calculations for each class, please consult the accompanying work papers for this proposed rule.

a. Operating Power Reactors

The NRC proposes to collect \$503.8 million in annual fees from the operating power reactors fee class in FY 2025, as shown in table VI of this document. The FY 2024 operating power reactors fees are shown for comparison purposes.

TABLE VI—ANNUAL FEE SUMMARY CALCULATIONS FOR OPERATING POWER REACTORS
[Dollars in millions]

Summary fee calculations	FY 2024 final rule	FY 2025 proposed rule
Total budgeted resources	\$665.0	\$683.6
Less estimated 10 CFR part 170 receipts	– 168.3	– 185.7
Net 10 CFR part 171 resources	496.7	497.9

TABLE VI—ANNUAL FEE SUMMARY CALCULATIONS FOR OPERATING POWER REACTORS—Continued
[Dollars in millions]

Summary fee calculations	FY 2024 final rule	FY 2025 proposed rule
Allocated generic transportation	0.7	0.7
Allocated LLW surcharge	3.2	3.4
Billing adjustment	1.1	1.8
Total required annual fee recovery	501.6	503.8
Total operating reactors	94	94
Annual fee per operating reactor	\$5.336	\$5.359

In comparison to FY 2024, the FY 2025 proposed annual fee for the operating power reactors fee class is increasing primarily due to an increase in the budgeted resources requested in the FY 2025 budget request that are allocated to the operating power reactors fee class. The increase in the proposed annual fee for the operating power reactors fee class is offset primarily due to the following: (1) an anticipated increase in 10 CFR part 170 estimated billings; and (2) the assumed utilization of \$20.0 million in carryover to offset the Nuclear Reactor Safety budget.²

The FY 2025 CBJ explains that the increase in budgeted resources is primarily to support the following: (1) technical reviews of 10 CFR part 50 construction permit applications; (2) contract funding for the mission-critical system changes to the Reactor Program System related to cybersecurity executive orders and IT infrastructure upgrades to maintain government-wide standards; and (3) the fully-costed FTE compared to FY 2024 due to an increase in salaries and benefits.

However, the effect of the increase on the proposed annual fee for the operating power reactors fee class is offset primarily due to the assumed use of \$20.0 million in carryover to offset the Nuclear Reactor Safety budget as proposed in the FY 2025 budget request. The increase in budgeted resources is also mitigated by the following: (1) reduction in resources to support license renewal application reviews based on updated assessment workload projections and an associated budget model informed by recently completed license renewal application reviews; (2) a reduction in new reactor pre-application resources informed by the

anticipated application timelines and historical budget execution; (3) a reduction in oversight activities, including allegations and vendor inspections; and (4) a reduction in research systems analysis activities.

The 10 CFR part 170 estimated billings are increasing primarily due to the following: (1) to support operator reactor licensing activities; and (2) to support the NRC’s review of construction permit applications.

The proposed annual fee is also affected by the following contributing factors: (1) an increase in the 10 CFR part 171 billing adjustment due to the timing of invoices issued in FY 2024; and (2) an increase in the LLW surcharge for the operating power reactors fee class to support activities related to the coordination of the National LLW Program, including guidance development.

The proposed fee-recoverable budgeted resources are divided equally among the 94 licensed operating power reactors, resulting in a proposed annual fee of \$5,359,000 per operating power reactor. Additionally, the NRC estimates that each licensed operating power reactor will be assessed the FY 2025 spent fuel storage/reactor decommissioning proposed annual fee of \$341,000 (see table VII of this document and the discussion that follows). The NRC estimates that the combined FY 2025 proposed annual fee for each operating power reactor will be \$5,700,000.

Section 102(b)(3)(B)(i) of NEIMA established a cap for the annual fees charged to operating reactor licensees; under this provision, the annual fee for an operating reactor licensee, to the maximum extent practicable, shall not exceed the annual fee amount per operating reactor licensee established in the FY 2015 final fee rule (80 FR 37432; June 30, 2015), adjusted for inflation. The NRC included an estimate of the operating power reactors fee class annual fee in appendix C, “Estimated Operating Power Reactors Annual Fee,” of the FY 2025 CBJ to increase

transparency for stakeholders. The NRC developed this estimate based on the staff’s allocation of the FY 2025 CBJ to fee classes under 10 CFR part 170, and allocations within the operating power reactors fee class under 10 CFR part 171. The fee estimate included in the FY 2025 CBJ assumed 94 operating power reactors in FY 2025 and applied various data assumptions from the FY 2023 final fee rule. Based on these allocations and assumptions, the annual fee for the operating power reactors fee class included in the FY 2025 CBJ was estimated to be \$5.517 million, which is \$0.895 million below the FY 2015 operating power reactors annual fee amount adjusted for inflation of \$6.412 million. Although this proposed rule is based on the FY 2025 budget request, the assumptions made between budget formulation and the development of this proposed rule have changed such that the proposed annual fee for the operating power reactor fee class is \$5.359 million, compared to the estimated \$5.517 million in the CBJ. These changes are primarily due to the increase in the 10 CFR part 170 estimated billings for the proposed annual fee rule compared to the estimates for 10 CFR part 170 billings at the time of the FY 2025 budget request. The proposed annual fee for the operating power reactor fee class in this proposed rule is less than the annual fee included in the FY 2025 budget request, and thus, the FY 2025 proposed annual fee remains below the FY 2015 operating power reactors fee class annual fee amount, as adjusted for inflation.

In FY 2016, the NRC amended 10 CFR 171.15 to establish a variable annual fee structure for light-water reactor (LWR) small modular reactors (SMRs) (81 FR 32617; May 24, 2016). In FY 2023, the NRC further amended § 171.5 to: (1) expand the applicability of the SMR variable fee structure to include non-LWR SMRs; and (2) establish an additional minimum fee and variable rate applicable to SMRs with a licensed thermal power rating of less than or

² As explained above, the NRC is issuing this FY 2025 proposed fee rule based on the FY 2025 budget request because a full-year appropriation has not yet been enacted for FY 2025. If the enacted budget authority for FY 2025 does not include the assumed utilization of \$20.0 million in carryover to offset the Nuclear Reactor Safety budget, it is likely that the annual fee for the operating power reactors fee class could increase more than proposed.

equal to 250 megawatts-thermal (MWt) (88 FR 39120; June 15, 2023). This revision to the SMR variable annual fee structure retained the bundled unit concept for SMRs and the approach for calculating fees for reactors, or bundled units, with licensed thermal power ratings greater than 250 MWt.

Currently, there are no operating SMRs; therefore, the NRC will not assess

an annual fee in FY 2025 for this type of licensee.

b. Spent Fuel Storage/Reactor Decommissioning

The NRC proposes to collect \$42.3 million in annual fees from 10 CFR part 50 and 10 CFR part 52 power reactor licensees, and from 10 CFR part 72 licensees that do not hold a 10 CFR part

50 license or a 10 CFR part 52 combined license, to recover the budgeted resources for the spent fuel storage/reactor decommissioning fee class in FY 2025, as shown in table VII of this document. The FY 2024 spent fuel storage/reactor decommissioning fees are shown for comparison purposes.

TABLE VII—ANNUAL FEE SUMMARY CALCULATIONS FOR SPENT FUEL STORAGE/REACTOR DECOMMISSIONING
[Dollars in millions]

Summary fee calculations	FY 2024 final rule	FY 2025 proposed rule
Total budgeted resources	\$50.4	\$51.3
Less estimated 10 CFR part 170 receipts	- 12.3	- 11.4
Net 10 CFR part 171 resources	38.0	39.9
Allocated generic transportation costs	2.3	2.3
Billing adjustments	0.1	0.1
Total required annual fee recovery	40.4	42.3
Total spent fuel storage facilities	124	124
Annual fee per facility	\$0.326	\$0.341

In comparison to FY 2024, the FY 2025 proposed annual fee for the spent fuel storage/reactor decommissioning fee class is increasing primarily due to an increase in budgeted resources requested in the FY 2025 budget request that are allocated to the fee class and an expected decrease in 10 CFR part 170 estimated billings.

The increase in budgeted resources is primarily due to the following: (1) an increase in the fully-costed FTE compared to FY 2024 due to an increase in salaries and benefits; and (2) an expected increase in decommissioning licensing activities associated with accelerated decommissioning schedules.

The proposed annual fee is also increasing due to an expected decrease in the 10 CFR part 170 estimated

billings, which in turn is primarily due to the following: (1) the withdrawal of two license termination plan applications, including the associated environmental reviews; (2) a decrease in decommissioning inspection activities at multiple sites; and (3) a reduction in the number of licensing activities for storage license renewals. This decrease in estimated billings is expected to be partially offset by the following: (1) an increase in hours to support decommissioning licensing actions, including the review of two delayed license termination plans, one partial site release, and environmental reviews for multiple sites; (2) an increase in hours to support inspections for independent spent fuel storage

installation and dry cask storage certificates of compliance (CoCs) at multiple sites; and (3) an expected increase in the number of licensing exemption requests for CoCs and independent spent fuel storage installations.

The required annual fee recovery amount is divided equally among 124 facilities, resulting in a proposed FY 2025 annual fee of \$341,000 per facility.

c. Fuel Facilities

The NRC proposes to collect \$25.3 million in annual fees from the fuel facilities fee class in FY 2025, as shown in table VIII of this document. The FY 2024 fuel facilities fees are shown for comparison purposes.

TABLE VIII—ANNUAL FEE SUMMARY CALCULATIONS FOR FUEL FACILITIES
[Dollars in millions]

Summary fee calculations	FY 2024 final rule	FY 2025 proposed rule
Total budgeted resources	\$30.9	\$32.1
Less estimated 10 CFR part 170 receipts	- 8.7	- 10.1
Net 10 CFR part 171 resources	22.2	22.1
Allocated generic transportation	2.5	2.7
Allocated LLW surcharge	0.4	0.5
Billing adjustments	0.1	0.1
Total remaining required annual fee recovery	\$25.3	\$25.3

In comparison to FY 2024, the FY 2025 proposed annual fee for the fuel facilities fee class is estimated to be the same as FY 2024, while in the FY 2025

budget request (which this proposed rule is based on) the requested budgeted resources allocated to the fuel facilities fee class increased. This increase is

primarily offset by an expected increase in the 10 CFR part 170 estimated billings. As a result, there is no change

in the proposed annual fee for the fuel facilities fee class compared to FY 2024.

As discussed in the FY 2025 CBJ, the budgeted resources increased primarily to support the following: (1) construction inspections at fuel cycle facilities; and (2) an increase in the fully-costed FTE rate compared to FY 2024 due to an increase in salaries and benefits.

The 10 CFR part 170 estimated billings are anticipated to increase in comparison to FY 2024 primarily due to the following: (1) review of several expected licensing actions, including two for an increase in enrichment activities that will require environmental assessments; (2) the continued review of the TRISO-X, LLC, fuel fabrication facility application; and (3) to support the acceptance review of

a new fuel facility application. This increase is partially offset by the completion of: (1) the review of the National Institute of Standards and Technology’s (NIST’s) license renewal application for possession and use of special nuclear material; (2) the NRC’s review of the Purdue University license renewal application for possession and use of its special nuclear material; and (3) the Urenco USA amendment to increase its enrichment limit to 10 weight per uranium-235.

The proposed increase in the annual fee is also affected by an increase in the generic transportation surcharge.

The NRC will continue allocating annual fees to individual fuel facility licensees based on the effort/fee determination matrix developed in the FY 1999 final fee rule (64 FR 31448;

June 10, 1999). In short, the matrix groups licensees within this fee class into various fee categories. The matrix lists processes that are conducted at licensed sites and assigns effort factors for the safety and safeguards activities associated with each process (these effort levels are reflected in table IX of this document). The annual fees are then distributed across the fee class based on the regulatory effort assigned by the matrix. The effort factors in the matrix represent regulatory effort that is not recovered through 10 CFR part 170 fees (e.g., rulemaking, guidance). Regulatory effort for activities that are subject to 10 CFR part 170 fees, such as the number of inspections, is not applicable to the effort factor.

TABLE IX—EFFORT FACTORS FOR FUEL FACILITIES, FY 2025

Facility type (fee category)	Number of facilities	Effort factors	
		Safety	Safeguards
High Enriched Uranium Fuel (1.A.(1)(a))	2	88	91
Low Enriched Uranium Fuel (1.A.(1)(b))	3	70	21
Limited Operations (1.A.(2)(a))	1	3	22
Gas Centrifuge Enrichment Demonstration (1.A.(2)(b))	0	0	0
Hot Cell (and others) (1.A.(2)(c))	0	0	0
Uranium Enrichment (1.E.)	1	16	23
UF ₆ Conversion and Deconversion (2.A.(1))	1	12	7
Total	8	189	164

In FY 2025, the total remaining amount of the proposed annual fees that the NRC estimates to be recovered, \$25.3 million, is attributable to safety activities, safeguards activities, and the LLW surcharge. For FY 2025, the total budgeted resources proposed to be recovered as annual fees for safety activities are approximately \$13.3 million. To calculate the annual fee, the NRC allocates this amount to each fee

category based on its percentage of the total regulatory effort for safety activities. Similarly, the NRC allocates the budgeted resources that the NRC estimates to be recovered as annual fees for safeguards activities, \$11.5 million, to each fee category based on its percentage of the total regulatory effort for safeguards activities. Finally, the fuel facilities fee class portion of the LLW surcharge—\$0.5 million—is

allocated to each fee category based on its percentage of the total regulatory effort for both safety and safeguards activities. The proposed annual fee per licensee is then calculated by dividing the estimated total allocated budgeted resources for the fee category by the number of licensees in that fee category. The proposed annual fee for each facility is summarized in table X of this document.

TABLE X—ANNUAL FEES FOR FUEL FACILITIES

[Actual dollars]

Facility type (fee category)	FY 2024 final annual fee	FY 2025 proposed annual fee
High Enriched Uranium Fuel (1.A.(1)(a))	\$6,412,000	\$6,412,000
Low Enriched Uranium Fuel (1.A.(1)(b))	2,173,000	2,173,000
Facilities with limited operations (1.A.(2)(a))	1,791,000	1,791,000
Gas Centrifuge Enrichment Demonstration (1.A.(2)(b))	N/A	N/A
Hot Cell (and others) (1.A.(2)(c))	N/A	N/A
Uranium Enrichment (1.E.)	2,794,000	2,794,000
UF ₆ Conversion and Deconversion (2.A.(1))	1,361,000	1,361,000

d. Uranium Recovery Facilities

The NRC proposes to collect \$0.4 million in annual fees from the uranium

recovery facilities fee class in FY 2025, as shown in table XI of this document. The FY 2024 uranium recovery facilities

fees are shown for comparison purposes.

TABLE XI—ANNUAL FEE SUMMARY CALCULATIONS FOR URANIUM RECOVERY FACILITIES
[Dollars in millions]

Summary fee calculations	FY 2024 final rule	FY 2025 proposed rule
Total budgeted resources	\$0.7	\$1.8
Less estimated 10 CFR part 170 receipts	− 0.4	− 1.4
Net 10 CFR part 171 resources	0.3	0.4
Billing adjustments	0.0	0.0
Total required annual fee recovery	\$0.3	\$0.4

In comparison to FY 2024, the total required annual fee recovery for the fee class is increasing, primarily due to an increase in budgeted resources requested in the FY 2025 budget request that are allocated to the fee class. This increase is primarily to support the NRC’s review of license renewal applications. This increase in the total budgeted resources for the fee class is partially offset by an expected increase in 10 CFR part 170 estimated billings to support the NRC’s review of license renewal applications for: (1) Crow Butte Resources, Inc.; (2) Powertech USA, Inc.; and (3) CrownPoint. As discussed in this document, the uranium recovery fee class includes DOE and non-DOE licensees. Compared to FY 2024, the

proposed annual fee amount for DOE is increasing and the proposed annual fee amount for the non-DOE licensee is decreasing. The proposed annual fee amount for the non-DOE licensee is decreasing primarily due to an increase in 10 CFR part 170 estimated billings to support the NRC’s review of license renewal applications.

The NRC regulates DOE’s Title I and Title II activities under the Uranium Mill Tailings Radiation Control Act (UMTRCA).³ The proposed annual fee assessed to DOE includes the resources specifically budgeted for the NRC’s UMTRCA Title I and Title II activities, as well as 10 percent of the remaining budgeted resources for this fee class. The NRC described the overall

methodology for determining fees for UMTRCA in the FY 2002 fee rule (67 FR 42612; June 24, 2002), and the NRC continues to use this methodology. DOE’s UMTRCA proposed annual fee is increasing compared to FY 2024 primarily due to a rise in budgeted resources for the staff to conduct generic work to: (1) coordinate on license termination strategies for sites; and (2) address performance issues related to existing cover systems at mill tailings sites. The NRC assesses the remaining 90 percent of its budgeted resources to the remaining licensee in this fee class, which is reflected in table XII. For additional information, please see the work papers.

TABLE XII—COSTS RECOVERED THROUGH ANNUAL FEES; URANIUM RECOVERY FACILITIES FEE CLASS
[Actual dollars]

Summary of costs	FY 2024 final annual fee	FY 2025 proposed annual fee
DOE Annual Fee Amount (UMTRCA Title I and Title II) General Licenses:		
UMTRCA Title I and Title II budgeted resources less 10 CFR part 170 receipts	\$254,846	\$346,896
10 percent of generic/other uranium recovery budgeted resources	5,908	5,763
Total Annual Fee Amount for DOE (rounded)	261,000	353,000
Annual Fee Amount for Other Uranium Recovery Licenses:		
90 percent of generic/other uranium recovery budgeted resources less the amounts specifically budgeted for UMTRCA Title I and Title II activities	53,169	51,871
Total Annual Fee Amount for Other Uranium Recovery Licensees	53,169	51,871

Further, for any non-DOE licensees, the NRC will continue using a matrix to determine the effort levels associated with conducting generic regulatory actions for the different licensees in the uranium recovery facilities fee class; this is similar to the NRC’s approach for fuel facilities, described previously. The matrix methodology for uranium

recovery licensees first identifies the licensee categories included within this fee class (excluding DOE). These categories are conventional uranium mills and heap leach facilities, uranium *in situ* recovery (ISR) and resin ISR facilities, and mill tailings disposal facilities. The matrix identifies the types of operating activities that support and

benefit these licensees, along with each activity’s relative weight (see the work papers). Currently, there is only one non-DOE licensee, which is a basic ISR facility. Table XIII of this document displays the benefit factors for the non-DOE licensee in that fee category.

³ Congress established the two programs, Title I and Title II, under UMTRCA to protect the public and the environment from hazards associated with uranium milling. The UMTRCA Title I program is

for remedial action at abandoned mill tailings sites where tailings resulted largely from production of uranium for weapons programs. The NRC also regulates DOE’s UMTRCA Title II program, which

is directed toward uranium mill sites licensed by the NRC or Agreement States in or after 1978.

TABLE XIII—BENEFIT FACTORS FOR URANIUM RECOVERY LICENSES, 2025

Fee category	Number of licensees	Benefit factor per licensee	Total value	Benefit factor percent total
Conventional and Heap Leach mills (2.A.(2)(a))	0	.....	.....	0
Basic <i>In Situ</i> Recovery facilities (2.A.(2)(b))	1	190	190	100
Expanded <i>In Situ</i> Recovery facilities (2.A.(2)(c))	0	.....	.....	.....
Section 11e.(2) disposal incidental to existing tailings sites (2.A.(4))	0	.....	.....	.....
Total	1	190	190	100

Given that there is only one non-DOE licensee in the fee class, the application of the matrix does not result in any adjustment to the licensee’s annual fee. As such, the FY 2025 proposed annual fee for the remaining non-DOE licensee is \$51,900 (rounded), as shown in table XIV of this document.

TABLE XIV—ANNUAL FEES FOR URANIUM RECOVERY LICENSEES
[Other than DOE]
[Actual dollars]

Facility type (fee category)	FY 2024 final annual fee	FY 2025 proposed annual fee
Conventional and Heap Leach mills (2.A.(2)(a))	N/A	N/A
Basic <i>In Situ</i> Recovery facilities (2.A.(2)(b))	\$53,200	\$51,900
Expanded <i>In Situ</i> Recovery facilities (2.A.(2)(c))	N/A	N/A
Section 11e.(2) disposal incidental to existing tailings sites (2.A.(4))	N/A	N/A

e. Non-Power Production or Utilization Facilities
The NRC proposes to collect \$0.249 million in annual fees from the non-power production or utilization facilities fee class in FY 2025, as shown in table XV of this document. The FY 2025 non-power production or utilization facilities fees are shown for comparison purposes.

TABLE XV—ANNUAL FEE SUMMARY CALCULATIONS FOR NON-POWER PRODUCTION OR UTILIZATION FACILITIES
[Dollars in millions]

Summary fee calculations	FY 2024 final rule	FY 2025 proposed rule
Total budgeted resources	\$3.195	\$0.926
Less estimated 10 CFR part 170 receipts	–2.963	–0.720
Net 10 CFR part 171 resources	0.233	0.206
Allocated generic transportation	0.054	0.040
Billing adjustments	0.005	0.002
Total required annual fee recovery	0.292	0.249
Total non-power production or utilization facilities licensees	3	2
Total annual fee per licensee (rounded)	\$0.097	\$0.124

In comparison to FY 2024, while the total required annual fee for the non-power production or utilization facilities fee class decreased, the total annual fee per licensee is increasing primarily due to a decrease in the number of licensees in this fee class as a result of the shutdown of the General Electric (GE) Hitachi Vallecitos Nuclear Center in FY 2024. That is, the total required annual fee recovery in this proposed rule is divided equally between the two non-power production or utilization facility licensees in this fee class rather than among the three under the FY 2024 final rule, resulting

in an increase in the total annual fee per licensee in comparison.

Compared to FY 2024, the requested budgeted resources in the FY 2025 budget request that are allocated to the fee class decreased primarily due to the following: (1) the completion of the review of the Kairos construction permit application for the Hermes 2, Units 1 and 2 test reactors ahead of schedule; and (2) the completion of the review of the Kairos construction permit for Hermes 1, issued on December 12, 2023. The decrease in budgeted resources is offset by the rise in the fully-costed FTE

rate compared to FY 2024 due to an increase in salaries and benefits.

The 10 CFR part 170 estimated billings for this fee class are expected to decrease compared to FY 2024 primarily due to the following: (1) the shutdown of the GE Hitachi Vallecitos Nuclear Center in FY 2024; (2) the completion of the NRC’s review effort associated with the NIST fuel damage event and restart; and (3) expected delays in pre-application audits of construction permit submissions.

The total required annual fee recovery amount is divided equally among the two non-power production or utilization

facilities licensees subject to annual fees and results in an FY 2025 proposed annual fee of \$124,400 for each licensee.

f. Rare Earth

In FY 2025, the NRC has allocated approximately \$0.8 million in budgeted resources to this fee class; however,

because all the budgeted resources will be recovered through service fees assessed under 10 CFR part 170, the NRC is not proposing to assess and collect annual fees in FY 2025 for this fee class.

g. Materials Users

The NRC proposes to collect \$45.1 million in annual fees from materials users licensed under 10 CFR parts 30, 40, and 70 in FY 2025, as shown in table XVI of this document. The FY 2024 materials users fees are shown for comparison purposes.

TABLE XVI—ANNUAL FEE SUMMARY CALCULATIONS FOR MATERIALS USERS
[Dollars in millions]

Summary fee calculations	FY 2024 final rule	FY 2025 proposed rule
Total budgeted resources for licensees not regulated by Agreement States	\$44.3	\$42.8
Less estimated 10 CFR part 170 receipts	-0.8	-0.8
Net 10 CFR part 171 resources	43.5	42.0
Allocated generic transportation	2.6	2.9
LLW surcharge	0.1	0.1
Billing adjustments	0.1	0.1
Total required annual fee recovery	\$46.3	\$45.1

In comparison to FY 2024, there is a decrease in total budgeted resources requested in the FY 2025 budget request that are allocated to the nuclear materials users fee class. This decrease is primarily due to: (1) a reduction in rulemaking activities; and (2) a reduction in materials research activities. The decrease in budgeted resources is offset by an increase in the fully-costed FTE rate compared to FY 2024 due to an increase in salaries and benefits.

This proposed rule would continue to use the NRC’s established methodology for equitably and fairly allocating the proposed total annual fee of \$45.1 million among approximately 2,300 diverse licensees in the fee class. The NRC continues to calculate the annual fees for each fee category within this class based on the 10 CFR part 170 application fees and estimated inspection costs for each fee category. Because the application fees and inspection costs are indicative of the complexity of the materials license, this approach provides a proxy for allocating the generic and other regulatory costs to the diverse fee categories. This fee-calculation method also considers the inspection frequency (priority), which is indicative of the safety risk and resulting regulatory costs associated with the categories of licenses.

The methodology for calculating 10 CFR part 171 annual fees for the various categories of materials users in this fee class includes using a formula that is described in detail in the work papers. This formula considers application fees, inspection costs, inspection priority (or frequency), and unique category costs.

At a high-level, this formula includes three main components (1) recovery of general costs, (2) recovery of inspection costs, and (3) unique category costs. The proposed total annual fee recovery of \$45.1 million for FY 2025, as shown in table XVI of this document, consists of \$35.2 million for general costs (including the allocated generic transportation costs), and \$9.8 million for inspection costs; there are no unique category costs for any fee categories in FY 2025. As part of calculating the recovery for the general costs and inspection costs, respectively, the NRC derives two multipliers: the constant multiplier and the inspection multiplier. Additional information concerning this formula can be found in the work papers.

A constant multiplier is established to recover the total general costs for the fee class (estimated to be \$35.2 million in FY 2025). To derive the constant multiplier, the general cost amount is divided by the sum of all fee categories (application fee plus the average inspection cost divided by inspection priority) then multiplied by the number of licensees. The average inspection cost is the average inspection hours for each fee category multiplied by the FY 2025 proposed professional hourly rate of \$323. The inspection priority is the interval between routine inspections, expressed in years. This calculation results in a proposed constant multiplier of 1.28 for FY 2025.

The inspection multiplier is established to recover inspection costs for the fee class (estimated to be \$9.8 million in FY 2025). To derive the inspection multiplier, the inspection

costs for the fee class is divided by the sum of all fee categories (average inspection cost divided by inspection priority) then multiplied by the number of licensees. This calculation results in a proposed inspection multiplier of 1.88 for FY 2025.

Additionally, the unique category costs would recover costs unique to a particular fee category in FY 2025. As stated above, there are no unique category costs for FY 2025.

The FY 2025 proposed total annual fee recovery of \$45.1 million for the materials users fee class also includes approximately \$0.1 million in LLW surcharge costs (see table IV, “Allocation of LLW Surcharge, FY 2025,” of this document). The LLW surcharge costs for the fee class are not included in the above-described formula; rather, the surcharge amount for the fee class is divided by the number of licensees and then assessed to each licensee. See the work papers for the LLW surcharge amount per licensee.

Based on the above-described calculations, overall, the proposed total annual fee recovery expected for the material users fee class is decreasing compared to FY 2024. For the individual categories within the fee class, the FY 2025 proposed annual fees for 8 fee categories are decreasing compared to FY 2024. The FY 2025 proposed annual fees for 48 fee categories are increasing compared to FY 2024. The proposed increase for these 48 fee categories is primarily due to the following: (1) a decrease in the number of materials users licensees within those fee categories; and (2) an increase in the average inspection cost

for these fee categories; the increase in the average inspection cost is due to an increase in the inspection hours for these fee categories based on the NRC's biennial review of inspection hours. The proposed annual fee for each fee

category is shown in the proposed revision to § 171.16(d).
 h. Transportation
 The NRC proposes to collect \$2.6 million in annual fees to recover generic

transportation budgeted resources in FY 2025, as shown in table XVII of this document. The FY 2024 fees are shown for comparison purposes.

TABLE XVII—ANNUAL FEE SUMMARY CALCULATIONS FOR TRANSPORTATION
 [Dollars in millions]

Summary fee calculations	FY 2024 final rule	FY 2025 proposed rule
Total budgeted resources	\$13.0	\$14.3
Less estimated 10 CFR part 170 receipts	-2.4	-3.1
Net 10 CFR part 171 resources	10.6	11.2
Less generic transportation resources	-8.2	-8.6
Billing adjustments	0.0	0.0
Total required annual fee recovery	\$2.3	\$2.6

In comparison to FY 2024, the FY 2025 proposed annual fee for the transportation fee class is increasing primarily due to an increase in the budgeted resources requested in the FY 2025 budget request that are allocated to this fee class. This increase is partially offset by: (1) an increase in the 10 CFR part 170 estimated billings; and (2) a rise in the distribution of the generic transportation resources allocated to other fee classes.

In FY 2025, the budgeted resources increased primarily to support the following: (1) the licensing of transportation packages for accident tolerant fuel and high assay low-enrichment uranium; and (2) a rise in the fully-costed FTE rate compared to FY 2024 due to an increase in salaries and benefits.

The increase in the proposed annual fee is partially offset by a rise in the distribution of generic transportation

resources allocated to respective other fee classes resulting from an additional number of CoCs for FY 2025.

Furthermore, the proposed annual fee is also partially offset by an increase in the 10 CFR part 170 estimated billings primarily due to the following: (1) to support the NRC's review of new and amended transportation packages; and (2) to conduct inspection activities.

Consistent with the policy established in the NRC's FY 2006 final fee rule (71 FR 30722; May 30, 2006), the NRC recovers generic transportation costs unrelated to DOE by including those costs in the annual fees for licensee fee classes. The NRC continues to assess a separate annual fee under § 171.16, fee category 18.A., for DOE transportation activities. The amount of the allocated generic resources is calculated by multiplying the percentage of total CoCs used by each fee class (and DOE) by the

total generic transportation resources to be recovered.

This resource distribution to the licensee fee classes and DOE is shown in table XVIII of this document. Note that for the non-power production or utilization facilities fee class, the NRC allocates the distribution to only those licensees that are subject to annual fees. Although five CoCs benefit the entire non-power production or utilization facilities fee class, only two out of 29 operating non-power production or utilization facilities licensees are subject to annual fees. Consequently, the number of CoCs used to determine the proportion of generic transportation resources allocated to annual fees for the non-power production or utilization facilities fee class has been adjusted to 0.3 so these licensees are charged a fair and equitable portion of the total fees (see the work papers).

TABLE XVIII—DISTRIBUTION OF TRANSPORTATION RESOURCES, FY 2025
 [Dollars in millions]

Licensee fee class/DOE	Number of CoCs benefiting fee class or DOE	Percentage of total CoCs	Allocated generic transportation resources
Materials Users	25.0	25.9	\$2.9
Operating Power Reactors	6.0	6.2	0.7
Spent Fuel Storage/Reactor Decommissioning	20.0	20.8	2.3
Non-Power Production or Utilization Facilities	0.3	0.4	0.04
Fuel Facilities	23.0	23.9	2.7
Subtotal of Generic Transportation Resources	74.3	77.2	8.6
DOE	22.0	22.8	2.6
Total	96.3	100.0	11.2

The NRC assesses an annual fee to DOE based on the 10 CFR part 71 CoCs DOE holds. The NRC, therefore, does not allocate these DOE-related resources

to other licensees' annual fees because these resources specifically support DOE.

FY 2025—Policy Change

The NRC is proposing one policy change for FY 2025.

Reduced Hourly Rate for Advanced Nuclear Reactor Applicants and Pre-Applicants

As previously described in Section II, “Background; Statutory Authority” of this document, section 201 of the ADVANCE Act requires the NRC to assess a Reduced Hourly Rate for advanced nuclear reactor applicants and pre-applicants for certain activities. This section discusses the why, who, what, and how for the NRC’s proposal for implementation of section 201: (1) why is the NRC implementing section 201 in the FY 2025 fee rule; (2) who would qualify for the Reduced Hourly Rate; (3) what activities would qualify for the Reduced Hourly Rate; and (4) how is the NRC proposing to calculate the Reduced Hourly Rate.

a. Why is the NRC implementing section 201 in the FY 2025 fee rule?

The NRC conducts rulemaking to revise its fee regulations on an annual basis to comply with NEIMA, and the final fee rule for a given fiscal year is generally expected to be effective in August of that fiscal year. Due to this timing, the NRC’s established process is to use the effective professional hourly rate from the last final fee rule to bill for service fees until the new professional hourly rate is effective. For example, for the majority of FY 2024, the effective professional hourly rate from the FY 2023 final fee rule (\$300 per hour) was used to bill at quarterly intervals since the FY 2024 final fee rule was not effective until August 19, 2024.

Because section 201 of the ADVANCE Act becomes effective on October 1, 2025 (FY 2026), certain activities become eligible for the Reduced Hourly Rate on this date as well. However, the NRC’s FY 2026 final fee rule is not expected to be effective until August 2026. Thus, to wait to propose fee rule changes to implement section 201 in the FY 2026 fee rule, the NRC would have to delay billing for activities eligible for the Reduced Hourly Rate until the FY 2026 final fee rule is effective. Therefore, the NRC is proposing changes to 10 CFR part 170 in the FY 2025 fee rule to avoid burdens associated with having to delay billing for activities eligible for the Reduced Hourly Rate, and to allow for public notice and comment before the October 1, 2025 (FY 2026), statutory effective date. It also would provide greater regulatory certainty to external stakeholders for planning and budgeting for future 10 CFR part 170 service fees for advanced nuclear reactor applicants and pre-applicants.

b. Who would qualify for the Reduced Hourly Rate?

Section 201 of the ADVANCE Act amends NEIMA to require the NRC to assess a Reduced Hourly Rate to advanced nuclear reactor applicants and pre-applicants for certain activities. The ADVANCE Act sunsets the Reduced Hourly Rate for advanced nuclear reactor pre-applicants on September 30, 2030. As a result, prior to the September 30, 2030, sunset, only entities who meet the definition for the term “advanced nuclear reactor applicant” or the term “advanced nuclear reactor pre-applicant” would qualify for the Reduced Hourly Rate; after the sunset, only advanced nuclear reactor applicants would qualify for the Reduced Hourly Rate, and pre-applicants would no longer qualify for the Reduced Hourly Rate.

Section 201 of the ADVANCE Act amends NEIMA to add new definitions for the terms “advanced nuclear reactor applicant” and “advanced nuclear reactor pre-applicant.” These definitions are limited to provisions in NEIMA and do not alter the meaning of similar terms as used in other statutes, such as the Atomic Energy Act (AEA), or regulations implementing statutes other than NEIMA. The definition added to NEIMA for an advanced nuclear reactor pre-applicant is “an entity that has submitted to the [NRC] a licensing project plan for the purposes of submitting a future application for a license for an advanced nuclear reactor under the [AEA]” (Qualifying Licensing Project Plan).⁴ The definition added to NEIMA for an advanced nuclear reactor applicant is “an entity that has submitted to the [NRC] an application for a license for an advanced nuclear reactor under the [AEA]” (Qualifying License Application).⁵ After the NRC grants or denies the Qualifying License Application or if the application is withdrawn, the entity would no longer qualify as an advanced nuclear reactor applicant for that application.

The definitions added to NEIMA for both an advanced nuclear reactor applicant and an advanced nuclear reactor pre-applicant are not limited to commercial licenses under AEA section 103. These definitions apply to any advanced nuclear reactor, as defined by NEIMA section 3(1), for which an “application for a license” is pursued. Although neither NEIMA nor the ADVANCE Act includes a definition for the term “license,” the text of NEIMA

demonstrates that for purposes of NEIMA’s provisions, the term “license” refers to an initial license that is not a permit (*i.e.*, an operating license, combined license, and manufacturing license). NEIMA draws a clear distinction between the term “license” and the terms “permit,” “license amendment,” “license renewal,” and “design certification and approval,” as multiple provisions in NEIMA refer to licenses and separately to permits, license amendments, license renewals, and design certifications and approvals.

Accordingly, to qualify as an advanced nuclear reactor applicant under NEIMA, an entity must have submitted a Qualifying License Application—that is, an application that is both for (1) an advanced nuclear reactor and (2) a “license” as that term is used in NEIMA (*i.e.*, an operating license, combined license, or manufacturing license). To qualify as an advanced nuclear reactor pre-applicant under NEIMA, an entity must have submitted a Qualifying Licensing Project Plan—that is, “a licensing project plan for the purposes of submitting a future application” that is both for (1) an advanced nuclear reactor, and (2) a “license” as that term is used in NEIMA (*i.e.*, an operating license, combined license, or manufacturing license). To be clear, the definition of an advanced nuclear reactor pre-applicant includes an entity that plans to submit or has submitted other types of applications, such as an application for a permit or design certification or approval, if the entity has submitted a Qualifying Licensing Project Plan.

Consistent with the definitions added by section 201 of the ADVANCE Act to NEIMA, the NRC proposes to amend § 170.3, “Definitions,” to include definitions for the terms “advanced nuclear reactor applicant” and “advanced nuclear reactor pre-applicant.” Specifically, the NRC is proposing to define the term “advanced nuclear reactor applicant” in § 170.3, “Definitions,” as an entity that has submitted to the Commission an application that (1) is for an advanced nuclear reactor as defined in section 3 of NEIMA; (2) is for an operating license, combined license, or manufacturing license under the AEA; and (3) is not for an amendment to or renewal of an existing license. The NRC is proposing to define the term “advanced nuclear reactor pre-applicant” in § 170.3, “Definitions,” as an entity that has submitted to the Commission a licensing project plan for the purposes of submitting a future application that (1) is for an advanced nuclear reactor as defined in section 3

⁴ Public Law 118–67, div. B, § 201(a)(3) (to be codified at 42 U.S.C. 2215 note).

⁵ Public Law 118–67, div. B, § 201(a)(2) (to be codified at 42 U.S.C. 2215 note).

of NEIMA; (2) is for an operating license, combined license, or manufacturing license under the AEA; and (3) is not for an amendment to or renewal of an existing license.

c. What activities would qualify for the Reduced Hourly Rate?

Section 201 of the ADVANCE Act amends NEIMA to require the NRC to assess the Reduced Hourly Rate only for certain activities. For advanced nuclear reactor applicants, section 201 requires the NRC to apply the Reduced Hourly Rate for fees assessed “relating to the review of [the] submitted application” (i.e., the NRC review of the Qualifying License Application). For advanced nuclear reactor pre-applicants, section 201 requires the NRC to apply the Reduced Hourly Rate for fees assessed “relating to the review of submitted materials as described in the licensing project plan” (i.e., the Qualifying Licensing Project Plan). In short, to qualify for the Reduced Hourly Rate, the activity must relate to the review of a Qualifying License Application or submitted materials as described in a Qualifying Licensing Project Plan.

For advanced nuclear reactor pre-applicants, activities must be encompassed by the Qualifying Licensing Project Plan in order to qualify for the Reduced Hourly Rate. For example, an entity that has submitted a construction permit application would qualify as an advanced nuclear reactor pre-applicant under NEIMA if it has submitted a licensing project plan for the purposes of submitting a future application for an operating license under the AEA for an advanced nuclear

reactor as defined in NEIMA, as that would be a Qualifying Licensing Project Plan. Whether the review of submitted materials related to such a construction permit application would qualify for the Reduced Hourly Rate, however, would depend on whether those materials are encompassed by the Qualifying Licensing Project Plan.

Consistent with the language added by section 201 of the ADVANCE Act to NEIMA, the NRC is proposing to include language in § 170.20, “Average cost per professional staff-hour,” to make clear what activities would qualify for the Reduced Hourly Rate. Consistent with the statutory effective date, the NRC is proposing to specify in § 170.20(b)(2) that effective on October 1, 2025 (FY 2026), fees under § 170.21 relating to the review of the submitted application for the advanced nuclear reactor applicant will be calculated using the Reduced Hourly Rate. The NRC is proposing to specify in § 170.20(c)(2) that effective on October 1, 2025 (FY 2026), fees under § 170.21 relating to the review of submitted materials as described in the licensing project plan will be calculated using the Reduced Hourly Rate.

d. How Is the NRC proposing to calculate the Reduced Hourly Rate?

Section 201 of the ADVANCE Act amends NEIMA to specify that the Reduced Hourly Rate is the FTE rate for mission-direct program salaries and benefits for the Nuclear Reactor Safety Program, divided by the productive hours assumption, for that fiscal year. The methodology for calculating the Reduced Hourly Rate is similar to that

of the professional hourly rate, discussed in Section III, “FY 2025 Fee Collection—Professional Hourly Rate,” but with certain budgeted resources not included. Under section 201 of the ADVANCE Act, the Reduced Hourly Rate does not include mission-direct program salaries and benefits for the Nuclear Materials and Waste Safety Program, mission-indirect program support for the Nuclear Reactor Safety Program and the Nuclear Materials and Waste Safety Program, and agency support.

The NRC is proposing to calculate the Reduced Hourly Rate by taking the budgeted resources for the mission-direct program salaries and benefits for the Nuclear Reactor Safety Program, then dividing this total by the mission-direct FTE for the Nuclear Reactor Safety Program converted to hours. This methodology follows section 201 of the ADVANCE Act because the FTE rate for mission-direct program salaries and benefits for the Nuclear Reactor Safety Program is derived by dividing the budgeted resources for the mission-direct program salaries and benefits for the Nuclear Reactor Safety Program by the mission-direct FTE for the Nuclear Reactor Safety Program. The mission-direct FTE for the Nuclear Reactor Safety Program converted to hours is the product of the mission-direct FTE for the Nuclear Reactor Safety Program multiplied by the estimated annual mission-direct FTE productive hours. The productive hours assumption refers to the estimated annual mission-direct FTE productive hours.

The following shows the proposed Reduced Hourly Rate calculation:

$$\text{Reduced Hourly Rate} = \frac{\text{Mission-Direct Budgeted Resources for the Nuclear Reactor Safety Program}}{\text{Mission-Direct FTE for the Nuclear Reactor Safety Program Converted to Hours}} = \frac{\$289.0 \text{ million}}{1,309.3 \times 1,507} = \$146$$

Thus, the proposed Reduced Hourly Rate is \$146 per hour and represents an over 50 percent reduction from the full-

cost professional hourly rate of \$323 per hour. The following table shows the

proposed Reduced Hourly Rate calculation methodology.

REDUCED HOURLY RATE CALCULATION

[Dollars in millions, except as noted]

	FY 2025 proposed rule
Mission-Direct Budgeted Resources for the Nuclear Reactor Safety Program	\$289.0
Mission-Direct FTE for the Nuclear Reactor Safety Program	1,309.3
Annual Mission-Direct FTE Productive Hours (Whole numbers)	1,507
Mission-Direct FTE for the Nuclear Reactor Safety Program Converted to Hours (Mission-Direct FTE for the Nuclear Reactor Safety Program multiplied by Annual Mission-Direct FTE Productive Hours) (Whole Numbers)	1,973,115

REDUCED HOURLY RATE CALCULATION—Continued

[Dollars in millions, except as noted]

	FY 2025 proposed rule
Reduced Hourly Rate (Mission-Direct Budgeted Resources for the Nuclear Reactor Safety Program Divided by Mission-Direct FTE for the Nuclear Reactor Safety Program Converted to Hours) (Whole Numbers)	\$146

Both the professional hourly rate and the Reduced Hourly Rate would be reflected in revisions to § 170.20 in this proposed rule. Specifically, the NRC proposes to amend § 170.20 to establish two hourly rates: (1) the professional hourly rate at \$323 per hour, as described in Section III, “FY 2025 Fee Collection—Professional Hourly Rate” of this document; and (2) the Reduced Hourly Rate at \$146 per hour, as described here. The professional hourly rate is expected to be effective in August 2025, coinciding with the effective date of the FY 2025 fee rule once finalized. For the Reduced Hourly Rate, the proposed amendments to § 170.20 include language indicating that the Reduced Hourly Rate would not take effect until October 1, 2025 (FY 2026), consistent with the statutory effective date in section 201 of the ADVANCE Act. Further, the proposed revisions to § 170.20 include a statement sunseting the applicability of the Reduced Hourly Rate for advanced nuclear reactor pre-applicants on September 30, 2030, consistent with the statutory sunset date. In addition, the NRC proposes to amend footnote 2 to table 1 of § 170.21 to clarify that full cost fees will be determined based on either the professional hourly rate or the Reduced Hourly Rate, effective October 1, 2025 (FY 2026).

Both the proposed professional hourly rate and the Reduced Hourly Rate provided in this proposed rule are based on the FY 2025 budget request because a full-year appropriation for FY 2025 has not been enacted at this time. Thus, these rates may change if a full-year appropriation for FY 2025 is enacted.

FY 2025—Administrative Changes

The NRC is not proposing any administrative changes in FY 2025.

IV. Regulatory Flexibility Certification

As required by the Regulatory Flexibility Act of 1980, as amended (RFA),⁶ the NRC has prepared a regulatory flexibility analysis related to this proposed rule. The regulatory flexibility analysis is available as

⁶ 5 U.S.C. 603. The RFA, 5 U.S.C. 601–612, has been amended by the Small Business Regulatory Enforcement Fairness Act of 1996, Public Law 104–121, Title II, 110 Stat. 847 (1996).

indicated in the “Availability of Documents” section of this document.

V. Regulatory Analysis

Under NEIMA, the NRC is required to recover, to the maximum extent practicable, approximately 100 percent of its annual budget for FY 2025 less the budget authority for excluded activities. The NRC established fee methodology guidelines for 10 CFR part 170 in 1978 and established additional fee methodology guidelines for 10 CFR part 171 in 1986. In subsequent rulemakings, the NRC has adjusted its fees without changing the underlying principles of its fee policy to ensure that the NRC continues to comply with the statutory requirements for cost recovery.

In this proposed rule, the NRC continues this longstanding approach. Therefore, the NRC did not identify any alternatives to the current fee structure guidelines and did not prepare a regulatory analysis for this proposed rule.

VI. Backfitting and Issue Finality

The NRC has determined that the backfit and issue finality provisions, §§ 50.109, “Backfitting”; 52.39, “Finality of early site permit determinations”; 52.63, “Finality of standard design certifications”; 52.83, “Finality of referenced NRC approvals; partial initial decision on site suitability”; 52.98, “Finality of combined licenses; information requests”; 52.145, “Finality of standard design approvals; information requests”; 52.171, “Finality of manufacturing licenses; information requests”; and 70.76, “Backfitting,” do not apply to this proposed rule and that a backfit analysis is not required because these amendments do not require the modification of, or addition to, (1) systems, structures, components, or the design of a facility; (2) the design approval or manufacturing license for a facility; or (3) the procedures or organization required to design, construct, or operate a facility.

VII. Plain Writing

The Plain Writing Act of 2010 (Pub. L. 111–274) requires Federal agencies to write documents in a clear, concise, and well-organized manner. The NRC wrote

this document to be consistent with the Plain Writing Act, as well as the Presidential Memorandum, “Plain Language in Government Writing,” published June 10, 1998 (63 FR 31885). The NRC requests comment on this document with respect to the clarity and effectiveness of the language used.

VIII. National Environmental Policy Act

The NRC has determined that this proposed rule is the type of action described in § 51.22(c)(1). Therefore, neither an environmental impact statement nor environmental assessment has been prepared for this proposed rule.

IX. Paperwork Reduction Act

This proposed rule does not contain any new or amended collections of information subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501, *et seq.*). Existing collections of information were approved by the Office of Management and Budget, approval number 3150–0190.

Public Protection Notification

The NRC may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the document requesting or requiring the collection displays a currently valid OMB control number.

X. Voluntary Consensus Standards

The National Technology Transfer and Advancement Act of 1995, Public Law 104–113, requires that Federal agencies use technical standards that are developed or adopted by voluntary consensus standards bodies unless the use of such a standard is inconsistent with applicable law or otherwise impractical. In this proposed rule, the NRC proposes to amend the licensing, inspection, and annual fees charged to its licensees and applicants, as necessary, to recover, to the maximum extent practicable, approximately 100 percent of its annual budget for FY 2025 less the budget authority for excluded activities, as required by NEIMA. This action does not constitute the establishment of a standard that contains generally applicable requirements.

XI. Availability of Guidance

The Small Business Regulatory Enforcement Fairness Act requires all Federal agencies to prepare a written compliance guide for each rule for which the agency is required by 5 U.S.C. 604 to prepare a regulatory flexibility analysis. The NRC, in compliance with the law, prepared the "Small Entity Compliance Guide" for the FY 2025 fee rule. The compliance guide was developed when the NRC completed the

small entity biennial review. This compliance guide is available as indicated in the "Availability of Documents" section of this document.

XII. Public Meeting

The NRC will conduct a public meeting to describe the FY 2025 proposed rule and answer questions from the public on the proposed rule. The NRC will publish a notice of the location, time, and agenda of the meeting on the NRC's public meeting

website within 10 calendar days of the meeting. Stakeholders should monitor the NRC's public meeting website for information about the public meeting at: https://www.nrc.gov/public-involve/public-meetings/index.cfm.

XIII. Availability of Documents

The documents identified in the following table are available to interested persons through one or more of the following methods, as indicated.

Table with 2 columns: Documents and ADAMS accession No./FR citation/web link. Lists various regulatory documents and their corresponding access information.

List of Subjects

10 CFR Part 170

Byproduct material, Import and export licenses, Intergovernmental relations, Non-payment penalties, Nuclear energy, Nuclear materials, Nuclear power plants and reactors, Source material, Special nuclear material.

10 CFR Part 171

Annual charges, Approvals, Byproduct material, Holders of certificates, Intergovernmental relations, Nonpayment penalties, Nuclear materials, Nuclear power plants and reactors, Registrations, Source material, Special nuclear material.

For the reasons set out in the preamble and under the authority of the Atomic Energy Act of 1954, as amended; the Energy Reorganization Act of 1974, as amended; 42 U.S.C. 2215; 31 U.S.C. 9701; and 5 U.S.C. 552 and 553, the NRC is proposing the following amendments to 10 CFR parts 170 and 171:

PART 170—FEES FOR FACILITIES, MATERIALS, IMPORT AND EXPORT LICENSES, AND OTHER REGULATORY SERVICES UNDER THE ATOMIC ENERGY ACT OF 1954, AS AMENDED

■ 1. The authority citation for part 170 continues to read as follows:

Authority: Atomic Energy Act of 1954, secs. 11, 161(w) (42 U.S.C. 2014, 2201(w)); Energy Reorganization Act of 1974, sec. 201 (42 U.S.C. 5841); 42 U.S.C. 2215; 31 U.S.C. 901, 902, 9701; 44 U.S.C. 3504 note.

■ 2. In § 170.3, add definitions for "Advanced nuclear reactor applicant" and "Advanced nuclear reactor pre-applicant" in alphabetical order to read as follows:

§ 170.3 Definitions.

* * * * *

Advanced nuclear reactor applicant means an entity that has submitted to the Commission an application that (1) is for an advanced nuclear reactor as defined in section 3 of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215 note); (2) is for an operating license, combined license, or manufacturing license under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et

seq.); and (3) is not for an amendment to or renewal of an existing license.

Advanced nuclear reactor pre-applicant means an entity that has submitted to the Commission a licensing project plan for the purposes of submitting a future application that (1) is for an advanced nuclear reactor as defined in section 3 of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215 note); (2) is for an operating license, combined license, or manufacturing license under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.); and (3) is not for an amendment to or renewal of an existing license.

* * * * *

■ 3. Revise § 170.20 to read as follows:

§ 170.20 Average cost per professional staff-hour.

(a) Except as provided in paragraphs (b) and (c), fees for permits, licenses, amendments, renewals, special projects, 10 CFR part 55 re-qualification and replacement examinations and tests, other required reviews, approvals, and inspections under §§ 170.21 and 170.31 will be calculated using the professional staff-hour rate of \$323 per hour.

(b) For advanced nuclear reactor applicants:

(1) Prior to October 1, 2025, fees under § 170.21 will be calculated using the professional staff-hour rate of \$323 per hour.
 (2) Effective on October 1, 2025, fees under § 170.21 relating to the review of the submitted application for the advanced nuclear reactor applicant will be calculated using the reduced hourly rate of \$146 per hour.
 (c) For advanced nuclear reactor pre-applicants:

(1) Prior to October 1, 2025, fees under § 170.21 will be calculated using the professional staff-hour rate of \$323 per hour.
 (2) Effective on October 1, 2025, fees under § 170.21 relating to the review of submitted materials as described in the licensing project plan will be calculated using the reduced hourly rate of \$146 per hour.
 (3) Paragraph (c) shall cease to be effective on September 30, 2030.

■ 4. In § 170.21, in table 1, revise footnote 2 to read as follows:

§ 170.21 Schedule of fees for production and utilization facilities, review of standard referenced design approvals, special projects, inspections and import and export licenses.
 * * * * *

TABLE 1 TO § 170.21—SCHEDULE OF FACILITY FEES
 [See footnotes at end of table]

Facility categories and type of fees	Fees ^{1 2}
* * * * *	*

¹ Fees will be charged for approvals issued under a specific exemption provision of the Commission's regulations under title 10 of the *Code of Federal Regulations* (e.g., 10 CFR 50.12, 10 CFR 73.5) and any other sections in effect now or in the future, regardless of whether the approval is in the form of a license amendment, letter of approval, safety evaluation report, or other form.

² Full cost fees will be determined based on the professional staff time and appropriate contractual support services expended. For applications currently on file and for which fees are determined based on the full cost expended for the review, the professional staff hours expended for the review of the application up to the effective date of the final rule will be determined at the professional hourly rate in effect when the service was provided. Effective October 1, 2025, the "full cost fees" described in the table for advanced nuclear reactor applicants and advanced nuclear reactor pre-applicants will be assessed consistent with § 170.20(b) and (c).

* * * * *
 ■ 5. In § 170.31, revise table 1 to read as follows:

§ 170.31 Schedule of fees for materials licenses and other regulatory services, including inspections, and import and export licenses.
 * * * * *

TABLE 1 TO § 170.31—SCHEDULE OF MATERIALS FEES
 [See footnotes at end of table]

Category of materials licenses and type of fees ¹	Fees ^{2 3}
1. Special nuclear material: ¹¹	
A. (1) Licenses for possession and use of U-235 or plutonium for fuel fabrication activities.	
(a) Strategic Special Nuclear Material (High Enriched Uranium) ⁶ [Program Code(s): 21213]	Full Cost.
(b) Low Enriched Uranium in Dispersible Form Used for Fabrication of Power Reactor Fuel ⁶ [Program Code(s): 21210]	Full Cost.
(2) All other special nuclear materials licenses not included in Category 1.A. (1) which are licensed for fuel cycle activities. ⁶	
(a) Facilities with limited operations ⁶ [Program Code(s): 21240, 21310, 21320]	Full Cost.
(b) Gas centrifuge enrichment demonstration facilities. ⁶ [Program Code(s): 21205]	Full Cost.
(c) Others, including hot cell facilities. ⁶ [Program Code(s): 21130, 21131, 21133]	Full Cost.
B. Licenses for receipt and storage of spent fuel and reactor-related Greater than Class C (GTCC) waste at an independent spent fuel storage installation (ISFSI). ⁶ [Program Code(s): 23200].	Full Cost.
C. Licenses for possession and use of special nuclear material of less than a critical mass as defined in § 70.4 of this chapter in sealed sources contained in devices used in industrial measuring systems, including x-ray fluorescence analyzers. ⁴ Application [Program Code(s): 22140].	\$1,500.
D. All other special nuclear material licenses, except licenses authorizing special nuclear material in sealed or unsealed form in combination that would constitute a critical mass, as defined in § 70.4 of this chapter, for which the licensee shall pay the same fees as those under Category 1.A. ⁴ Application [Program Code(s): 22110, 22111, 22120, 22131, 22136, 22150, 22151, 22161, 22170, 23100 23300, 23310].	\$3,000.
E. Licenses or certificates for construction and operation of a uranium enrichment facility ⁶ [Program Code(s): 21200]	Full Cost.
F. Licenses for possession and use of special nuclear material greater than critical mass as defined in § 70.4 of this chapter, for development and testing of commercial products, and other non-fuel-cycle activities. ^{4 6} [Program Code(s): 22155].	Full Cost.
2. Source material: ¹¹	
A. (1) Licenses for possession and use of source material for refining uranium mill concentrates to uranium hexafluoride or for deconverting uranium hexafluoride in the production of uranium oxides for disposal. ⁶ [Program Code(s): 11400].	Full Cost.
(2) Licenses for possession and use of source material in recovery operations such as milling, <i>in situ</i> recovery, heap-leaching, ore buying stations, ion-exchange facilities, and in processing of ores containing source material for extraction of metals other than uranium or thorium, including licenses authorizing the possession of byproduct waste material (tailings) from source material recovery operations, as well as licenses authorizing the possession and maintenance of a facility in a standby mode. ⁶	
(a) Conventional and Heap Leach facilities ⁶ [Program Code(s): 11100]	Full Cost.
(b) Basic <i>In Situ</i> Recovery facilities ⁶ [Program Code(s): 11500]	Full Cost.
(c) Expanded <i>In Situ</i> Recovery facilities ⁶ [Program Code(s): 11510]	Full Cost.
(d) <i>In Situ</i> Recovery Resin facilities ⁶ [Program Code(s): 11550]	Full Cost.
(e) Resin Toll Milling facilities ⁶ [Program Code(s): 11555]	Full Cost.

TABLE 1 TO § 170.31—SCHEDULE OF MATERIALS FEES—Continued

[See footnotes at end of table]

Category of materials licenses and type of fees ¹	Fees ^{2,3}
(f) Other facilities ⁶ [Program Code(s): 11700]	Full Cost.
(3) Licenses that authorize the receipt of byproduct material, as defined in section 11e.(2) of the Atomic Energy Act, from other persons for possession and disposal, except those licenses subject to the fees in Category 2.A.(2) or Category 2.A.(4) ⁶ [Program Code(s): 11600, 12000].	Full Cost.
(4) Licenses that authorize the receipt of byproduct material, as defined in section 11e.(2) of the Atomic Energy Act, from other persons for possession and disposal incidental to the disposal of the uranium waste tailings generated by the licensee's milling operations, except those licenses subject to the fees in Category 2.A.(2) ⁶ [Program Code(s): 12010].	Full Cost.
B. Licenses which authorize the possession, use, and/or installation of source material for shielding. ^{7,8} Application [Program Code(s): 11210].	\$1,400.
C. Licenses to distribute items containing source material to persons exempt from the licensing requirements of part 40 of this chapter. Application [Program Code(s): 11240].	\$6,900.
D. Licenses to distribute source material to persons generally licensed under part 40 of this chapter. Application [Program Code(s): 11230, 11231].	\$3,200.
E. Licenses for possession and use of source material for processing or manufacturing of products or materials containing source material for commercial distribution. Application [Program Code(s): 11710].	\$3,100.
F. All other source material licenses. Application [Program Code(s): 11200, 11220, 11221, 11300, 11800, 11810, 11820] ...	\$3,100.
3. Byproduct material: ¹¹	
A. Licenses of broad scope for the possession and use of byproduct material issued under parts 30 and 33 of this chapter for processing or manufacturing of items containing byproduct material for commercial distribution. Number of locations of use: 1–5. Application [Program Code(s): 03211, 03212, 03213].	\$15,100.
(1). Licenses of broad scope for the possession and use of byproduct material issued under parts 30 and 33 of this chapter for processing or manufacturing of items containing byproduct material for commercial distribution. Number of locations of use: 6–20. Application [Program Code(s): 04010, 04012, 04014].	\$20,100.
(2). Licenses of broad scope for the possession and use of byproduct material issued under parts 30 and 33 of this chapter for processing or manufacturing of items containing byproduct material for commercial distribution. Number of locations of use: more than 20. Application [Program Code(s): 04011, 04013, 04015].	\$25,100.
B. Other licenses for possession and use of byproduct material issued under part 30 of this chapter for processing or manufacturing of items containing byproduct material for commercial distribution. Number of locations of use: 1–5. Application [Program Code(s): 03214, 03215, 22135, 22162].	\$4,200.
(1). Other licenses for possession and use of byproduct material issued under part 30 of this chapter for processing or manufacturing of items containing byproduct material for commercial distribution. Number of locations of use: 6–20. Application [Program Code(s): 04110, 04112, 04114, 04116].	5,600.
(2). Other licenses for possession and use of byproduct material issued under part 30 of this chapter for processing or manufacturing of items containing byproduct material for commercial distribution. Number of locations of use: more than 20. Application [Program Code(s): 04111, 04113, 04115, 04117].	\$6,900.
C. Licenses issued under §§ 32.72 and/or 32.74 of this chapter that authorize the processing or manufacturing and distribution or redistribution of radiopharmaceuticals, generators, reagent kits, and/or sources and devices containing byproduct material. This category does not apply to licenses issued to nonprofit educational institutions whose processing or manufacturing is exempt under § 170.11(a)(4). Number of locations of use: 1–5. Application [Program Code(s): 02500, 02511, 02513].	\$6,000.
(1). Licenses issued under §§ 32.72 and/or 32.74 of this chapter that authorize the processing or manufacturing and distribution or redistribution of radiopharmaceuticals, generators, reagent kits, and/or sources and devices containing byproduct material. This category does not apply to licenses issued to nonprofit educational institutions whose processing or manufacturing is exempt under § 170.11(a)(4). Number of locations of use: 6–20. Application [Program Code(s): 04210, 04212, 04214].	\$8,100.
(2). Licenses issued under §§ 32.72 and/or 32.74 of this chapter that authorize the processing or manufacturing and distribution or redistribution of radiopharmaceuticals, generators, reagent kits, and/or sources and devices containing byproduct material. This category does not apply to licenses issued to nonprofit educational institutions whose processing or manufacturing is exempt under § 170.11(a)(4). Number of locations of use: more than 20. Application [Program Code(s): 04211, 04213, 04215].	\$10,000.
D. [Reserved]	N/A.
E. Licenses for possession and use of byproduct material in sealed sources for irradiation of materials in which the source is not removed from its shield (self-shielded units). Application [Program Code(s): 03510, 03520].	\$3,700.
F. Licenses for possession and use of less than or equal to 10,000 curies of byproduct material in sealed sources for irradiation of materials in which the source is exposed for irradiation purposes. This category also includes underwater irradiators for irradiation of materials where the source is not exposed for irradiation purposes. Application [Program Code(s): 03511].	\$7,600.
G. Licenses for possession and use of greater than 10,000 curies of byproduct material in sealed sources for irradiation of materials in which the source is exposed for irradiation purposes. This category also includes underwater irradiators for irradiation of materials where the source is not exposed for irradiation purposes. Application [Program Code(s): 03521].	\$72,200.
H. Licenses issued under subpart A of part 32 of this chapter to distribute items containing byproduct material that require device review to persons exempt from the licensing requirements of part 30 of this chapter. The category does not include specific licenses authorizing redistribution of items that have been authorized for distribution to persons exempt from the licensing requirements of part 30 of this chapter. Application [Program Code(s): 03254, 03255, 03257].	\$7,700.
I. Licenses issued under subpart A of part 32 of this chapter to distribute items containing byproduct material or quantities of byproduct material that do not require device evaluation to persons exempt from the licensing requirements of part 30 of this chapter. This category does not include specific licenses authorizing redistribution of items that have been authorized for distribution to persons exempt from the licensing requirements of part 30 of this chapter. Application [Program Code(s): 03250, 03251, 03253, 03256].	\$11,900.

TABLE 1 TO § 170.31—SCHEDULE OF MATERIALS FEES—Continued

[See footnotes at end of table]

Category of materials licenses and type of fees ¹	Fees ^{2,3}
J. Licenses issued under subpart B of part 32 of this chapter to distribute items containing byproduct material that require sealed source and/or device review to persons generally licensed under part 31 of this chapter. This category does not include specific licenses authorizing redistribution of items that have been authorized for distribution to persons generally licensed under part 31 of this chapter. Application [Program Code(s): 03240, 03241, 03243].	\$2,300.
K. Licenses issued under subpart B of part 32 of this chapter to distribute items containing byproduct material or quantities of byproduct material that do not require sealed source and/or device review to persons generally licensed under part 31 of this chapter. This category does not include specific licenses authorizing redistribution of items that have been authorized for distribution to persons generally licensed under part 31 of this chapter. Application [Program Code(s): 03242, 03244].	\$1,300.
L. Licenses of broad scope for possession and use of byproduct material issued under parts 30 and 33 of this chapter for research and development that do not authorize commercial distribution. Number of locations of use: 1–5. Application [Program Code(s): 01100, 01110, 01120, 03610, 03611, 03612, 03613].	\$6,400.
(1) Licenses of broad scope for possession and use of byproduct material issued under parts 30 and 33 of this chapter for research and development that do not authorize commercial distribution. Number of locations of use: 6–20. Application [Program Code(s): 04610, 04612, 04614, 04616, 04618, 04620, 04622].	\$8,500.
(2) Licenses of broad scope for possession and use of byproduct material issued under parts 30 and 33 of this chapter for research and development that do not authorize commercial distribution. Number of locations of use: more than 20. Application [Program Code(s): 04611, 04613, 04615, 04617, 04619, 04621, 04623].	\$10,600.
M. Other licenses for possession and use of byproduct material issued under part 30 of this chapter for research and development that do not authorize commercial distribution. Application [Program Code(s): 03620].	\$9,600.
N. Licenses that authorize services for other licensees, except	\$10,300.
(1) Licenses that authorize only calibration and/or leak testing services are subject to the fees specified in fee Category 3.P.; and	
(2) Licenses that authorize waste disposal services are subject to the fees specified in fee Categories 4.A., 4.B., and 4.C. ¹³ Application [Program Code(s): 03219, 03225, 03226].	
O. Licenses for possession and use of byproduct material issued under part 34 of this chapter for industrial radiography operations. Number of locations of use: 1–5. Application [Program Code(s): 03310, 03320].	\$11,800.
(1) Licenses for possession and use of byproduct material issued under part 34 of this chapter for industrial radiography operations. Number of locations of use: 6–20. Application [Program Code(s): 04310, 04312].	\$15,600.
(2) Licenses for possession and use of byproduct material issued under part 34 of this chapter for industrial radiography operations. Number of locations of use: more than 20. Application [Program Code(s): 04311, 04313].	\$19,600.
P. All other specific byproduct material licenses, except those in Categories 4.A. through 9.D. ⁹ Number of locations of use: 1–5. Application [Program Code(s): 02400, 02410, 03120, 03121, 03122, 03123, 03124, 03130, 03140, 03220, 03221, 03222, 03800, 03810, 22130].	\$7,900.
(1) All other specific byproduct material licenses, except those in Categories 4.A. through 9.D. ⁹ Number of locations of use: 6–20. Application [Program Code(s): 04410, 04412, 04414, 04416, 04418, 04420, 04422, 04424, 04426, 04428, 04430, 04432, 04434, 04436, 04438].	\$10,700.
(2) All other specific byproduct material licenses, except those in Categories 4.A. through 9.D. ⁹ Number of locations of use: more than 20. Application [Program Code(s): 04411, 04413, 04415, 04417, 04419, 04421, 04423, 04425, 04427, 04429, 04431, 04433, 04435, 04437, 04439].	\$13,300.
Q. Registration of a device(s) generally licensed under part 31 of this chapter. Registration	\$600.
R. Possession of items or products containing radium-226 identified in § 31.12 of this chapter which exceed the number of items or limits specified in that section. ⁵	
1. Possession of quantities exceeding the number of items or limits in § 31.12(a)(4) or (5) of this chapter but less than or equal to 10 times the number of items or limits specified. Application [Program Code(s): 02700].	\$3,000.
2. Possession of quantities exceeding 10 times the number of items or limits specified in § 31.12(a)(4) or (5) of this chapter. Application [Program Code(s): 02710].	\$2,900.
S. Licenses for production of accelerator-produced radionuclides. Application [Program Code(s): 03210]	\$16,500.
4. Waste disposal and processing: ¹¹	
A. Licenses specifically authorizing the receipt of waste byproduct material, source material, or special nuclear material from other persons for the purpose of contingency storage or commercial land disposal by the licensee; or licenses authorizing contingency storage of low-level radioactive waste at the site of nuclear power reactors; or licenses for receipt of waste from other persons for incineration or other treatment, packaging of resulting waste and residues, and transfer of packages to another person authorized to receive or dispose of waste material. Application [Program Code(s): 03231, 03233, 03236, 06100, 06101].	Full Cost.
B. Licenses specifically authorizing the receipt of waste byproduct material, source material, or special nuclear material from other persons for the purpose of packaging or repackaging the material. The licensee will dispose of the material by transfer to another person authorized to receive or dispose of the material. Application [Program Code(s): 03234].	\$8,100.
C. Licenses specifically authorizing the receipt of prepackaged waste byproduct material, source material, or special nuclear material from other persons. The licensee will dispose of the material by transfer to another person authorized to receive or dispose of the material. Application [Program Code(s): 03232].	\$5,800.
5. Well logging: ¹¹	
A. Licenses for possession and use of byproduct material, source material, and/or special nuclear material for well logging, well surveys, and tracer studies other than field flooding tracer studies. Application [Program Code(s): 03110, 03111, 03112].	\$5,300.
B. Licenses for possession and use of byproduct material for field flooding tracer studies. Licensing [Program Code(s): 03113].	Full Cost.
6. Nuclear laundries: ¹¹	
A. Licenses for commercial collection and laundry of items contaminated with byproduct material, source material, or special nuclear material. Application [Program Code(s): 03218].	\$25,800.

TABLE 1 TO § 170.31—SCHEDULE OF MATERIALS FEES—Continued
 [See footnotes at end of table]

Category of materials licenses and type of fees ¹	Fees ^{2,3}
7. Medical licenses: ¹¹	
A. Licenses issued under parts 30, 35, 40, and 70 of this chapter for human use of byproduct material, source material, or special nuclear material in sealed sources contained in gamma stereotactic radiosurgery units, teletherapy devices, or similar beam therapy devices. This category also includes the possession and use of source material for shielding when authorized on the same license. Number of locations of use: 1–5. Application [Program Code(s): 02300, 02310].	\$12,900.
(1). Licenses issued under parts 30, 35, 40, and 70 of this chapter for human use of byproduct material, source material, or special nuclear material in sealed sources contained in gamma stereotactic radiosurgery units, teletherapy devices, or similar beam therapy devices. This category also includes the possession and use of source material for shielding when authorized on the same license. Number of locations of use: 6–20. Application [Program Code(s): 04510, 04512].	\$17,200.
(2). Licenses issued under parts 30, 35, 40, and 70 of this chapter for human use of byproduct material, source material, or special nuclear material in sealed sources contained in gamma stereotactic radiosurgery units, teletherapy devices, or similar beam therapy devices. This category also includes the possession and use of source material for shielding when authorized on the same license. Number of locations of use: more than 20. Application [Program Code(s): 04511, 04513].	\$21,500.
B. Licenses of broad scope issued to medical institutions or two or more physicians under parts 30, 33, 35, 40, and 70 of this chapter authorizing research and development, including human use of byproduct material, except licenses for byproduct material, source material, or special nuclear material in sealed sources contained in teletherapy devices. This category also includes the possession and use of source material for shielding when authorized on the same license. Number of locations of use: 1–5. Application [Program Code(s): 02110].	\$10,100.
(1). Licenses of broad scope issued to medical institutions or two or more physicians under parts 30, 33, 35, 40, and 70 of this chapter authorizing research and development, including human use of byproduct material, except licenses for byproduct material, source material, or special nuclear material in sealed sources contained in teletherapy devices. This category also includes the possession and use of source material for shielding when authorized on the same license. Number of locations of use: 6–20. Application [Program Code(s): 04710].	\$13,400.
(2). Licenses of broad scope issued to medical institutions or two or more physicians under parts 30, 33, 35, 40, and 70 of this chapter authorizing research and development, including human use of byproduct material, except licenses for byproduct material, source material, or special nuclear material in sealed sources contained in teletherapy devices. This category also includes the possession and use of source material for shielding when authorized on the same license. Number of locations of use: more than 20. Application [Program Code(s): 04711].	\$16,700.
C. Other licenses issued under parts 30, 35, 40, and 70 of this chapter for human use of byproduct material, source material, and/or special nuclear material, except licenses for byproduct material, source material, or special nuclear material in sealed sources contained in teletherapy devices. This category also includes the possession and use of source material for shielding when authorized on the same license. ¹⁰ Number of locations of use: 1–5. Application [Program Code(s): 02120, 02121, 02200, 02201, 02210, 02220, 02230, 02231, 02240, 22160].	\$10,000.
(1). Other licenses issued under parts 30, 35, 40, and 70 of this chapter for human use of byproduct material, source material, and/or special nuclear material, except licenses for byproduct material, source material, or special nuclear material in sealed sources contained in teletherapy devices. This category also includes the possession and use of source material for shielding when authorized on the same license. ¹⁰ Number of locations of use: 6–20. Application [Program Code(s): 04810, 04812, 04814, 04816, 04818, 04820, 04822, 04824, 04826, 04828].	\$14,700.
(2). Other licenses issued under parts 30, 35, 40, and 70 of this chapter for human use of byproduct material, source material, and/or special nuclear material, except licenses for byproduct material, source material, or special nuclear material in sealed sources contained in teletherapy devices. This category also includes the possession and use of source material for shielding when authorized on the same license. ¹⁰ Number of locations of use: more than 20. Application [Program Code(s): 04811, 04813, 04815, 04817, 04819, 04821, 04823, 04825, 04827, 04829].	\$18,400.
8. Civil defense: ¹¹	
A. Licenses for possession and use of byproduct material, source material, or special nuclear material for civil defense activities. Application [Program Code(s): 03710].	\$3,000.
9. Device, product, or sealed source safety evaluation:	
A. Safety evaluation of devices or products containing byproduct material, source material, or special nuclear material, except reactor fuel devices, for commercial distribution. Application—each device.	\$20,200.
B. Safety evaluation of devices or products containing byproduct material, source material, or special nuclear material manufactured in accordance with the unique specifications of, and for use by, a single applicant, except reactor fuel devices. Application—each device.	\$10,500.
C. Safety evaluation of sealed sources containing byproduct material, source material, or special nuclear material, except reactor fuel, for commercial distribution. Application—each source.	\$6,100.
D. Safety evaluation of sealed sources containing byproduct material, source material, or special nuclear material, manufactured in accordance with the unique specifications of, and for use by, a single applicant, except reactor fuel. Application—each source.	\$1,200.
10. Transportation of radioactive material:	
A. Evaluation of casks, packages, and shipping containers.	
1. Spent Fuel, High-Level Waste, and plutonium air packages	Full Cost.
2. Other Casks	Full Cost.
B. Quality assurance program approvals issued under part 71 of this chapter.	
1. Users and Fabricators.	
Application	\$4,500.
Inspections	Full Cost.
2. Users.	
Application	\$4,500.
Inspections	Full Cost.

TABLE 1 TO § 170.31—SCHEDULE OF MATERIALS FEES—Continued

[See footnotes at end of table]

Category of materials licenses and type of fees ¹	Fees ^{2,3}
C. Evaluation of security plans, route approvals, route surveys, and transportation security devices (including immobilization devices).	Full Cost.
11. Review of standardized spent fuel facilities	Full Cost.
12. Special projects: Including approvals, pre-application/licensing activities, and inspections. Application [Program Code: 25110].	Full Cost.
13. A. Spent fuel storage cask Certificate of Compliance	Full Cost.
B. Inspections related to storage of spent fuel under § 72.210 of this chapter	Full Cost.
14. Decommissioning/Reclamation: ¹¹	
A. Byproduct, source, or special nuclear material licenses and other approvals authorizing decommissioning, decontamination, reclamation, or site restoration activities under parts 30, 40, 70, 72, and 76 of this chapter, including master materials licenses (MMLs). The transition to this fee category occurs when a licensee has permanently ceased principal activities. [Program Code(s): 03900, 11900, 21135, 21215, 21325, 22200].	Full Cost.
B. Site-specific decommissioning activities associated with unlicensed sites, including MMLs, regardless of whether or not the sites have been previously licensed.	Full Cost.
15. Import and Export licenses: ¹²	
Licenses issued under part 110 of this chapter for the import and export only of special nuclear material, source material, tritium and other byproduct material, and the export only of heavy water, or nuclear grade graphite (fee categories 15.A. through 15.E.).	
A. Application for export or import of nuclear materials, including radioactive waste requiring Commission and Executive Branch review, for example, those actions under § 110.40(b) of this chapter. Application—new license, or amendment; or license exemption request.	N/A.
B. Application for export or import of nuclear material, including radioactive waste, requiring Executive Branch review, but not Commission review. This category includes applications for the export and import of radioactive waste and requires the NRC to consult with domestic host state authorities (<i>i.e.</i> , Low-Level Radioactive Waste Compact Commission, the U.S. Environmental Protection Agency, etc.). Application—new license, or amendment; or license exemption request.	N/A.
C. Application for export of nuclear material, for example, routine reloads of low enriched uranium reactor fuel and/or natural uranium source material requiring the assistance of the Executive Branch to obtain foreign government assurances. Application—new license, or amendment; or license exemption request.	N/A.
D. Application for export or import of nuclear material not requiring Commission or Executive Branch review or obtaining foreign government assurances. Application—new license, or amendment; or license exemption request.	N/A.
E. Minor amendment of any active export or import license, for example, to extend the expiration date, change domestic information, or make other revisions which do not involve any substantive changes to license terms and conditions or to the type/quantity/chemical composition of the material authorized for export and, therefore, do not require in-depth analysis, review, or consultations with other Executive Branch, U.S. host state, or foreign government authorities. Minor amendment.	N/A.
Licenses issued under part 110 of this chapter for the import and export only of Category 1 and Category 2 quantities of radioactive material listed in appendix P to part 110 of this chapter (fee categories 15.F. through 15.R.).	
<i>Category 1 (Appendix P, 10 CFR part 110) Exports:</i>	
F. Application for export of appendix P Category 1 materials requiring Commission review (<i>e.g.</i> , exceptional circumstance review under § 110.42(e)(4) of this chapter) and to obtain one government-to-government consent for this process. For additional consent see fee category 15.I. Application—new license, or amendment; or license exemption request.	N/A.
G. Application for export of appendix P Category 1 materials requiring Executive Branch review and to obtain one government-to-government consent for this process. For additional consents see fee category 15.I. Application—new license, or amendment; or license exemption request.	N/A.
H. Application for export of appendix P Category 1 materials and to obtain one government-to-government consent for this process. For additional consents see fee category 15.I. Application—new license, or amendment; or license exemption request.	N/A.
I. Requests for each additional government-to-government consent in support of an export license application or active export license. Application—new license, or amendment; or license exemption request.	N/A.
<i>Category 2 (Appendix P, 10 CFR part 110) Exports:</i>	
J. Application for export of appendix P Category 2 materials requiring Commission review (<i>e.g.</i> , exceptional circumstance review under § 110.42(e)(4) of this chapter). Application—new license, or amendment; or license exemption request.	N/A.
K. Applications for export of appendix P Category 2 materials requiring Executive Branch review. Application—new license, or amendment; or license exemption request.	N/A.
L. Application for the export of Category 2 materials. Application—new license, or amendment; or license exemption request.	N/A.
M. [Reserved]	N/A.
N. [Reserved]	N/A.
O. [Reserved]	N/A.
P. [Reserved]	N/A.
Q. [Reserved]	N/A.
<i>Minor Amendments (Category 1 and 2, appendix P, 10 CFR part 110, Export):</i>	
R. Minor amendment of any active export license, for example, to extend the expiration date, change domestic information, or make other revisions which do not involve any substantive changes to license terms and conditions or to the type/quantity/chemical composition of the material authorized for export and, therefore, do not require in-depth analysis, review, or consultations with other Executive Branch, U.S. host state, or foreign authorities. Minor amendment.	N/A.
16. Reciprocity: Agreement State licensees who conduct activities under the reciprocity provisions of § 150.20 of this chapter. Application.	\$3,700.
17. Master materials licenses of broad scope issued to Government agencies. Application [Program Code(s): 03614]	Full Cost.

TABLE 1 TO § 170.31—SCHEDULE OF MATERIALS FEES—Continued
[See footnotes at end of table]

Category of materials licenses and type of fees ¹	Fees ^{2,3}
18. Department of Energy: A. Certificates of Compliance. Evaluation of casks, packages, and shipping containers (including spent fuel, high-level waste, and other casks, and plutonium air packages). B. Uranium Mill Tailings Radiation Control Act (UMTRCA) activities	Full Cost. Full Cost.

¹ *Types of fees*—Separate charges, as shown in the schedule, will be assessed for pre-application consultations and reviews; applications for new licenses, approvals, or license terminations; possession-only licenses; issuances of new licenses and approvals; certain amendments and renewals to existing licenses and approvals; safety evaluations of sealed sources and devices; generally licensed device registrations; and certain inspections. The following guidelines apply to these charges:

(1) *Application and registration fees.* Applications for new materials licenses and export and import licenses; applications to reinstate expired, terminated, or inactive licenses, except those subject to fees assessed at full costs; applications filed by Agreement State licensees to register under the general license provisions of 10 CFR 150.20; and applications for amendments to materials licenses that would place the license in a higher fee category or add a new fee category must be accompanied by the prescribed application fee for each category.

(i) Applications for licenses covering more than one fee category of special nuclear material or source material must be accompanied by the prescribed application fee for the highest fee category.

(ii) Applications for new licenses that cover both byproduct material and special nuclear material in sealed sources for use in gauging devices will pay the appropriate application fee for fee category 1.C. only.

(2) *Licensing fees.* Fees for reviews of applications for new licenses, renewals, and amendments to existing licenses, pre-application consultations and other documents submitted to the NRC for review, and project manager time for fee categories subject to full cost fees are due upon notification by the Commission in accordance with § 170.12(b).

(3) *Amendment fees.* Applications for amendments to export and import licenses must be accompanied by the prescribed amendment fee for each license affected. An application for an amendment to an export or import license or approval classified in more than one fee category must be accompanied by the prescribed amendment fee for the category affected by the amendment, unless the amendment is applicable to two or more fee categories, in which case the amendment fee for the highest fee category would apply.

(4) *Inspection fees.* Inspections resulting from investigations conducted by the Office of Investigations and nonroutine inspections that result from third-party allegations are not subject to fees. Inspection fees are due upon notification by the Commission in accordance with § 170.12(c).

(5) *Generally licensed device registrations under 10 CFR 31.5.* Submittals of registration information must be accompanied by the prescribed fee.

² Fees will be charged for approvals issued under a specific exemption provision of the Commission's regulations under title 10 of the *Code of Federal Regulations* (e.g., 10 CFR 30.11, 40.14, 70.14, 73.5, and any other sections in effect now or in the future), regardless of whether the approval is in the form of a license amendment, letter of approval, safety evaluation report, or other form. In addition to the fee shown, an applicant may be assessed an additional fee for sealed source and device evaluations as shown in fee categories 9.A. through 9.D.

³ Full cost fees will be determined based on the professional staff time multiplied by the appropriate professional hourly rate established in § 170.20 in effect when the service is provided, and the appropriate contractual support services expended.

⁴ Licensees paying fees under categories 1.A., 1.B., and 1.E. are not subject to fees under categories 1.C., 1.D. and 1.F. for sealed sources authorized in the same license, except for an application that deals only with the sealed sources authorized by the license.

⁵ Persons who possess radium sources that are used for operational purposes in another fee category are not also subject to the fees in this category. (This exception does not apply if the radium sources are possessed for storage only.)

⁶ Licensees subject to fees under fee categories 1.A., 1.B., 1.E., or 2.A. must pay the largest applicable fee and are not subject to additional fees listed in this table.

⁷ Licensees paying fees under 3.C., 3.C.1, or 3.C.2 are not subject to fees under 2.B. for possession and shielding authorized on the same license.

⁸ Licensees paying fees under 7.C. are not subject to fees under 2.B. for possession and shielding authorized on the same license.

⁹ Licensees paying fees under 3.N. are not subject to paying fees under 3.P., 3.P.1, or 3.P.2 for calibration or leak testing services authorized on the same license.

¹⁰ Licensees paying fees under 7.B., 7.B.1, or 7.B.2 are not subject to paying fees under 7.C., 7.C.1, or 7.C.2. for broad scope licenses issued under parts 30, 35, 40, and 70 of this chapter for human use of byproduct material, source material, and/or special nuclear material, except licenses for byproduct material, source material, or special nuclear material in sealed sources contained in teletherapy devices authorized on the same license.

¹¹ A materials license (or part of a materials license) that transitions to fee category 14.A is assessed full-cost fees under 10 CFR part 170 but is not assessed an annual fee under 10 CFR part 171. If only part of a materials license is transitioned to fee category 14.A, the licensee may be charged annual fees (and any applicable 10 CFR part 170 fees) for other activities authorized under the license that are not in decommissioning status.

¹² Because the resources for import and export licensing activities are identified as a fee-relief activity to be excluded from the fee-recoverable budget, import and export licensing actions will not incur fees.

¹³ Licensees paying fees under 4.A., 4.B. or 4.C. are not subject to paying fees under 3.N. licenses that authorize services for other licensees authorized on the same license.

PART 171—ANNUAL FEES FOR REACTOR LICENSES AND FUEL CYCLE LICENSES AND MATERIALS LICENSES, INCLUDING HOLDERS OF CERTIFICATES OF COMPLIANCE, REGISTRATIONS, AND QUALITY ASSURANCE PROGRAM APPROVALS AND GOVERNMENT AGENCIES LICENSED BY THE NRC

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

Authority: Atomic Energy Act of 1954, secs. 11, 161(w), 223, 234 (42 U.S.C. 2014, 2201(w), 2273, 2282); Energy Reorganization

Act of 1974, sec. 201 (42 U.S.C. 5841); 42 U.S.C. 2215; 44 U.S.C. 3504 note.

■ 7. In § 171.15, revise paragraphs (b)(1), (b)(2) introductory text, (c)(1), (c)(2) introductory text, and paragraph (e) to read as follows:

§ 171.15 Annual fees: Non-power production or utilization licenses, reactor licenses, and independent spent fuel storage licenses.

* * * * *

(b)(1) The FY 2025 annual fee for each operating power reactor that must be collected by September 30, 2025, is \$5,359,000.

(2) The FY 2025 annual fees are comprised of a base annual fee for power reactors licensed to operate, a base spent fuel storage/reactor decommissioning annual fee and associated additional charges. The activities comprising the spent fuel storage/reactor decommissioning base annual fee are shown in paragraphs (c)(2)(i) and (ii) of this section. The activities comprising the FY 2025 base annual fee for operating power reactors are as follows:

* * * * *

(c)(1) The FY 2025 annual fee for each power reactor holding a 10 CFR part 50 license or combined license issued under 10 CFR part 52 that is in a decommissioning or possession-only status and has spent fuel onsite, and for each independent spent fuel storage 10 CFR part 72 licensee who does not hold a 10 CFR part 50 license or a 10 CFR part 52 combined license, is \$341,000.

(2) The FY 2025 annual fee is comprised of a base spent fuel storage/reactor decommissioning annual fee (which is also included in the operating power reactor annual fee shown in paragraph (b) of this section). The activities comprising the FY 2025 spent fuel storage/reactor decommissioning rebaselined annual fee are:

* * * * *

(e) The FY 2025 annual fee for licensees authorized to operate one or more non-power production or utilization facilities under a single 10 CFR part 50 license, unless the reactor is exempted from fees under § 171.11(b), is \$124,400.

■ 8. In § 171.16, revise paragraphs (b) introductory text, (c), and (d) to read as follows:

§ 171.16 Annual fees: Materials licensees, holders of certificates of compliance, holders of sealed source and device registrations, holders of quality assurance program approvals, and government agencies licensed by the NRC.

* * * * *

(b) The FY 2025 annual fee is comprised of a base annual fee and associated additional charges. The base

FY 2025 annual fee is the sum of budgeted costs for the following activities:

* * * * *

(c) A licensee who is required to pay an annual fee under this section, in addition to 10 CFR part 72 licenses, may qualify as a small entity. If a licensee qualifies as a small entity and provides the Commission with the proper certification along with its annual fee payment, the licensee may pay reduced annual fees as shown in table 1 to this paragraph (c). Failure to file a small entity certification in a timely manner could result in the receipt of a delinquent invoice requesting the outstanding balance due and/or denial of any refund that might otherwise be due. The small entity fees are as follows:

TABLE 1 TO PARAGRAPH (c)

NRC small entity classification	Maximum annual fee per licensed category
Small Businesses Not Engaged in Manufacturing (Average gross receipts over the last 5 completed fiscal years):	
\$555,000 to \$8 million	\$5,800
Less than \$555,000	1,100
Small Not-For-Profit Organizations (Annual Gross Receipts):	
\$555,000 to \$8 million	5,800
Less than \$555,000	1,100
Manufacturing Entities that Have an Average of 500 Employees or Fewer:	
35 to 500 employees	5,800
Fewer than 35 employees	1,100
Small Governmental Jurisdictions (Including publicly supported educational institutions) (Population):	
20,000 to 49,999	5,800
Fewer than 20,000	1,100
Educational Institutions that are not State or Publicly Supported, and have 500 Employees or Fewer:	
35 to 500 employees	5,800
Fewer than 35 employees	1,100

(d) The FY 2025 annual fees for materials licensees and holders of certificates, registrations, or approvals

subject to fees under this section are shown in table 2 to this paragraph (d):

TABLE 2 TO PARAGRAPH (d)—SCHEDULE OF MATERIALS ANNUAL FEES AND FEES FOR GOVERNMENT AGENCIES LICENSED BY NRC

[See footnotes at end of table]

Category of materials licenses	Annual fees ^{1 2 3}
1. Special nuclear material:	
A. (1) Licenses for possession and use of U-235 or plutonium for fuel fabrication activities.	
(a) Strategic Special Nuclear Material (High Enriched Uranium) ¹⁵ [Program Code(s): 21213]	\$6,412,000
(b) Low Enriched Uranium in Dispersible Form Used for Fabrication of Power Reactor Fuel ¹⁵ [Program Code(s): 21210]	2,173,000
(2) All other special nuclear materials licenses not included in Category 1.A.(1) which are licensed for fuel cycle activities.	
(a) Facilities with limited operations ¹⁵ [Program Code(s): 21310, 21320]	1,791,000
(b) Gas centrifuge enrichment demonstration facility ¹⁵ [Program Code(s): 21205]	N/A
(c) Others, including hot cell facility ¹⁵ [Program Code(s): 21130, 21131, 21133]	N/A
B. Licenses for receipt and storage of spent fuel and reactor-related Greater than Class C (GTCC) waste at an independent spent fuel storage installation (ISFSI) ^{11 15} [Program Code(s): 23200]	N/A
C. Licenses for possession and use of special nuclear material of less than a critical mass, as defined in § 70.4 of this chapter, in sealed sources contained in devices used in industrial measuring systems, including x-ray fluorescence analyzers. [Program Code(s): 22140]	3,500

TABLE 2 TO PARAGRAPH (d)—SCHEDULE OF MATERIALS ANNUAL FEES AND FEES FOR GOVERNMENT AGENCIES LICENSED BY NRC—Continued

[See footnotes at end of table]

Category of materials licenses	Annual fees ^{1 2 3}
D. All other special nuclear material licenses, except licenses authorizing special nuclear material in sealed or unsealed form in combination that would constitute a critical mass, as defined in § 70.4 of this chapter, for which the licensee shall pay the same fees as those under Category 1.A. [Program Code(s): 22110, 22111, 22120, 22131, 22136, 22150, 22151, 22161, 22170, 23100, 23300, 23310]	8,400
E. Licenses or certificates for the operation of a uranium enrichment facility. ¹⁵ [Program Code(s): 21200]	2,794,000
F. Licenses for possession and use of special nuclear materials greater than critical mass, as defined in § 70.4 of this chapter, for development and testing of commercial products, and other non-fuel cycle activities. ⁴ [Program Code: 22155]	6,200
2. Source material:	
A. (1) Licenses for possession and use of source material for refining uranium mill concentrates to uranium hexafluoride or for deconverting uranium hexafluoride in the production of uranium oxides for disposal. ¹⁵ [Program Code: 11400] ..	1,361,000
(2) Licenses for possession and use of source material in recovery operations such as milling, in situ recovery, heap-leaching, ore buying stations, ion-exchange facilities and in-processing of ores containing source material for extraction of metals other than uranium or thorium, including licenses authorizing the possession of byproduct waste material (tailings) from source material recovery operations, as well as licenses authorizing the possession and maintenance of a facility in a standby mode.	
(a) Conventional and Heap Leach facilities. ¹⁵ [Program Code(s): 11100]	N/A
(b) Basic <i>In Situ</i> Recovery facilities. ¹⁵ [Program Code(s): 11500]	51,900
(c) Expanded <i>In Situ</i> Recovery facilities. ¹⁵ [Program Code(s): 11510]	N/A
(d) <i>In Situ</i> Recovery Resin facilities. ¹⁵ [Program Code(s): 11550]	⁵ N/A
(e) Resin Toll Milling facilities. ¹⁵ [Program Code(s): 11555]	⁵ N/A
(f) Other facilities ⁶ [Program Code(s): 11700]	⁵ N/A
(3) Licenses that authorize the receipt of byproduct material, as defined in section 11e.(2) of the Atomic Energy Act, from other persons for possession and disposal, except those licenses subject to the fees in Category 2.A.(2) or Category 2.A.(4). ¹⁵ [Program Code(s): 11600, 12000]	⁵ N/A
(4) Licenses that authorize the receipt of byproduct material, as defined in section 11e.(2) of the Atomic Energy Act, from other persons for possession and disposal incidental to the disposal of the uranium waste tailings generated by the licensee's milling operations, except those licenses subject to the fees in Category 2.A.(2). ¹⁵ [Program Code(s): 12010]	N/A
B. Licenses which authorize the possession, use, and/or installation of source material for shielding. ^{16 17} Application [Program Code(s): 11210]	3,800
C. Licenses to distribute items containing source material to persons exempt from the licensing requirements of part 40 of this chapter. [Program Code: 11240]	14,400
D. Licenses to distribute source material to persons generally licensed under part 40 of this chapter. [Program Code(s): 11230 and 11231]	7,300
E. Licenses for possession and use of source material for processing or manufacturing of products or materials containing source material for commercial distribution. [Program Code: 11710]	9,200
F. All other source material licenses. [Program Code(s): 11200, 11220, 11221, 11300, 11800, 11810, 11820]	11,500
3. Byproduct material:	
A. Licenses of broad scope for possession and use of byproduct material issued under parts 30 and 33 of this chapter for processing or manufacturing of items containing byproduct material for commercial distribution. Number of locations of use: 1–5. [Program Code(s): 03211, 03212, 03213]	39,700
(1). Licenses of broad scope for the possession and use of byproduct material issued under parts 30 and 33 of this chapter for processing or manufacturing of items containing byproduct material for commercial distribution. Number of locations of use: 6–20. [Program Code(s): 04010, 04012, 04014]	52,800
(2). Licenses of broad scope for the possession and use of byproduct material issued under parts 30 and 33 of this chapter for processing or manufacturing of items containing byproduct material for commercial distribution. Number of locations of use: more than 20. [Program Code(s): 04011, 04013, 04015]	65,900
B. Other licenses for possession and use of byproduct material issued under part 30 of this chapter for processing or manufacturing of items containing byproduct material for commercial distribution. Number of locations of use: 1–5. [Program Code(s): 03214, 03215, 22135, 22162]	13,700
(1). Other licenses for possession and use of byproduct material issued under part 30 of this chapter for processing or manufacturing of items containing byproduct material for commercial distribution. Number of locations of use: 6–20. [Program Code(s): 04110, 04112, 04114, 04116]	18,100
(2). Other licenses for possession and use of byproduct material issued under part 30 of this chapter for processing or manufacturing of items containing byproduct material for commercial distribution. Number of locations of use: more than 20. [Program Code(s): 04111, 04113, 04115, 04117]	22,400
C. Licenses issued under §§ 32.72 and/or 32.74 of this chapter that authorize the processing or manufacturing and distribution or redistribution of radiopharmaceuticals, generators, reagent kits, and/or sources and devices containing byproduct material. This category does not apply to licenses issued to nonprofit educational institutions whose processing or manufacturing is exempt under § 170.11(a)(4) of this chapter. Number of locations of use: 1–5. [Program Code(s): 02500, 02511, 02513]	13,400
(1). Licenses issued under §§ 32.72 and/or 32.74 of this chapter that authorize the processing or manufacturing and distribution or redistribution of radiopharmaceuticals, generators, reagent kits, and/or sources and devices containing byproduct material. This category does not apply to licenses issued to nonprofit educational institutions whose processing or manufacturing is exempt under § 170.11(a)(4). Number of locations of use: 6–20. [Program Code(s): 04210, 04212, 04214]	19,800

TABLE 2 TO PARAGRAPH (d)—SCHEDULE OF MATERIALS ANNUAL FEES AND FEES FOR GOVERNMENT AGENCIES LICENSED BY NRC—Continued

[See footnotes at end of table]

Category of materials licenses	Annual fees ^{1 2 3}
(2). Licenses issued under §§ 32.72 and/or 32.74 of this chapter that authorize the processing or manufacturing and distribution or redistribution of radiopharmaceuticals, generators, reagent kits, and/or sources and devices containing byproduct material. This category does not apply to licenses issued to nonprofit educational institutions whose processing or manufacturing is exempt under § 170.11(a)(4). Number of locations of use: more than 20. [Program Code(s): 04211, 04213, 04215]	24,500
D. [Reserved]	⁵ N/A
E. Licenses for possession and use of byproduct material in sealed sources for irradiation of materials in which the source is not removed from its shield (self-shielded units). [Program Code(s): 03510, 03520]	12,800
F. Licenses for possession and use of less than or equal to 10,000 curies of byproduct material in sealed sources for irradiation of materials in which the source is exposed for irradiation purposes. This category also includes underwater irradiators for irradiation of materials in which the source is not exposed for irradiation purposes. [Program Code(s): 03511]	13,000
G. Licenses for possession and use of greater than 10,000 curies of byproduct material in sealed sources for irradiation of materials in which the source is exposed for irradiation purposes. This category also includes underwater irradiators for irradiation of materials in which the source is not exposed for irradiation purposes. [Program Code(s): 03521]	108,800
H. Licenses issued under subpart A of part 32 of this chapter to distribute items containing byproduct material that require device review to persons exempt from the licensing requirements of part 30 of this chapter, except specific licenses authorizing redistribution of items that have been authorized for distribution to persons exempt from the licensing requirements of part 30 of this chapter. [Program Code(s): 03254, 03255, 03257]	13,900
I. Licenses issued under subpart A of part 32 of this chapter to distribute items containing byproduct material or quantities of byproduct material that do not require device evaluation to persons exempt from the licensing requirements of part 30 of this chapter, except for specific licenses authorizing redistribution of items that have been authorized for distribution to persons exempt from the licensing requirements of part 30 of this chapter. [Program Code(s): 03250, 03251, 03253, 03256]	18,900
J. Licenses issued under subpart B of part 32 of this chapter to distribute items containing byproduct material that require sealed source and/or device review to persons generally licensed under part 31 of this chapter, except specific licenses authorizing redistribution of items that have been authorized for distribution to persons generally licensed under part 31 of this chapter. [Program Code(s): 03240, 03241, 03243]	5,100
K. Licenses issued under subpart B of part 32 of this chapter to distribute items containing byproduct material or quantities of byproduct material that do not require sealed source and/or device review to persons generally licensed under part 31 of this chapter, except specific licenses authorizing redistribution of items that have been authorized for distribution to persons generally licensed under part 31 of this chapter. [Program Code(s): 03242, 03244]	3,800
L. Licenses of broad scope for possession and use of byproduct material issued under parts 30 and 33 of this chapter for research and development that do not authorize commercial distribution. Number of locations of use: 1–5. [Program Code(s): 01100, 01110, 01120, 03610, 03611, 03612, 03613]	18,500
(1) Licenses of broad scope for possession and use of product material issued under parts 30 and 33 of this chapter for research and development that do not authorize commercial distribution. Number of locations of use: 6–20. [Program Code(s): 04610, 04612, 04614, 04616, 04618, 04620, 04622]	24,500
(2) Licenses of broad scope for possession and use of byproduct material issued under parts 30 and 33 of this chapter for research and development that do not authorize commercial distribution. Number of locations of use: more than 20. [Program Code(s): 04611, 04613, 04615, 04617, 04619, 04621, 04623]	30,600
M. Other licenses for possession and use of byproduct material issued under part 30 of this chapter for research and development that do not authorize commercial distribution. [Program Code(s): 03620]	19,100
N. Licenses that authorize services for other licensees, except: (1) Licenses that authorize only calibration and/or leak testing services are subject to the fees specified in fee Category 3.P.; and (2) Licenses that authorize waste disposal services are subject to the fees specified in fee categories 4.A., 4.B., and 4.C. ²¹ [Program Code(s): 03219, 03225, 03226]	20,900
O. Licenses for possession and use of byproduct material issued under part 34 of this chapter for industrial radiography operations. This category also includes the possession and use of source material for shielding authorized under part 40 of this chapter when authorized on the same license. Number of locations of use: 1–5. [Program Code(s): 03310, 03320]	30,600
(1). Licenses for possession and use of byproduct material issued under part 34 of this chapter for industrial radiography operations. This category also includes the possession and use of source material for shielding authorized under part 40 of this chapter when authorized on the same license. Number of locations of use: 6–20. [Program Code(s): 04310, 04312]	40,700
(2). Licenses for possession and use of byproduct material issued under part 34 of this chapter for industrial radiography operations. This category also includes the possession and use of source material for shielding authorized under part 40 of this chapter when authorized on the same license. Number of locations of use: more than 20. [Program Code(s): 04311, 04313]	51,100
P. All other specific byproduct material licenses, except those in Categories 4.A. through 9.D. ¹⁸ Number of locations of use: 1–5. [Program Code(s): 02400, 02410, 03120, 03121, 03122, 03123, 03124, 03140, 03130, 03220, 03221, 03222, 03800, 03810, 22130]	15,100
(1). All other specific byproduct material licenses, except those in Categories 4.A. through 9.D. ¹⁸ Number of locations of use: 6–20. [Program Code(s): 04410, 04412, 04414, 04416, 04418, 04420, 04422, 04424, 04426, 04428, 04430, 04432, 04434, 04436, 04438]	20,300
(2). All other specific byproduct material licenses, except those in Categories 4.A. through 9.D. ¹⁸ Number of locations of use: more than 20. [Program Code(s): 04411, 04413, 04415, 04417, 04419, 04421, 04423, 04425, 04427, 04429, 04431, 04433, 04435, 04437, 04439]	25,300

TABLE 2 TO PARAGRAPH (d)—SCHEDULE OF MATERIALS ANNUAL FEES AND FEES FOR GOVERNMENT AGENCIES LICENSED BY NRC—Continued

[See footnotes at end of table]

Category of materials licenses	Annual fees ^{1 2 3}
Q. Registration of devices generally licensed under part 31 of this chapter	¹³ N/A
R. Possession of items or products containing radium-226 identified in § 31.12 of this chapter which exceed the number of items or limits specified in that section: ¹⁴	
(1). Possession of quantities exceeding the number of items or limits in § 31.12(a)(4), or (5) of this chapter but less than or equal to 10 times the number of items or limits specified. [Program Code(s): 02700]	8,800
(2). Possession of quantities exceeding 10 times the number of items or limits specified in § 31.12(a)(4) or (5) of this chapter. [Program Code(s): 02710]	9,200
S. Licenses for production of accelerator-produced radionuclides. [Program Code(s): 03210]	36,700
4. Waste disposal and processing:	
A. Licenses specifically authorizing the receipt of waste byproduct material, source material, or special nuclear material from other persons for the purpose of contingency storage or commercial land disposal by the licensee; or licenses authorizing contingency storage of low-level radioactive waste at the site of nuclear power reactors; or licenses for receipt of waste from other persons for incineration or other treatment, packaging of resulting waste and residues, and transfer of packages to another person authorized to receive or dispose of waste material. [Program Code(s): 03231, 03233, 03236, 06100, 06101]	32,900
B. Licenses specifically authorizing the receipt of waste byproduct material, source material, or special nuclear material from other persons for the purpose of packaging or repackaging the material. The licensee will dispose of the material by transfer to another person authorized to receive or dispose of the material. [Program Code(s): 03234]	21,400
C. Licenses specifically authorizing the receipt of prepackaged waste byproduct material, source material, or special nuclear material from other persons. The licensee will dispose of the material by transfer to another person authorized to receive or dispose of the material. [Program Code(s): 03232]	12,600
5. Well logging:	
A. Licenses for possession and use of byproduct material, source material, and/or special nuclear material for well logging, well surveys, and tracer studies other than field flooding tracer studies. [Program Code(s): 03110, 03111, 03112]	17,000
B. Licenses for possession and use of byproduct material for field flooding tracer studies. [Program Code(s): 03113]	⁵ N/A
6. Nuclear laundries:	
A. Licenses for commercial collection and laundry of items contaminated with byproduct material, source material, or special nuclear material. [Program Code(s): 03218]	40,700
7. Medical licenses:	
A. Licenses issued under parts 30, 35, 40, and 70 of this chapter for human use of byproduct material, source material, or special nuclear material in sealed sources contained in gamma stereotactic radiosurgery units, teletherapy devices, or similar beam therapy devices. This category also includes the possession and use of source material for shielding when authorized on the same license. ^{9 17} Number of locations of use: 1–5. [Program Code(s): 02300, 02310]	39,400
(1). Licenses issued under parts 30, 35, 40, and 70 of this chapter for human use of byproduct material, source material, or special nuclear material in sealed sources contained in gamma stereotactic radiosurgery units, teletherapy devices, or similar beam therapy devices. This category also includes the possession and use of source material for shielding when authorized on the same license. ^{9 17} Number of locations of use: 6–20. [Program Code(s): 04510, 04512]	52,500
(2). Licenses issued under parts 30, 35, 40, and 70 of this chapter for human use of byproduct material, source material, or special nuclear material in sealed sources contained in gamma stereotactic radiosurgery units, teletherapy devices, or similar beam therapy devices. This category also includes the possession and use of source material for shielding when authorized on the same license. ^{9 17} Number of locations of use: more than 20. [Program Code(s): 04511, 04513]	65,700
B. Licenses of broad scope issued to medical institutions or two or more physicians under parts 30, 33, 35, 40, and 70 of this chapter authorizing research and development, including human use of byproduct material, except licenses for byproduct material, source material, or special nuclear material in sealed sources contained in teletherapy devices. This category also includes the possession and use of source material for shielding when authorized on the same license. ^{9 17} Number of locations of use: 1–5. [Program Code(s): 02110]	56,300
(1). Licenses of broad scope issued to medical institutions or two or more physicians under parts 30, 33, 35, 40, and 70 of this chapter authorizing research and development, including human use of byproduct material, except licenses for byproduct material, source material, or special nuclear material in sealed sources contained in teletherapy devices. This category also includes the possession and use of source material for shielding when authorized on the same license. ^{9 17} Number of locations of use: 6–20. [Program Code(s): 04710]	74,700
(2). Licenses of broad scope issued to medical institutions or two or more physicians under parts 30, 33, 35, 40, and 70 of this chapter authorizing research and development, including human use of byproduct material, except licenses for byproduct material, source material, or special nuclear material in sealed sources contained in teletherapy devices. This category also includes the possession and use of source material for shielding when authorized on the same license. ^{9 17} Number of locations of use: more than 20. [Program Code(s): 04711]	93,300
C. Other licenses issued under parts 30, 35, 40, and 70 of this chapter for human use of byproduct material, source material, and/or special nuclear material, except licenses for byproduct material, source material, or special nuclear material in sealed sources contained in teletherapy devices. This category also includes the possession and use of source material for shielding when authorized on the same license. ^{9 17 19} Number of locations of use: 1–5. [Program Code(s): 02120, 02121, 02200, 02201, 02210, 02220, 02230, 02231, 02240, 22160]	20,900

TABLE 2 TO PARAGRAPH (d)—SCHEDULE OF MATERIALS ANNUAL FEES AND FEES FOR GOVERNMENT AGENCIES LICENSED BY NRC—Continued

[See footnotes at end of table]

Category of materials licenses	Annual fees ^{1 2 3}
(1). Other licenses issued under parts 30, 35, 40, and 70 of this chapter for human use of byproduct material, source material, and/or special nuclear material, except licenses for byproduct material, source material, or special nuclear material in sealed sources contained in teletherapy devices. This category also includes the possession and use of source material for shielding when authorized on the same license. ^{9 17 19} Number of locations of use: 6–20. [Program Code(s): 04810, 04812, 04814, 04816, 04818, 04820, 04822, 04824, 04826, 04828]	29,600
(2). Other licenses issued under parts 30, 35, 40, and 70 of this chapter for human use of byproduct material, source material, and/or special nuclear material, except licenses for byproduct material, source material, or special nuclear material in sealed sources contained in teletherapy devices. This category also includes the possession and use of source material for shielding when authorized on the same license. ^{9 17 19} Number of locations of use: more than 20. [Program Code(s): 04811, 04813, 04815, 04817, 04819, 04821, 04823, 04825, 04827, 04829]	37,900
8. Civil defense:	
A. Licenses for possession and use of byproduct material, source material, or special nuclear material for civil defense activities. [Program Code(s): 03710]	8,800
9. Device, product, or sealed source safety evaluation:	
A. Registrations issued for the safety evaluation of devices or products containing byproduct material, source material, or special nuclear material, except reactor fuel devices, for commercial distribution	25,900
B. Registrations issued for the safety evaluation of devices or products containing byproduct material, source material, or special nuclear material manufactured in accordance with the unique specifications of, and for use by, a single applicant, except reactor fuel devices	13,500
C. Registrations issued for the safety evaluation of sealed sources containing byproduct material, source material, or special nuclear material, except reactor fuel, for commercial distribution	7,800
D. Registrations issued for the safety evaluation of sealed sources containing byproduct material, source material, or special nuclear material, manufactured in accordance with the unique specifications of, and for use by, a single applicant, except reactor fuel	1,500
10. Transportation of radioactive material:	
A. Certificates of Compliance or other package approvals issued for design of casks, packages, and shipping containers.	
1. Spent Fuel, High-Level Waste, and plutonium air packages	6 N/A
2. Other Casks	6 N/A
B. Quality assurance program approvals issued under part 71 of this chapter.	
1. Users and Fabricators	6 N/A
2. Users	6 N/A
C. Evaluation of security plans, route approvals, route surveys, and transportation security devices (including immobilization devices)	6 N/A
11. Standardized spent fuel facilities	6 N/A
12. Special Projects [Program Code(s): 25110]	6 N/A
13. A. Spent fuel storage cask Certificate of Compliance	6 N/A
B. General licenses for storage of spent fuel under § 72.210 of this chapter	12 N/A
14. Decommissioning/Reclamation:	
A. Byproduct, source, or special nuclear material licenses and other approvals authorizing decommissioning, decontamination, reclamation, or site restoration activities under parts 30, 40, 70, 72, and 76 of this chapter, including master materials licenses (MMLs). The transition to this fee category occurs when a licensee has permanently ceased principal activities. [Program Code(s): 03900, 11900, 21135, 21215, 21325, 22200]	7 ²⁰ N/A
B. Site-specific decommissioning activities associated with unlicensed sites, including MMLs, whether or not the sites have been previously licensed	7 N/A
15. Import and Export licenses	8 N/A
16. Reciprocity	8 N/A
17. Master materials licenses of broad scope issued to Government agencies. ¹⁵ [Program Code(s): 03614]	478,000
18. Department of Energy:	
A. Certificates of Compliance	¹⁰ 2,566,000
B. Uranium Mill Tailings Radiation Control Act (UMTRCA) activities [Program Code(s): 03237, 03238]	353,000

¹ Annual fees will be assessed based on whether a licensee held a valid license with the NRC authorizing possession and use of radioactive material during the current FY. The annual fee is waived for those materials licenses and holders of certificates, registrations, and approvals who either filed for termination of their licenses or approvals or filed for possession only/storage licenses before October 1 of the current FY, and permanently ceased licensed activities entirely before this date. Annual fees for licensees who filed for termination of a license, downgrade of a license, or for a possession-only license during the FY and for new licenses issued during the FY will be prorated in accordance with the provisions of § 171.17. If a person holds more than one license, certificate, registration, or approval, the annual fee(s) will be assessed for each license, certificate, registration, or approval held by that person. For licenses that authorize more than one activity on a single license (e.g., human use and irradiation activities), annual fees will be assessed for each category applicable to the license.

² Payment of the prescribed annual fee does not automatically renew the license, certificate, registration, or approval for which the fee is paid. Renewal applications must be filed in accordance with the requirements of parts 30, 40, 70, 71, 72, or 76 of this chapter.

³ Each FY, fees for these materials licenses will be calculated and assessed in accordance with § 171.13 and will be published in the **Federal Register** for notice and comment.

⁴ Other facilities include licenses for extraction of metals, heavy metals, and rare earths.

⁵ There are no existing NRC licenses in these fee categories. If NRC issues a license for these categories, the Commission will consider establishing an annual fee for this type of license.

⁶ Standardized spent fuel facilities, 10 CFR parts 71 and 72 Certificates of Compliance and related Quality Assurance program approvals, and special reviews, such as topical reports, are not assessed an annual fee because the generic costs of regulating these activities are primarily attributable to users of the designs, certificates, and topical reports.

⁷ Licensees in this category are not assessed an annual fee because they are charged an annual fee in other categories while they are licensed to operate.

⁸ No annual fee is charged because it is not practical to administer due to the relatively short life or temporary nature of the license.

⁹ Separate annual fees will not be assessed for pacemaker licenses issued to medical institutions that also hold nuclear medicine licenses under fee categories 7.A, 7.A.1, 7.A.2, 7.B., 7.B.1, 7.B.2, 7.C, 7.C.1, or 7.C.2.

¹⁰ This includes Certificates of Compliance issued to the DOE that are not funded from the Nuclear Waste Fund.

¹¹ See § 171.15(c).

¹² See § 171.15(c).

¹³ No annual fee is charged for this category because the cost of the general license registration program applicable to licenses in this category will be recovered through 10 CFR part 170 fees.

¹⁴ Persons who possess radium sources that are used for operational purposes in another fee category are not also subject to the fees in this category. (This exception does not apply if the radium sources are possessed for storage only.)

¹⁵ Licensees subject to fees under categories 1.A., 1.B., 1.E., 2.A., and licensees paying fees under fee category 17 must pay the largest applicable fee and are not subject to additional fees listed in this table.

¹⁶ Licensees paying fees under 3.C. are not subject to fees under 2.B. for possession and shielding authorized on the same license.

¹⁷ Licensees paying fees under 7.A, 7.A.1, 7.A.2, 7.B, 7.B.1, 7.B.2, 7.C, 7.C.1, or 7.C.2 are not subject to fees under 2.B. for possession and shielding authorized on the same license.

¹⁸ Licensees paying fees under 3.N. are not subject to paying fees under 3.P., 3.P.1, or 3.P.2 for calibration or leak testing services authorized on the same license.

¹⁹ Licensees paying fees under 7.B., 7.B.1, or 7.B.2 are not subject to paying fees under 7.C., 7.C.1, or 7.C.2 for broad scope license licenses issued under parts 30, 35, 40, and 70 of this chapter for human use of byproduct material, source material, and/or special nuclear material, except licenses for byproduct material, source material, or special nuclear material in sealed sources contained in teletherapy devices authorized on the same license.

²⁰ No annual fee is charged for a materials license (or part of a materials license) that has transitioned to this fee category because the decommissioning costs will be recovered through 10 CFR part 170 fees, but annual fees may be charged for other activities authorized under the license that are not in decommissioning status.

²¹ Licensees paying fees under 4.A., 4.B. or 4.C. are not subject to paying fees under 3.N. licenses that authorize services for other licensees authorized on the same license.

Dated: February 5, 2025.

For the Nuclear Regulatory Commission.

Owen Barwell,

Chief Financial Officer.

[FR Doc. 2025-02779 Filed 2-18-25; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2025-0206; Project Identifier MCAI-2024-00525-T]

RIN 2120-AA64

Airworthiness Directives; Airbus Canada Limited Partnership (Type Certificate Previously Held by C Series Aircraft Limited Partnership (CSALP); Bombardier, Inc.) Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for certain Airbus Canada Limited Partnership Model BD-500-1A10 and BD-500-1A11 airplanes. This proposed AD was prompted by an investigation that showed a change in the feed-through connector O-ring material at a certain frame increased the electrical bonding resistance due to the current torque specification being inadequate. This proposed AD would require electrical bonding tests between the feed-through connectors and the forward side of the bulkhead at a certain frame, and the installation of two

electrical bonding plates of connectors, as applicable, as specified in a Transport Canada AD, which is proposed for incorporation by reference (IBR). The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this proposed AD by April 7, 2025.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to *regulations.gov*. Follow the instructions for submitting comments.

- *Fax:* 202-493-2251.

- *Mail:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA-2025-0206; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For Transport Canada material identified in this proposed AD, contact Transport Canada, Transport Canada National Aircraft Certification, 159 Cleopatra Drive, Nepean, Ontario K1A 0N5, Canada; telephone 888-663-3639;

email *TC.AirworthinessDirectives-Consignesdenavigabilite.TC@tc.gc.ca*; website *tc.canada.ca/en/aviation*. It is also available at *regulations.gov* under Docket No. FAA-2025-0206.

- 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.

FOR FURTHER INFORMATION CONTACT: Steven Dzierzynski, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone 516-228-7300; email *9-avs-nyaco-cos@faa.gov*.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA-2025-0206; Project Identifier MCAI-2024-00525-T" at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this proposal because of those comments.

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

substantive verbal contact received about this NPRM.

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as “PROPIN.” The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Steven Dzierzynski, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 91898; telephone 516-228-7300; email *9-avs-nyaco-cos@faa.gov*. Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

Transport Canada, which is the aviation authority for Canada, has issued Transport Canada AD CF-2024-32, dated September 11, 2024 (Transport Canada AD CF-2024-32) (also referred to as the MCAI), to correct an unsafe condition for certain Airbus Canada Limited Partnership Model BD-500-1A10 and BD-500-1A11 airplanes. The MCAI states an Airbus Canada Limited Partnership investigation revealed a

change in the feed-through connector O-ring material at frame (FR) 51 increased the electrical bonding resistance due to the current torque specification being inadequate, which may lead to electrical bonding levels which exceed allowable design limits, leaving the aircraft more susceptible to electromagnetic interference (EMI), high-intensity radiated fields (HIRF) and lightning strikes. The FAA is proposing 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-2025-0206.

Material Incorporated by Reference Under 1 CFR Part 51

Transport Canada AD CF-2024-32 specifies procedures for electrical bonding tests to determine the resistance between the feed-through connectors and the forward side of the bulkhead at FR 51, and the installation of two electrical bonding plates if any connectors have more than the specified resistance. This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

FAA’s Determination

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 is issuing this NPRM after determining that the unsafe condition described previously is likely to exist or develop

in other products of the same type design.

Proposed AD Requirements in This NPRM

This proposed AD would require accomplishing the actions specified in Transport Canada AD CF-2024-32 described previously, except for any differences identified as exceptions in the regulatory text of this proposed AD.

Explanation of Required Compliance Information

In the FAA’s ongoing efforts to improve the efficiency of the AD process, the FAA developed a process to use some civil aviation authority (CAA) ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has been coordinating this process with manufacturers and CAAs. As a result, the FAA proposes to incorporate Transport Canada AD CF-2024-32 by reference in the FAA final rule. This proposed AD would, therefore, require compliance with Transport Canada AD CF-2024-32 in its entirety through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed AD. Material required by Transport Canada AD CF-2024-32 for compliance will be available at *regulations.gov* under Docket No. FAA-2025-0206 after the FAA final rule is published.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 36 airplanes of U.S. registry. The FAA estimates the following costs to comply with this proposed AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
23 work-hours × \$85 per hour = \$1,955	\$0	\$1,955	\$70,380

ESTIMATED COSTS OF ON-CONDITION ACTIONS

Labor cost	Parts cost	Cost per product
Up to 20 work-hours × \$85 per hour = \$1,700 per connector	Up to \$10,936 per connector	Up to \$12,636 per connector.

Authority for This Rulemaking

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

detail the scope of the Agency’s authority.

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

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

Regulatory Findings

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

For the reasons discussed above, I certify this proposed regulation:

- (1) Is not a “significant regulatory action” under Executive Order 12866,
- (2) Would not affect intrastate aviation in Alaska, and
- (3) Would not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

Airbus Canada Limited Partnership (Type Certificate Previously Held by C Series Aircraft Limited Partnership (CSALP); Bombardier, Inc.): Docket No. FAA–2025–0206; Project Identifier MCAI–2024–00525–T.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by April 7, 2025.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Airbus Canada Limited Partnership (Type Certificate previously held by C Series Aircraft Limited Partnership (CSALP); Bombardier, Inc.) Model BD–500–1A10 and BD–500–1A11 airplanes, certificated in any category, as identified in Transport Canada AD CF–2024–32, dated September 11, 2024 (Transport Canada AD CF–2024–32).

(d) Subject

Air Transport Association (ATA) of America Code 92, Electrical system installation.

(e) Unsafe Condition

This AD was prompted by an investigation that showed a change in the feed-through connector O-ring material at frame (FR) 51 increased the electrical bonding resistance due to the current torque specification being inadequate. The FAA is issuing this AD to address the unsafe condition, which if not addressed, could result in airplane susceptibility to electromagnetic interference (EMI), high-intensity radiated fields (HIRF) and lightning strikes.

(f) Compliance

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

(g) Requirements

Except as specified in paragraphs (h) and (i) of this AD: Comply with all required actions and compliance times specified in, and in accordance with Transport Canada AD CF–2024–32.

(h) Exception to Transport Canada AD CF–2024–32

(1) Where Transport Canada AD CF–2024–32 refers to its effective date, this AD requires using the effective date of this AD.

(2) Where Transport Canada AD CF–2024–32 refers to hours air time, this AD requires using flight hours.

(i) No Reporting Requirement

Although the material referenced in Transport Canada AD CF–2024–32 specifies to submit certain information 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, 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, AIR–520, Continued Operational Safety Branch, FAA, send it to the attention of the person identified in paragraph (k) of this AD and email to: AMOC@faa.gov. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the 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, AIR–520, Continued Operational Safety Branch, FAA; or Transport Canada; or Airbus Canada Limited Partnership’s Transport Canada Design Approval Organization (DAO). If approved by

the DAO, the approval must include the DAO-authorized signature.

(3) *Required for Compliance (RC):* Except as required by paragraph (j)(2) of this AD, if any material contains procedures or tests that are identified as RC, those procedures and tests must be done to comply with this AD; any procedures or tests that are not identified as RC are recommended. Those procedures and tests that are not identified as RC may be deviated from using accepted methods in accordance with the operator’s maintenance or inspection program without obtaining approval of an AMOC, provided the procedures and tests identified as RC can be done and the airplane can be put back in an airworthy condition. Any substitutions or changes to procedures or tests identified as RC require approval of an AMOC.

(k) Additional Information

For more information about this AD, contact Steven Dzierzynski, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone 516–228–7300; email 9-avs-nyaco-cos@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 this AD specifies otherwise.

(i) Transport Canada AD CF–2024–32, dated September 11, 2024.

(ii) [Reserved]

(3) For Transport Canada material identified in this AD, contact Transport Canada, Transport Canada National Aircraft Certification, 159 Cleopatra Drive, Nepean, Ontario K1A 0N5, Canada; telephone 888–663–3639; email TC.AirworthinessDirectives-Consignesdenavigabilite.TC@tc.gc.ca; website tc.canada.ca/en/aviation.

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

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

Issued on February 12, 2025.

Suzanne Masterson,

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

[FR Doc. 2025–02748 Filed 2–18–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 39**

[Docket No. FAA-2025-0021; Project Identifier MCAI-2024-00612-T]

RIN 2120-AA64

Airworthiness Directives; MHI RJ Aviation ULC (Type Certificate Previously Held by Bombardier, Inc.) Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for all MHI RJ Aviation ULC (type certificate previously held by Bombardier, Inc.) Model CL-600-2C10 (Regional Jet Series 700, 701 & 702), CL-600-2C11 (Regional Jet Series 550), CL-600-2D15 (Regional Jet Series 705), CL-600-2D24 (Regional Jet Series 900), and CL-600-2E25 (Regional Jet Series 1000) airplanes. This proposed AD was prompted by reports that the cockpit voice recorder (CVR) impact switch was installed in the wrong direction. This proposed AD would require an inspection of the CVR impact switch installation to confirm that the reset switch faces forward, and applicable on-condition actions, as specified in a Transport Canada AD, which is proposed for incorporation by reference (IBR). The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this proposed AD by April 7, 2025.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to [regulations.gov](https://www.regulations.gov). Follow the instructions for submitting comments.

- *Fax:* 202-493-2251.

- *Mail:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

AD Docket: You may examine the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA-2025-0021; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket

contains this NPRM, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For Transport Canada material identified in this proposed AD, contact Transport Canada, Transport Canada National Aircraft Certification, 159 Cleopatra Drive, Nepean, Ontario K1A 0N5, Canada; telephone 888-663-3639; email TC.AirworthinessDirectives-Consignesdenavigabilite.TC@tc.gc.ca; website tc.canada.ca/en/aviation. It is also available at [regulations.gov](https://www.regulations.gov) under Docket No. FAA-2025-0021.

- 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.

FOR FURTHER INFORMATION CONTACT:

Steven Dzierzynski, 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:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include “Docket No. FAA-2025-0021; Project Identifier MCAI-2024-00612-T” at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend the proposal because of those comments.

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

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial

information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as “PROPIN.” The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Steven Dzierzynski, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516-228-7300; email 9-avs-nyaco-cos@faa.gov. Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

Transport Canada, which is the aviation authority for Canada, has issued Transport Canada AD CF-2024-35, dated October 16, 2024 (Transport Canada AD CF-2024-35) (also referred to after this as the MCAI), to correct an unsafe condition on all MHI RJ Aviation ULC Model CL-600-2C10 (Regional Jet Series 700, 701 & 702), CL-600-2C11 (Regional Jet Series 550), CL-600-2D15 (Regional Jet Series 705), CL-600-2D24 (Regional Jet Series 900), and CL-600-2E25 (Regional Jet Series 1000) airplanes. The MCAI states that the CVR impact switch part number (P/N) 3L0-453-2 was installed in the wrong direction on a CL-600-2E25 (Regional Jet Series 1000) airplane. The incorrect installation was determined to have occurred in production as there was no record of any maintenance being performed in the area by the operator. The impact switch disables power to the CVR in the event of an accident to prevent overwriting cockpit recordings.

The installation of the CVR impact switch P/N 3L0-453-2 is the same on Model CL-600-2C10 (Regional Jet Series 700, 701 & 702), CL-600-2C11 (Regional Jet Series 550), CL-600-2D15 (Regional Jet Series 705), and CL-600-2D24 (Regional Jet Series 900) airplanes. The unsafe condition therefore may exist on all of these models.

The FAA is proposing this AD to address an incorrectly installed impact switch, which could result in loss of data that could hinder the identification of the unsafe condition in the event of an accident and consequently impede the development of actions to address the unsafe condition that caused the accident.

You may examine the MCAI in the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA-2025-0021.

Material Incorporated by Reference Under 1 CFR Part 51

Transport Canada AD CF-2024-35 specifies procedures to inspect the installation of the CVR impact switch to ensure that the reset switch is pointed to the front of the airplane, and re-installation of any discrepant impact switch. This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the ADDRESSES section.

FAA’s Determination

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 is issuing this NPRM after determining

that the unsafe condition described previously is likely to exist or develop on other products of the same type design.

Proposed AD Requirements in This NPRM

This proposed AD would require accomplishing the actions specified in Transport Canada AD CF-2024-35 described previously, except for any differences identified as exceptions in the regulatory text of this proposed AD.

Explanation of Required Compliance Information

In the FAA’s ongoing efforts to improve the efficiency of the AD process, the FAA developed a process to use some civil aviation authority (CAA) ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has been coordinating

this process with manufacturers and CAAs. As a result, the FAA proposes to incorporate Transport Canada AD CF-2024-35 by reference in the FAA final rule. This proposed AD would, therefore, require compliance with Transport Canada AD CF-2024-35 in its entirety through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed AD. Material required by Transport Canada AD CF-2024-35 for compliance will be available at *regulations.gov* under Docket No. FAA-2025-0021 after the FAA final rule is published.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 602 airplanes of U.S. registry. The FAA estimates the following costs to comply with this proposed AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
1 work-hour × \$85 per hour = \$85	\$0	\$85	\$51,170

The FAA estimates the following costs to do any reinstallation 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	\$0	\$85

Authority for This Rulemaking

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

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

Regulatory Findings

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

For the reasons discussed above, I certify this proposed regulation:

- (1) Is not a “significant regulatory action” under Executive Order 12866,
- (2) Would not affect intrastate aviation in Alaska, and
- (3) Would not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

- 1. The authority citation for part 39 continues to read as follows:
Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

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

MHI RJ Aviation ULC (Type Certificate Previously Held by Bombardier, Inc.): Docket No. FAA-2025-0021; Project Identifier MCAI-2024-00612-T.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by April 7, 2025.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all MHI RJ Aviation ULC (type certificate previously held by Bombardier, Inc.) Model CL-600-2C10 (Regional Jet Series 700, 701 & 702), CL-600-2C11 (Regional Jet Series 550), CL-600-2D15 (Regional Jet Series 705), CL-600-2D24 (Regional Jet Series 900), and CL-600-2E25 (Regional Jet Series 1000) airplanes, certificated in any category.

(d) Subject

Air Transport Association (ATA) of America Code 23, Communication.

(e) Unsafe Condition

This AD was prompted by reports that a cockpit voice recorder (CVR) impact switch was installed in the wrong direction. The impact switch disables power to the CVR in the event of an accident to prevent overwriting cockpit recordings. The FAA is issuing this AD to address an incorrectly installed impact switch, which could result in loss of data that could hinder the identification of the unsafe condition in the event of an accident and consequently impede the development of actions to address the unsafe condition that caused the accident.

(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, Transport Canada AD CF-2024-35, dated October 16, 2024 (Transport Canada AD CF-2024-35).

(h) Exceptions to Transport Canada AD CF-2024-35

(1) Where Transport Canada AD CF-2024-35 refers to its effective date, this AD requires using the effective date of this AD.

(2) Where paragraph A. of Transport Canada AD CF-2024-35 specifies to "inspect the installation of the impact switch P/N 3L0-453-2 in accordance with the MHIRJ AMM task 23-71-10-400-801 to confirm the reset switch faces forward," this AD requires replacing that text with "perform a general visual inspection of the installation of the impact switch P/N 3L0-453-2 to confirm the reset switch faces forward."

(3) Where paragraph B. of Transport Canada AD CF-2024-35 specifies corrective action, this AD requires that the corrective action be performed before further flight after finding any impact switch that does not face forward.

(i) 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, send it to the attention of the person identified in paragraph (j) of this AD and email to: AMOC@faa.gov. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the 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 Transport Canada; or MHI RJ Aviation ULC's Transport Canada Design Approval Organization (DAO). If approved by the DAO, the approval must include the DAO-authorized signature.

(j) Additional Information

For more information about this AD, contact Steven Dzierzynski, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516-228-7300; email 9-avs-nyaco-cos@faa.gov.

(k) Material Incorporated by Reference

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

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

(i) Transport Canada AD CF-2024-35, dated October 16, 2024.

(ii) [Reserved]

(3) For Transport Canada material identified in this AD, contact Transport Canada, Transport Canada National Aircraft Certification, 159 Cleopatra Drive, Nepean, Ontario K1A 0N5, Canada; telephone 888-663-3639; email TC.AirworthinessDirectives-Consignesdenavigabilite.TC@tc.gc.ca; website tc.canada.ca/en/aviation.

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

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

Issued on February 7, 2025.

Victor Wicklund,

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

[FR Doc. 2025-02727 Filed 2-18-25; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 39**

[Docket No. FAA-2025-0205; Project Identifier MCAI-2024-00537-T]

RIN 2120-AA64

Airworthiness Directives; Airbus SAS Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for certain Airbus SAS Model A350-941 and -1041 airplanes. This proposed AD was prompted by a determination that new or more restrictive airworthiness limitations are necessary. This proposed AD would require revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations, as specified in a European Union Aviation Safety Agency (EASA) AD, which is proposed for incorporation by reference (IBR). The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this proposed AD by April 7, 2025.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to regulations.gov. Follow the instructions for submitting comments.

- *Fax:* 202-493-2251.

- *Mail:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

AD Docket: You may examine the AD docket at regulations.gov under Docket No. FAA-2025-0205; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For EASA material identified in this proposed 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. It is also available at regulations.gov under Docket No. FAA-2025-0205.

- 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.

FOR FURTHER INFORMATION CONTACT: Dan Rodina, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone 206-231-3225; email Dan.Rodina@faa.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include “Docket No. FAA-2025-0205; Project Identifier MCAI-2024-00537-T” at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this proposal because of those comments.

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

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as “PROPIN.” The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this

NPRM. Submissions containing CBI should be sent to Dan Rodina, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone 206-231-3225; email Dan.Rodina@faa.gov. Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2024-0180, dated September 17, 2024 (EASA AD 2024-0180) (also referred to as the MCAI), to correct an unsafe condition for all Airbus SAS Model A350-941 and -1041 airplanes. Airplanes with an original airworthiness certificate or original export certificate of airworthiness issued after July 1, 2024 must comply with the airworthiness limitations specified as part of the approved type design and referenced on the type certificate data sheet; this proposed AD therefore does not include those airplanes in the applicability. The MCAI states that new or more restrictive airworthiness limitations have been developed.

EASA AD 2024-0180 specifies that it requires a task (limitation) already in Airbus A350 ALS Part 5 Revision 07 that is required by EASA AD 2023-0162 (which corresponds to FAA AD 2024-01-05, Amendment 39-22656 (89 FR 6420, February 1, 2024) (AD 2024-01-05)), and that incorporation of EASA AD 2024-0180 invalidates (terminates) prior instructions for that task. This proposed AD therefore would terminate the limitations required by paragraph (j) of AD 2024-01-05 for the tasks identified in the material referenced in EASA AD 2024-0180 only.

The FAA is proposing this AD to address the potential of ignition sources inside fuel tanks which, in combination with flammable fuel vapors, could result in a fuel tank explosion and consequent loss of the airplane. You may examine the MCAI in the AD docket at regulations.gov under Docket No. FAA-2025-0205.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed EASA AD 2024-0180, which specifies new or more restrictive airworthiness limitations for fuel tank ignition prevention and fuel tank flammability reduction that includes revising a certain Critical Design Configuration Control Limitation (CDCCL) to include the additional dimensional values for fuel pumps and existing O-rings in the auxiliary power unit (APU) pump. This material is

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

FAA's Determination

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 is issuing this NPRM after determining that the unsafe condition described previously is likely to exist or develop in other products of the same type design.

Proposed AD Requirements in This NPRM

This proposed AD would require revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations, which are specified in EASA AD 2024-0180 described previously, as incorporated by reference. Any differences with EASA AD 2024-0180 are identified as exceptions in the regulatory text of this proposed AD.

This proposed AD would require revisions to certain operator maintenance documents to include new actions (e.g., inspections) and CDCCLs. Compliance with these actions and CDCCLs is required by 14 CFR 91.403(c). For airplanes that have been previously modified, altered, or repaired in the areas addressed by this proposed AD, the operator may not be able to accomplish the actions described in the revisions. In this situation, to comply with 14 CFR 91.403(c), the operator must request approval for an alternative method of compliance (AMOC) according to paragraph (k)(1) of this proposed AD.

Explanation of Required Compliance Information

In the FAA's ongoing efforts to improve the efficiency of the AD process, the FAA developed a process to use some civil aviation authority (CAA) ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has been coordinating this process with manufacturers and CAAs. As a result, the FAA proposes to incorporate EASA AD 2024-0180 by reference in the FAA final rule. This proposed AD would, therefore, require compliance with EASA AD 2024-0180 through that incorporation, except for

any differences identified as exceptions in the regulatory text of this proposed AD. Using common terms that are the same as the heading of a particular section in EASA AD 2024–0180 does not mean that operators need comply only with that section. For example, where the AD requirement refers to “all required actions and compliance times,” compliance with this AD requirement is not limited to the section titled “Required Action(s) and Compliance Time(s)” in EASA AD 2024–0180. Material required by EASA AD 2024–0180 for compliance will be available at *regulations.gov* by searching for and locating Docket No. FAA–2025–0205 after the FAA final rule is published.

Airworthiness Limitation ADs Using the New Process

The FAA’s process of incorporating by reference MCAI ADs as the primary source of information for compliance with corresponding FAA ADs has been limited to certain MCAI ADs (primarily those with service bulletins as the primary source of information for accomplishing the actions required by the FAA AD). However, the FAA is now expanding the process to include MCAI ADs that require a change to airworthiness limitation documents, such as airworthiness limitation sections.

For these ADs that incorporate by reference an MCAI AD that changes airworthiness limitations, the FAA requirements are unchanged. Operators must revise the existing maintenance or inspection program, as applicable, to incorporate the information specified in the new airworthiness limitation document. The airworthiness limitations must be followed according to 14 CFR 91.403(c) and 91.409(e).

The previous format of the airworthiness limitation ADs included a paragraph that specified that no alternative actions (*e.g.*, inspections), intervals, or CDCCLs may be used unless the actions, intervals, and CDCCLs are approved as an AMOC in accordance with the procedures specified in the AMOC paragraph under “Additional AD Provisions.” This new format includes a “Provisions for Alternative Actions, Intervals, and CDCCLs” paragraph that does not specifically refer to AMOCs, but operators may still request an AMOC to use an alternative action, interval, or CDCCL.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 33 airplanes of U.S. registry. The FAA

estimates the following costs to comply with this proposed 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. Therefore, the agency estimates the average total cost per operator 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

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

For the reasons discussed above, I certify this proposed regulation:

- (1) Is not a “significant regulatory action” under Executive Order 12866,
- (2) Would not affect intrastate aviation in Alaska, and
- (3) Would not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

Airbus SAS: Docket No. FAA–2025–0205; Project Identifier MCAI–2024–00537–1.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by April 7, 2025.

(b) Affected ADs

This AD affects AD 2024–01–05, Amendment 39–22656 (89 FR 6420, February 1, 2024) (AD 2024–01–05).

(c) Applicability

This AD applies to Airbus SAS Model A350–941 and –1041 airplanes, certificated in any category, with an original airworthiness certificate or original export certificate of airworthiness issued on or before July 1, 2024.

(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 the potential of ignition sources inside fuel tanks. The unsafe condition, if not addressed, could result in a fuel tank explosion and consequent loss of the airplane.

(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 2024–0180, dated September 17, 2024 (EASA AD 2024–0180).

(h) Exceptions to EASA AD 2024–0180

- (1) This AD does not adopt the requirements specified in paragraphs (1) and (2) of EASA AD 2024–0180.

(2) Paragraph (3) of EASA AD 2024–0180 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 2024–0180 is at the applicable “limitations” and “associated thresholds” as incorporated by the requirements of paragraph (3) of EASA AD 2024–0180, 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) of EASA AD 2024–0180.

(5) This AD does not adopt the “Remarks” section of EASA AD 2024–0180.

(i) Provisions for Alternative Actions, Intervals, and CDCCLs

After the existing maintenance or inspection program has been revised as required by paragraph (g) of this AD, no alternative actions (e.g., inspections), intervals, and CDCCLs are allowed unless they are approved as specified in the provisions of the “Ref. Publications” section of EASA AD 2024–0180.

(j) Terminating Action for Certain Tasks Required by AD 2024–01–05

Accomplishing the actions required by this AD terminates the corresponding requirements of AD 2024–01–05 for the tasks identified in the material referenced in EASA AD 2024–0180 only.

(k) Additional AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs)*: The Manager, 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, FAA, send it to the attention of the person identified in paragraph (l) of this AD and email to: AMOC@faa.gov. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the 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, AIR–520, Continued Operational Safety 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.

(l) Additional Information

For more information about this AD, contact Dan Rodina, Aviation Safety Engineer, FAA, 2200 South 216th St., Des

Moines, WA 98198; phone 206–231–3225; email Dan.Rodina@faa.gov.

(m) 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 this AD specifies otherwise.

(i) European Union Aviation Safety Agency (EASA) AD 2024–0180, dated September 17, 2024.

(ii) [Reserved]

(3) 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.

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

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

Issued on February 12, 2025.

Suzanne Masterson,

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

[FR Doc. 2025–02746 Filed 2–18–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2025–0277; Airspace Docket No. 24–AGL–29]

RIN 2120–AA66

Amendment of Jet Route J–146 and Establishment of United States RNAV Route Q–186 in the Vicinity of Chardon, OH

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to amend Jet Route J–146 and establish United States Area Navigation (RNAV) Route Q–186. The FAA is proposing this action due to the planned decommissioning of the VOR portion of the Chardon, OH (CXR), VOR/Distance Measuring Equipment (VOR/DME) navigational aid (NAVAID). The Chardon VOR is being decommissioned

in support of the FAA’s VOR Minimum Operational Network (MON) program.

DATES: Comments must be received on or before April 7, 2025.

ADDRESSES: Send comments identified by FAA Docket No. FAA–2025–0277 and Airspace Docket No. 24–AGL–29 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 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 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, Policy Directorate, Federal Aviation Administration, 600 Independence Avenue SW, Washington, DC 20597; telephone: (202) 267–8783.

FOR FURTHER INFORMATION CONTACT: Colby Abbott, Rules and Regulations Group, Policy Directorate, Federal Aviation Administration, 600 Independence Avenue SW, Washington, DC 20597; telephone: (202) 267–8783.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA’s authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency’s authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with

prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would modify the National Airspace System (NAS) as necessary to preserve the safe and efficient flow of air traffic.

Comments Invited

The FAA invites interested persons to participate in this rulemaking by submitting written comments, data, or views. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should submit only one time if comments are filed electronically, or commenters should send only one copy of written comments if comments are filed in writing.

The FAA will file in the docket all comments it receives, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rulemaking. Before acting on this proposal, the FAA will consider all comments it receives on or before the closing date for comments. The FAA will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. The FAA may change this proposal in light of the comments it receives.

Privacy: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to www.regulations.gov, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at www.dot.gov/privacy.

Availability of Rulemaking Documents

An electronic copy of this document may be downloaded through the internet at www.regulations.gov. Recently published rulemaking documents can also be accessed through the FAA's web page at www.faa.gov/air-traffic/publications/airspace_amendments/.

You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Operations office (see **ADDRESSES** section for address, phone number, and hours of

operations). An informal docket may also be examined during normal business hours at the office of the Operations Support Group, Central Service Center, Federal Aviation Administration, 10101 Hillwood Parkway, Fort Worth, TX 76177.

Incorporation by Reference

Jet Routes are published in paragraph 2004 and United States Area Navigation Routes (Q-routes) are published in paragraph 2006 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 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.

Background

The FAA is planning to decommission the VOR portion of the Chardon, OH, VOR/DME in January 2026. The Chardon VOR was one of the candidate VORs identified for discontinuance by the FAA's VOR MON program and listed in the final policy statement notice, "Provision of Navigation Services for the Next Generation Air Transportation System (NextGen) Transition to Performance-Based Navigation (PBN) (Plan for Establishing a VOR Minimum Operational Network)," published in the **Federal Register** on July 26, 2016 (81 FR 48694), Docket No. FAA-2011-1082.

Although the VOR portion of the Chardon VOR/DME is planned for decommissioning, the co-located Distance Measuring Equipment (DME) portion of the NAVAID is being retained to provide service supporting current and future NextGen PBN flight procedure requirements.

The Air Traffic Service (ATS) route affected by the Chardon VOR decommissioning is Jet Route J-146. With the planned decommissioning of the Chardon VOR, the remaining ground-based NAVAID coverage in the area is insufficient to enable the continuity of J-146. As such, proposed modifications to J-146 would result in a significant gap between the Gipper, MI (GIJ), VOR/Tactical Air Navigation (VORTAC) and the Keating, PA (ETG), VORTAC.

To mitigate the loss of the J-146 route segment, instrument flight rules (IFR)

pilots could use Jet Routes J-60, J-190, J-554, and J-584 to navigate around the affected area. IFR pilots with RNAV-equipped aircraft could navigate using RNAV Route Q-186, proposed in this action, or point-to-point using the existing Fixes that would remain in place to support continued operations through the affected area. Additionally, IFR pilots could request and receive air traffic control (ATC) radar vectors to fly through or around the affected area.

The proposed establishment of United States RNAV Route Q-186 would mitigate the proposed route segment loss to J-146 by overlaying that portion of the jet route to provide positive course guidance for RNAV-equipped aircraft between the Gipper, MI, area and the Keating, PA, area. The airspace within Canada would be excluded from RNAV Route Q-186.

The Proposal

The FAA is proposing to amend 14 CFR part 71 by amending Jet Route J-146 and establishing United States RNAV Route Q-186. This action is required due to the planned decommissioning of the VOR portion of the Chardon, OH, VOR/DME NAVAID. The proposed ATS route actions are described below.

J-146: J-146 currently extends between the Los Angeles, CA, VORTAC and the Kennedy, NY, VOR/DME, excluding the portion within Canada. The FAA proposes to remove the route segment between the Gipper, MI, VORTAC and the Keating, PA, VORTAC. The exclusion language would also be removed. As amended, the airway would be changed to extend between the Los Angeles VORTAC and the Gipper VORTAC, and between the Keating VORTAC and the Kennedy VOR/DME.

Q-186: Q-186 is a new United States RNAV route proposed to be established extending between the ZIINE, MI, waypoint (WP) located approximately 0.5 nautical mile (NM) east of the Gipper, MI, VORTAC and the SCAAM, PA, WP being established approximately 8 NM east of the Keating, PA, VORTAC. The new route would provide an RNAV alternative to the proposed J-146 amendment above. The airspace within Canada would be excluded.

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 would 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); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

Q-186 ZIINE, MI to SCAAM, PA [New]

ZIINE, MI	WP	(Lat. 41°46’11.17” N, long. 086°18’26.72” W)
IDEAS, MI	FIX	(Lat. 41°46’17.18” N, long. 083°33’06.56” W)
SPYDY, OH	WP	(Lat. 41°32’45.18” N, long. 081°24’44.10” W)
TEESY, PA	FIX	(Lat. 41°25’15.99” N, long. 080°06’42.56” W)
MIGET, PA	FIX	(Lat. 41°17’40.43” N, long. 078°51’51.49” W)
SCAAM, PA	WP	(Lat. 41°11’37.46” N, long. 077°58’15.20” W)

Excluding the airspace within Canada.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11], Airspace Designations and Reporting Points, dated July 31, 2024, and effective September 15, 2024, is amended as follows:

Paragraph 2004 Jet Routes.

* * * * *

J-146 [Amended]

From Los Angeles, CA; Daggett, CA; Las Vegas, NV; Dove Creek, CO; Blue Mesa, CO; Goodland, KS; Lincoln, NE; Iowa City, IA; Joliet, IL; to Gipper, MI. From Keating, PA; Milton, PA; Allentown, PA; to Kennedy, NY.

* * * * *

Paragraph 2006 United States Area Navigation Routes.

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Issued in Washington, DC, on February 12, 2025.

Brian Eric Konie,

Manager (A), Rules and Regulations Group.

[FR Doc. 2025–02774 Filed 2–18–25; 8:45 am]

BILLING CODE 4910–13–P

Notices

Federal Register

Vol. 90, No. 32

Wednesday, February 19, 2025

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B-8-2025]

Foreign-Trade Zone (FTZ) 35, Notification of Proposed Production Activity; PPL Healthcare dba Piramal Pharma Solutions (Piramal); (Cholesterol Medication); Philadelphia, Pennsylvania

Piramal submitted a notification of proposed production activity to the FTZ Board (the Board) for its facility within FTZ 35. The notification conforming to the requirements of the Board's regulations (15 CFR 400.22) was received on February 12, 2025.

Pursuant to 15 CFR 400.14(b), FTZ production activity would be limited to the specific finished product(s) described in the submitted notification (summarized below) and subsequently authorized by the Board. The benefits that may stem from conducting production activity under FTZ procedures are explained in the background section of the Board's website—accessible via www.trade.gov/ftz. The proposed finished products would be added to the production authority that the Board previously approved for the operation, as reflected on the Board's website.

The proposed finished products include: bempedoic acid tablets (180mg) and bempedoic oral suspension (duty-free).

Public comment is invited from interested parties. Submissions shall be addressed to the Board's Executive Secretary and sent to: ftz@trade.gov. The closing period for their receipt is March 31, 2025.

A copy of the notification will be available for public inspection in the "Online FTZ Information System" section of the Board's website.

For further information, contact Kolade Osho at Kolade.Osho@trade.gov.

Dated: February 12, 2025.

Elizabeth Whiteman,
Executive Secretary.

[FR Doc. 2025-02763 Filed 2-18-25; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

Emerging Technology Technical Advisory Committee; Notice of Partially Closed Meeting

AGENCY: Bureau of Industry and Security, U.S. Department of Commerce.

ACTION: Notice of partially closed meeting.

SUMMARY: The Emerging Technology Technical Advisory Committee (ETTAC) will meet on March 10, 2025, to advise and assist the Secretary of Commerce and other Federal officials on matters related to export control policies. The meeting will be partially closed to the public pursuant to the exemptions under the Federal Advisory Act (FACA) and the Government in the Sunshine Act. The public session will include working group reports, open business discussions, and industry presentations. **DATES:** The meeting will be held on March 10, 2025, from 9 a.m. to 4 p.m., Eastern Time.

ADDRESSES: The meeting will be held in Room 3884 of the Herbert C. Hoover Building, 1401 Constitution Avenue NW, Washington, DC. The public session will be accessible via teleconference.

FOR FURTHER INFORMATION CONTACT: Kevin Coyne, Committee Liaison Officer, Bureau of Industry and Security, U.S. Department of Commerce. For additional information, contact (202) 482-3413 or TAC@bis.doc.gov.

SUPPLEMENTARY INFORMATION: The Emerging Technology Technical Advisory Committee (ETTAC) will meet on March 10, 2025, 9 a.m.–4 p.m., Eastern Time, in the Herbert C. Hoover Building, Room 3884, 1401 Constitution Avenue NW, Washington, DC (enter through the Main Entrance on 14th Street between Constitution and Pennsylvania Avenues). The Committee advises and assists the Secretary of Commerce (Secretary) and other Federal officials and agencies with respect to actions designed to carry out the policy

set forth in Section 1752 of the Export Control Reform Act. The purpose of the meeting is to have Committee members and U.S. Government representatives mutually review updated technical data and policy-driving information that has been gathered.

Agenda

Public Session

1. Welcome and introductions
2. Working group reports
3. Open business
4. Industry Presentations

Closed Session

5. Discussion of matters determined to be exempt from the open meeting and public participation requirements found in Sections 1009(a)(1) and 1009(a)(3) of the Federal Advisory Committee Act (FACA) (5 U.S.C. 1001–1014). The exemption is authorized by Section 1009(d) of the FACA, which permits the closure of advisory committee meetings, or portions thereof, if the head of the agency to which the advisory committee reports determines such meetings may be closed to the public in accordance with subsection (c) of the Government in the Sunshine Act (5 U.S.C. 552b(c)). In this case, the applicable provisions of 5 U.S.C. 552b(c) are subsection 552b(c)(4), which permits closure to protect trade secrets and commercial or financial information that is privileged or confidential, and subsection 552b(c)(9)(B), which permits closure to protect information that would be likely to disclose information the premature disclosure of which would be likely to significantly frustrate implementation of a proposed agency action. The closed session of the meeting will involve committee discussions and guidance regarding U.S. Government strategies and policies.

The open session will be accessible via teleconference. To participate virtually, submit inquiries to TAC@bis.doc.gov. Registration in advance is required to receive the meeting invite for virtual attendance. A limited number of seats will be available for members of the public to attend the open session in person on a first-come basis. Reservations to attend in person are not accepted. Registration in advance is not required for in-person attendance, but you will be asked to sign an attendance log when you arrive.

Special Accommodations: Individuals requiring special accommodations to access the public meeting should contact TAC@bis.doc.gov no later than Monday, March 3, 2025, so that appropriate arrangements can be made.

To the extent that time permits, members of the public may present oral statements to the Committee. The public may submit written statements at any time before or after the meeting. However, to facilitate distribution of materials to the Committee members, the Committee suggests that members of the public forward their materials prior to the meeting via email to TAC@bis.doc.gov. Material submitted by the public will be made public and therefore should not contain confidential information. Meeting materials from the public session will be accessible via the Technical Advisory Committee (TAC) site at <https://tac.bis.doc.gov>, within 30 days after the meeting.

The Deputy Assistant Secretary for Administration, performing the non-exclusive functions and duties of the Chief Financial Officer and Assistant Secretary for Administration, with the concurrence of the delegate of the General Counsel, formally determined, pursuant to 5 U.S.C. 1009(d), that the portion of the meeting dealing with pre-decisional changes to the Commerce Control List and the U.S. export control policies shall be exempt from the provisions relating to public meetings found in 5 U.S.C. 1009(a)(1) and 1009(a)(3). The remaining portions of the meeting will be open to the public.

Meeting cancellation: If the meeting is cancelled, a cancellation notice will be posted on the TAC website at <https://tac.bis.doc.gov>.

For more information, contact TAC@bis.doc.gov.

Kevin Coyne,

Committee Liaison Officer.

[FR Doc. 2025-02709 Filed 2-18-25; 8:45 am]

BILLING CODE 3510-JT-P

DEPARTMENT OF COMMERCE

International Trade Administration

[C-570-193]

Erythritol From the People's Republic of China: Postponement of Preliminary Determination in the Countervailing Duty Investigation

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

DATES: Applicable February 19, 2025.

FOR FURTHER INFORMATION CONTACT: Ajay K. Menon, AD/CVD Operations, Office IX, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-0208.

SUPPLEMENTARY INFORMATION:

Background

On January 2, 2025, the U.S. Department of Commerce (Commerce) initiated a countervailing duty (CVD) investigation of imports of erythritol from the People's Republic of China.¹ Currently, the preliminary determination of this CVD investigation is due no later than March 10, 2025.

Postponement of Preliminary Determination

Section 703(b)(1) of the Tariff Act of 1930, as amended (the Act), requires Commerce to issue the preliminary determination in a CVD investigation within 65 days after the date on which Commerce initiated the investigation. However, section 703(c)(1) of the Act permits Commerce to postpone the preliminary determination until no later than 130 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 February 11, 2025, the petitioner² in this CVD investigation submitted a timely request that Commerce postpone the preliminary determination.³ The petitioner stated that it requests postponement because “{t}he current deadline for the preliminary determination does not allow enough time to review respondent responses and issue supplemental questionnaires before reaching a preliminary determination.”⁴

¹ See *Erythritol from the People's Republic of China: Initiation of Countervailing Duty Investigation*, 90 FR 1962 (January 10, 2025).

² The petitioner is Cargill, Incorporated.

³ See Petitioner's Letter, “Request for Postponement of Preliminary Determination,” dated February 11, 2025.

⁴ *Id.* at 2.

In accordance with 19 CFR 351.205(e), the petitioner submitted its request for postponement of the preliminary determination in this investigation 25 days or more before the scheduled date of the preliminary determination and stated the reasons for its request. Accordingly, Commerce finds no compelling reason to deny the request. Therefore, in accordance with section 703(c)(1)(A) of the Act, Commerce is postponing the deadline for the preliminary determination in this investigation to no later than 130 days after the date on which it initiated this investigation, *i.e.*, May 12, 2025. Pursuant to section 705(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.

Notification to Interested Parties

This notice is issued and published pursuant to section 703(c)(2) of the Act and 19 CFR 351.205(f)(1).

Dated: February 12, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2025-02797 Filed 2-18-25; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[C-570-195]

Active Anode Material From the People's Republic of China: Postponement of Preliminary Determination in the Countervailing Duty Investigation

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

DATES: Applicable February 19, 2025.

FOR FURTHER INFORMATION CONTACT: Gordon Struck, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-8151.

SUPPLEMENTARY INFORMATION:

Background

On January 7, 2025, the U.S. Department of Commerce (Commerce) initiated the countervailing duty (CVD) investigation of imports of active anode material from the People's Republic of

China.¹ Currently, the preliminary determination in this investigation is due no later than March 13, 2025.

Postponement of Preliminary Determination

Section 703(b)(1) of the Tariff Act of 1930, as amended (the Act), requires Commerce to issue the preliminary determination in a CVD investigation within 65 days after the date on which Commerce initiated the investigation. However, section 703(c)(1) of the Act permits Commerce to postpone the preliminary determination in a CVD investigation until no later than 130 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 February 6, 2025, the petitioner² in this investigation timely requested that Commerce postpone the preliminary determination.³ The petitioner requested postponement of the preliminary determination so that Commerce can fully analyze the forthcoming questionnaire responses of the mandatory respondents and issue supplemental questionnaires, as necessary, prior to the issuance of the preliminary determination.⁴

In accordance with 19 CFR 351.205(e), the petitioner submitted its request for postponement of the preliminary determination in this investigation 25 days or more before the scheduled date of the preliminary determination and stated the reasons for its request. Accordingly, Commerce finds no compelling reason to deny the request. Therefore, in accordance with section 703(c)(1)(A) of the Act,

¹ See *Active Anode Material from the People's Republic of China: Initiation of Countervailing Duty Investigation*, 90 FR 3788 (January 15, 2025).

² The petitioner is the American Active Anode Material Producers.

³ See Petitioner's Letter, "Request to Postpone Preliminary Determination," dated February 6, 2025.

⁴ *Id.*

Commerce is postponing the deadline for the preliminary determination in this investigation to no later than 130 days after the date on which it initiated this investigation, *i.e.*, May 19, 2025.⁵ Pursuant to section 705(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.

Notification to Interested Parties

This notice is issued and published pursuant to section 703(c)(2) of the Act and 19 CFR 351.205(f)(1).

Dated: February 12, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2025-02796 Filed 2-18-25; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-427-828]

Certain Carbon and Alloy Steel Cut-to-Length Plate From France: Rescission of Antidumping Duty Administrative Review; 2023-2024

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) is rescinding the administrative review of the antidumping duty (AD) order on certain carbon and alloy steel cut-to-length plate (CTL Plate) from France for the period of review (POR) May 1, 2023, through April 30, 2024.

DATES: Applicable February 19, 2025.

FOR FURTHER INFORMATION CONTACT: Samuel Evans, AD/CVD Operations, Office IX, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-2420.

SUPPLEMENTARY INFORMATION:

⁵ Because postponing the preliminary determination to 130 days after initiation of the investigation makes the deadline fall on the weekend (*i.e.*, Saturday, May 17, 2025), the deadline is the next business day (*i.e.*, May 19, 2025). See *Notice of Clarification: Application of "Next Business Day" Rule for Administrative Determination Deadlines Pursuant to the Tariff Act of 1930, as Amended*, 70 FR 24533 (May 10, 2005).

Background

On May 2, 2024, Commerce published in the **Federal Register** a notice of opportunity to request an administrative review of the AD order on CTL Plate from France.¹ Commerce received timely requests for review of the *Order* from Dillinger France S.A. (Dillinger France) and the petitioners,² each requesting a review of Dillinger France.³

On July 5, 2024, Commerce initiated an administrative review of the AD order on CTL Plate from France covering the POR, in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.221(c)(1)(i).⁴ On July 12, 2024, we placed U.S. Customs and Border Protection (CBP) data on the record for entries of CTL Plate from France during the POR.⁵ On August 26, 2024, Dillinger France reported that it did not have any reviewable entries of subject merchandise during the POR.⁶ On September 4, 2024, we requested that Dillinger France provide additional information regarding its claims, which it timely provided on September 10, 2024.⁷ On October 30, 2024, we placed on the record CBP entry summary documentation which confirms that Dillinger France did not have any reviewable entries of subject merchandise during the POR.⁸

¹ See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review and Join Annual Inquiry Service List*, 89 FR 35778, 35779 (May 2, 2024); see also *Certain Carbon and Alloy Steel Cut-to-Length Plate From Austria, Belgium, France, the Federal Republic of Germany, Italy, Japan, the Republic of Korea, and Taiwan: Amended Final Affirmative Antidumping Determinations for France, the Federal Republic of Germany, the Republic of Korea and Taiwan, and Antidumping Duty Orders*, 82 FR 24096 (May 25, 2017) (*Order*).

² The petitioners are Cleveland-Cliffs Inc., Nucor Corporation, and SSAB Enterprises, LLC.

³ See Dillinger France's Letter, "Request for Administrative Review," dated May 30, 2024; see also Petitioners' Letter, "Request for Administrative Review," dated May 31, 2024.

⁴ See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 89 FR 55567, 55570 (July 5, 2024).

⁵ See Memorandum, "Release of Customs and Border Protection Entry Data," dated July 12, 2024.

⁶ See Dillinger France's Letter, "Response to Section A of the Antidumping Duty Questionnaire," dated August 26, 2024, at 2-3.

⁷ See Commerce's Letter, "Section A Supplemental Questionnaire," dated September 4, 2024; see also Dillinger France's Letter, "Response to Supplemental Section A Questionnaire," dated September 10, 2024.

⁸ See Memorandum, "CBP Entry Summary Documentation," dated October 30, 2024, at Attachments I to III.

On January 10, 2025, Commerce notified all interested parties of its intent to rescind the instant review because there were no suspended entries of subject merchandise by Dillinger France during the POR, and we invited interested parties to comment.⁹ We did not receive any comments.

Rescission of Review

Pursuant to 19 CFR 351.213(d)(3), it is Commerce's practice to rescind an administrative review of an AD order when there are no entries of subject merchandise during the POR for which liquidation is suspended.¹⁰ Normally, upon completion of an administrative review, the suspended entries are liquidated at the AD assessment rate calculated for the review period.¹¹ Therefore, for an administrative review to be conducted, there must be a suspended entry that Commerce can instruct CBP to liquidate at the AD assessment rate calculated for the review period.¹² As noted above, there were no suspended entries of subject merchandise for the company subject to this review during the POR. Accordingly, in the absence of suspended entries of subject merchandise during the POR, we are hereby rescinding this administrative review, in its entirety, in accordance with 19 CFR 351.213(d)(3).

Assessment

Commerce will instruct CBP to assess antidumping duties on all appropriate entries. Antidumping duties shall be assessed at rates equal to the cash deposit rate of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). Commerce intends to issue appropriate assessment instructions to CBP no earlier than 35 days after the date of publication of this rescission notice in the **Federal Register**.

Administrative Protective Order (APO)

This notice serves as a final reminder to parties subject to an APO of their responsibility concerning the return or destruction of proprietary information

⁹ See Memorandum, "Notice of Intent to Rescind Review," dated January 10, 2025.

¹⁰ See, e.g., *Diocetyl Terephthalate from the Republic of Korea: Rescission of Antidumping Administrative Review; 2021–2022*, 88 FR 24758 (April 24, 2023); see also *Certain Carbon and Alloy Steel Cut-to-Length Plate from the Federal Republic of Germany: Rescission of Antidumping Administrative Review; 2020–2021*, 88 FR 4154 (January 24, 2023).

¹¹ See 19 CFR 351.212(b)(1).

¹² See 19 CFR 351.213(d)(3).

disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return or destruction of the APO materials, or conversion to judicial protective order is hereby requested. Failure to comply with regulations and terms of an APO is a violation, which is subject to sanction.

Notification to Interested Parties

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213(d)(4).

Dated: February 11, 2025.

Scot Fullerton,

Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2025–02764 Filed 2–18–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–178]

Certain Tungsten Shot From the People's Republic of China: Preliminary Affirmative Determination of Sales at Less Than Fair Value and Postponement of Final Determination and Extension of Provisional Measures

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that certain tungsten shot (tungsten shot) from the People's Republic of China (China) is being, or is likely to be, sold in the United States at less than fair value (LTFV). The period of investigation (POI) is January 1, 2024, through June 30, 2024. Interested parties are invited to comment on this preliminary determination.

DATES: Applicable February 19, 2025.

FOR FURTHER INFORMATION CONTACT: Caroline Carroll, AD/CVD Operations, Office IX, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–4948.

SUPPLEMENTARY INFORMATION:

Background

This preliminary determination is made in accordance with section 733(b) of the Tariff Act of 1930, as amended (the Act). Commerce initiated this

investigation on August 6, 2024.¹ On November 15, 2024, Commerce postponed the preliminary determination of this investigation until February 12, 2025.²

For a complete description of the events that followed the initiation of this investigation, see the Preliminary Decision Memorandum.³ A list of topics addressed in the Preliminary Decision Memorandum is included as Appendix II to this notice. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

Scope of the Investigation

The product covered by this investigation is tungsten shot from China. For a complete description of the scope of this investigation, see Appendix I.

Scope Comments

In accordance with the *Preamble* to Commerce's regulations,⁴ the *Initiation Notice* set aside a period of time for parties to raise issues regarding product coverage (*i.e.*, scope).⁵ No interested party commented on the scope of the investigation as it appeared in the *Initiation Notice*. Therefore, Commerce is not preliminarily modifying the scope language as it appeared in the *Initiation Notice*. See the scope in Appendix I to this notice.

Methodology

Commerce is conducting this investigation in accordance with section 731 of the Act. Commerce has calculated constructed export price in accordance with section 772(b) of the

¹ See *Certain Tungsten Shot from the People's Republic of China: Initiation of Less-Than-Fair-Value Investigation*, 89 FR 65856 (August 13, 2024) (*Initiation Notice*).

² See *Certain Tungsten Shot from the People's Republic of China: Postponement of Preliminary Determination in the Less-Than-Fair-Value Investigation*, 89 FR 90265 (November 15, 2024).

³ See Memorandum, "Decision Memorandum for the Preliminary Affirmative Determination in the Less-Than-Fair-Value Investigation of Certain Tungsten Shot from the People's Republic of China," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

⁴ See *Antidumping Duties; Countervailing Duties, Final Rule*, 62 FR 27296, 27323 (May 19, 1997) (*Preamble*).

⁵ See *Initiation Notice*, 89 FR at 65856.

Act. Because China is a non-market economy, within the meaning of section 771(18) of the Act, Commerce has calculated normal value in accordance with section 773(c) of the Act. Furthermore, pursuant to sections 776(a) and (b) of the Act, Commerce preliminarily has relied upon facts otherwise available, with adverse inferences, in determining the estimated

weighted-average dumping margin for the China-wide entity. For a full description of the methodology underlying Commerce’s preliminary determination, *see* the Preliminary Decision Memorandum.

Combination Rates

In the *Initiation Notice*,⁶ Commerce stated that it would calculate producer/

exporter combination rates for the respondents that are eligible for a separate rate in this investigation. Policy Bulletin 05.1 describes this practice.⁷

Preliminary Determination

Commerce preliminarily determines that the following estimated weighted-average dumping margins exist:

Producer	Exporter	Estimated weighted-average dumping margin (percent)
Zhuzhou KJ Super Materials Co., Ltd	Zhuzhou KJ Super Materials Co., Ltd	183.31
China-wide Entity .....	.....	201.32

Suspension of Liquidation

In accordance with section 733(d)(2) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to suspend liquidation of subject merchandise, as described in Appendix I, entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**, as discussed below. Further, pursuant to section 733(d)(1)(B) of the Act and 19 CFR 351.205(d), Commerce will instruct CBP to require a cash deposit equal to the weighted average amount by which normal value exceeds U.S. price, as indicated in the chart above, as follows: (1) for the producer/exporter combination listed in the table above, the cash deposit rate is equal to the estimated weighted-average dumping margin listed for that combination in the table; (2) for all combinations of Chinese producers/exporters of merchandise under consideration that have not established eligibility for their own separate rate, the cash deposit rate will be equal to the estimated weighted-average dumping margin established for the China-wide entity; and (3) for all third-country exporters of merchandise under consideration not listed in the table above, the cash deposit rate is the cash deposit rate applicable to the Chinese producer/exporter combination (or the China-wide entity) that supplied that third-country exporter.

Commerce normally adjusts cash deposits for estimated antidumping duties by the amount of export subsidies countervailed in a companion

countervailing duty (CVD) proceeding, when CVD provisional measures are in effect. However, because Commerce preliminarily did not make an affirmative determination for countervailable export subsidies in the companion CVD proceeding,⁸ Commerce has not offset the estimated weighted-average dumping margins in the table above.

These suspension of liquidation instructions will remain in effect until further notice.

Disclosure

Commerce intends to disclose to interested parties the calculations performed in connection with this preliminary determination within five days of its public announcement or, if there is no public announcement, within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

Consistent with 19 CFR 351.224(e), Commerce will analyze and, if appropriate, correct any timely allegations of significant ministerial errors by amending the preliminary determination. However, consistent with 19 CFR 351.224(d), Commerce will not consider incomplete allegations that do not address the significance standard under 19 CFR 351.224(g) following the preliminary determination. Instead, Commerce will address such allegations in the final determination together with issues raised in the case briefs or other written comments.

Verification

As provided in section 782(i)(1) of the Act, Commerce intends to verify the information relied upon in making its final determination.

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than seven days after the date on which the last verification report is issued in this investigation. Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than five days after the date for filing case briefs.⁹ Interested parties who submit case briefs or rebuttal briefs in this investigation must submit: (1) a statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.¹⁰

As provided under 19 CFR 351.309(c)(2) and (d)(2), in prior proceedings we have encouraged interested parties to provide an executive summary of their brief that should be limited to five pages total, including footnotes. In this investigation, we instead request that interested parties provide at the beginning of their briefs a public, executive summary for each issue raised in their briefs.¹¹ Further, we request that interested parties limit their executive summary of each issue to no more than 450 words, not including citations. We intend to use the executive summaries as the basis of the comment summaries included in the issues and decision memorandum that will accompany the

⁶ *Id.* at 65859.

⁷ *See* Enforcement and Compliance’s Policy Bulletin No. 05.1, regarding, “Separate-Rates Practice and Application of Combination Rates in Antidumping Investigations Involving Non-Market Economy Countries,” (April 5, 2005) (Policy Bulletin 05.1), available on Commerce’s website at <https://enforcement.trade.gov/policy/bull05-1.pdf>.

⁸ *See Certain Tungsten Shot from the People’s Republic of China: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Determination With Final Antidumping Duty Determination*, 89 FR 104083 (December 20, 2024).

⁹ *See* 19 CFR 351.309(d); *see also* 19 CFR 351.303 (for general filing requirements).

¹⁰ *See* 19 CFR 351.309(c)(2) and (d)(2).

¹¹ We use the term “issue” here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

final determination in this investigation. We request that interested parties include footnotes for relevant citations in the executive summary of each issue. Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).¹²

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, limited to issues raised in the case and rebuttal briefs, must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, within 30 days after the date of publication of this notice. Requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants and whether any participant is a foreign national; and (3) a list of the issues to be discussed. If a request for a hearing is made, Commerce intends to hold the hearing at a time and date to be determined.

Postponement of Final Determination and Extension of Provisional Measures

Section 735(a)(2) of the Act provides that a final determination may be postponed until not later than 135 days after the date of the publication of the preliminary determination if, in the event of an affirmative preliminary determination, a request for such postponement is made by exporters who account for a significant proportion of exports of the subject merchandise, or in the event of a negative preliminary determination, a request for such postponement is made by the petitioner. Pursuant to 19 CFR 351.210(e)(2), Commerce requires that requests by respondents for postponement of a final determination be accompanied by a request for extension of provisional measures from a four-month period to a period not more than six months in duration.

On February 7, 2025, pursuant to 19 CFR 351.210(e), KJ Super requested that Commerce postpone the final determination and extend provisional measures to a period not to exceed six months.¹³ In accordance with section 735(a)(2)(A) of the Act and 19 CFR 351.210(b)(2)(ii), because: (1) the preliminary determination is affirmative; (2) the requesting exporter accounts for a significant proportion of exports of the subject merchandise; and (3) no compelling reasons for denial exist, Commerce is postponing the final

determination and extending the provisional measures from a four-month period to a period not greater than six months. Accordingly, Commerce will make its final determination no later than 135 days after the date of publication of this preliminary determination.

U.S. International Trade Commission (ITC) Notification

In accordance with section 733(f) of the Act, Commerce will notify the ITC of its preliminary determination of sales at LTFV. If the final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after the final determination whether imports of the subject merchandise are materially injuring, or threaten material injury to, the U.S. industry.

Notification to Interested Parties

This determination is issued and published in accordance with sections 733(f) and 777(i)(1) of the Act, and 19 CFR 351.205(c).

Dated: February 12, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The merchandise covered by the investigation is certain tungsten spheres or balls, also known as shot, that are 92.6 percent or greater tungsten by weight, not including the weight of any additional coating. In scope shot have a diameter ranging from 1.5 millimeters (mm) to 10.0 mm. Subject shot can be referred to as "Tungsten Super Shot." Merchandise is covered regardless of the combination of compounds that comprise the non-tungsten material and whether or not the tungsten shot is additionally coated with another material, including but not limited to copper, nickel, iron, or metallic alloys.

Tungsten shot subject to the investigation may be classified under the following Harmonized Tariff Schedule of the United States (HTSUS) subheading: 9306.29.0000. Merchandise may also be entered under HTSUS subheading 8101.99.8000. The HTSUS subheadings are provided for convenience and customs purposes only. The written description of the scope of the investigation is dispositive.

Appendix II

List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Period of Investigation
- IV. Discussion of the Methodology

V. Currency Conversion

VI. Recommendation

[FR Doc. 2025–02800 Filed 2–18–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–570–177]

Certain Low Speed Personal Transportation Vehicles From the People's Republic of China: Amended Preliminary Determination of Countervailing Duty Investigation

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) is amending the preliminarily affirmative countervailing duty (CVD) determination on certain low speed personal transportation vehicles (LSPTVs) from the People's Republic of China (China) to correct significant ministerial errors.

DATES: Applicable February 19, 2025.

FOR FURTHER INFORMATION CONTACT: Dan Alexander, 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) 482–4313.

SUPPLEMENTARY INFORMATION:

Background

In accordance with section 703(b) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.205(b), on December 6, 2024, Commerce published its preliminary affirmative determination in the CVD investigation of LSPTVs from China.¹ On December 16, 2024, we received timely ministerial error allegations from the American Personal Transportation Vehicle Manufacturers Coalition (the petitioner) that Commerce made a significant ministerial error in the *Preliminary Determination* with respect to the subsidy rate calculated for Xiamen Dalle New Energy Automobile Co., Ltd. (Xiamen Dalle). The petitioner also submitted ministerial error allegations regarding the subsidy rate calculated for Guangdong Lvtong New Energy Electric

¹ See *Certain Low Speed Personal Transportation Vehicles from the People's Republic of China: Preliminary Affirmative Countervailing Duty Determination, Preliminary Affirmative Determination of Critical Circumstances, in Part, and Alignment of Final Determination with Final Antidumping Duty Determination*, 89 FR 96942 (December 6, 2024) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum.

¹² See *Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings*, 88 FR 67069, 67077 (September 29, 2023).

¹³ See KJ Super's Letter, "Request to Postpone Final Determination," dated February 7, 2025.

Vehicle Technology Co., Ltd. (Lvtong).² Because the errors alleged by the petitioner regarding Lvtong’s calculated subsidy rate are not considered significant (*i.e.*, do not satisfy the requirements of 19 CFR 351.224(g)(1)), Commerce will address those errors with which it agrees in the final determination. On December 26, 2024, Xiamen Dalle submitted ministerial error rebuttal comments, which were rejected and removed from the record by Commerce on January 23, 2025.³

Period of Investigation

The period of investigation (POI) is January 1, 2023, through December 31, 2023.

Scope of the Investigation

The products covered by this investigation are LSPTVs from China. For a complete description of the scope of this investigation, *see* the *Preliminary Determination*.

Analysis of Significant Ministerial Error Allegations

According to 19 CFR 351.224(e), Commerce will analyze any comments received and, if appropriate, correct any significant ministerial error by amending the preliminary

determination. A ministerial error is defined in 19 CFR 351.224(f) as “an error in addition, subtraction, or other arithmetic function, clerical error resulting from inaccurate copying, duplication, or the like, and any other similar type of unintentional error which the Secretary considers ministerial.”⁴ A significant ministerial error is defined as a ministerial error, the correction of which, singly or in combination with other errors, would result in: (1) a change of at least five absolute percentage points in, but not less than 25 percent of, the CVD rate calculated in the original preliminary determination; or (2) a difference between a CVD rate of zero (or *de minimis*) and a CVD rate greater than *de minimis*, or vice versa.⁵

Amended Preliminary Determination

In the *Preliminary Determination*, Commerce made a significant ministerial error within the meaning of section 705(e) of the Act and 19 CFR 351.224(f) and (g)(1) in calculating the countervailable subsidy rate for Xiamen Dalle. Consistent with 19 CFR 351.224(e), Commerce is amending the *Preliminary Determination* to reflect the correction of this significant ministerial

error. Commerce also made other ministerial errors, within the meaning of 19 CFR 351.224(f), in the calculation of the countervailable subsidy rate for Xiamen Dalle. These errors, in and of themselves, are not significant within the meaning of 19 CFR 351.224(g). However, because correcting for these errors in combination with the other significant ministerial error alleged by the petitioner satisfies the requirements of 19 CFR 351.224(g)(1), we are also correcting for these errors by amending the *Preliminary Determination*, consistent with 19 CFR 351.224(e). In correcting for these errors by amending the *Preliminary Determination*, consistent with 19 CFR 351.224(e), we are revising the calculations with regard to Xiamen Dalle’s subsidy rate and the all-others rate.

For a complete discussion of ministerial errors, *see* the Preliminary Ministerial Error Memorandum.⁶

Amended Preliminary Determination

As a result of correcting the ministerial errors described above, we determine the following amended preliminary net countervailable subsidy rates for Xiamen Dalle and all other producers/exporters:

Company	Subsidy rate (percent <i>ad valorem</i>)
Guangdong Lvtong New Energy Electric Vehicle Technology Co., Ltd	22.84
Hebei Machinery Import and Export Co., LTD	* 515.37
Shandong Odes Industry Co. Ltd	* 515.37
Xiamen Dalle New Energy Automobile Co., Ltd	33.21
All Others	28.16

* Rate based on facts available with adverse inferences.

Disclosure

Commerce intends to disclose the calculations and analysis performed to interested parties for this amended preliminary determination within five days after public announcement or, if there is no public announcement, within five days after the date of publication of this notice in the **Federal Register**, in accordance with 19 CFR 351.224.

Amended Cash Deposits and Suspension of Liquidation

The collection of cash deposits and suspension of liquidation will be established according to the rates calculated in this amended preliminary

determination. Because the amended rates for Xiamen Dalle and all-others result in increased cash deposits, they will be effective on the date of the publication of this notice in the **Federal Register**. Parties will be notified of this determination, in accordance with section 703(d) and (f) of the Act.

U.S. International Trade Commission (ITC) Notification

In accordance with section 703(f) of the Act, we will notify the ITC of our amended preliminary determination.

Notification to Interested Parties

This notice is issued and published pursuant to sections 703(f) and 777(i) of the Act, and 19 CFR 351.224(e).

Dated: February 12, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2025-02798 Filed 2-18-25; 8:45 am]

BILLING CODE 3510-DS-P

² See Petitioner’s Letter, “Ministerial Error Allegations,” dated December 16, 2024.

³ See Commerce’s Letter, “Rejection of Xiamen Dalle New Energy Automobile Co., Ltd.’s Submission,” dated January 23, 2025; and Memorandum, “Reject and Remove December 26,

2024 Rebuttal to Ministerial Error Allegations,” dated January 23, 2025.

⁴ See section 705(e) of the Act.

⁵ See 19 CFR 351.224(g).

⁶ See Memorandum, “Countervailing Duty Investigation of Certain Low-Speed Personal

Transportation Vehicles from the People’s Republic of China: Analysis of Ministerial Errors in the Preliminary Determination,” dated concurrently with this notice (Preliminary Ministerial Error Memorandum).

DEPARTMENT OF COMMERCE**International Trade Administration**

[C-570-191]

Sol Gel Alumina-Based Ceramic Abrasive Grains From the People's Republic of China: Postponement of Preliminary Determination in the Countervailing Duty Investigation

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

DATES: Applicable February 19, 2025.

FOR FURTHER INFORMATION CONTACT:

Suresh Maniam, 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) 482-1603.

SUPPLEMENTARY INFORMATION:**Background**

On January 6, 2025, the U.S. Department of Commerce (Commerce) initiated a countervailing duty (CVD) investigation of imports of sol gel alumina-based ceramic abrasive grains from the People's Republic of China (China).¹ Currently, the preliminary determination is due no later than March 12, 2025.

Postponement of Preliminary Determination

Section 703(b)(1) of the Tariff Act of 1930, as amended (the Act), requires Commerce to issue the preliminary determination in a CVD investigation within 65 days after the date on which Commerce initiated the investigation. However, section 703(c)(1) of the Act permits Commerce to postpone the preliminary determination until no later than 130 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.

¹ See *Sol Gel Alumina-Based Ceramic Abrasive Grains from the People's Republic of China: Initiation of Countervailing Duty Investigation*, 90 FR 3175 (January 14, 2025) (*Initiation Notice*); see also *Sol Gel Alumina-Based Ceramic Abrasive Grains from the People's Republic of China: Initiation of Countervailing Duty Investigation; Correction*, 90 FR 7659 (January 22, 2025).

Commerce will grant the request unless it finds compelling reasons to deny the request.

On February 7, 2025, the petitioner² in this CVD investigation timely requested that Commerce postpone the preliminary determination.³ The petitioner requested postponement of the preliminary determination in the investigation so that Commerce can fully analyze the forthcoming questionnaire responses of the mandatory respondents and issue supplemental questionnaires, as necessary.⁴

In accordance with 19 CFR 351.205(e), the petitioner submitted its request for postponement of the preliminary determination in this investigation 25 days or more before the scheduled date of the preliminary determination and stated the reasons for its request. Therefore, in accordance with section 703(c)(1)(A) of the Act, Commerce is postponing the deadline for the preliminary determinations to no later than 130 days after the date on which this investigation was initiated, *i.e.*, May 16, 2025. Pursuant to section 705(a)(1) of the Act and 19 CFR 351.210(b)(1), the deadline for the final determinations of these investigations will continue to be 75 days after the date of the preliminary determination.

Notification to Interested Parties

This notice is issued and published pursuant to section 703(c)(2) of the Act and 19 CFR 351.205(f)(1).

Dated: February 12, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2025-02799 Filed 2-18-25; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

[RTID 0648-XE676]

North Pacific Fishery Management Council; Public Meeting

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

² The petitioner is Saint-Gobain Ceramics & Plastics, Inc.

³ See Petitioner's Letter, "Petitioner's Request for Extension Preliminary Determination Deadline," dated February 7, 2025.

⁴ *Id.* at 2.

ACTION: Notice of web conference.

SUMMARY: The North Pacific Fishery Management Council (Council) webinar to support public engagement and provide information related to the Council's upcoming discussion of the Programmatic Evaluation will meet on March 6, 2025.

DATES: The meeting will be held on Thursday, March 6, 2025, from 12 p.m. to 1 p.m., Alaska Time.

ADDRESSES: The meetings will be web conferences. Join online through the link at <https://meetings.npfmc.org/Meeting/Details/3077>.

Council address: North Pacific Fishery Management Council, 1007 W 3rd Ave., Suite 400, Anchorage, AK 99501-2252; telephone: (907) 271-2809. Instructions for attending the meeting are given under **SUPPLEMENTARY INFORMATION**, below.

FOR FURTHER INFORMATION CONTACT:

Katie Latanich, Council staff; email: katie.latanich@noaa.gov. For technical support, please contact our administrative staff; email: npfmc.admin@noaa.gov or phone: (907) 271-2809.

SUPPLEMENTARY INFORMATION: The Programmatic Evaluation initiated by the Council in June 2023 will revisit the management policies, goals, and objectives for all of the Council's federally managed fisheries in the Bering Sea, Aleutian Islands, and Gulf of Alaska. Through this process, the Council will consider whether and how its management approach should be updated and revised in consideration of current environmental variability and the ability of the management framework to respond to such change. The Council will next discuss the Programmatic Evaluation at its April 2025 meeting, March 31-April 7, 2025, in Anchorage, AK. More information on upcoming meetings is available at <https://www.npfmc.org/current-or-next-council-meeting/>. Meeting materials related to this agenda item will be posted to the Council's eAgenda in advance of the meeting.

This webinar is intended as an additional resource to help interested members of the public understand the materials related to the Programmatic Evaluation which were prepared by staff. The Programmatic Evaluation will be an agenda topic at the upcoming April Council meeting with opportunities for public input. The webinar will include an orientation to the Programmatic Evaluation discussion materials, and time for clarifying questions. This webinar will be

recorded and available on the Council's website.

Connection Information

You can attend the meeting online using a computer, tablet, or smart phone; or by phone only. Connection information will be posted online at: <https://meetings.npfmc.org/Meeting/Details/3077>.

Public Comment

Public comment letters will be accepted and should be submitted electronically to <https://meetings.npfmc.org/Meeting/Details/3077>.

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

Dated: February 13, 2025.

Alyssa Weigers,

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

[FR Doc. 2025-02802 Filed 2-18-25; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XE665]

New England Fishery Management Council; Public Meeting

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

ACTION: Notice of public meeting.

SUMMARY: The New England Fishery Management Council (Council) is scheduling a webinar of its Risk Policy Working Group to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

DATES: This webinar will be held on Friday, March 7, 2025, at 1 p.m.

ADDRESSES:

Webinar registration URL information: <https://nefmc-org.zoom.us/j/9HcQDHQCCwTqzUv27mAA>.

Council address: New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

FOR FURTHER INFORMATION CONTACT: Cate O'Keefe, Executive Director, New England Fishery Management Council; telephone: (978) 465-0492.

SUPPLEMENTARY INFORMATION:

Agenda

The Risk Policy Working Group will plan for a Council run-through of the

Risk Policy weightings process to be presented at the April Council meeting. As time allows, continue to work on the implementation of the Risk Policy. They will also focus on refinements to the Risk Policy Matrix and plans for simulation testing and coordination with other ongoing Council efforts such as the Climate and Ecosystem Steering Committee. Other business will be discussed, if necessary.

Although non-emergency issues not contained on the agenda may come before this Council for discussion, those issues may not be the subject of formal action during this meeting. Council action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency. The public also should be aware that the meeting will be recorded. Consistent with 16 U.S.C. 1852, a copy of the recording is available upon request.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Cate O'Keefe, Executive Director, at (978) 465-0492, at least 5 days prior to the meeting date.

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

Dated: February 13, 2025.

Alyssa Weigers,

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

[FR Doc. 2025-02804 Filed 2-18-25; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XE664]

Gulf of Mexico Fishery Management Council; Public Meeting

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

ACTION: Notice of meeting open to the public.

SUMMARY: The Gulf of Mexico Fishery Management Council (Council) will hold a second Recreational Initiative Public Engagement Workshop via webinar.

DATES: The webinar will convene Thursday, March 6, 2025, from 6 p.m. to 9 p.m., EST.

ADDRESSES: The workshop will take place via webinar. You may participate by accessing the log-on information by visiting our website at www.gulfcouncil.org.

Council address: Gulf of Mexico Fishery Management Council, 4107 W Spruce Street, Suite 200, Tampa, FL 33607; telephone: (813) 348-1630.

FOR FURTHER INFORMATION CONTACT: Emily Muehlstein, Public Information Officer, Gulf of Mexico Fishery Management Council; telephone: (813) 348-1630; Emily.Muehlstein@gulfcouncil.org.

SUPPLEMENTARY INFORMATION:

Thursday, March 6, 2025; 6 p.m.–9 p.m., EST

The meeting will begin with a brief presentation on the purpose of the Recreational Initiative, provide a brief overview of results of the third Working Group Meeting, and outline the meeting format and expected outcomes. Staff will ask a series of open-ended questions and allow for open public comment on the Recreational Initiative.

Visit the Gulf Council's website for meeting registration information: <https://gulfcouncil.org/recreational-initiative/>. After registering, you will receive a confirmation email containing information about joining the webinar. Public feedback on the Recreational Initiative will also be gathered online through an online feedback tool located at: <https://docs.google.com/forms/d/e/1FAIpQLSfwnQ6AgzIBmgx0k18yzcPpDm0RDUV-zyybR05mxoJVRmBdQg/viewform>.

The meeting will be via webinar only. You may register for the webinar by visiting www.gulfcouncil.org and click on the meeting on the calendar.

The timing and order in which the agenda items are addressed may change as required to effectively address the issue, and the latest version along with other meeting materials will be posted on the website as they become available.

Special Accommodations

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aid or accommodations should be directed to Kathy Pereira, (813) 348-1630, at least 15 days prior to the meeting date.

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

Dated: February 13, 2025.

Alyssa Weigers,

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

[FR Doc. 2025-02803 Filed 2-18-25; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XE656]

Pacific Fishery Management Council; Public Meetings and Hearings

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

ACTION: Notice of opportunities to provide public comments.

SUMMARY: The Pacific Fishery Management Council (Council) has begun its annual preseason process to develop regulations to manage the 2025 ocean salmon fisheries off the U.S. West Coast. This notice informs the public of opportunities to provide oral and written comments on the development of the regulations.

DATES: Comments received electronically or in hard copy by 8 a.m. Pacific Time, April 15, 2025, or orally no later than April 11, 2025 at a Council meeting or public hearing will be considered in the Council's final recommendation for the 2025 regulations and in NMFS consideration of the Council's final recommendation. Dates when comments may be made at public hearings are provided under **SUPPLEMENTARY INFORMATION**.

ADDRESSES: Documents will be available from the Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 101, Portland, OR 97220-1384, and will be posted on the Council's website at <https://www.pcouncil.org>. You may submit written comments by any one of the following methods:

- **Council e-Portal:** Written comments must be submitted electronically to Mr. Marc Gorelnik, Chair, Pacific Fishery Management Council, via the Council's e-Portal by visiting <https://pfmc.psmfc.org>.

- **Federal e-Rulemaking Portal:** Electronic public comments via the Federal e-Rulemaking Portal. Go to <https://www.regulations.gov> and enter NOAA-NMFS-2025-0001 in the Search box. Click on the "Comment" tab, complete the required fields, and enter or attach your comments. 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 and the Council will accept anonymous comments (enter "N/A" in the required fields if you wish to remain anonymous).

FOR FURTHER INFORMATION CONTACT: Ms. Angela Forristall, Pacific Fishery Management Council, telephone: (503) 820-2419; *email: angela.forristall@noaa.gov*. For information on submitting comments via the Federal e-Rulemaking portal, contact Shannon Penna, NMFS West Coast Region, telephone: (562) 980-4239; *email: shannon.penna@noaa.gov*.

SUPPLEMENTARY INFORMATION: On December 11, 2024, the Council announced the schedule of reports, public meetings, and hearings for the development of annual regulations for the ocean salmon fisheries that start May 16, 2025, and continue through May 15, 2026, which we refer to as the 2025 management measures (89 FR 9841; <https://www.pcouncil.org>). The Council will adopt alternatives for 2025 ocean salmon fisheries management at its meetings to be held in person March 5-11, 2025, in Vancouver, WA. Details of this meeting, including opportunities to provide written public comments and public testimony in-person or virtually are available on the Council's website (<https://www.pcouncil.org>). On March 27, 2025 "Preseason Report II—Proposed Alternatives and Environmental Assessment Part 2 for 2025 Ocean Salmon Fishery Regulations" is scheduled to be posted on the Council's website at <https://www.pcouncil.org>. The report will include a description of the salmon management alternatives to be considered and a summary of their biological and economic impacts.

Public hearings will be held to receive oral comments on the proposed ocean salmon fishery management alternatives adopted by the Council. All public hearings begin at 7 p.m. Standard Time. The public hearing focusing on Washington will occur in person on March 24, 2025, in Westport, WA, and the public hearing for California salmon fisheries will occur in person on March 25, 2025, in Santa Rosa, CA. The public hearing for Oregon will occur virtually on March 24, 2025. Actual hearing venues and instructions for joining online hearings will be posted on the Council's website (<https://www.pcouncil.org>) in advance of the hearing dates. A summary of oral comments received at the hearings will be provided to the Council at its April meeting.

At its April meeting, the Council will adopt the set of management measures it will recommend to NMFS for consideration under the Magnuson-Stevens Fishery Conservation and Management Act. This meeting provides an additional opportunity for written public comment and public testimony in-person or virtually. Details regarding this meeting and comment opportunities are available on the Council's website at <https://www.pcouncil.org>.

Comments on the alternatives the Council adopts at its March 2025 meeting, and described in its Preseason Report II, may be submitted (1) in writing or electronically as described under **ADDRESSES**, (2) orally (in-person) at a public hearing, (3) orally (online or in-person) or in writing at the Council meeting held on March 4-11, 2025, or orally (online or in-person) at the Council meeting held on April 10-15, 2025, which is scheduled to occur in person, in San Jose, CA. Details of these meetings will be available on the Council's website (<https://www.pcouncil.org>) and will be published in the **Federal Register**. In order to be considered in the Council's decision on its final recommendation for the 2025 salmon fishery management measures and in NMFS' consideration of that final recommendation, written and electronically submitted comments must be received by 8 a.m. Pacific Time on April 15th. All comments received accordingly will be reviewed and considered by the Council and NMFS.

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

Dated: February 12, 2025.

Karen H. Abrams,

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

[FR Doc. 2025-02743 Filed 2-18-25; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG25-140-000.

Applicants: BHS Solar, LLC.

Description: BHS Solar, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 2/12/25.

Accession Number: 20250212-5052.

Comment Date: 5 p.m. ET 3/5/25.

Docket Numbers: EG25-141-000.

Applicants: Flat Fork Solar, LLC.
Description: Flat Fork Solar, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 2/12/25.

Accession Number: 20250212–5120.

Comment Date: 5 p.m. ET 3/5/25.

Docket Numbers: EG25–142–000.

Applicants: Bronson Solar, LLC.

Description: Bronson Solar, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 2/12/25.

Accession Number: 20250212–5161.

Comment Date: 5 p.m. ET 3/5/25.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER18–1639–030.

Applicants: Constellation Mystic Power, LLC.

Description: Compliance filing: Compliance Filing of Tariff Records to Implement Global Settlement Agreement to be effective 6/1/2022.

Filed Date: 2/12/25.

Accession Number: 20250212–5116.

Comment Date: 5 p.m. ET 3/5/25.

Docket Numbers: ER24–2662–003.

Applicants: Duane Arnold Solar II, LLC.

Description: Notice of Non-Material Change in Status of Duane Arnold Solar II, LLC.

Filed Date: 2/12/25.

Accession Number: 20250212–5105.

Comment Date: 5 p.m. ET 3/5/25.

Docket Numbers: ER25–848–001.

Applicants: Merced BESS, LLC.

Description: Tariff Amendment: Merced BESS LLC MBR Tariff to be effective 1/10/2025.

Filed Date: 2/12/25.

Accession Number: 20250212–5138.

Comment Date: 5 p.m. ET 3/5/25.

Docket Numbers: ER25–1274–000.

Applicants: Oxbow Solar, LLC.

Description: Petition for Limited Waiver of Oxbow Solar, LLC.

Filed Date: 2/11/25.

Accession Number: 20250211–5132.

Comment Date: 5 p.m. ET 3/4/25.

Docket Numbers: ER25–1276–000.

Applicants: Midcontinent Independent System Operator, Inc.

Description: 205(d) Rate Filing: 2025–02–12 SA 3920 Duke-IN Solar 2nd Rev GIA (J1234 J1235) to be effective 2/10/2025.

Filed Date: 2/12/25.

Accession Number: 20250212–5058.

Comment Date: 5 p.m. ET 3/5/25.

Docket Numbers: ER25–1277–000.

Applicants: Tri-State Generation and Transmission Association, Inc.

Description: Tariff Amendment: Notice of Cancellation of Service

Agreement FERC No. 826 to be effective 8/8/2024.

Filed Date: 2/12/25.

Accession Number: 20250212–5086.

Comment Date: 5 p.m. ET 3/5/25.

Docket Numbers: ER25–1278–000.

Applicants: Dominion Energy South Carolina, Inc.

Description: 205(d) Rate Filing: Concurrence Dynamic Sched Agr DEC for CEPC to be effective 4/10/2025.

Filed Date: 2/12/25.

Accession Number: 20250212–5100.

Comment Date: 5 p.m. ET 3/5/25.

Docket Numbers: ER25–1279–000.

Applicants: Tower Solar, LLC.

Description: Initial Rate Filing: Application for Market-Based Rate

Authorization, Request for Related Waivers to be effective 4/14/2025.

Filed Date: 2/12/25.

Accession Number: 20250212–5104.

Comment Date: 5 p.m. ET 3/5/25.

Docket Numbers: ER25–1280–000.

Applicants: Tri-State Generation and Transmission Association, Inc.

Description: 205(d) Rate Filing: Initial Filing of Rate Schedule No. 403 to be effective 1/15/2025.

Filed Date: 2/12/25.

Accession Number: 20250212–5106.

Comment Date: 5 p.m. ET 3/5/25.

Docket Numbers: ER25–1281–000.

Applicants: ISO New England Inc., Central Maine Power Company.

Description: 205(d) Rate Filing: Central Maine Power Company submits tariff filing per 35.13(a)(2)(iii): CMP; Post-Retirement Benefits Other Than Pensions Expense Refund Report to be effective 4/14/2025.

Filed Date: 2/12/25.

Accession Number: 20250212–5119.

Comment Date: 5 p.m. ET 3/5/25.

Docket Numbers: ER25–1282–000.

Applicants: ISO New England Inc., The United Illuminating Company.

Description: 205(d) Rate Filing: The United Illuminating Company submits tariff filing per 35.13(a)(2)(iii): UI; Post-Retirement Benefits Other Than Pensions Expenses Refund Report to be effective 4/14/2025.

Filed Date: 2/12/25.

Accession Number: 20250212–5124.

Comment Date: 5 p.m. ET 3/5/25.

Docket Numbers: ER25–1283–000.

Applicants: Pacific Gas and Electric Company.

Description: 205(d) Rate Filing: RS 229: Amendment to COTP Owners Coordinated Operation Agreement to be effective 4/1/2025.

Filed Date: 2/12/25.

Accession Number: 20250212–5136.

Comment Date: 5 p.m. ET 3/5/25.

Docket Numbers: ER25–1284–000.

Applicants: Milford Gen Lead, LLC.

Description: 205(d) Rate Filing: Interconnection and Transmission Services Agreements to be effective 4/13/2025.

Filed Date: 2/12/25.

Accession Number: 20250212–5154.

Comment Date: 5 p.m. ET 3/5/25.

Docket Numbers: ER25–1285–000.

Applicants: Mammoth Plains Wind, LLC.

Description: 205(d) Rate Filing: Application for Market-Based Rate Authorization to be effective 4/14/2025.

Filed Date: 2/12/25.

Accession Number: 20250212–5160.

Comment Date: 5 p.m. ET 3/5/25.

The filings are accessible in the Commission's eLibrary system (<https://elibrary.ferc.gov/idmws/search/fercgensearch.asp>) by querying the docket number.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organizations, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or OPP@ferc.gov.

Dated: February 12, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–02776 Filed 2–18–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission**

[Project No. 1388–082]

Southern California Edison Company; Notice of Application Tendered for Filing With the Commission and Soliciting Additional Study Requests Establishing Procedural Schedule for Relicensing 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.:* 1388–082.

c. *Date Filed:* January 29, 2025.

d. *Applicant:* Southern California Edison Company.

e. *Name of Project:* Lee Vining Hydroelectric Project.

f. *Location:* The existing project is located on both Lee Vining and Glacier Creeks in Inyo County, California, near the town of Lee Vining. The project affects 536 acres of Federal land managed by the U.S. Forest Service.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)–825(r).

h. *Applicant Contact:* Wayne Allen, Principal Manager, Southern California Edison Company, 2244 Walnut Grove Avenue, Rosemead, CA 91770; Telephone (626) 302–9741 or email wayneallen@sce.com.

i. *FERC Contact:* Rebecca Kipp, (202) 502–8846 or rebecca.kipp@ferc.gov.

j. *Cooperating agencies:* Federal, state, local, and tribal agencies with jurisdiction and/or special expertise with respect to environmental issues that wish to cooperate in the preparation of the environmental document should follow the instructions for filing such requests described in item l below. Cooperating agencies should note the Commission's policy that agencies that cooperate in the preparation of the environmental document cannot also intervene. *See*, 94 FERC ¶ 61,076 (2001).

k. Pursuant to section 4.32(b)(7) of 18 CFR of the Commission's regulations, if any resource agency, Indian Tribe, or person believes that an additional scientific study should be conducted in order to form an adequate factual basis for a complete analysis of the application on its merit, the resource agency, Indian Tribe, or person must file a request for a study with the Commission not later than 60 days from the date of filing of the application, and

serve a copy of the request on the applicant.

l. *Deadline for filing additional study requests and requests for cooperating agency status:* March 31, 2025.

The Commission strongly encourages electronic filing. Please file additional study requests and requests for cooperating agency status using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov, (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. All filings must clearly identify the project name and docket number on the first page: Lee Vining Hydroelectric Project (P–1388–082).

m. This application is not ready for environmental analysis at this time.

n. *The existing Lee Vining Hydroelectric Project consists of four dams and three reservoirs including:* (1) the 600-foot-long, 45-foot-high redwood-faced rockfill Saddlebag Dam with: (a) a 54-foot-wide, 4.5-foot-deep rectangular notch spillway that discharges directly into Lee Vining Creek below the dam, (b) a 297-acre Saddlebag Lake impoundment with 9,495 acre-feet net storage capacity at 10,089.40 feet above sea level elevation, (c) a 220-foot-long, 30-inch-diameter riveted steel pipeline to extend the outlet downstream of the dam, and (d) a low-level outlet works with maximum discharge capacity of about 150 cubic feet per second (cfs) that discharges directly into Lee Vining Creek and consists of: (i) a fully submerged, ungated, concrete intake box at 10,048.8 feet elevation located at upstream toe of the dam that admits water to (ii) a 30-inch-diameter concrete-encased steel pipe that passes under the dam near the left abutment that is controlled at the downstream toe by (iii) a manually operated 30-inch rising stem gate valve, and (iv) a concrete valve house located at the south of Saddlebag Dam; (2) the 270-foot-long, 27-foot-high redwood-faced rockfill Tioga Dam with: (e) 57-feet-wide, 4-foot-deep spillway with a crest elevation of 9,650.28 feet, (f) the low-level outlet works consist of a 24-inch-diameter concrete-encased riveted steel

pipe that passes through the base of the main Tioga Dam with an upstream invert elevation of 9,626.72 feet, draining into Lee Vining Creek and is manually controlled by (g) a 24-inch gate valve located in (h) a concrete valve house at the downstream toe of the Tioga Dam; and (3) the 50-foot-long, 19-foot-high, concrete-arch Tioga Auxiliary Dam located on Tioga Lake in the headwaters of Glacier Creek, that together with the Tioga Dam impound the 73-acre Tioga Lake with 1,254 acre-feet net storage capacity at 9,650.28 feet above sea level elevation, and (j) the 19.5-foot-long right auxiliary spillway bay, and the 21.5-foot-long left auxiliary spillway bay at 9,651.28 feet crest elevation; and (4) the 437-foot-long, 18.5-foot-high rockfill Rhinedollar Dam that (k) impounds the 61-acre Ellery Lake with 493 acre-feet net storage capacity at 9,492.53 feet above sea level elevation, (l) three spillway bays, each 12-foot-wide and 6.5-foot-deep, located at Rhinedollar Dam at an elevation of 9,492.53 feet, (m) a reinforced concrete intake structure at 9,480 feet elevation, (n) a 6,271-foot-long below ground flowline with a maximum flow of 110 cfs that convey flows from Ellery Lake at the Rhinedollar Dam to Poole Powerhouse and consist of: (v) a 2,530-foot-long, 48-inch-diameter double riveted steel pipeline, and (vi) a 3,741-foot-long steel penstock that tapers from 44- to 28-inches in diameter; (o) the outlet works consists of a 48-inch concrete-encased steel pipe conduit with a butterfly valve at the downstream end; (p) the 68-foot-long, 38-foot-wide, 43-foot-high reinforced concrete Poole Powerhouse and located on Lee Vining Creek east downstream of Ellery Lake which contains one generating unit with a nameplate capacity of 11.25 megawatt (MW); (q) a switchyard located immediately north of the powerhouse that contains the main power transformers, (r) approximately 50 feet of primary transmission line between the switchyard and Poole Powerhouse, (s) seven project-associated stream gages immediately downstream of Saddlebag and Tioga Dams, in stream; and (t) appurtenant facilities.

Southern California Edison Company is not proposing any changes to project facilities or operation.

o. 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-1388). For assistance, contact FERC at *FERCOnlineSupport@ferc.gov*, (866) 208-3676 (toll free), or (202) 502-8659 (TTY).

You may also register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects.

For assistance, contact FERC Online Support.

p. The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organizations, Tribal members and others, access publicly available information and navigate Commission processes. For

public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502-6595 or *OPP@ferc.gov*.

q. *Procedural schedule and final amendments*: the application will be processed according to the following preliminary schedule. Revisions to the schedule will be made as appropriate.

Milestone	Target date
Issue Deficiency Letter (if necessary)	March 2025.
Request Additional Information (if necessary)	March 2025.
Issue Scoping Document 1 for comments	June 2025.
Issue Acceptance Letter	July 2025.
Request Additional Information (if necessary)	July 2025.
Issue Scoping Document 2 (if necessary)	August 2025.
Issue Notice of Ready for Environmental Analysis	August 2025.

r. 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: February 12, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025-02778 Filed 2-18-25; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Sunshine Act Meetings

The following notice of meeting is published pursuant to section 3(a) of the government in the Sunshine Act (Pub. L. No. 94-409), 5 U.S.C.552b:

AGENCY HOLDING MEETING: Federal Energy Regulatory Commission.

TIME AND DATE: February 20, 2025, 10:00 a.m.

PLACE: Room 2C, 888 First Street NE, Washington, DC 20426.

STATUS: Open access.

MATTERS TO BE CONSIDERED: Agenda.

* *Note*—Items listed on the agenda may be deleted without further notice.

CONTACT PERSON FOR MORE INFORMATION:

Debbie-Anne A. Reese, Secretary, Telephone (202) 502-8400.

For a recorded message listing items Stricken from or added to the meeting, call (202) 502-8627.

This is a list of matters to be considered by the Commission. It does not include a listing of all documents relevant to the items on the agenda. All public documents, however, may be viewed online at the Commission's website at *https://elibrary.ferc.gov/eLibrary/search* using the eLibrary link.

1122ND—MEETING

[Open; February 20, 2025; 10:00 a.m.]

Item No.	Docket No.	Company
Administrative		
A-1	AD25-1-000	Agency Administrative Matters.
A-2	AD25-2-000	Customer Matters, Reliability, Security and Market Operations.
Electric		
E-1	EL25-49-000	PJM Interconnection, L.L.C., et al.
	AD24-11-000	Large Loads Co-Located at Generating Facilities.
	EL25-20-000 (consolidated)	<i>Constellation Energy Generation, LLC v. PJM Interconnection, L.L.C.</i>
E-2	ER24-2018-000	Louisville Gas and Electric Company and Kentucky Utilities Company.
E-3	ER24-2040-000	Tri-State Generation and Transmission Association, Inc.
E-4	ER24-1847-000	Nevada Power Company and Sierra Pacific Power Company.
E-5	ER24-2029-000	Dominion Energy South Carolina, Inc.
E-6	ER25-437-000	California Independent System Operator Corporation.
E-7	EL24-50-000	<i>Salsa Solar Energy, LLC and Towner Wind Energy III LLC v. Public Service Company of Colorado.</i>
E-8	ER24-2888-001	Atlantic City Electric Company and PJM Interconnection, L.L.C.
	ER24-2889-001	Baltimore Gas and Electric Company and PJM Interconnection, L.L.C.
	ER24-2890-001	Commonwealth Edison Company and PJM Interconnection, L.L.C.
	ER24-2891-001	Delmarva Power & Light Company and PJM Interconnection, L.L.C.
	ER24-2893-001	PECO Energy Company and PJM Interconnection, L.L.C.
	ER24-2894-001 (not consolidated)	Potomac Electric Power Company and PJM Interconnection, L.L.C.
E-9	RD25-1-000; RD25-2-000; RD25-3-000 (not consolidated).	North American Electric Reliability Corporation.

1122ND—MEETING—Continued

[Open; February 20, 2025; 10:00 a.m.]

Item No.	Docket No.	Company
E-10	RD25-4-000	North American Electric Reliability Corporation.
E-11	IN79-6-000	Form 580—Interrogatory on Fuel and Energy Purchase Practices and DTE Electric Company.
E-12	EL24-127-000	Great Basin Transmission, LLC.
E-13	ER15-2013-015	Talen Energy Marketing, LLC.
	ER12-2510-012	Brandon Shores LLC.
	ER15-2014-009	Brunner Island, LLC.
	ER10-2435-022	Camden Plant Holding, L.L.C.
	ER10-2440-014	Dartmouth Power Associates Limited Partnership.
	ER12-2512-012	H.A. Wagner LLC.
	ER19-481-005	LMBE Project Company LLC.
	ER18-2252-004	MC Project Company LLC.
	ER15-2022-008	Montour, LLC.
	ER15-2026-008	Susquehanna Nuclear, LLC.
E-14	ER10-2042-046	Calpine Energy Services, L.P.
	ER10-1944-012	Bethpage Energy Center 3, LLC.
	ER10-2051-014	Calpine Bethlehem, LLC.
	ER23-944-004	Calpine Community Energy, LLC.
	ER10-1942-038	Calpine Construction Finance Company, L.P.
	ER17-696-026	Calpine Energy Solutions, LLC.
	ER14-2931-012	Calpine Fore River Energy Center, LLC.
	ER10-2043-014	Calpine Mid-Atlantic Generation, LLC.
	ER10-2029-016	Calpine Mid-Atlantic Marketing, LLC.
	ER10-2041-014	Calpine Mid Merit, LLC.
	ER18-1321-007	Calpine Mid-Merit II, LLC.
	ER10-2040-014	Calpine New Jersey Generation, LLC.
	ER20-1939-005	Calpine Northeast Development, LLC.
	ER10-1938-041	Calpine PowerAmerica—CA, LLC.
	ER10-2036-015	Calpine Vineland Solar, LLC.
	ER10-1934-040	CES Marketing IX, LLC.
	ER10-1893-040	CES Marketing X, LLC.
	ER10-3051-045	Champion Energy, LLC.
	ER10-2985-044	Champion Energy Marketing LLC.
	ER10-3049-045	Champion Energy Services, LLC.
	ER10-1889-012	CPN Bethpage 3rd Turbine, Inc.
	ER10-3260-014	Granite Ridge Energy, LLC.
	ER10-1895-012	KIAC Partners.
	ER10-1870-012	Nissequogue Cogen Partners.
	ER11-4369-025	North American Power and Gas, LLC.
	ER16-2218-026	North American Power Business, LLC.
	ER10-1862-040	Power Contract Financing, L.L.C.
	ER10-1858-012	TBG Cogen Partners.
	ER13-1401-012	Westbrook Energy Center, LLC.
	ER10-2044-014	Zion Energy LLC.
E-15	ER10-1585-022	Alabama Electric Marketing, LLC.
	ER10-2480-012	Berkshire Power Company, LLC.
	ER10-1594-022	California Electric Marketing, LLC.
	ER16-733-013	LQA, LLC.
	ER10-1617-022	New Mexico Electric Marketing, LLC.
	ER16-1148-013	Tenaska Energía de Mexico, S. de R.L. de C.V.
	ER18-1960-006	Tenaska Pennsylvania Partners, LLC.
	ER12-60-024	Tenaska Power Management, LLC.
	ER10-1632-024	Tenaska Power Services Co.
	ER10-1626-014	Tenaska Virginia Partners, L.P.
	ER10-1628-022	Texas Electric Marketing, LLC.
E-16	ER10-2997-007	Atlantic City Electric Company.
	ER10-2997-008	
	ER10-2172-030	Baltimore Gas and Electric Company.
	ER10-2172-031	
	ER10-1048-027	Commonwealth Edison Company.
	ER10-1048-028	
	ER10-3018-007	Delmarva Power & Light Company.
	ER10-3018-008	
	ER10-1143-026	PECO Energy Company.
	ER10-1143-027	
	ER10-3030-007	Potomac Electric Power Company.
	ER10-3030-008	
E-17	ER10-2806-007	TransAlta Energy Marketing (U.S.) Inc.
	ER19-1889-003	Antrim Wind Energy LLC.
	ER18-1984-003	Big Level Wind LLC.
	ER10-2818-007	TransAlta Energy Marketing Corporation.

A free webcast of this event is available through the Commission's website. Anyone with Internet access who desires to view this event can do so by navigating to www.ferc.gov's Calendar of Events and locating this event in the Calendar. The Federal Energy Regulatory Commission provides technical support for the free webcasts. Please call (202) 502-8680 or email customer@ferc.gov if you have any questions.

Immediately following the conclusion of the Commission Meeting, a press briefing will be held in the Commission Meeting Room. Members of the public may view this briefing in the designated overflow room. This statement is intended to notify the public that the press briefings that follow Commission meetings may now be viewed remotely at Commission headquarters but will not be telecast.

Issued: February 13, 2025.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2025-02839 Filed 2-14-25; 11:15 am]

BILLING CODE 6717-01-P

FARM CREDIT SYSTEM INSURANCE CORPORATION

Board of Directors Meeting

SUMMARY: Notice of changes to the previously announced regular meeting of the Board of Directors of the Farm Credit System Insurance Corporation (FCSIC), is hereby given in accordance with the provisions of the Bylaws of the FCSIC.

DATES: The meeting of the Board of Directors scheduled for 10 a.m., Wednesday, February 12, 2025, has been moved to 10 a.m., Wednesday, March 12, 2025.

ADDRESSES: You may observe the open portions of this meeting in person at 1501 Farm Credit Drive, McLean, Virginia 22102-5090, or virtually. If you would like to virtually attend, at least 24 hours in advance, visit FCSIC.gov, select "News & Events," then select "Board Meetings." From there, access the linked "Instructions for board meeting visitors" and complete the described registration process.

FOR FURTHER INFORMATION CONTACT: If you need more information or assistance for accessibility reasons, or have questions, contact Ashley Waldron, Secretary to the Board. Telephone: 703-883-4009. TTY: 703-883-4056.

SUPPLEMENTARY INFORMATION: As the meeting date approaches, notice will be given regarding the meeting status and the matters the Board of Directors will

consider. Since the Board of Directors approved the Review and Setting of Insurance Premium Accrual Rates in a notational vote on February 11, 2025, it will no longer be considered at this meeting.

Ashley Waldron,
Secretary to the Board.

[FR Doc. 2025-02757 Filed 2-18-25; 8:45 am]

BILLING CODE 6705-01-P

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company

The notificants listed below have applied under the Change in Bank Control Act (Act) (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the applications are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at <https://www.federalreserve.gov/foia/request.htm>. Interested persons may express their views in writing on the standards enumerated in paragraph 7 of the Act.

Comments received are subject to public disclosure. In general, comments received will be made available without change and will not be modified to remove personal or business information including confidential, contact, or other identifying information. Comments should not include any information such as confidential information that would not be appropriate for public disclosure.

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Ann E. Misback, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington, DC 20551-0001, not later than March 6, 2025.

A. Federal Reserve Bank of Atlanta (Erien O. Terry, Assistant Vice President) 1000 Peachtree Street NE, Atlanta, Georgia 30309. Comments can

also be sent electronically to Applications.Comments@atl.frb.org:

1. *Hermine M. Granberry and The Allision Lee Granberry Trust, William S. Granberry Jr., as trustee, all of Hattiesburg, Mississippi*; to join the Granberry Family Group, a group acting in concert, to retain voting shares of Centon Bancorp, Inc., and thereby indirectly retain voting shares of Richton Bank & Trust Company, both of Richton, Mississippi.

Board of Governors of the Federal Reserve System.

Michele Taylor Fennell,
Associate Secretary of the Board.

[FR Doc. 2025-02794 Filed 2-18-25; 8:45 am]

BILLING CODE P

FEDERAL RETIREMENT THRIFT INVESTMENT BOARD

Notice of Board Meeting

DATES: February 25, 2025 at 10 a.m. ET.

ADDRESSES: Telephonic. Dial-in (listen only) information: Number: 1-202-599-1426, Code: 299 328 892 #; or via web: <https://www.frtib.gov/>.

FOR FURTHER INFORMATION CONTACT: James Kaplan, Director, Office of External Affairs, (202) 864-7150.

SUPPLEMENTARY INFORMATION:

Board Meeting Agenda

Open Session

1. Approval of the January 28, 2025, Board Meeting Minutes
2. Monthly Reports
 - (a) Participant Report
 - (b) Investment Report
 - (c) Legislative Report
3. Quarterly Reports
 - (d) Metrics

Closed Session

4. Information covered under 5 U.S.C. 552b(c)(10).

Authority: 5 U.S.C. 552b(e)(1).

Dated: February 12, 2025.

Dharmesh Vashee,
General Counsel, Federal Retirement Thrift Investment Board.

[FR Doc. 2025-02755 Filed 2-18-25; 8:45 am]

BILLING CODE P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[CMS-9151-N]

Medicare and Medicaid Programs; Quarterly Listing of Program Issuances—October Through December 2024

AGENCY: Centers for Medicare & Medicaid Services (CMS), HHS.

ACTION: Notice.

SUMMARY: This quarterly notice lists CMS manual instructions, substantive and interpretive regulations, and other **Federal Register** notices that were published in the 3-month period, relating to the Medicare and Medicaid programs and other programs administered by CMS.

FOR FURTHER INFORMATION CONTACT: It is possible that an interested party may need specific information and not be able to determine from the listed

information whether the issuance or regulation would fulfill that need. Consequently, we are providing contact persons to answer general questions concerning each of the addenda published in this notice.

Addenda	Contact	Phone number
I CMS Manual Instructions	Ronda Allen-Bonner	(410) 786-4657
II Regulation Documents Published in the Federal Register	Terri Plumb	(410) 786-4481
III CMS Rulings	Tiffany Lafferty	(410) 786-7548
IV Medicare National Coverage Determinations	Wanda Belle, MPA	(410) 786-7491
V FDA-Approved Category B IDEs	John Manlove	(410) 786-6877
VI Collections of Information	William Parham	(410) 786-4669
VII Medicare-Approved Carotid Stent Facilities	Sarah Fulton, MHS	(410) 786-2749
VIII American College of Cardiology-National Cardiovascular Data Registry Sites	Sarah Fulton, MHS	(410) 786-2749
IX Medicare's Active Coverage-Related Guidance Documents	Lori Ashby, MA	(410) 786-6322
X One-time Notices Regarding National Coverage Provisions	JoAnna Baldwin, MS	(410) 786-7205
XI National Oncologic Positron Emission Tomography Registry Sites	David Dolan, MBA	(410) 786-3365
XII Medicare-Approved Ventricular Assist Device (Destination Therapy) Facilities	David Dolan, MBA	(410) 786-3365
XIII Medicare-Approved Lung Volume Reduction Surgery Facilities	Sarah Fulton, MHS	(410) 786-2749
XIV Medicare-Approved Bariatric Surgery Facilities	Sarah Fulton, MHS	(410) 786-2749
XV Fluorodeoxyglucose Positron Emission Tomography for Dementia Trials	David Dolan, MBA	(410) 786-3365
All Other Information	Annette Brewer	(410) 786-6580

SUPPLEMENTARY INFORMATION:

I. Background

The Centers for Medicare & Medicaid Services (CMS) is responsible for administering the Medicare and Medicaid programs and coordination and oversight of private health insurance. Administration and oversight of these programs involves the following: (1) furnishing information to Medicare and Medicaid beneficiaries, health care providers, and the public; and (2) maintaining effective communications with CMS regional offices, state governments, state Medicaid agencies, state survey agencies, various providers of health care, all Medicare contractors that process claims and pay bills, National Association of Insurance Commissioners (NAIC), health insurers, and other stakeholders. To implement the various statutes on which the programs are based, we issue regulations under the authority granted to the Secretary of the Department of Health and Human Services under sections 1102, 1871, 1902, and related provisions of the Social Security Act (the Act) and Public Health Service Act. We also issue various manuals, memoranda, and statements necessary to administer and oversee the programs efficiently.

Section 1871(c) of the Act requires that we publish a list of all Medicare manual instructions, interpretive rules, statements of policy, and guidelines of general applicability not issued as regulations at least every 3 months in the **Federal Register**.

II. Format for the Quarterly Issuance Notices

This quarterly notice provides only the specific updates that have occurred in the 3-month period along with a hyperlink to the full listing that is available on the CMS website or the appropriate data registries that are used as our resources. This is the most current up-to-date information and will be available earlier than we publish our quarterly notice. We believe the website list provides more timely access for beneficiaries, providers, and suppliers. We also believe the website offers a more convenient tool for the public to find the full list of qualified providers for these specific services and offers more flexibility and “real time” accessibility. In addition, many of the websites have listservs; that is, the public can subscribe and receive immediate notification of any updates to the website. These listservs avoid the need to check the website, as notification of updates is automatic and sent to the subscriber as they occur. If

assessing a website proves to be difficult, the contact person listed can provide information.

III. How To Use the Notice

This notice is organized into 15 addenda so that a reader may access the subjects published during the quarter covered by the notice to determine whether any are of particular interest. We expect this notice to be used in concert with previously published notices. Those unfamiliar with a description of our Medicare manuals should view the manuals at <http://www.cms.gov/manuals>.

The Director of the Office of Strategic Operations and Regulatory Affairs of the Centers for Medicare & Medicaid Services (CMS), Kathleen Cantwell, having reviewed and approved this document, authorizes Trenesha Fultz-Mimms, who is the Federal Register Liaison, to electronically sign this document for purposes of publication in the **Federal Register**.

Trenesha Fultz-Mimms,
Federal Register Liaison, Department of Health and Human Services.

Publication Dates for the Previous Four Quarterly Notices

We publish this notice at the end of each quarter reflecting information released by CMS during the previous

quarter. The publication dates of the previous four Quarterly Listing of Program Issuances notices are: January 30, 2024 (89 FR 5897), April 29, 2024 (89 FR 33356), July 22, 2024 (89 FR 59104) and November 7, 2024 (89 FR 88282). We are providing only the specific updates that have occurred in the 3-month period along with a hyperlink to the website to access this information and a contact person for questions or additional information.

Addendum I: Medicare and Medicaid Manual Instructions (October Through December 2024)

The CMS Manual System is used by CMS program components, partners, providers, contractors, Medicare Advantage organizations, and State Survey Agencies to administer CMS programs. It offers day-to-day operating instructions, policies, and procedures based on statutes and regulations, guidelines, models, and directives. In 2003, we transformed the CMS Program Manuals into a web user-friendly presentation and renamed it the CMS Online Manual System.

How To Obtain Manuals

The internet-only Manuals (IOMs) are a replica of the Agency’s official record copy. Paper-based manuals are CMS manuals that were officially released in hardcopy. The majority of these manuals were transferred into the internet-only manual (IOM) or retired. Pub 15–1, Pub 15–2 and Pub 45 are exceptions to this rule and are still active paper-based manuals. The

remaining paper-based manuals are for reference purposes only. If you notice policy contained in the paper-based manuals that was not transferred to the IOM, send a message via the CMS Feedback tool.

Those wishing to subscribe to old versions of CMS manuals should contact the National Technical Information Service, Department of Commerce, 5301 Shawnee Road, Alexandria, VA 22312 Telephone (703–605–6050). You can download copies of the listed material free of charge at: <http://cms.gov/manuals>.

How To Review Transmittals or Program Memoranda

Those wishing to review transmittals and program memoranda can access this information at a local Federal Depository Library (FDL). Under the FDL program, government publications are sent to approximately 1,400 designated libraries throughout the United States. Some FDLs may have arrangements to transfer material to a local library not designated as an FDL. Contact any library to locate the nearest FDL. This information is available at <http://www.gpo.gov/libraries/>.

In addition, individuals may contact regional depository libraries that receive and retain at least one copy of most federal government publications, either in printed or microfilm form, for use by the general public. These libraries provide reference services and interlibrary loans; however, they are not sales outlets. Individuals may obtain information about the location of the

nearest regional depository library from any library. CMS publication and transmittal numbers are shown in the listing entitled Medicare and Medicaid Manual Instructions. To help FDLs locate the materials, use the CMS publication and transmittal numbers. For example, to find the manual A Social Determinants of Health Risk Assessment in the Annual Wellness Visit Policy Update in the Calendar Year 2024 Physician Fee Schedule Final Rule (CMS–Pub. 100–02) Transmittal No. 12865.

Addendum I lists a unique CMS transmittal number for each instruction in our manuals or program memoranda and its subject number. A transmittal may consist of a single or multiple instruction(s). Often, it is necessary to use information in a transmittal in conjunction with information currently in the manual.

Fee-For Service Transmittal Numbers

Please Note: Beginning Friday, March 20, 2020, there will be the following change regarding the Advance Notice of Instructions due to a CMS internal process change. Fee-For Service Transmittal Numbers will no longer be determined by Publication. The Transmittal numbers will be issued by a single numerical sequence beginning with Transmittal Number 10000.

For the purposes of this quarterly notice, we list only the specific updates to the list of manual instructions that have occurred in the 3-month period. This information is available on our website at www.cms.gov/Manuals.

Transmittal No.	Manual/subject/publication No.
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Medicare General Information (CMS–Pub. 100–01)

12980	Update to Medicare Deductible, Coinsurance and Premium Rates for Calendar Year (CY) 2025.
13880	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instruction.
13881	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instruction.
13883	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instruction.
13884	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instruction.
13885	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instruction.

Medicare Benefit Policy (CMS–Pub. 100–02)

12860	Technical Revision Only to the Medicare Benefit Policy (MBP) Manual, Publication (Pub) 100–02, Chapter 15, section 50.4.2 Unlabeled Use of Drug.
12865	A Social Determinants of Health Risk Assessment in the Annual Wellness Visit Policy Update in the Calendar Year 2024 Physician Fee Schedule Final Rule.
12999	Implementation of Changes in the End-Stage Renal Disease (ESRD) Prospective Payment System (PPS) and Payment for Dialysis Furnished for Acute Kidney Injury (AKI) in ESRD Facilities for Calendar Year (CY) 2025.
13003	Revisions to Medicare Part B Coverage of Pneumococcal Vaccinations for the Medicare Benefit Policy Manual Chapter 15, Section 50.4.4.2.
13011	Updates to No Legal Obligation to Pay for or Provide Services and Examples of Application of Government Entity Exclusion (Pub. 100–02, chapter 16, sections 40 and 50.3.3 and newly created section 40.7) and Claims Submitted for Items or Services Furnished to Medicare Beneficiaries in State or Local Custody Under a Penal Authority (Pub. 100–04, chapter 1, section 10.4).

Transmittal No.	Manual/subject/publication No.
Medicare National Coverage Determination (CMS–Pub. 100–03)	
12868	Allogeneic Hematopoietic Stem Cell Transplantation (HSCT) for Myelodysplastic Syndromes (MDS) National Coverage Determination (NCD) 110.23
12987	National Coverage Determination (NCD) 210.15—Pre-Exposure Prophylaxis (PrEP) for Human Immunodeficiency Virus (HIV) Prevention.
Medicare Claims Processing (CMS–Pub. 100–04)	
12864	October 2024 Update of the Ambulatory Surgical Center [ASC] Payment System.
12865	A Social Determinants of Health Risk Assessment in the Annual Wellness Visit Policy Update in the Calendar Year 2024 Physician Fee Schedule Final Rule.
12868	Allogeneic Hematopoietic Stem Cell Transplantation (HSCT) for Myelodysplastic Syndromes (MDS) National Coverage Determination (NCD) 110.23.
12869	Fiscal Year (FY) 2025 Inpatient Prospective Payment System (IPPS) and Long-Term Care Hospital (LTCH) PPS Changes.
12870	Medicare Part A Skilled Nursing Facility (SNF) Prospective Payment System (PPS) Pricer Update Fiscal Year (FY) 2025.
12883	Update to the Internet Only Manual (IOM) Publication (Pub.) 100–04, Chapter 18 Section 170.1 and Chapter 32 Section 340.2 for Coding Revisions to the National Coverage Determinations (NCDs)—January 2025 Change Request (CR) 13706.
12886	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instruction.
12887	Correction to Editing for Inpatient Part B Ancillary 12X Claims When Part A Benefits Exhaust and Manual Updates for Billing of Inpatient Pre-Entitlement Days.
12889	Allowing Home Health (HH) Telehealth Services During an Inpatient Stay.
12890	Issued to a specific audience, not posted to Internet/Intranet due to Sensitivity of Instruction.
12895	2025 Annual Update of Per-Beneficiary Threshold Amounts.
12896	Ambulance Inflation Factor (AIF) for Calendar Year (CY) 2025 and Productivity Adjustment.
12909	Corrections to Change Request (CR) 7270—Changes to the Time Limits for Filing Medicare Fee For Service Claims.
12910	Calendar Year (CY) 2025 Participation Enrollment and Medicare Participating Physicians and Suppliers Directory (MEDPARD) Procedures.
12911	Home Health Prospective Payment System (HH PPS) Rate Update for Calendar Year (CY) 2025.
12914	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instruction.
12915	Expanding the Number of Home Health (HH) Period of Care Records—Analysis Only.
12923	Calendar Year (CY) 2025 Home Infusion Therapy (HIT) Payment Rates and Instructions for Retrieving the January 2025 Home Infusion Therapy (HIT) Services Payment Rates Through the CMS Mainframe Telecommunications System.
12926	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instruction.
12931	File Conversions Related to the Spanish Translation of the Healthcare Common Procedure Coding System (HCPCS) Descriptions.
12934	Medicare Change of Status Notice (MCSN) Manual Instructions.
12935	New Waived Tests.
12936	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instruction.
12945	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instruction.
12948	Allogeneic Hematopoietic Stem Cell Transplantation (HSCT) for Myelodysplastic Syndromes (MDS) National Coverage Determination (NCD) 110.23.
12949	National Fee Schedule for Medicare Part B Vaccine Administration CMS—January 2025”.
12950	Update to Rural Health Clinic (RHC) All Inclusive Rate (AIR) Payment Limit for Calendar Year (CY) 2025.
12951	Update to the Federally Qualified Health Center (FQHC) Prospective Payment System (PPS) for Calendar Year (CY) 2025.
12957	Implementation of System Changes for the End Stage Renal Disease (ESRD) Prospective Payment System (PPS) and Payment for Renal Dialysis Services Furnished to Individuals with Acute Kidney Injury (AKI) for Calendar Year (CY) 2025.
12961	Updates to the Publication 100–04 Claims Processing Manual in the Internet Only Manual (IOM) to Remove Obsolete Language Related to Medicare Fee-for-Service (FFS) Systems Claims Edits.
12964	January 2025 Annual Rural Emergency Hospital (REH) Monthly Facility Payment Amount.
12967	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instruction.
12970	Claim Status Category Codes (CSCC) and Claim Status Codes (CSC) Update.
12974	Manual Update for Pneumococcal Vaccine for 21-Valent Conjugate Vaccine.
12975	Summary of Policies in the Calendar Year (CY) 2025 Medicare Physician Fee Schedule (MPFS) Final Rule, Telehealth Originating Site Facility Fee Payment Amount and Telehealth Services List, CT Modifier Reduction List, and Preventive Services.
12976	April 2025 Update to the Inpatient Prospective Payment System (IPPS) For Correction to Total Pass-Through Amounts Reported on the Provider Specific File (PSF) to Include Allogeneic Stem Cell Costs.
12977	April 2025 Healthcare Common Procedure Coding System (HCPCS) Quarterly Update Reminder.
12978	April 2025 Bi-Annual Update of the International Classification of Diseases, Tenth Revision, Clinical Modification (ICD–10–CM).
12979	Implementation of System Changes for the End Stage Renal Disease (ESRD) Prospective Payment System (PPS) and Payment for Renal Dialysis Services Furnished to Individuals with Acute Kidney Injury (AKI) for Calendar Year (CY) 2025.
12980	2025 Annual Update to the Therapy Code List.
12981	Implement Operating Rules—Phase III Electronic Remittance Advice (ERA) Electronic Funds Transfer (EFT): Committee on Operating Rules for Information Exchange (CORE) 360 Uniform Use of Claim Adjustment Reason Codes (CARC), Remittance Advice Remark Codes (RARC) and Claim Adjustment Group Code (CAGC) Rule—Update from Council for Affordable Quality Healthcare (CAQH) CORE.
12982	Quarterly Update to Home Health (HH) Grouper.
12987	Prophylaxis (PrEP) for Human Immunodeficiency Virus (HIV) Prevention.
12988	Combined Common Edits/Enhancements Modules (CCEM) Code Set Update.
12990	Update to the Internet Only Manual (IOM) Publication (Pub.) 100–04, Chapter 32 Sections 90, 190.2 and 300.2 for Coding Revisions to the National Coverage Determinations (NCDs)—April 2025 (1 of 2) Change Request (CR) 13818.
12991	Calendar Year 2025 Update for Durable Medical Equipment, Prosthetics, Orthotics and Supplies (DMEPOS) Fee Schedule.
12992	Calendar Year (CY) 2025 Annual Update for Clinical Laboratory Fee Schedule and Laboratory Services Subject to Reasonable Charge Payment.

Transmittal No.	Manual/subject/publication No.
12993	Quarterly Update for the Durable Medical Equipment, Prosthetics, Orthotics, and Supplies (DMEPOS) Competitive Bidding Program (CBP)—April 2025.
12994	April 2025 Quarterly Average Sales Price (ASP) Medicare Part B Drug Pricing Files and Revisions to Prior Quarterly Pricing Files.
12995	April 2025 Update to the Medicare Severity—Diagnosis Related Group (MS—DRG) Grouper and Medicare Code Editor (MCE) Version 42.1.
12998	Quarterly Update to the National Correct Coding Initiative (NCCI) Procedure-to-Procedure (PTP) Edits, Version 31.1, Effective April 1, 2025.
13002	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instruction.
13010	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instruction.
13011	Updates to No Legal Obligation to Pay for or Provide Services and Examples of Application of Government Entity Exclusion (Pub. 100–02, chapter 16, sections 40 and 50.3.3 and newly created section 40.7) and Claims Submitted for Items or Services Furnished to Medicare Beneficiaries in State or Local Custody Under a Penal Authority (Pub. 100–04, chapter 1, section 10.4).
13012	Internet Only Manual (IOM) Update to 100–04 Chapter 12, Section 30.5—Payment for Codes for Chemotherapy Administration and Nonchemotherapy Injections and Infusions.
13019	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instruction.
13025	Update to the Internet Only Manual (IOM) Publication (Pub.) 100–04, Chapter 18 Section 60.3 and Chapter 32 Sections 11.3.5, 60.4.1, 60.5.2, 320.2 and 412.1 for Coding Revisions to the National Coverage Determinations (NCDs)—April 2025 (2 of 2) Change Request (CR) 13828.
13026	Billing Instructions Related to Expedited Determinations Based on Medicare Change of Status Notifications (MCSNs).
Medicare Secondary Payer (CMS—Pub. 100–05)	
12880	Changes to The Electronic Correspondence Referral System (ECRS) to Remove the Drug Supplemental Type ‘O’ (Other) as a Valid Option from Batch Submissions.
12891	The Recovery and Adjustment of Medicare Claims where the Department of Veteran Affairs (VA) also Made Payment Using the Medicare Duplicate Payment (DP) Process.
13016	Updates to the Medicare Carrier System (MCS), the Viable Information Processing Systems Medicare Systems (VMS) and the Common Working File (CWF) Processes to Capture and Further Automate the Medicare Secondary Payer (MSP) Processes.
Medicare Financial Management (CMS—Pub. 100–06)	
12968	Requirements for Adjusting/Demanding and Reporting Office of the Inspector General (OIG) Identified Overpayments.
12969	The Fiscal Intermediary Shared System (FISS) Submission of Copybook Files to the Provider and Statistical Reimbursement (PS&R) System.
13001	The Fiscal Year 2025 Updates for the CMS Internet Only Manual (IOM) Publication (Pub.) 100–06, Medicare Financial Management Manual, Chapter 7—Internal Control Requirements.
Medicare State Operations Manual (CMS—Pub. 100–07)	
	None.
Medicare Program Integrity (CMS—Pub. 100–08)	
12872	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instruction.
12873	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instruction.
12985	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instruction.
12996	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instruction.
12997	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instruction.
13000	Updates of Chapter 4 and Exhibits in Publication (Pub.) 100–08, Including the Unified Program Integrity Contractor (UPIC) and Medical Review Accuracy Contractor (MRAC) Coordination Process.
13004	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instruction.
13005	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instruction.
13006	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instruction.
13007	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instruction.
13008	Chapter 3 Revisions (Segment 1) in Publication (Pub.) 100–08 Program Integrity Manual (PIM).
13018	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instruction.
Medicare Contractor Beneficiary and Provider Communications (CMS—Pub. 100–09)	
	None.
Medicare Quality Improvement Organization (CMS—Pub. 100–10)	
	None.
Medicare Program of All-Inclusive Care for the Elderly (CMS—Pub. 100–11)	
	None.

Transmittal No.	Manual/subject/publication No.
Medicare End Stage Renal Disease Network Organizations (CMS–Pub. 100–14)	
	None.
Medicaid Program Integrity Disease Network Organizations (CMS–Pub. 100–15)	
	None.
Medicare Managed Care (CMS–Pub. 100–16)	
	None.
Medicare Business Partners Systems Security (CMS–Pub. 100–17)	
	None.
Medicare Prescription Drug Benefit (CMS–Pub. 100–18)	
	None.
Demonstrations (CMS–Pub. 100–19)	
12983	Making Care Primary (MCP) Informational Unsolicited Responses (IURs).
One Time Notification (CMS–Pub. 100–20)	
12862	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instruction.
12867	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instruction.
12878	Reporting Identifiers for the Healthcare Integrated General Ledger Accounting System (HIGLAS) Payments Reported for Periodic Interim Payment (PIP) Claims.
12879	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instruction.
12881	Tax Equity and Fiscal Responsibility Act (TEFRA) Reimbursement to Inpatient Prospective Payment System (IPPS) -Excluded Hospitals for Excess Costs Related to Providing CAR T-cell Therapy.
12882	Implementation of a New National Uniform Billing Committee (NUBC) Condition Code “KX”, “Documentation on file. Requirements specified in the medical policy have been met.” and Implementation of a New NUBC Value Code “92”, “Invoice Cost of Drug/Biologic. For use with Revenue Category 0636 when required by federal regulation.”.
12884	Phase 4: Implementation to Expand Monetary Amount Fields Related to Billing and Payment to Accommodate 10-Digits in Length (\$99,999,999.99).
12885	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instruction.
12889	Correction to Pulmonary Rehabilitation Services for Indian Health Services (IHS).
12899	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instruction.
12903	International Classification of Diseases, 10th Revision (ICD–10) and Other Coding Revisions to National Coverage Determinations (NCDs)—April 2025 (CR 1 of 2).
12904	International Classification of Diseases, 10th Revision (ICD–10) and Other Coding Revisions to National Coverage Determinations (NCDs)—April 2025 (CR 2 of 2).
12908	Implementation of the Award for the Jurisdiction D Durable Medical Equipment Medicare Administrative Contractor (JD DME MAC).
12916	User Enhancement Change Request (UECR): Update the Multi-Carrier System (MCS) System Control Facility (SCF) System Element (SE) for Diagnosis Validation.
12917	User Enhancement Change Request (UECR): Update the Summary Report—Healthcare Integrated General Ledger Accounting System (HIGLAS) 824 Status Notification Error Report (H99RJSUM).
12918	User Enhancement Change Request (UECR): Update Multi-Carrier System (MCS) Import File Copy Request Screen.
12919	Fiscal Intermediary Shared System (FISS)—User Enhancement Change Request (UECR)—Expand Reason Code Narrative Length.
12920	Fiscal Intermediary Shared System (FISS)—User Enhancement Change Request (UECR)—Expand Provider Name Field on Provider Address Screen.
12921	User Enhancement Change Request (UECR): Update Multi-Carrier System (MCS) Portal Re-Openings Negative/Zero Adjustments Report (H99RBPRZ).
12922	Fiscal Intermediary Shared System (FISS)—Delete Obsolete Reason Codes—Part 6.
12924	Implementation of the Award for the Jurisdiction J (J–J) Part A and Part B Medicare Administrative Contractor (JJ A/B MAC).
12932	Implementation of the Award for the Jurisdiction J (J–J) Part A and Part B Medicare Administrative Contractor (JJ A/B MAC).
12937	User Enhancement Change Request (UECR): ViPS Medicare System (VMS)—Add Testing/Production Region Identifier Field on Screens.
12938	User Enhancement Change Request (UECR): ViPS Medicare System (VMS)—Add Testing/Production Region Identifier Field on Screens.
12939	User Enhancement Change Request (UECR): ViPS Medicare System (VMS)—Improve Processing of Capped Rental Items Billed with RT (right)/LT (left) Modifiers.
12940	Fiscal Intermediary Shared System (FISS)—Delete Obsolete Reason Codes—Part 5.
12941	Updates to Allow Category II Codes to be Submitted on Rural Health Clinic (RHC) Claims.
12942	User Enhancement Change Request (UECR): ViPS Medicare System (VMS)—Update the Quality Assurance (QA) subsystem to Automate Setting Date Ranges on the QA Selection—Date Card Screen (VMAP/2/2).
12944	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instruction.
12947	Implementation of a New National Uniform Billing Committee (NUBC) Condition Code “KX”, “Documentation on file. Requirements specified in the medical policy have been met.” and Implementation of a New NUBC Value Code “92”, “Invoice Cost of Drug/Biologic. For use with Revenue Category 0636 when required by federal regulation.”.

Transmittal No.	Manual/subject/publication No.
12955	Implementation CR—To Send Provider-Based Practice Location Types to the Fiscal Intermediary Shared System (FISS) on Provider Enrollment Chain & Ownership System (PECOS) Extract Files and for FISS to Process so Medicare Administrative Contractors (MACs) Do Not Have to Check Manually for These Locations.
12958	Issued to a specific audience, not posted to Internet/Intranet due to Sensitivity of Instruction.
12960	All-Inclusive Rate (AIR) Add-On Payment for High-Cost Drugs Provided by Indian Health Service (IHS) and Tribal Hospitals.
12965	User Management in the Medicare Adjudication Portal (MAP) for 837D Dental Claims.
12973	User Management in the Medicare Adjudication Portal (MAP) for 837D Dental Claims.
12984	Issued to a specific audience, not posted to Internet/Intranet due to Sensitivity of Instruction.
12986	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instruction.
12989	Phase 4: Implementation to Expand Monetary Amount Fields Related to Billing and Payment to Accommodate 10-Digits in Length (\$99,999,999.99).
13009	User Enhancement Change Request (UECR): ViPS Medicare System (VMS)—Improve Processing of Capped Rental Items Billed with RT (right)/LT (left) Modifiers.
13014	Update to Billing Requirements for Intensive Outpatient Program (IOP) Services for Rural Health Clinics (RHCs) and Federally Qualified Health Centers (FQHCs).
13015	Allow Payment for Healthcare Common Procedure Coding System (HCPCS) Code G2211 when Certain Part B Preventive Services are Provided on the Same Day.
13017	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instruction.
13027	Adjustments in the Medicare Adjudication Portal (MAP) for 837D Dental Claims (Phase 2).
Medicare Quality Reporting Incentive Programs (CMS—Pub. 100–22)	
	None.
State Payment of Medicare Premiums (CMS—Pub. 100–24)	
	None.
Information Security Acceptable Risk Safeguards (CMS—Pub. 100–25)	
	None.

For questions or additional information, contact Ismael Torres (410–786–1864).

Addendum II: Regulation Documents Published in the Federal Register (July Through September 2024)

Regulations and Notices

Regulations and notices are published in the daily **Federal Register**. To purchase individual copies or subscribe to the **Federal Register**, contact GPO at www.gpo.gov/fdsys. When ordering individual copies, it is necessary to cite either the date of publication or the volume number and page number.

The **Federal Register** is available as an online database through *GPO Access*. The online database is updated by 6 a.m. each day the **Federal Register** is published. The database includes both text and graphics from Volume 59, Number 1 (January 2, 1994) through the present date and can be accessed at <http://www.gpoaccess.gov/fr/index.html>. The following website <http://www.archives.gov/federal-register/> provides information on how to access electronic editions, printed editions, and reference copies.

For questions or additional information, contact Terri Plumb (410–786–4481).

Addendum III: CMS Rulings (October Through December 2024)

CMS Rulings are decisions of the Administrator that serve as precedent final opinions and orders and statements of policy and interpretation. They provide clarification and interpretation of complex or ambiguous provisions of the law or regulations relating to Medicare, Medicaid, Utilization and Quality Control Peer Review, private health insurance, and related matters.

The rulings can be accessed at <http://www.cms.gov/Regulations-and-Guidance/Guidance/Rulings>.

For questions or additional information, contact Tiffany Lafferty (410–786–7548).

Addendum IV: Medicare National Coverage Determinations (October Through December 2024)

Addendum IV includes completed national coverage determinations (NCDs), or reconsiderations of completed NCDs, from the quarter covered by this notice. Completed decisions are identified by the section of the NCD Manual (NCDM) in which the decision appears, the title, the date the publication was issued, and the effective date of the decision. An NCD

is a determination by the Secretary for whether or not a particular item or service is covered nationally under the Medicare Program (title XVIII of the Act), but does not include a determination of the code, if any, that is assigned to a particular covered item or service, or payment determination for a particular covered item or service. The entries below include information concerning completed decisions, as well as sections on program and decision memoranda, which also announce decisions or, in some cases, explain why it was not appropriate to issue an NCD. Additional information on NCDs, including open NCDs and pending NCDs, can be found on the NCD Dashboard, which is posted on the CMS website at <https://www.cms.gov/files/document/ncd-dashboard.pdf>. For the purposes of this quarterly notice, we are providing only the specific updates to national coverage determinations (NCDs), or reconsiderations of completed NCDs published in the 3-month period. This information is available at: www.cms.gov/medicare-coverage-database/.

For questions or additional information, contact Wanda Belle, MPA (410–786–7491).

Title	NCDM section	Transmittal No.	Issue date	Effective date
National Coverage Determination (NCD) 210.15—Pre-Exposure Prophylaxis (PrEP) for Human Immunodeficiency Virus (HIV) Prevention	210.15	12987	12/05/2024	04/07/2025

Addendum V: FDA-Approved Category B Investigational Device Exemptions (IDEs) (October Through December 2024)

(Inclusion of this addenda is under discussion internally.)

Addendum VI: Approval Numbers for Collections of Information (October Through December 2024)

All approval numbers are available to the public at *Reginfo.gov*. Under the review process, approved information collection requests are assigned OMB control numbers. A single control number may apply to several related information collections. This information is available at www.reginfo.gov/public/do/PRAMain.

For questions or additional information, contact William Parham (410-786-4669).

Addendum VII: Medicare-Approved Carotid Stent Facilities (October Through December 2024)

Addendum VII includes listings of Medicare-approved carotid stent facilities. All facilities listed meet CMS standards for performing carotid artery stenting for high risk patients. On March 17, 2005, we issued our decision memorandum on carotid artery stenting. We determined that carotid artery stenting with embolic protection is reasonable and necessary only if performed in facilities that have been determined to be competent in performing the evaluation, procedure, and follow-up necessary to ensure optimal patient outcomes. We have created a list of minimum standards for facilities modeled in part on professional society statements on competency. All facilities must at least meet our standards in order to receive coverage for carotid artery stenting for high risk patients. For the purposes of this quarterly notice, we are providing only the specific updates that have occurred in the 3-month period. There were no additions, deletions, or editorial changes to the listing for Medicare-approved carotid stent facilities for this 3-month period. This information is available at: <http://www.cms.gov/MedicareApprovedFacilitie/CASF/list.asp#TopOfPage>.

For questions or additional information, contact Sarah Fulton, MHS (410-786-2749).

Addendum VIII: American College of Cardiology's National Cardiovascular Data Registry Sites (October Through December 2024)

The initial data collection requirement through the American College of Cardiology's National Cardiovascular Data Registry (ACC-NCDR) has served to develop and improve the evidence base for the use of ICDs in certain Medicare beneficiaries. The data collection requirement ended with the posting of the final decision memo for Implantable Cardioverter Defibrillators on February 15, 2018.

For questions or additional information, contact Sarah Fulton, MHS (410-786-2749).

Addendum IX: Active CMS Coverage-Related Guidance Documents (October Through December 2024)

CMS published three final guidance documents on August 7, 2024, to provide a framework for more predictable and transparent evidence development and encourage innovation and accelerate beneficiary access to new items and services. The documents are available at:

Coverage with Evidence Development: <https://www.cms.gov/medicare-coverage-database/view/medicare-coverage-document.aspx?mcdid=38>.

CMS National Coverage Analysis Evidence Review: <https://www.cms.gov/medicare-coverage-database/view/medicare-coverage-document.aspx?mcdid=37>.

Clinical Endpoints Guidance: Knee Osteoarthritis: <https://www.cms.gov/medicare-coverage-database/view/medicare-coverage-document.aspx?mcdid=36>.

For questions or additional information, contact Lori Ashby, MA (410 786 6322).

Addendum X: List of Special One-Time Notices Regarding National Coverage Provisions (October Through December 2024)

There were no special one-time notices regarding national coverage provisions published in the 3-month period. This information is available at <http://www.cms.gov>.

For questions or additional information, contact JoAnna Baldwin, MS (410-786 7205).

Addendum XI: National Oncologic PET Registry (NOPR) (October Through December 2024)

Addendum XI includes a listing of National Oncologic Positron Emission Tomography Registry (NOPR) sites. We cover positron emission tomography (PET) scans for particular oncologic indications when they are performed in a facility that participates in the NOPR.

In January 2005, we issued our decision memorandum on positron emission tomography (PET) scans, which stated that CMS would cover PET scans for particular oncologic indications, as long as they were performed in the context of a clinical study. We have since recognized the National Oncologic PET Registry as one of these clinical studies. Therefore, in order for a beneficiary to receive a Medicare-covered PET scan, the beneficiary must receive the scan in a facility that participates in the registry. There were no additions, deletions, or editorial changes to the listing of National Oncologic Positron Emission Tomography Registry (NOPR) in the 3-month period. This information is available at <http://www.cms.gov/MedicareApprovedFacilitie/NOPR/list.asp#TopOfPage>.

For questions or additional information, contact David Dolan, MBA (410-786-3365).

Addendum XII: Medicare-Approved Ventricular Assist Device (Destination Therapy) Facilities (October Through December 2024)

Addendum XII includes a listing of Medicare-approved facilities that receive coverage for ventricular assist devices (VADs) used as destination therapy. All facilities were required to meet our standards in order to receive coverage for VADs implanted as destination therapy. On October 1, 2003, we issued our decision memorandum on VADs for the clinical indication of destination therapy. We determined that VADs used as destination therapy are reasonable and necessary only if performed in facilities that have been determined to have the experience and infrastructure to ensure optimal patient outcomes. We established facility standards and an application process. All facilities were required to meet our standards in order to receive coverage

for VADs implanted as destination therapy.

For the purposes of this quarterly notice, we are providing only the specific updates to the list of Medicare-

approved facilities that meet our standards that have occurred in the 3-month period. This information is available at <http://www.cms.gov/>

MedicareApprovedFacilitie/VAD/list.asp#TopOfPage.

For questions or additional information, contact David Dolan, MBA, (410-786-3365).

Facility	Provider No.	Date of initial certification	Date of re-certification	State
The following are new facilities				
The Valley Hospital, 4 Valley Health Plaza, Paramus, NJ 07652; <i>Other information:</i> DNV ID #: C701535; <i>Previous Re-certification Dates:</i> n/a.	310012	09/04/2024	n/a	NJ
Saint Francis Hospital, 6161 South Yale Avenue, Tulsa, OK 74136; <i>Other information:</i> DNV ID #: C675228; <i>Previous Re-certification Dates:</i> n/a.	370091	09/10/2024	n/a	OK
East Jefferson General Hospital, 4200 Houma Blvd., Metairie, LA 70006; <i>Other information:</i> DNV ID #: C694266; <i>Previous Re-certification Dates:</i> n/a.	190176	11/12/2024	n/a	LA
Cooper University Hospital, 1 Cooper Plaza, Camden, NJ 08103; <i>Other information:</i> DNV ID #: C653305; <i>Previous Re-certification Dates:</i> n/a.	31-0014	11/14/2024	n/a	NJ
The following facilities have editorial changes (in bold)				
Ascension Seton, 1201 West 38th Street, Austin, TX 78705-1056; <i>Other information:</i> Joint Commission ID #8939; <i>Previous Re-certification Dates:</i> 03/06/2009; 07/15/2011; 09/04/2013; 10/20/2015; 10/03/2017; 10/23/2019; 04/13/2022.	450056	03/06/2009	07/17/2024	TX
Lehigh Valley Hospital, 1200 S Cedar Crest Boulevard, Allentown, PA 18105; <i>Other information:</i> Joint Commission ID #4880; <i>Previous Re-certification Dates:</i> 10/29/2013; 11/10/2015; 12/12/2017; 03/04/2020; 05/28/2022.	390133	10/29/2013	07/31/2024	PA
Mount Sinai Hospital, One Gustave L. Levy Place, New York, NY 10029-6574; <i>Other information:</i> Joint Commission ID #5829; <i>Previous Re-certification Dates:</i> 11/25/2008; 02/08/2011; 03/20/2013; 03/31/2015; 06/08/2017; 08/07/2019; 03/23/2022.	330024	11/25/2008	08/14/2024	NY
UPMC Presbyterian Shadyside, 200 Lothrop Street, Pittsburgh, PA 15213; <i>Other information:</i> Joint Commission ID #6169; <i>Previous Re-certification Dates:</i> 06/10/2008; 05/21/2010; 04/12/2012; 03/25/2014; 04/13/2016; 03/20/2018; 12/09/2020; 06/03/2022.	390164	06/10/2008	08/14/2024	PA
Advocate Christ Medical Center, 4440 W 95th Street, Oak Lawn, IL 60453; <i>Other information:</i> DNV ID #: 10000504196-MSD-DNV-USA; <i>Previous Re-certification Dates:</i> 9/28/2015; 10/01/2018; 10/21/2021.	140208	09/28/2015	10/01/2024	IL
University of Texas Medical Branch, 301 University Blvd., Galveston, TX 77555; <i>Other information:</i> Joint Commission ID #9058; <i>Previous Re-certification Dates:</i> 01/31/2012; 01/28/2014; 02/23/2016; 01/30/2018; 10/08/2020; 06/08/2022.	450018	01/31/2012	08/28/2024	TX
University of California, Davis Medical Center, 2315 Stockton Boulevard, Sacramento, CA 95817; <i>Other information:</i> Joint Commission ID #10055; <i>Previous Re-certification Dates:</i> 10/06/2015; 02/06/2018; 12/10/2020; 09/14/2022.	050599	10/06/2015	09/18/2024	CA
Carolinas Medical Center, 1000 Blythe Boulevard, Charlotte, NC 28232; <i>Other information:</i> Joint Commission ID #6480; <i>Previous Re-certification Dates:</i> 05/11/2010; 05/11/2012; 04/22/2014; 04/12/2016; 04/24/2018; 12/17/2020; 08/03/2022.	340113	05/11/2010	09/11/2024	NC
MedStar Washington Hospital Center, 110 Irving St. NW, Washington, DC 20010; <i>Other information:</i> Joint Commission ID #6308; <i>Previous Re-certification Dates:</i> 04/22/2008; 04/06/2010; 03/23/2012; 03/04/2014; 05/03/2016; 05/22/2018; 12/17/2020; 07/08/2022.	090011	04/22/2008	11/06/2024	DC
WellSpan York Hospital, 1001 South George Street, York, PA 17405; <i>Other information:</i> Joint Commission ID #6228; <i>Previous Re-certification Dates:</i> 11/19/2013; 12/15/2015; 01/23/2018; 03/14/2020; 06/18/2022.	390046	11/19/2013	09/11/2024	PA
NYU Langone Hospitals, 550 First Avenue, New York, NY 10016; <i>Other information:</i> Joint Commission ID #5820; <i>Previous Re-certification Dates:</i> 02/14/2012; 01/14/2014; 03/08/2016; 03/27/2018; 8/26/2020; 07/27/2022.	330214	02/14/2012	11/06/2024	NY
Jersey Shore University Medical Center, 1945 Corlies Avenue, Neptune, NJ 07753; <i>Other information:</i> DNV ID #: C727737; <i>Previous Re-certification Dates:</i> 10/16/2018; 10/14/2021.	310073	10/16/2018	09/17/2024	NJ
Rochester General Hospital, 1425 Portland Ave., Rochester, NY 14621; <i>Other information:</i> DNV ID #: C729533; <i>Previous Re-certification Dates:</i> 10/29/2018; 10/28/2021.	33-0125	10/29/2018	09/19/2024	NY
Public Health Trust of Dade County Florida dba Jackson Memorial Hospital, 1611 Northwest 12th Avenue, Miami, FL 33136-1094; <i>Other information:</i> Joint Commission ID #6850; <i>Previous Re-certification Dates:</i> 10/22/2009; 10/21/2011; 11/06/2013; 12/08/2015; 12/08/2017; 3/3/2020; 05/22/2022.	100022	10/22/2009	09/11/2024	FL
The Johns Hopkins Hospital, 600 N Wolfe Street, Baltimore, MD 21287; <i>Other information:</i> Joint Commission ID #6252; <i>Previous Re-certification Dates:</i> 12/11/2007; 12/15/2009; 11/29/2011; 12/03/2013; 01/12/2016; 02/13/2018; 10/24/2020; 06/15/2022.	210009	12/11/2007	08/21/2024	MD
Baptist Health Medical Center—Little Rock, 9601 Baptist Health Drive, Little Rock, AR 72205-7299; <i>Other information:</i> Joint Commission ID #8656; <i>Previous Re-certification Dates:</i> 11/10/2009; 11/08/2011; 12/11/2013; 01/12/2016; 12/15/2017; 02/12/2020; 05/07/2022.	040114	11/10/2009	09/11/2024	AR

Facility	Provider No.	Date of initial certification	Date of re-certification	State
Summa Health, 95 Arch Street, Suite 205, Akron, OH 44304; <i>Other information:</i> DNV ID #: C738012; <i>Previous Re-certification Dates:</i> 11/16/2021.	360020	11/16/2021	11/07/2024	OH
Westchester Health Care Corporation, 100 Woods Road, Valhalla, NY 10595; <i>Other information:</i> Joint Commission ID #2518; <i>Previous Re-certification Dates:</i> 11/19/2009; 11/15/2011; 12/03/2013; 12/08/2015; 12/19/2017; 03/07/2020; 06/30/2022.	330234	11/19/2009	09/25/2024	NY
Scott & White Memorial Hospital, 2401 S 31st St., Temple, TX 76508-0001; <i>Other information:</i> Joint Commission ID #9241; <i>Previous Re-certification Dates:</i> 12/07/2011; 12/03/2013; 01/12/2016; 12/19/2017; 03/05/2020; 07/02/2022.	450054	12/07/2011	09/06/2024	TX

Addendum XIII: Lung Volume Reduction Surgery (LVRS) (October Through December 2024)

Addendum XIII includes a listing of Medicare-approved facilities that are eligible to receive coverage for lung volume reduction surgery. Until May 17, 2007, facilities that participated in the National Emphysema Treatment Trial were also eligible to receive coverage. The following three types of facilities are eligible for reimbursement for Lung Volume Reduction Surgery (LVRS):

- National Emphysema Treatment Trial (NETT) approved (Beginning 05/07/2007, these will no longer automatically qualify and can qualify only with the other programs);
- Credentialed by the Joint Commission (formerly, the Joint Commission on Accreditation of Healthcare Organizations (JCAHO)) under their Disease Specific Certification Program for LVRS; and
- Medicare approved for lung transplants.

Only the first two types are in the list. For the purposes of this quarterly notice, there are no additions and deletions to a listing of Medicare-approved facilities that are eligible to receive coverage for lung volume reduction surgery. This information is available at www.cms.gov/MedicareApprovedFacilities/LVRS/list.asp#TopOfPage.

For questions or additional information, contact Sarah Fulton, MHS (410-786-2749).

Addendum XIV: Medicare-Approved Bariatric Surgery Facilities (October Through December 2024)

Addendum XIV includes a listing of Medicare-approved facilities that meet minimum standards for facilities modeled in part on professional society statements on competency. All facilities must meet our standards in order to receive coverage for bariatric surgery procedures. On February 21, 2006, we issued our decision memorandum on bariatric surgery procedures. We determined that bariatric surgical procedures are reasonable and necessary

for Medicare beneficiaries who have a body-mass index (BMI) greater than or equal to 35, have at least one comorbidity related to obesity and have been previously unsuccessful with medical treatment for obesity. This decision also stipulated that covered bariatric surgery procedures are reasonable and necessary only when performed at facilities that are: (1) certified by the American College of Surgeons (ACS) as a Level 1 Bariatric Surgery Center (program standards and requirements in effect on February 15, 2006); or (2) certified by the American Society for Bariatric Surgery (ASBS) as a Bariatric Surgery Center of Excellence (BSCOE) (program standards and requirements in effect on February 15, 2006).

There were no additions, deletions, or editorial changes to Medicare-approved facilities that meet CMS' minimum facility standards for bariatric surgery that have been certified by ACS and/or ASMBS in the 3-month period. This information is available at www.cms.gov/MedicareApprovedFacilities/BSF/list.asp#TopOfPage.

For questions or additional information, contact Sarah Fulton, MHS (410-786-2749).

Addendum XV: FDG-PET for Dementia and Neurodegenerative Diseases Clinical Trials (October Through December 2024)

There were no FDG-PET for Dementia and Neurodegenerative Diseases Clinical Trials published in the 3-month period.

This information is available on our website at www.cms.gov/MedicareApprovedFacilities/PETDT/list.asp#TopOfPage.

For questions or additional information, contact David Dolan, MBA (410-786-3365).

[FR Doc. 2025-02787 Filed 2-18-25; 8:45 am]

BILLING CODE 4120-01-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1352]

Certain Selective Thyroid Hormone Receptor-Beta Agonists, Processes for Manufacturing or Relating to Same, and Products Containing Same; Notice of a Commission Determination To Review a Final Initial Determination Finding a Violation of Section 337; Request for Written Submissions on Remedy, the Public Interest, and Bonding

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission ("Commission") has determined to review a final initial determination ("FID") issued by the presiding Chief Administrative Law Judge ("Chief ALJ"), finding a violation of section 337 of the Tariff Act of 1930, as amended. The Commission requests written submissions from the parties, interested government agencies, and other interested persons on the issues of remedy, the public interest, and bonding, under the schedule set forth below.

FOR FURTHER INFORMATION CONTACT:

Houda Morad, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 708-4716. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. General information concerning the Commission may also be obtained by accessing its internet server at <https://www.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation

on February 9, 2023, based on a complaint, as supplemented, filed by Viking Therapeutics, Inc. (“Viking” or “Complainant”) of San Diego, California. 88 FR 8455–56 (Feb. 9, 2023). The complaint alleges a violation of section 337 the Tariff Act, as amended, 19 U.S.C. 1337, by way of the importation, sale for importation, or sale in the United States after importation of certain selective thyroid hormone receptor-beta agonists, processes for manufacturing or relating to same, and products containing same by reason of misappropriation of trade secrets, the threat or effect of which is to destroy or substantially injure a domestic industry or prevent the establishment of a domestic industry. *Id.* The notice of investigation named the following as respondents: Asclepis Pharma Inc. of Hangzhou, Zhejiang Province, China; Asclepis Pharmaceuticals Co. of Shaoxing, Zhejiang Province, China; Asclepis Bioscience Co. of Hangzhou, Zhejiang Province, China; Gannex Pharma Co. of Shanghai, China; and Jinzi Jason Wu of Seattle, Washington (collectively, “Respondents”). *Id.* The Office of Unfair Import Investigation (“OUII”) is also participating in the investigation. *Id.*

On September 22, 2023, the Commission granted a motion to intervene filed by Foster, Murphy, Altman & Nickel, PC for the “limited purpose of defending Foster Murphy and its attorneys’ interests in response to Complainant Viking Therapeutics, Inc.’s Omnibus Motion for Sanctions.” See Order No. 37 (Aug. 28, 2023), *unreviewed* by Comm’n Notice (Sept. 22, 2023).

The Chief ALJ held an evidentiary hearing from November 13 to 16, 2023.

On October 3, 2024, the Chief ALJ issued the FID finding a violation of section 337. Specifically, the FID finds that: (1) the Commission has statutory authority to conduct this investigation; (2) the asserted trade secrets are protectable; (3) Respondents misappropriated the asserted trade secrets; (4) Complainant has demonstrated both that a domestic industry exists and is in the process of being established; and (5) Respondents’ unfair acts have caused actual and threatened injury to Viking’s domestic industry. The FID also grants Complainant’s motion for sanctions under Commission Rule 210.33 (19 CFR 210.33) and imposes certain non-monetary and monetary sanctions against Respondents and/or their former counsel (Rimon PC) jointly and severally.

The ALJ’s recommended determination (“RD”) recommends,

should the Commission find a violation of section 337, that the Commission issue: (1) a seven-year limited exclusion order against certain selective thyroid hormone receptor-beta agonists, processes for manufacturing or relating to same, and products containing same that are imported by or on behalf of Respondents; and (2) a cease and desist order against each of Respondents. The RD also recommends that the Commission impose a 100 percent bond against accused articles imported during the period of Presidential review. Regarding the public interest, the RD finds that the statutory public interest factors do not weigh against the issuance of remedial orders.

On November 8, 2024, Respondents, Rimon PC (Respondents’ former counsel), and OUII petitioned for Commission review of the FID. On the same day, Complainant filed a contingent petition for review of the FID. More specifically, Respondents request Commission review of the FID’s findings with respect to: (1) the Commission’s statutory authority over Dr. Wu, who is the Chief Executive Officer or President of each of the corporate respondents; (2) sanctions against Respondents and their former counsel, Rimon PC; (3) misappropriation of trade secrets; and (4) injury to a domestic industry. Rimon PC also petitions for Commission review of the sanctions order against Respondents and their former counsel. Additionally, OUII petitions for review of: (1) the Chief ALJ’s failure to issue an ID at the conclusion of the 100-day proceeding; (2) the FID’s findings regarding the existence and misappropriation of trade secrets; and (3) the FID’s findings regarding the existence and injury to a domestic industry. Lastly, Complainant contingently petitions for review of the FID’s findings with respect to: (1) misappropriation of trade secrets; (2) existence of a domestic industry and injury thereto; and (3) sanctions against Respondents and their former counsel.

On November 27, 2024, the parties filed responses to the petitions.

On November 4, 2024, Complainant filed a statement on the public interest pursuant to Commission Rule 210.50 (19 CFR 210.50). Respondents did not submit a statement on the public interest pursuant to Commission Rule 210.50. In addition, the Commission did not receive any submissions from the public in response to its post-RD **Federal Register** notice. See 89 FR 82256–57 (Oct. 10, 2024).

Having reviewed the record of the investigation, including the final ID, the parties’ submissions to the Chief ALJ,

and the parties’ submissions to the Commission, the Commission has determined to review the FID in its entirety.

In connection with the final disposition of this investigation, the statute authorizes issuance of, *inter alia*, (1) an exclusion order that could result in the exclusion of the subject articles from entry into the United States; and/or (2) cease and desist orders that could result in the respondents being required to cease and desist from engaging in unfair acts in the importation and sale of such articles. Accordingly, the Commission is interested in receiving written submissions that address the form of remedy, if any, that should be ordered. If a party seeks exclusion of an article from entry into the United States for purposes other than entry for consumption, the party should so indicate and provide information establishing that activities involving other types of entry either are adversely affecting it or likely to do so. For background, see *Certain Devices for Connecting Computers via Telephone Lines*, Inv. No. 337–TA–360, USITC Pub. No. 2843, Comm’n Op. at 7–10 (Dec. 1994).

The statute requires the Commission to consider the effects of that remedy upon the public interest. The public interest factors the Commission will consider include the effect that an exclusion order and cease and desist orders would have on: (1) the public health and welfare, (2) competitive conditions in the U.S. economy, (3) U.S. production of articles that are like or directly competitive with those that are subject to investigation, and (4) U.S. consumers. The Commission is therefore interested in receiving written submissions that address the aforementioned public interest factors in the context of this investigation.¹ In particular, there is interest in responses to the following public interest questions:

1. Please address with support from the evidentiary record to what extent do the statutory public interest factors set forth in 19 U.S.C. 1337(c), especially that related to public health and welfare, weigh against the issuance of an exclusion order for a violation under 19 U.S.C. 1337(a)(1)(A) directed to the accused drug candidates in this investigation. In answering this question, identify how many people in the United States have been diagnosed with non-alcoholic steatohepatitis

¹ Commissioner Johanson does not join Commission questions 2 and 3 to the extent they seek briefing related to the FDA “safe harbor” provision of 35 U.S.C. 271(e)(1) because it is not the basis of the alleged violation in this investigation.

(“NASH”), the health implications of NASH (including the extent to which that condition can be life-threatening or raise other serious health concerns), and available treatment options.

2. Please explain with support from the evidentiary record if and how the Commission can tailor its remedy to minimize harm to the public interest. In particular, address whether the importation of accused products found in violation of 19 U.S.C. 1337(a)(1)(A) should nonetheless be permitted for purposes of ongoing or planned clinical trials. *Cf.* 35 U.S.C. 271(e)(1); *Amgen Inc. v. Int’l Trade Comm’n*, 565 F.3d 846, 848 (Fed. Cir. 2009). If an exemption is made to allow importation for purposes of clinical trials, please propose specific language in the Commission’s remedial orders reflecting such an exemption and the scope/duration of such exception.

3. Please address how a finding of violation based on the alleged trade secret misappropriation in this case might raise different public interest issues than the policy considerations underlying the FDA “safe harbor” provision of 35 U.S.C. 271(e)(1).

4. Please address with support from the evidentiary record the extent to which Madrigal Pharmaceuticals’ resmetirom product, which has been approved by the FDA for treatment of NASH, is effective for the treatment of NASH and the extent to which Viking’s VK2809 drug candidate or Ascleto’s ASC41 and ASC43F drug candidates (the accused products) are likely to offer more effective treatment for NASH. In answering this question, explain the extent to which the patient population undergoing treatment for NASH with resmetirom overlaps with the potential patient populations for Viking’s VK2809 drug candidate or Ascleto’s ASC41 and ASC43F drug candidates.

5. Please address the extent to which resmetirom is available to meet demand for treatment of NASH. Please address the extent to which resmetirom together with Viking’s VK2809 drug candidate if approved would be available to meet demand for treatment of NASH. Would there be a shortfall in the availability to meet demand if Ascleto’s ASC41 and ASC43F drug candidates are excluded?

6. Please address with support from the evidentiary record how many patients in the United States are currently enrolled in or are expected to be enrolled in clinical trials for Viking’s VK2809 drug candidate during the next seven years. Please identify the current status of each clinical trial involving Viking’s VK2809 drug candidate, including when each clinical trial began (or is expected to begin), how many

patients are enrolled in each trial, and when each clinical trial will end (or is expected to end). Would this answer change depending on whether Ascleto’s products are excluded?

7. Please address with support from the evidentiary record how many patients in the United States are currently enrolled in or are expected to be enrolled in clinical trials for Ascleto’s ASC41 and ASC43F drug candidates during the next seven years assuming the absence of an exclusion order? Please identify the current status of each clinical trial involving Ascleto’s ASC41 and ASC43F drug candidates, including when each clinical trial began (or is expected to begin), how many patients are enrolled in each trial, and when each clinical trial will end (or is expected to end).

8. Please address with support from the evidentiary record what impact an exclusion of the accused products will have on patients with NASH that are currently or later enrolled in clinical trials involving Ascleto’s ASC41 and ASC43F drug candidates. Explain the extent to which patients currently or later enrolled in clinical trials involving Ascleto’s ASC41 and ASC43F drug candidates can switch to Viking’s VK2809 drug candidate, resmetirom, or any other clinical treatment for NASH.

9. To the extent the information requested above does not exist in the evidentiary record or emerged after the close of the evidentiary record, please provide such information with a citation to the source of that information.

If the Commission orders some form of remedy, the U.S. Trade Representative, as delegated by the President, has 60 days to approve, disapprove, or take no action on the Commission’s determination. *See* Presidential Memorandum of July 21, 2005, 70 FR 43251 (July 26, 2005). During this period, the subject articles would be entitled to enter the United States under bond, in an amount determined by the Commission and prescribed by the Secretary of the Treasury. The Commission is therefore interested in receiving submissions concerning the amount of the bond that should be imposed if a remedy is ordered.

Written Submissions: Parties to the investigation, interested government agencies, and any other interested parties are encouraged to file written submissions on the issues of remedy, the public interest, and bonding. Such submissions should address the recommended determination by the Chief ALJ on remedy, bonding, and the public interest.

In its initial submission, Complainant is also requested to identify the remedy sought and Complainant and OUII are requested to submit proposed remedial orders for the Commission’s consideration. Complainant is further requested to provide the HTSUS subheadings under which the accused products are imported, and to supply the identification information for all known importers of the products at issue in this investigation. The initial written submissions and proposed remedial orders must be filed no later than close of business on February 28, 2025. Reply submissions must be filed no later than the close of business on March 7, 2025. No further submissions on these issues will be permitted unless otherwise ordered by the Commission.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above. The Commission’s paper filing requirements in 19 CFR 210.4(f) are currently waived. 85 FR 15798 (Mar. 19, 2020). Submissions should refer to the investigation number (Inv. No. 337–TA–1352) in a prominent place on the cover page and/or the first page. (*See* Handbook for Electronic Filing Procedures, https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf). Persons with questions regarding filing should contact the Secretary, (202) 205–2000.

Any person desiring to submit a document to the Commission in confidence must request confidential treatment by marking each document with a header indicating that the document contains confidential information. This marking will be deemed to satisfy the request procedure set forth in Rules 201.6(b) and 210.5(e)(2) (19 CFR 201.6(b) & 210.5(e)(2)). Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. Any non-party wishing to submit comments containing confidential information must serve those comments on the parties to the investigation pursuant to the applicable Administrative Protective Order. A redacted non-confidential version of the document must also be filed with the Commission and served on any parties to the investigation within two business days of any confidential filing. All information, including confidential business information and documents for which confidential treatment is properly sought, submitted to the Commission for purposes of this investigation may be disclosed to and used: (i) by the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records

of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. appendix 3; or (ii) by U.S. Government employees and contract personnel, solely for cybersecurity purposes. All contract personnel will sign appropriate nondisclosure agreements. All nonconfidential written submissions will be available for public inspection on EDIS.

The Commission vote for this determination took place on February 12, 2025.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: February 12, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025-02759 Filed 2-18-25; 8:45 am]

BILLING CODE 7020-02-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731-TA-1733 (Preliminary)]

Methylene Diphenyl Diisocyanate (MDI) From China; Institution of Antidumping Duty Investigation and Scheduling of Preliminary Phase Investigation

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice of the institution of an investigation and commencement of preliminary phase antidumping duty investigation No. 731-TA-1733 (Preliminary) pursuant to the Tariff Act of 1930 ("the Act") to determine whether there is a reasonable indication that an industry in the United States is materially injured or threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of imports of methylene diphenyl diisocyanate (MDI products) from China, provided for in subheadings 2929.10.80 and 3909.31.00. Subject merchandise may also be entered under subheadings 3506.91.50, 3815.90.50, 3824.99.29, 3824.99.93, 3909.50.50, 3911.90.45, 3920.99.50, and 3921.13.50 of the Harmonized Tariff Schedule of the United States, that are alleged to be

sold in the United States at less than fair value. Unless the Department of Commerce ("Commerce") extends the time for initiation, the Commission must reach a preliminary determination in antidumping duty investigations in 45 days, or in this case by March 31, 2025. The Commission's views must be transmitted to Commerce within five business days thereafter, or by April 7, 2025.

DATES: February 12, 2025.

FOR FURTHER INFORMATION CONTACT: Lawrence Jones ((202) 205-3358), Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000. General information concerning the Commission may also be obtained by accessing its internet server (<https://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>.

SUPPLEMENTARY INFORMATION:

Background.—This investigation is being instituted, pursuant to section 733(a) of the Tariff Act of 1930 (19 U.S.C. 1673b(a)), in response to a petition filed on February 12, 2025, by the MDI Fair Trade Coalition consisting of BASF Corporation, Florham Park, New Jersey; and The Dow Chemical Company, Midland, Michigan.

For further information concerning the conduct of this investigation and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A and B (19 CFR part 201), and part 207, subparts A and B (19 CFR part 207).

Participation in the investigation and public service list.—Persons (other than petitioners) wishing to participate in the investigation as parties must file an entry of appearance with the Secretary to the Commission, as provided in §§ 201.11 and 207.10 of the Commission's rules, not later than seven days after publication of this notice in the **Federal Register**. Industrial users and (if the merchandise under investigation is sold at the retail level) representative consumer organizations have the right to appear as parties in Commission antidumping duty investigations. The Secretary will prepare a public service list containing the names and addresses of all persons, or their representatives, who are parties

to this investigation upon the expiration of the period for filing entries of appearance.

Limited disclosure of business proprietary information (BPI) under an administrative protective order (APO) and BPI service list.—Pursuant to § 207.7(a) of the Commission's rules, the Secretary will make BPI gathered in this investigation available to authorized applicants representing interested parties (as defined in 19 U.S.C. 1677(9)) who are parties to the investigation under the APO issued in the investigation, provided that the application is made not later than seven days after the publication of this notice in the **Federal Register**. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Conference.—The Office of Investigations will hold a staff conference in connection with the preliminary phase of this investigation beginning at 9:30 a.m. on Wednesday, March 5, 2025. Requests to appear at the conference should be emailed to preliminaryconferences@usitc.gov (DO NOT FILE ON EDIS) on or before noon on Monday, March 3, 2025. Please provide an email address for each conference participant in the email. Information on conference procedures, format, and participation, including guidance for requests to appear as a witness via videoconference, will be available on the Commission's Public Calendar (Calendar (USITC) | United States International Trade Commission). A nonparty who has testimony that may aid the Commission's deliberations may request permission to participate by submitting a short statement.

Written submissions.—As provided in §§ 201.8 and 207.15 of the Commission's rules, any person may submit to the Commission on or before 5:15 p.m. on March 10, 2025, a written brief containing information and arguments pertinent to the subject matter of the investigation. Parties shall file written testimony and supplementary material in connection with their presentation at the conference no later than 4:00 p.m. on March 4, 2025. All written submissions must conform with the provisions of § 201.8 of the Commission's rules; any submissions that contain BPI must also conform with the requirements of §§ 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's *Handbook on Filing Procedures*, available on the Commission's website at https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf, elaborates upon the Commission's procedures with respect to filings.

In accordance with §§ 201.16(c) and 207.3 of the rules, each document filed by a party to the investigation must be served on all other parties to the investigation (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Certification.—Pursuant to § 207.3 of the Commission's rules, any person submitting information to the Commission in connection with these investigations must certify that the information is accurate and complete to the best of the submitter's knowledge. In making the certification, the submitter will acknowledge that any information that it submits to the Commission during this investigation may be disclosed to and used: (i) by the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or related investigations or reviews, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. appendix 3; or (ii) by U.S. Government employees and contract personnel, solely for cybersecurity purposes. All contract personnel will sign appropriate nondisclosure agreements.

Authority: This investigation is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to § 207.12 of the Commission's rules.

By order of the Commission.

Issued: February 12, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025-02760 Filed 2-18-25; 8:45 am]

BILLING CODE 7020-02-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 332-605]

Recent Trends in U.S. Services Trade: 2025 Annual Report

AGENCY: United States International Trade Commission.

ACTION: Schedule for 2025 report and opportunity to submit information.

SUMMARY: The Commission has prepared and published annual reports in this series since 1996 under the investigation title *Recent Trends in U.S. Services Trade*. In the years up to and including 2022, the report was prepared under Investigation No. 332-345, and in

2024, it was prepared under Investigation No. 332-601. The 2025 report, which the Commission plans to publish in May 2025, will provide aggregate data on cross-border trade in services for the five-year period ending in 2023, and transactions by affiliates based outside the country of their parent firm for the five-year period ending in 2022. The 2025 report's analysis will focus on professional services (including accounting and audit services, advertising services, architectural and engineering services, education services, legal services, and management consulting services). The Commission is inviting interested members of the public to furnish information and views in connection with the 2025 report.

DATES:

February 3, 2025: Deadline for filing written submissions.

May 30, 2025: Anticipated date for online publication of the report.

ADDRESSES: All Commission offices, including the Commission's hearing rooms, are located in the U.S. International Trade Commission Building, 500 E Street SW, Washington, DC. All written submissions should be addressed to the Secretary, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. The public record for this investigation may be viewed on the Commission's electronic docket information system (EDIS) at <https://edis.usitc.gov/>.

FOR FURTHER INFORMATION CONTACT:

Information specific to this investigation may be obtained from Isaac Wohl, Project Leader, Office of Industry and Competitiveness Analysis, Services Division (202-205-3356; isaac.wohl@usitc.gov), John Stefanick, Deputy Project Leader, Office of Industry and Competitiveness Analysis, Services Division (202-205-2607; johnathan.stefanick@usitc.gov), Sharon Fisher, Deputy Project Leader, Office of Industry and Competitiveness Analysis, Services Division (202-205-2431; sharon.fisher@usitc.gov), or Services Division Chief Martha Lawless (202-205-3497; martha.lawless@usitc.gov).

For information on the legal aspects of this investigation, contact Brian Allen (202-205-3034; brian.allen@usitc.gov) or William Gearhart (202-205-3091; william.gearhart@usitc.gov) of the Commission's Office of the General Counsel. The media should contact Jennifer Andberg, Office of External Relations (202-205-3404; jennifer.andberg@usitc.gov). Hearing-impaired individuals may obtain information on this matter by contacting the Commission's TDD terminal at 202-

205-1810. General information concerning the Commission may also be obtained by accessing its website (<https://www.usitc.gov>). 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.

SUPPLEMENTARY INFORMATION:

Background: The 2025 annual U.S. services trade report will provide aggregate data on cross-border trade in services for 2019-2023 and affiliate transactions in services for 2018-2022, and more specific data and information on trade in professional services (including accounting and audit services, advertising services, architectural and engineering services, education services, legal services, and management consulting services). The Commission publishes two self-initiated annual reports: a report on trends in services trade (*Recent Trends in U.S. Services Trade*), and a report on trends in merchandise trade, presented as a data compilation (*Shifts in U.S. Merchandise Trade*). The Commission's 2024 *Recent Trends in U.S. Services Trade* report is available online at https://www.usitc.gov/publications/industry_econ_analysis_332/2024/recent_trends_us_services_trade_2024_annual_report.

The initial notice of institution of this series of investigations was published in the **Federal Register** on September 8, 1993 (58 FR 47287) and provided for a report on merchandise trade. The Commission expanded the scope of the investigation to cover services trade in a separate report, which it announced in a notice published in the **Federal Register** on December 28, 1994 (59 FR 66974). The separate report on services trade has been published annually since 1996, except in 2005. As in past years, the 2025 report will summarize U.S. trade in services in the aggregate and provide analyses of trends and developments in selected services industries during the latest 5-year period for which data are published by the U.S. Department of Commerce, Bureau of Economic Analysis.

Written Submissions: Interested persons are invited to file written submissions and other information concerning the matters to be addressed by the Commission in its 2025 report. For the 2025 report, the Commission is particularly interested in receiving information relating to trade in professional services (including accounting and audit services, advertising services, architectural and engineering services, education services, legal services, and management

consulting services). Submissions should be addressed to the Secretary. To be assured of consideration by the Commission, written submissions related to the Commission's report should be submitted at the earliest practical date and should be received not later than 5:15 p.m., February 3, 2025. All written submissions must conform to the provisions of section 201.8 of the Commission's Rules of Practice and Procedure (19 CFR 201.8), as temporarily amended by 85 FR 15798 (March 19, 2020). Under that rule waiver, the Office of the Secretary will accept only electronic filings at this time. Filings must be made through the Commission's Electronic Document Information System (EDIS, <https://edis.usitc.gov>). No in-person, paper-based filings or paper copies of any electronic filings will be accepted until further notice. Persons with questions regarding electronic filing should contact the Office of the Secretary, Docket Services Division (202–205–1802), or consult the Commission's *Handbook on Filing Procedures*.

Confidential Business Information: Any submissions that contain confidential business information (CBI) must also conform with the requirements in section 201.6 of the Commission's Rules of Practice and Procedure (19 CFR 201.6). Section 201.6 of the rules requires that the cover of the document and the individual pages be clearly marked as to whether they are the "confidential" or "nonconfidential" version, and that the CBI is clearly identified by means of brackets. All written submissions, except for CBI, will be made available for inspection by interested persons.

The Commission intends to prepare only a public report in this investigation. The report that the Commission makes available to the public will not contain CBI. However, all information, including CBI, submitted in this investigation may be disclosed to and used: (i) by the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or (ii) by U.S. government employees and contract personnel for cybersecurity or other security purposes. The Commission will not otherwise disclose any CBI in a manner that would reveal the operations of the firm supplying the information.

Summaries of Views of Interested Persons: Interested persons wishing to

have a summary of their views included in the report should include a summary with a written submission on or before February 3, 2025, and must use the Commission template, which can be downloaded from https://www.usitc.gov/docket_services/documents/firm_or_organization_summary_word_limit.pdf. The Commission template must be uploaded as a separate attachment with the written submission, which is filed on EDIS under the document type "Briefs and Written Submissions." The summary may not exceed 500 words and should not include any CBI. The summary will be published as provided only if it utilizes the Commission-provided template, meets these requirements, and is germane to the subject matter of the investigation. The Commission will list the name of the organization furnishing the summary and will include a link where the written submission can be found.

By order of the Commission.

Issued: December 12, 2024.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025–02749 Filed 2–18–25; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; The 13 Carcinogens Standard

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Occupational Safety & Health Administration (OSHA)-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 March 21, 2025.

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: Nicole Bouchet by telephone at 202–

693–0213, or by email at DOL_PRA_PUBLIC@dol.gov.

SUPPLEMENTARY INFORMATION: The purpose of this information collection is to ensure that employers maintain records of exposure and properly notify their workers so that they are properly protected from the adverse effects associated with the occupational exposure to the following carcinogens: 4-Nitrobiphenyl, alpha-Naphthylamine, methyl chloromethyl ether, 3,3-Dichlorobenzidine (and its salts), bis-chloromethyl ether, beta-Naphthylamine, Benzidine, 4-Aminodiphenyl, Ethyleneimine, beta-Propiolactone, 2-Acetylaminofluorene, 4-Dimethylaminoazo-benzene, and N-Nitrosodimethylamine. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on October 30, 2024 (89 FR 86374).

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–OSHA.

Title of Collection: The 13 Carcinogens Standard.

OMB Control Number: 1218–0085.

Affected Public: Private Sector—Businesses or other for-profits.

Total Estimated Number of Respondents: 770.

Total Estimated Number of Responses: 2,536.

Total Estimated Annual Time Burden: 1,740 hours.

Total Estimated Annual Other Costs Burden: \$341,880.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Nicole Bouchet,

Senior Paperwork Reduction Act Analyst.

[FR Doc. 2025-02806 Filed 2-18-25; 8:45 am]

BILLING CODE 4510-26-P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Unemployment Insurance Trust Fund Activity

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Employment and Training Administration (ETA)-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 March 21, 2025.

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: These data collection instruments comprise the Unemployment Trust Fund (UTF) management reports. These reports assure that UTF contributions collected are immediately paid over to the Secretary of the Treasury in conformity with section 303(a)(4) of the SSA and section 3304(a)(3) of the Federal Unemployment Tax Act (FUTA); and that expenditure of all money withdrawn from the unemployment fund of a state is used exclusively for the payment of benefits, exclusive of refund (SSA, section 303(a)(5), FUTA

section 3304(a)(4)). For additional substantive information about this ICR, see the related notice published in the **Federal Register** on June 24, 2024 (89 FR 52510).

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-ETA.

Title of Collection: Unemployment Insurance Trust Fund Activity.

OMB Control Number: 1205-0154.

Affected Public: State Workforce Agencies.

Total Estimated Number of Respondents: 53.

Total Estimated Number of Responses: 3,498.

Total Estimated Annual Time Burden: 1,749 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. 2025-02805 Filed 2-18-25; 8:45 am]

BILLING CODE 4510-FN-P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petition for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by Blue Diamond Coal Co.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before March 21, 2025.

ADDRESSES: You may submit comments identified by Docket No. MSHA-2025-0007 by any of the following methods:

1. *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments for MSHA-2025-0007.

2. *Fax:* 202-693-9441.

3. *Email:* petitioncomments@dol.gov.

4. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, Room C3522, 200 Constitution Ave. NW, Washington, DC 20210.

Attention: S. Aromie Noe, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202-693-9455 to make an appointment.

FOR FURTHER INFORMATION CONTACT: S. Aromie Noe, Office of Standards, Regulations, and Variances at 202-693-9440 (voice), Petitionsformodification@dol.gov (email), or 202-693-9441 (fax). [These are not toll-free numbers.]

SUPPLEMENTARY INFORMATION: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and title 30 of the Code of Federal Regulations (CFR) part 44 govern the application, processing, and disposition of petitions for modification.

I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or

2. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, sections 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

II. Petition for Modification

Docket Number: M-2025-006-C.

Petitioner: Blue Diamond Coal Co., 250 West Main Street, Suite 2000, Lexington, KY 40507.

Mine: Calvary No. 81, MSHA ID No. 15-12753, located in Leslie County, Kentucky.

Regulation Affected: 30 CFR 75.1002(a), Installation of electric equipment and conductors; permissibility.

Modification Request: The petitioner requests a modification of 30 CFR 75.1002(a) to allow the use of unapproved Powered Air Purifying Respirators (PAPRs) within 150 feet of pillar workings or longwall faces. Specifically, the petitioner is requesting to utilize the CleanSpace EX PAPR and sealed motor/blower/battery power pack assembly, and the 3M Versaflo TR-800.

Intrinsically Safe PAPR motor/blower and battery with battery pack.

The petitioner states that:

(a) The 3M Versaflo TR-800 PAPR with motor/blower and battery qualifies as intrinsically safe.

(b) The CleanSpace EX PAPR also qualifies as intrinsically safe.

(c) Both the CleanSpace EX and 3M Versaflo TR-800 PAPRs provide a constant flow of air inside the mask or helmet. This airflow provides respiratory protection and comfort in hot working conditions.

(d) Neither the 3M Versaflo TR-800 nor the CleanSpace EX PAPR is MSHA-approved as permissible.

(e) Neither 3M nor CleanSpace is pursuing MSHA approval.

(f) Calvary No. 81 currently makes available to all miners NIOSH-approved high efficiency 100 series respirators to protect the miners against potential exposure to respirable coal mine dust, including crystalline silica, during normal mining conditions. Calvary No. 81 desires to expand the miners' option in choosing a respirator that provides the greatest degree of protection as well as comfort while being worn. Powered Air Purifying Respirators (PAPRs) provide a constant flow of filtered air and serve that purpose.

(g) On June 17, 2024, MSHA finalized the rule *Lowering Miners' Exposure to*

Respirable Crystalline Silica and Improving Respiratory Protection. The rule requires the mine operator to have a written respiratory protection program in place when miners are required to use respirators. Adding the CleanSpace EX and the 3M TR-800 Versaflo PAPRs to the respiratory protection program as additional options will provide the miners with alternatives to the series 100 high efficiency respirators already in use at the mine. The PAPRs will also serve as a respirator option to protect the miners with facial hair who may not be able to pass the "fit test" requirement of the program. In addition, the positive flow of filtered air provided by the PAPRs will provide a solution for the miners who are unable to wear a tight-fitting respirator.

(h) Since the 3M Airstream Headgear-Mounted PAPR System has been discontinued by the manufacturer, there are no other MSHA-approved units available that can be used within 150 feet of pillar workings or longwall faces.

The petitioner proposes the following alternative method:

(a) All miners who will be involved with or affected by the use of the 3M Versaflo TR-800 or CleanSpace EX PAPRs shall receive training in accordance with 30 CFR 48.7 on the requirements of this petition and manufacturer guidelines. Such training shall be completed before any 3M Versaflo TR-800 or CleanSpace EX PAPR can be used within 150 feet of pillar workings or longwall faces. The operator shall keep a record of such training and provide such record to MSHA upon request.

(b) The PAPRs, battery packs, all associated wiring and connections shall be inspected before use to determine if there is any damage to the units that would negatively impact intrinsic safety. If any defects are found, the PAPR shall be removed from service.

(c) A separate logbook shall be maintained for the 3M Versaflo TR-800 and CleanSpace EX PAPRs that shall be kept with the equipment, or in a location with other mine record books and shall be made available to MSHA upon request. The equipment shall be examined at least weekly by a qualified person as defined in 30 CFR 75.512-1 and the examination results recorded in the logbook. Examination records shall be maintained for one year.

(d) All 3M Versaflo TR-800 and CleanSpace EX PAPRs to be within 150 feet of pillar workings or longwall faces shall be physically examined prior to initial use and each unit shall be assigned a unique identification number. Each unit shall be examined by the person to operate the equipment

prior to taking the equipment underground to ensure the equipment is used according to the original equipment manufacturer's recommendations and maintained in a safe operating condition. The examinations for the 3M Versaflo TR-800 PAPRs shall include:

(1) Check the equipment for any physical damage and the integrity of the case.

(2) Remove the battery and inspect for corrosion.

(3) Inspect the contact points to ensure a secure connection to the battery.

(4) Reinsert the battery and power up and shut down to ensure proper connections.

(5) Check the battery compartment cover or battery attachment to ensure that it is securely fastened.

(6) For equipment utilizing lithium type cells, ensure that lithium cells and/or packs are not damaged or swelled in size.

The CleanSpace EX PAPR does not have an accessible/removable battery. The internal battery and motor/blower assembly are both contained within the "power unit" assembly and the battery cannot be removed, reinserted or fastened. Therefore, examination of the CleanSpace EX PAPR should include any indications of physical damage.

(e) All 3M Versaflo TR-800 and CleanSpace EX PAPR units shall be serviced according to the manufacturer's recommendations.

(f) Prior to energizing and during use of the 3M Versaflo TR-800 or the CleanSpace EX PAPR within 150 feet of pillar workings or longwall faces, procedures in accordance with 30 CFR 75.323 shall be followed.

(g) Only the 3M TR-830 Battery Pack, which meets lithium battery safety standard UL 1642 or IEC 62133, in the 3M Versaflo TR-800 PAPR shall be used. Only the CleanSpace EX Power Unit, which meets lithium battery safety standard UL 1642 or IEC 62133, in the CleanSpace EX shall be used.

(h) If battery packs for the 3M Versaflo TR-800 PAPR are provided, all battery "change outs" shall occur in intake air outby the last open crosscut.

(i) The following maintenance and use conditions shall apply to equipment containing lithium-type batteries:

(1) Neither the 3M TR-830 Battery Pack nor the CleanSpace EX Power Unit shall be disassembled nor modified by anyone other than permitted by the manufacturer of the equipment.

(2) The 3M TR-830 Battery Pack shall be charged only in an area free of combustible material and in intake air outby the last open crosscut. The 3M

TR-830 Battery Pack shall be charged only by a manufacturer's recommended battery charger, such as the:

(i) 3M Battery Charger Kit TR-641N, which includes one 3M Charger Cradle TR-640 and one 3M Power Supply TR-941N, or,

(ii) 3M 4-Station Battery Charger Kit TR-644N, which includes four 3M Charger Cradles TR-640 and one 3M 4-Station Battery Charger Base/Power Supply TR-944N.

(3) The CleanSpace EX internal battery, which is contained within the power unit assembly, shall be charged in areas located outby the last open crosscut in intake air and only the manufacturer's recommended battery chargers shall be used, such as the CleanSpace EX Battery Charger, Product Code PAF-0066.

(4) Neither the 3M TR-830 Battery Pack nor the CleanSpace EX power unit which contains the internal battery, shall be exposed to water, allowed to get wet or immersed in liquid. This does not preclude incidental exposure of the 3M TR-830 battery pack or the CleanSpace EX power unit assembly.

(5) Neither the 3M Versaflo TR-800 PAPR nor the CleanSpace EX PAPR, including the internal battery, shall be used, charged or stored in locations where the manufacturer's recommended temperature limits are exceeded. Neither the 3M Versaflo TR-800 PAPR nor the CleanSpace EX PAPR shall be placed in direct sunlight nor stored near a source of heat.

(j) Annual retraining shall be given to all miners who will be involved with or affected by the use of the 3M Versaflo TR-800 or CleanSpace EX PAPRs in accordance with 30 CFR 48.8. Training of new miners on the requirements of this petition in accordance with 30 CFR 48.5, and training of experienced miners on the requirements of this petition in accordance with 30 CFR 48.6 shall be given. The operator shall keep a record of such training and provide such record to MSHA upon request.

The miners at Calvary No. 81 are not represented by a labor organization and there are no representatives of the miners at the mine. The petition is posted at the mine.

The petitioner asserts that the alternative method proposed will at all times guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

Song-ae Aromie Noe,

Director, Office of Standards, Regulations, and Variances.

[FR Doc. 2025-02767 Filed 2-18-25; 8:45 am]

BILLING CODE 4520-43-P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petition for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by Blue Diamond Coal Co.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before March 21, 2025.

ADDRESSES: You may submit comments identified by Docket No. MSHA-2025-0005 by any of the following methods:

1. *Federal eRulemaking Portal:*

<https://www.regulations.gov>. Follow the instructions for submitting comments for MSHA-2025-0005.

2. *Fax:* 202-693-9441.

3. *Email:* petitioncomments@dol.gov.

4. *Regular Mail or Hand Delivery:*

MSHA, Office of Standards, Regulations, and Variances, Room C3522, 200 Constitution Ave. NW, Washington, DC 20210.

Attention: S. Aromie Noe, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202-693-9455 to make an appointment.

FOR FURTHER INFORMATION CONTACT: S. Aromie Noe, Office of Standards, Regulations, and Variances at 202-693-9440 (voice), Petitionsformodification@dol.gov (email), or 202-693-9441 (fax). [These are not toll-free numbers.]

SUPPLEMENTARY INFORMATION: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and title 30 of the Code of Federal Regulations (CFR) part 44 govern the application, processing, and disposition of petitions for modification.

I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or

2. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, sections 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

II. Petition for Modification

Docket Number: M-2025-004-C.

Petitioner: Blue Diamond Coal Co., 250 West Main Street, Suite 2000, Lexington, KY 40507.

Mine: Calvary No. 81, MSHA ID No. 15-12753, located in Leslie County, Kentucky.

Regulation Affected: 30 CFR 75.500(d), Permissible electric equipment.

Modification Request: The petitioner requests a modification of 30 CFR 75.500(d) to allow the use of unapproved Powered Air Purifying Respirators (PAPRs) taken into or used inby the last open crosscut. Specifically, the petitioner is requesting to utilize the CleanSpace EX PAPR and sealed motor/blower/battery power pack assembly, and the 3M Versaflo TR-800 Intrinsically Safe PAPR motor/blower and battery with battery pack.

The petitioner states that:

(a) The 3M Versaflo TR-800 PAPR with motor/blower and battery qualifies as intrinsically safe.

(b) The CleanSpace EX PAPR also qualifies as intrinsically safe.

(c) Both the CleanSpace EX and 3M Versaflo TR-800 PAPRs provide a constant flow of air inside the mask or helmet. This airflow provides respiratory protection and comfort in hot working conditions.

(d) Neither the 3M Versaflo TR-800 nor the CleanSpace EX PAPR is MSHA-approved as permissible.

(e) Neither 3M nor CleanSpace is pursuing MSHA approval.

(f) Calvary No. 81 currently makes available to all miners NIOSH-approved high efficiency 100 series respirators to protect the miners against potential exposure to respirable coal mine dust, including crystalline silica, during normal mining conditions. Calvary No. 81 desires to expand the miners' option in choosing a respirator that provides the greatest degree of protection as well as comfort while being worn. Powered Air Purifying Respirators (PAPRs) provide a constant flow of filtered air and serve that purpose.

(g) On June 17, 2024, MSHA finalized the rule *Lowering Miners' Exposure to*

Respirable Crystalline Silica and Improving Respiratory Protection. The rule requires the mine operator to have a written respiratory protection program in place when miners are required to use respirators. Adding the CleanSpace EX and the 3M TR-800 Versaflo PAPRs to the respiratory protection program as additional options will provide the miners with alternatives to the series 100 high efficiency respirators already in use at the mine. The PAPRs will also serve as a respirator option to protect the miners with facial hair who may not be able to pass the "fit test" requirement of the program. In addition, the positive flow of filtered air provided by the PAPRs will provide a solution for the miners who are unable to wear a tight-fitting respirator.

(h) Since the 3M Airstream Headgear-Mounted PAPR System has been discontinued by the manufacturer, there are no other MSHA-approved units available that can be taken into or used in by the last open crosscut.

The petitioner proposes the following alternative method:

(a) All miners who will be involved with or affected by the use of the 3M Versaflo TR-800 or CleanSpace EX PAPRs shall receive training in accordance with 30 CFR 48.7 on the requirements of this petition and manufacturer guidelines. Such training shall be completed before any 3M Versaflo TR-800 or CleanSpace EX PAPR can be used in by the last open crosscut. The operator shall keep a record of such training and provide such record to MSHA upon request.

(b) The PAPRs, battery packs, all associated wiring and connections shall be inspected before use to determine if there is any damage to the units that would negatively impact intrinsic safety. If any defects are found, the PAPR shall be removed from service.

(c) A separate logbook shall be maintained for the 3M Versaflo TR-800 and CleanSpace EX PAPRs that shall be kept with the equipment, or in a location with other mine record books and shall be made available to MSHA upon request. The equipment shall be examined at least weekly by a qualified person as defined in 30 CFR 75.512-1 and the examination results recorded in the logbook. Examination records shall be maintained for one year.

(d) All 3M Versaflo TR-800 and CleanSpace EX PAPRs to be used in by the last open crosscut shall be physically examined prior to initial use and each unit shall be assigned a unique identification number. Each unit shall be examined by the person to operate the equipment prior to taking the equipment underground to ensure the

equipment is used according to the original equipment manufacturer's recommendations and maintained in a safe operating condition. The examinations for the 3M Versaflo TR-800 PAPRs shall include:

(1) Check the equipment for any physical damage and the integrity of the case.

(2) Remove the battery and inspect for corrosion.

(3) Inspect the contact points to ensure a secure connection to the battery.

(4) Reinsert the battery and power up and shut down to ensure proper connections.

(5) Check the battery compartment cover or battery attachment to ensure that it is securely fastened.

(6) For equipment utilizing lithium type cells, ensure that lithium cells and/or packs are not damaged or swelled in size.

The CleanSpace EX PAPR does not have an accessible/removable battery. The internal battery and motor/blower assembly are both contained within the "power unit" assembly and the battery cannot be removed, reinserted or fastened. Therefore, examination of the CleanSpace EX PAPR shall include any indications of physical damage.

(e) All 3M Versaflo TR-800 and CleanSpace EX PAPR units shall be serviced according to the manufacturer's recommendations.

(f) Prior to energizing and during use of the 3M Versaflo TR-800 or the CleanSpace EX PAPR in by the last open crosscut, procedures in accordance with 30 CFR 75.323 shall be followed.

(g) Only the 3M TR-830 Battery Pack, which meets lithium battery safety standard UL 1642 or IEC 62133, in the 3M Versaflo TR-800 PAPR shall be used. Only the CleanSpace EX Power Unit, which meets lithium battery safety standard UL 1642 or IEC 62133, in the CleanSpace EX shall be used.

(h) If battery packs for the 3M Versaflo TR-800 PAPR are provided, all battery "change outs" shall occur in intake air out by the last open crosscut.

(i) The following maintenance and use conditions shall apply to equipment containing lithium-type batteries:

(1) Neither the 3M TR-830 Battery Pack nor the CleanSpace EX Power Unit shall be disassembled nor modified by anyone other than permitted by the manufacturer of the equipment.

(2) The 3M TR-830 Battery Pack shall be charged only in an area free of combustible material and in intake air out by the last open crosscut. The 3M TR-830 Battery Pack shall be charged only by a manufacturer's recommended battery charger, such as the:

(i) 3M Battery Charger Kit TR-641N, which includes one 3M Charger Cradle TR-640 and one 3M Power Supply TR-941N, or,

(ii) 3M 4-Station Battery Charger Kit TR-644N, which includes four 3M Charger Cradles TR-640 and one 3M 4-Station Battery Charger Base/Power Supply TR-944N.

(3) The CleanSpace EX internal battery, which is contained within the power unit assembly, shall be charged in areas located out by the last open crosscut in intake air and only the manufacturer's recommended battery chargers shall be used, such as the CleanSpace EX Battery Charger, Product Code PAF-0066.

(4) Neither the 3M TR-830 Battery Pack nor the CleanSpace EX power unit which contains the internal battery, shall be exposed to water, allowed to get wet or immersed in liquid. This does not preclude incidental exposure of the 3M TR-830 battery pack or the CleanSpace EX power unit assembly.

(5) Neither the 3M Versaflo TR-800 PAPR nor the CleanSpace EX PAPR, including the internal battery, shall be used, charged or stored in locations where the manufacturer's recommended temperature limits are exceeded. Neither the 3M Versaflo TR-800 PAPR nor the CleanSpace EX PAPR shall be placed in direct sunlight nor stored near a source of heat.

(j) Annual retraining shall be given to all miners who will be involved with or affected by the use of the 3M Versaflo TR-800 or CleanSpace EX PAPRs in accordance with 30 CFR 48.8. Training of new miners on the requirements of this petition in accordance with 30 CFR 48.5, and training of experienced miners on the requirements of this petition in accordance with 30 CFR 48.6 shall be given. The operator shall keep a record of such training and provide such record to MSHA upon request.

The miners at Calvary No. 81 are not represented by a labor organization and there are no representatives of the miners at the mine. The petition is posted at the mine.

The petitioner asserts that the alternative method proposed will at all times guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

Song-ae Aromie Noe,

Director, Office of Standards, Regulations, and Variances.

[FR Doc. 2025-02765 Filed 2-18-25; 8:45 am]

BILLING CODE 4520-43-P

DEPARTMENT OF LABOR**Mine Safety and Health Administration****Petition for Modification of Application of Existing Mandatory Safety Standards**

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by Blue Diamond Mining, LLC.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before March 21, 2025.

ADDRESSES: You may submit comments identified by Docket No. MSHA-2025-0010 by any of the following methods:

1. *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments for MSHA-2025-0010.

2. *Fax:* 202-693-9441.

3. *Email:* petitioncomments@dol.gov.

4. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, Room C3522, 200 Constitution Ave. NW, Washington, DC 20210.

Attention: S. Aromie Noe, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202-693-9455 to make an appointment.

FOR FURTHER INFORMATION CONTACT: S. Aromie Noe, Office of Standards, Regulations, and Variances at 202-693-9440 (voice), Petitionsformodification@dol.gov (email), or 202-693-9441 (fax). [These are not toll-free numbers.]

SUPPLEMENTARY INFORMATION: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and title 30 of the Code of Federal Regulations (CFR) part 44 govern the application, processing, and disposition of petitions for modification.

I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or

2. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, §§ 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

II. Petition for Modification

Docket Number: M-2025-009-C.

Petitioner: Blue Diamond Mining, LLC, 250 West Main Street, Suite 2000, Lexington, KY 40507.

Mine: Bear Branch 2, MSHA ID No. 15-18565, located in Perry County, Kentucky.

Regulation Affected: 30 CFR 75.1002(a), Installation of electric equipment and conductors; permissibility.

Modification Request: The petitioner requests a modification of 30 CFR 75.1002(a) to allow the use of unapproved Powered Air Purifying Respirators (PAPRs) within 150 feet of pillar workings or longwall faces. Specifically, the petitioner is requesting to utilize the CleanSpace EX PAPR and sealed motor/blower/battery power pack assembly, and the 3M Versaflo TR-800 Intrinsically Safe PAPR motor/blower and battery with battery pack.

The petitioner states that:

(a) The 3M Versaflo TR-800 PAPR with motor/blower and battery qualifies as intrinsically safe.

(b) The CleanSpace EX PAPR also qualifies as intrinsically safe.

(c) Both the CleanSpace EX and 3M Versaflo TR-800 PAPRs provide a constant flow of air inside the mask or helmet. This airflow provides respiratory protection and comfort in hot working conditions.

(d) Neither the 3M Versaflo TR-800 nor the CleanSpace EX PAPR is MSHA-approved as permissible.

(e) Neither 3M nor CleanSpace is pursuing MSHA approval.

(f) Bear Branch 2 currently makes available to all miners NIOSH-approved high efficiency 100 series respirators to protect the miners against potential exposure to respirable coal mine dust, including crystalline silica, during normal mining conditions. Bear Branch 2 desires to expand the miners' option in choosing a respirator that provides the greatest degree of protection as well as comfort while being worn. Powered Air Purifying Respirators (PAPRs) provide a constant flow of filtered air and serve that purpose.

(g) On June 17, 2024, MSHA finalized the rule *Lowering Miners' Exposure to*

Respirable Crystalline Silica and Improving Respiratory Protection. The rule requires the mine operator to have a written respiratory protection program in place when miners are required to use respirators. Adding the CleanSpace EX and the 3M TR-800 Versaflo PAPRs to the respiratory protection program as additional options will provide the miners with alternatives to the series 100 high efficiency respirators already in use at the mine. The PAPRs will also serve as a respirator option to protect the miners with facial hair who may not be able to pass the "fit test" requirement of the program. In addition, the positive flow of filtered air provided by the PAPRs will provide a solution for the miners who are unable to wear a tight-fitting respirator.

(h) Since the 3M Airstream Headgear-Mounted PAPR System has been discontinued by the manufacturer, there are no other MSHA-approved units available that can be used within 150 feet of pillar workings or longwall faces.

The petitioner proposes the following alternative method:

(a) All miners who will be involved with or affected by the use of the 3M Versaflo TR-800 or CleanSpace EX PAPRs shall receive training in accordance with 30 CFR 48.7 on the requirements of this petition and manufacturer guidelines. Such training shall be completed before any 3M Versaflo TR-800 or CleanSpace EX PAPR can be used within 150 feet of pillar workings or longwall faces. The operator shall keep a record of such training and provide such record to MSHA upon request.

(b) The PAPRs, battery packs, all associated wiring and connections shall be inspected before use to determine if there is any damage to the units that would negatively impact intrinsic safety. If any defects are found, the PAPR shall be removed from service.

(c) A separate logbook shall be maintained for the 3M Versaflo TR-800 and CleanSpace EX PAPRs that shall be kept with the equipment, or in a location with other mine record books and shall be made available to MSHA upon request. The equipment shall be examined at least weekly by a qualified person as defined in 30 CFR 75.512-1 and the examination results recorded in the logbook. Examination records shall be maintained for one year.

(d) All 3M Versaflo TR-800 and CleanSpace EX PAPRs to be within 150 feet of pillar workings or longwall faces shall be physically examined prior to initial use and each unit shall be assigned a unique identification number. Each unit shall be examined by the person to operate the equipment

prior to taking the equipment underground to ensure the equipment is used according to the original equipment manufacturer's recommendations and maintained in a safe operating condition. The examinations for the 3M Versaflo TR-800 PAPRs shall include:

(1) Check the equipment for any physical damage and the integrity of the case.

(2) Remove the battery and inspect for corrosion.

(3) Inspect the contact points to ensure a secure connection to the battery.

(4) Reinsert the battery and power up and shut down to ensure proper connections.

(5) Check the battery compartment cover or battery attachment to ensure that it is securely fastened.

(6) For equipment utilizing lithium type cells, ensure that lithium cells and/or packs are not damaged or swelled in size.

The CleanSpace EX PAPER does not have an accessible/removable battery. The internal battery and motor/blower assembly are both contained within the "power unit" assembly and the battery cannot be removed, reinserted or fastened. Therefore, examination of the CleanSpace EX PAPER should include any indications of physical damage.

(e) All 3M Versaflo TR-800 and CleanSpace EX PAPER units shall be serviced according to the manufacturer's recommendations.

(f) Prior to energizing and during use of the 3M Versaflo TR-800 or the CleanSpace EX PAPER within 150 feet of pillar workings or longwall faces, procedures in accordance with 30 CFR 75.323 shall be followed.

(g) Only the 3M TR-830 Battery Pack, which meets lithium battery safety standard UL 1642 or IEC 62133, in the 3M Versaflo TR-800 PAPER shall be used. Only the CleanSpace EX Power Unit, which meets lithium battery safety standard UL 1642 or IEC 62133, in the CleanSpace EX shall be used.

(h) If battery packs for the 3M Versaflo TR-800 PAPER are provided, all battery "change outs" shall occur in intake air outby the last open crosscut.

(i) The following maintenance and use conditions shall apply to equipment containing lithium-type batteries:

(1) Neither the 3M TR-830 Battery Pack nor the CleanSpace EX Power Unit shall be disassembled nor modified by anyone other than permitted by the manufacturer of the equipment.

(2) The 3M TR-830 Battery Pack shall be charged only in an area free of combustible material and in intake air outby the last open crosscut. The 3M

TR-830 Battery Pack shall be charged only by a manufacturer's recommended battery charger, such as the:

(i) 3M Battery Charger Kit TR-641N, which includes one 3M Charger Cradle TR-640 and one 3M Power Supply TR-941N, or,

(ii) 3M 4-Station Battery Charger Kit TR-644N, which includes four 3M Charger Cradles TR-640 and one 3M 4-Station Battery Charger Base/Power Supply TR-944N.

(3) The CleanSpace EX internal battery, which is contained within the power unit assembly, shall be charged in areas located outby the last open crosscut in intake air and only the manufacturer's recommended battery chargers shall be used, such as the CleanSpace EX Battery Charger, Product Code PAF-0066.

(4) Neither the 3M TR-830 Battery Pack nor the CleanSpace EX power unit which contains the internal battery, shall be exposed to water, allowed to get wet or immersed in liquid. This does not preclude incidental exposure of the 3M TR-830 battery pack or the CleanSpace EX power unit assembly.

(5) Neither the 3M Versaflo TR-800 PAPER nor the CleanSpace EX PAPER, including the internal battery, shall be used, charged or stored in locations where the manufacturer's recommended temperature limits are exceeded. Neither the 3M Versaflo TR-800 PAPER nor the CleanSpace EX PAPER shall be placed in direct sunlight nor stored near a source of heat.

(j) Annual retraining shall be given to all miners who will be involved with or affected by the use of the 3M Versaflo TR-800 or CleanSpace EX PAPRs in accordance with 30 CFR 48.8. Training of new miners on the requirements of this petition in accordance with 30 CFR 48.5, and training of experienced miners on the requirements of this petition in accordance with 30 CFR 48.6 shall be given. The operator shall keep a record of such training and provide such record to MSHA upon request.

The miners at Bear Branch 2 are not represented by a labor organization and there are no representatives of the miners at the mine. The petition is posted at the mine.

The petitioner asserts that the alternative method proposed will at all times guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

Song-ae Aromie Noe,

Director, Office of Standards, Regulations, and Variances.

[FR Doc. 2025-02773 Filed 2-18-25; 8:45 am]

BILLING CODE 4520-43-P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petition for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by Blue Diamond Coal Co.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before March 21, 2025.

ADDRESSES: You may submit comments identified by Docket No. MSHA-2025-0002 by any of the following methods:

1. *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments for MSHA-2025-0002.
2. *Fax:* 202-693-9441.
3. *Email:* petitioncomments@dol.gov.
4. *Regular Mail or Hand Delivery:*

MSHA, Office of Standards, Regulations, and Variances, Room C3522, 200 Constitution Ave. NW, Washington, DC 20210.

Attention: S. Aromie Noe, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202-693-9455 to make an appointment.

FOR FURTHER INFORMATION CONTACT: S. Aromie Noe, Office of Standards, Regulations, and Variances at 202-693-9440 (voice), Petitionsformodification@dol.gov (email), or 202-693-9441 (fax). [These are not toll-free numbers.]

SUPPLEMENTARY INFORMATION: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and title 30 of the Code of Federal Regulations (CFR) part 44 govern the application, processing, and disposition of petitions for modification.

I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or

2. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, sections 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

II. Petition for Modification

Docket Number: M–2025–001–C.

Petitioner: Blue Diamond Coal Co., 250 West Main Street, Suite 2000, Lexington, KY 40507.

Mine: Mine No. 77, MSHA ID No. 15–09636, located in Perry County, Kentucky.

Regulation Affected: 30 CFR 75.500(d), Permissible electric equipment.

Modification Request: The petitioner requests a modification of 30 CFR 75.500(d) to allow the use of unapproved Powered Air Purifying Respirators (PAPRs) taken into or used in by the last open crosscut. Specifically, the petitioner is requesting to utilize the CleanSpace EX PAPR and sealed motor/blower/battery power pack assembly, and the 3M Versaflo TR–800 Intrinsically Safe PAPR motor/blower and battery with battery pack.

The petitioner states that:

(a) The 3M Versaflo TR–800 PAPR with motor/blower and battery qualifies as intrinsically safe.

(b) The CleanSpace EX PAPR also qualifies as intrinsically safe.

(c) Both the CleanSpace EX and 3M Versaflo TR–800 PAPRs provide a constant flow of air inside the mask or helmet. This airflow provides respiratory protection and comfort in hot working conditions.

(d) Neither the 3M Versaflo TR–800 nor the CleanSpace EX PAPR is MSHA-approved as permissible.

(e) Neither 3M nor CleanSpace is pursuing MSHA approval.

(f) Mine No. 77 currently makes available to all miners NIOSH-approved high efficiency 100 series respirators to protect the miners against potential exposure to respirable coal mine dust, including crystalline silica, during normal mining conditions. Mine No. 77 desires to expand the miners' option in choosing a respirator that provides the greatest degree of protection as well as comfort while being worn. Powered Air Purifying Respirators (PAPRs) provide a constant flow of filtered air and serve that purpose.

(g) On June 17, 2024, MSHA finalized the rule *Lowering Miners' Exposure to*

Respirable Crystalline Silica and Improving Respiratory Protection. The rule requires the mine operator to have a written respiratory protection program in place when miners are required to use respirators. Adding the CleanSpace EX and the 3M TR–800 Versaflo PAPRs to the respiratory protection program as additional options will provide the miners with alternatives to the series 100 high efficiency respirators already in use at the mine. The PAPRs will also serve as a respirator option to protect the miners with facial hair who may not be able to pass the “fit test” requirement of the program. In addition, the positive flow of filtered air provided by the PAPRs will provide a solution for the miners who are unable to wear a tight-fitting respirator.

(h) Since the 3M Airstream Headgear-Mounted PAPR System has been discontinued by the manufacturer, there are no other MSHA-approved units available that can be taken into or used in by the last open crosscut.

The petitioner proposes the following alternative method:

(a) All miners who will be involved with or affected by the use of the 3M Versaflo TR–800 or CleanSpace EX PAPRs shall receive training in accordance with 30 CFR 48.7 on the requirements of this petition and manufacturer guidelines. Such training shall be completed before any 3M Versaflo TR–800 or CleanSpace EX PAPR can be used in by the last open crosscut. The operator shall keep a record of such training and provide such record to MSHA upon request.

(b) The PAPRs, battery packs, all associated wiring and connections shall be inspected before use to determine if there is any damage to the units that would negatively impact intrinsic safety. If any defects are found, the PAPR shall be removed from service.

(c) A separate logbook shall be maintained for the 3M Versaflo TR–800 and CleanSpace EX PAPRs that shall be kept with the equipment, or in a location with other mine record books and shall be made available to MSHA upon request. The equipment shall be examined at least weekly by a qualified person as defined in 30 CFR 75.512–1 and the examination results recorded in the logbook. Examination records shall be maintained for one year.

(d) All 3M Versaflo TR–800 and CleanSpace EX PAPRs to be used in by the last open crosscut shall be physically examined prior to initial use and each unit shall be assigned a unique identification number. Each unit shall be examined by the person to operate the equipment prior to taking the equipment underground to ensure the

equipment is used according to the original equipment manufacturer's recommendations and maintained in a safe operating condition. The examinations for the 3M Versaflo TR–800 PAPRs shall include:

(1) Check the equipment for any physical damage and the integrity of the case.

(2) Remove the battery and inspect for corrosion.

(3) Inspect the contact points to ensure a secure connection to the battery.

(4) Reinsert the battery and power up and shut down to ensure proper connections.

(5) Check the battery compartment cover or battery attachment to ensure that it is securely fastened.

(6) For equipment utilizing lithium type cells, ensure that lithium cells and/or packs are not damaged or swelled in size.

The CleanSpace EX PAPR does not have an accessible/removable battery. The internal battery and motor/blower assembly are both contained within the “power unit” assembly and the battery cannot be removed, reinserted or fastened. Therefore, examination of the CleanSpace EX PAPR should include any indications of physical damage.

(e) All 3M Versaflo TR–800 and CleanSpace EX PAPR units shall be serviced according to the manufacturer's recommendations.

(f) Prior to energizing and during use of the 3M Versaflo TR–800 or the CleanSpace EX PAPR in by the last open crosscut, procedures in accordance with 30 CFR 75.323 shall be followed.

(g) Only the 3M TR–830 Battery Pack, which meets lithium battery safety standard UL 1642 or IEC 62133, in the 3M Versaflo TR–800 PAPR shall be used. Only the CleanSpace EX Power Unit, which meets lithium battery safety standard UL 1642 or IEC 62133, in the CleanSpace EX shall be used.

(h) If battery packs for the 3M Versaflo TR–800 PAPR are provided, all battery “change outs” shall occur in intake air out by the last open crosscut.

(i) The following maintenance and use conditions shall apply to equipment containing lithium-type batteries:

(1) Neither the 3M TR–830 Battery Pack nor the CleanSpace EX Power Unit shall be disassembled nor modified by anyone other than permitted by the manufacturer of the equipment.

(2) The 3M TR–830 Battery Pack shall be charged only in an area free of combustible material and in intake air out by the last open crosscut. The 3M TR–830 Battery Pack shall be charged only by a manufacturer's recommended battery charger, such as the:

(i) 3M Battery Charger Kit TR-641N, which includes one 3M Charger Cradle TR-640 and one 3M Power Supply TR-941N, or,

(ii) 3M 4-Station Battery Charger Kit TR-644N, which includes four 3M Charger Cradles TR-640 and one 3M 4-Station Battery Charger Base/Power Supply TR-944N.

(3) The CleanSpace EX internal battery, which is contained within the power unit assembly, shall be charged in areas located outby the last open crosscut in intake air and only the manufacturer's recommended battery chargers shall be used, such as the CleanSpace EX Battery Charger, Product Code PAF-0066.

(4) Neither the 3M TR-830 Battery Pack nor the CleanSpace EX power unit which contains the internal battery, shall be exposed to water, allowed to get wet or immersed in liquid. This does not preclude incidental exposure of the 3M TR-830 battery pack or the CleanSpace EX power unit assembly.

(5) Neither the 3M Versaflo TR-800 PAPR nor the CleanSpace EX PAPR, including the internal battery, shall be used, charged or stored in locations where the manufacturer's recommended temperature limits are exceeded. Neither the 3M Versaflo TR-800 PAPR nor the CleanSpace EX PAPR shall be placed in direct sunlight nor stored near a source of heat.

(j) Annual retraining shall be given to all miners who will be involved with or affected by the use of the 3M Versaflo TR-800 or CleanSpace EX PAPRs in accordance with 30 CFR 48.8. Training of new miners on the requirements of this petition in accordance with 30 CFR 48.5, and training of experienced miners on the requirements of this petition in accordance with 30 CFR 48.6 shall be given. The operator shall keep a record of such training and provide such record to MSHA upon request.

The miners at Mine No. 77 are not represented by a labor organization and there are no representatives of the miners at the mine. The petition is posted at the mine.

The petitioner asserts that the alternative method proposed will at all times guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

Song-ae Aromie Noe,

Director, Office of Standards, Regulations, and Variances.

[FR Doc. 2025-02768 Filed 2-18-25; 8:45 am]

BILLING CODE 4520-43-P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petition for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by Blue Diamond Mining, LLC.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before March 21, 2025.

ADDRESSES: You may submit comments identified by Docket No. MSHA-2025-0009 by any of the following methods:

1. *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments for MSHA-2025-0009.

2. *Fax:* 202-693-9441.

3. *Email:* petitioncomments@dol.gov.

4. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, Room C3522, 200 Constitution Ave. NW, Washington, DC 20210.

Attention: S. Aromie Noe, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202-693-9455 to make an appointment.

FOR FURTHER INFORMATION CONTACT: S. Aromie Noe, Office of Standards, Regulations, and Variances at 202-693-9440 (voice), Petitionsformodification@dol.gov (email), or 202-693-9441 (fax). [These are not toll-free numbers.]

SUPPLEMENTARY INFORMATION: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and title 30 of the Code of Federal Regulations (CFR) part 44 govern the application, processing, and disposition of petitions for modification.

I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or

2. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, §§ 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

II. Petition for Modification

Docket Number: M-2025-008-C.

Petitioner: Blue Diamond Mining, LLC, 250 West Main Street, Suite 2000, Lexington, KY 40507.

Mine: Bear Branch 2, MSHA ID No. 15-18565, located in Perry County, Kentucky.

Regulation Affected: 30 CFR 75.507-1(a), Electric equipment other than power-connection points; outby the last open crosscut; return air; permissibility requirements.

Modification Request: The petitioner requests a modification of 30 CFR 75.507-1(a) to allow the use of unapproved Powered Air Purifying Respirators (PAPRs) taken into or used inby the last open crosscut or used in return air outby the last open crosscut. Specifically, the petitioner is requesting to utilize the CleanSpace EX PAPR and sealed motor/blower/battery power pack assembly, and the 3M Versaflo TR-800 Intrinsically Safe PAPR motor/blower and battery with battery pack.

The petitioner states that:

(a) The 3M Versaflo TR-800 PAPR with motor/blower and battery qualifies as intrinsically safe.

(b) The CleanSpace EX PAPR also qualifies as intrinsically safe.

(c) Both the CleanSpace EX and 3M Versaflo TR-800 PAPRs provide a constant flow of air inside the mask or helmet. This airflow provides respiratory protection and comfort in hot working conditions.

(d) Neither the 3M Versaflo TR-800 nor the CleanSpace EX PAPR is MSHA-approved as permissible.

(e) Neither 3M nor CleanSpace is pursuing MSHA approval.

(f) Bear Branch 2 currently makes available to all miners NIOSH-approved high efficiency 100 series respirators to protect the miners against potential exposure to respirable coal mine dust, including crystalline silica, during normal mining conditions. Bear Branch 2 desires to expand the miners' option in choosing a respirator that provides the greatest degree of protection as well as comfort while being worn. Powered Air Purifying Respirators (PAPRs)

provide a constant flow of filtered air and serve that purpose.

(g) On June 17, 2024, MSHA finalized the rule *Lowering Miners' Exposure to Respirable Crystalline Silica and Improving Respiratory Protection*. The rule requires the mine operator to have a written respiratory protection program in place when miners are required to use respirators. Adding the CleanSpace EX and the 3M TR-800 Versaflo PAPRs to the respiratory protection program as additional options will provide the miners with alternatives to the series 100 high efficiency respirators already in use at the mine. The PAPRs will also serve as a respirator option to protect the miners with facial hair who may not be able to pass the "fit test" requirement of the program. In addition, the positive flow of filtered air provided by the PAPRs will provide a solution for the miners who are unable to wear a tight-fitting respirator.

(h) Since the 3M Airstream Headgear-Mounted PAPR System has been discontinued by the manufacturer, there are no other MSHA-approved units available that can be taken into or used inby the last open crosscut or used in return air outby the last open crosscut.

The petitioner proposes the following alternative method:

(a) All miners who will be involved with or affected by the use of the 3M Versaflo TR-800 or CleanSpace EX PAPRs shall receive training in accordance with 30 CFR 48.7 on the requirements of this petition and manufacturer guidelines. Such training shall be completed before any 3M Versaflo TR-800 or CleanSpace EX PAPR can be used inby the last open crosscut or in return air outby the last open crosscut. The operator shall keep a record of such training and provide such record to MSHA upon request.

(b) The PAPRs, battery packs, all associated wiring and connections shall be inspected before use to determine if there is any damage to the units that would negatively impact intrinsic safety. If any defects are found, the PAPR shall be removed from service.

(c) A separate logbook shall be maintained for the 3M Versaflo TR-800 and CleanSpace EX PAPRs that shall be kept with the equipment, or in a location with other mine record books and shall be made available to MSHA upon request. The equipment shall be examined at least weekly by a qualified person as defined in 30 CFR 75.512-1 and the examination results recorded in the logbook. Examination records shall be maintained for one year.

(d) All 3M Versaflo TR-800 and CleanSpace EX PAPRs to be used inby the last open crosscut or in return air

outby the last open crosscut shall be physically examined prior to initial use and each unit shall be assigned a unique identification number. Each unit shall be examined by the person to operate the equipment prior to taking the equipment underground to ensure the equipment is used according to the original equipment manufacturer's recommendations and maintained in a safe operating condition. The examinations for the 3M Versaflo TR-800 PAPRs shall include:

(1) Check the equipment for any physical damage and the integrity of the case.

(2) Remove the battery and inspect for corrosion.

(3) Inspect the contact points to ensure a secure connection to the battery.

(4) Reinsert the battery and power up and shut down to ensure proper connections.

(5) Check the battery compartment cover or battery attachment to ensure that it is securely fastened.

(6) For equipment utilizing lithium type cells, ensure that lithium cells and/or packs are not damaged or swelled in size.

The CleanSpace EX PAPR does not have an accessible/removable battery. The internal battery and motor/blower assembly are both contained within the "power unit" assembly and the battery cannot be removed, reinserted or fastened. Therefore, examination of the CleanSpace EX PAPR should include any indications of physical damage.

(e) All 3M Versaflo TR-800 and CleanSpace EX PAPR units shall be serviced according to the manufacturer's recommendations.

(f) Prior to energizing and during use of the 3M Versaflo TR-800 or the CleanSpace EX PAPR inby the last open crosscut or in return air outby the last open crosscut, procedures in accordance with 30 CFR 75.323 shall be followed.

(g) Only the 3M TR-830 Battery Pack, which meets lithium battery safety standard UL 1642 or IEC 62133, in the 3M Versaflo TR-800 PAPR shall be used. Only the CleanSpace EX Power Unit, which meets lithium battery safety standard UL 1642 or IEC 62133, in the CleanSpace EX shall be used.

(h) If battery packs for the 3M Versaflo TR-800 PAPR are provided, all battery "change outs" shall occur in intake air outby the last open crosscut.

(i) The following maintenance and use conditions shall apply to equipment containing lithium-type batteries:

(1) Neither the 3M TR-830 Battery Pack nor the CleanSpace EX Power Unit shall be disassembled nor modified by

anyone other than permitted by the manufacturer of the equipment.

(2) The 3M TR-830 Battery Pack shall be charged only in an area free of combustible material and in intake air outby the last open crosscut. The 3M TR-830 Battery Pack shall be charged only by a manufacturer's recommended battery charger, such as the:

(i) 3M Battery Charger Kit TR-641N, which includes one 3M Charger Cradle TR-640 and one 3M Power Supply TR-941N, or,

(ii) 3M 4-Station Battery Charger Kit TR-644N, which includes four 3M Charger Cradles TR-640 and one 3M 4-Station Battery Charger Base/Power Supply TR-944N.

(3) The CleanSpace EX internal battery, which is contained within the power unit assembly, shall be charged in areas located outby the last open crosscut in intake air and only the manufacturer's recommended battery chargers shall be used, such as the CleanSpace EX Battery Charger, Product Code PAF-0066.

(4) Neither the 3M TR-830 Battery Pack nor the CleanSpace EX power unit which contains the internal battery, shall be exposed to water, allowed to get wet or immersed in liquid. This does not preclude incidental exposure of the 3M TR-830 battery pack or the CleanSpace EX power unit assembly.

(5) Neither the 3M Versaflo TR-800 PAPR nor the CleanSpace EX PAPR, including the internal battery, shall be used, charged or stored in locations where the manufacturer's recommended temperature limits are exceeded. Neither the 3M Versaflo TR-800 PAPR nor the CleanSpace EX PAPR shall be placed in direct sunlight nor stored near a source of heat.

(j) Annual retraining shall be given to all miners who will be involved with or affected by the use of the 3M Versaflo TR-800 or CleanSpace EX PAPRs in accordance with 30 CFR 48.8. Training of new miners on the requirements of this petition in accordance with 30 CFR 48.5, and training of experienced miners on the requirements of this petition in accordance with 30 CFR 48.6 shall be given. The operator shall keep a record of such training and provide such record to MSHA upon request.

The miners at Bear Branch 2 are not represented by a labor organization and there are no representatives of the miners at the mine. The petition is posted at the mine.

The petitioner asserts that the alternative method proposed will at all times guarantee no less than the same

measure of protection afforded the miners under the mandatory standard.

Song-ae Aromie Noe,

Director, Office of Standards, Regulations, and Variances.

[FR Doc. 2025-02772 Filed 2-18-25; 8:45 am]

BILLING CODE 4520-43-P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petition for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by Blue Diamond Mining, LLC.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before March 21, 2025.

ADDRESSES: You may submit comments identified by Docket No. MSHA-2025-0008 by any of the following methods:

1. *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments for MSHA-2025-0008.

2. *Fax:* 202-693-9441.

3. *Email:* petitioncomments@dol.gov.

4. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, Room C3522, 200 Constitution Ave. NW, Washington, DC 20210.

Attention: S. Aromie Noe, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202-693-9455 to make an appointment.

FOR FURTHER INFORMATION CONTACT: S. Aromie Noe, Office of Standards, Regulations, and Variances at 202-693-9440 (voice), Petitionsformodification@dol.gov (email), or 202-693-9441 (fax). [These are not toll-free numbers.]

SUPPLEMENTARY INFORMATION: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and title 30 of the Code of Federal Regulations (CFR) part 44 govern the application, processing, and disposition of petitions for modification.

I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or

2. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, §§ 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

II. Petition for Modification

Docket Number: M-2025-007-C.

Petitioner: Blue Diamond Mining, LLC, 250 West Main Street, Suite 2000, Lexington, KY 40507.

Mine: Bear Branch 2, MSHA ID No. 15-18565, located in Perry County, Kentucky.

Regulation Affected: 30 CFR 75.500(d), Permissible electric equipment.

Modification Request: The petitioner requests a modification of 30 CFR 75.500(d) to allow the use of unapproved Powered Air Purifying Respirators (PAPRs) taken into or used inby the last open crosscut. Specifically, the petitioner is requesting to utilize the CleanSpace EX PAPER and sealed motor/blower/battery power pack assembly, and the 3M Versaflo TR-800 Intrinsically Safe PAPER motor/blower and battery with battery pack.

The petitioner states that:

(a) The 3M Versaflo TR-800 PAPER with motor/blower and battery qualifies as intrinsically safe.

(b) The CleanSpace EX PAPER also qualifies as intrinsically safe.

(c) Both the CleanSpace EX and 3M Versaflo TR-800 PAPRs provide a constant flow of air inside the mask or helmet. This airflow provides respiratory protection and comfort in hot working conditions.

(d) Neither the 3M Versaflo TR-800 nor the CleanSpace EX PAPER is MSHA-approved as permissible.

(e) Neither 3M nor CleanSpace is pursuing MSHA approval.

(f) Bear Branch 2 currently makes available to all miners NIOSH-approved high efficiency 100 series respirators to protect the miners against potential exposure to respirable coal mine dust, including crystalline silica, during

normal mining conditions. Bear Branch 2 desires to expand the miners' option in choosing a respirator that provides the greatest degree of protection as well as comfort while being worn. Powered Air Purifying Respirators (PAPRs) provide a constant flow of filtered air and serve that purpose.

(g) On June 17, 2024, MSHA finalized the rule *Lowering Miners' Exposure to Respirable Crystalline Silica and Improving Respiratory Protection*. The rule requires the mine operator to have a written respiratory protection program in place when miners are required to use respirators. Adding the CleanSpace EX and the 3M TR-800 Versaflo PAPRs to the respiratory protection program as additional options will provide the miners with alternatives to the series 100 high efficiency respirators already in use at the mine. The PAPRs will also serve as a respirator option to protect the miners with facial hair who may not be able to pass the "fit test" requirement of the program. In addition, the positive flow of filtered air provided by the PAPRs will provide a solution for the miners who are unable to wear a tight-fitting respirator.

(h) Since the 3M Airstream Headgear-Mounted PAPER System has been discontinued by the manufacturer, there are no other MSHA-approved units available that can be taken into or used inby the last open crosscut.

The petitioner proposes the following alternative method:

(a) All miners who will be involved with or affected by the use of the 3M Versaflo TR-800 or CleanSpace EX PAPRs shall receive training in accordance with 30 CFR 48.7 on the requirements of this petition and manufacturer guidelines. Such training shall be completed before any 3M Versaflo TR-800 or CleanSpace EX PAPER can be used inby the last open crosscut. The operator shall keep a record of such training and provide such record to MSHA upon request.

(b) The PAPRs, battery packs, all associated wiring and connections shall be inspected before use to determine if there is any damage to the units that would negatively impact intrinsic safety. If any defects are found, the PAPER shall be removed from service.

(c) A separate logbook shall be maintained for the 3M Versaflo TR-800 and CleanSpace EX PAPRs that shall be kept with the equipment, or in a location with other mine record books and shall be made available to MSHA upon request. The equipment shall be examined at least weekly by a qualified person as defined in 30 CFR 75.512-1 and the examination results recorded in

the logbook. Examination records shall be maintained for one year.

(d) All 3M Versaflo TR-800 and CleanSpace EX PAPRs to be used inby the last open crosscut shall be physically examined prior to initial use and each unit shall be assigned a unique identification number. Each unit shall be examined by the person to operate the equipment prior to taking the equipment underground to ensure the equipment is used according to the original equipment manufacturer's recommendations and maintained in a safe operating condition. The examinations for the 3M Versaflo TR-800 PAPRs shall include:

(1) Check the equipment for any physical damage and the integrity of the case.

(2) Remove the battery and inspect for corrosion.

(3) Inspect the contact points to ensure a secure connection to the battery.

(4) Reinsert the battery and power up and shut down to ensure proper connections.

(5) Check the battery compartment cover or battery attachment to ensure that it is securely fastened.

(6) For equipment utilizing lithium type cells, ensure that lithium cells and/or packs are not damaged or swelled in size.

The CleanSpace EX PAPER does not have an accessible/removable battery. The internal battery and motor/blower assembly are both contained within the "power unit" assembly and the battery cannot be removed, reinserted or fastened. Therefore, examination of the CleanSpace EX PAPER should include any indications of physical damage.

(e) All 3M Versaflo TR-800 and CleanSpace EX PAPER units shall be serviced according to the manufacturer's recommendations.

(f) Prior to energizing and during use of the 3M Versaflo TR-800 or the CleanSpace EX PAPER inby the last open crosscut, procedures in accordance with 30 CFR 75.323 shall be followed.

(g) Only the 3M TR-830 Battery Pack, which meets lithium battery safety standard UL 1642 or IEC 62133, in the 3M Versaflo TR-800 PAPER shall be used. Only the CleanSpace EX Power Unit, which meets lithium battery safety standard UL 1642 or IEC 62133, in the CleanSpace EX shall be used.

(h) If battery packs for the 3M Versaflo TR-800 PAPER are provided, all battery "change outs" shall occur in intake air outby the last open crosscut.

(i) The following maintenance and use conditions shall apply to equipment containing lithium-type batteries:

(1) Neither the 3M TR-830 Battery Pack nor the CleanSpace EX Power Unit shall be disassembled nor modified by anyone other than permitted by the manufacturer of the equipment.

(2) The 3M TR-830 Battery Pack shall be charged only in an area free of combustible material and in intake air outby the last open crosscut. The 3M TR-830 Battery Pack shall be charged only by a manufacturer's recommended battery charger, such as the:

(i) 3M Battery Charger Kit TR-641N, which includes one 3M Charger Cradle TR-640 and one 3M Power Supply TR-941N, or,

(ii) 3M 4-Station Battery Charger Kit TR-644N, which includes four 3M Charger Cradles TR-640 and one 3M 4-Station Battery Charger Base/Power Supply TR-944N.

(3) The CleanSpace EX internal battery, which is contained within the power unit assembly, shall be charged in areas located outby the last open crosscut in intake air and only the manufacturer's recommended battery chargers shall be used, such as the CleanSpace EX Battery Charger, Product Code PAF-0066.

(4) Neither the 3M TR-830 Battery Pack nor the CleanSpace EX power unit which contains the internal battery, shall be exposed to water, allowed to get wet or immersed in liquid. This does not preclude incidental exposure of the 3M TR-830 battery pack or the CleanSpace EX power unit assembly.

(5) Neither the 3M Versaflo TR-800 PAPER nor the CleanSpace EX PAPER, including the internal battery, shall be used, charged or stored in locations where the manufacturer's recommended temperature limits are exceeded. Neither the 3M Versaflo TR-800 PAPER nor the CleanSpace EX PAPER shall be placed in direct sunlight nor stored near a source of heat.

(j) Annual retraining shall be given to all miners who will be involved with or affected by the use of the 3M Versaflo TR-800 or CleanSpace EX PAPRs in accordance with 30 CFR 48.8. Training of new miners on the requirements of this petition in accordance with 30 CFR 48.5, and training of experienced miners on the requirements of this petition in accordance with 30 CFR 48.6 shall be given. The operator shall keep a record of such training and provide such record to MSHA upon request.

The miners at Bear Branch 2 are not represented by a labor organization and there are no representatives of the miners at the mine. The petition is posted at the mine.

The petitioner asserts that the alternative method proposed will at all times guarantee no less than the same

measure of protection afforded the miners under the mandatory standard.

Song-ae Aromie Noe,

Director, Office of Standards, Regulations, and Variances.

[FR Doc. 2025-02771 Filed 2-18-25; 8:45 am]

BILLING CODE 4520-43-P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petition for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by Blue Diamond Coal Co.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before March 21, 2025.

ADDRESSES: You may submit comments identified by Docket No. MSHA-2025-0003 by any of the following methods:

1. *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments for MSHA-2025-0003.

2. *Fax:* 202-693-9441.

3. *Email:* petitioncomments@dol.gov.

4. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, Room C3522, 200 Constitution Ave. NW, Washington, DC 20210.

Attention: S. Aromie Noe, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202-693-9455 to make an appointment.

FOR FURTHER INFORMATION CONTACT: S. Aromie Noe, Office of Standards, Regulations, and Variances at 202-693-9440 (voice), Petitionsformodification@dol.gov (email), or 202-693-9441 (fax). [These are not toll-free numbers.]

SUPPLEMENTARY INFORMATION: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and title 30 of the Code of Federal Regulations (CFR) part 44 govern the application, processing, and disposition of petitions for modification.

I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or

2. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, §§ 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

II. Petition for Modification

Docket Number: M–2025–002–C.

Petitioner: Blue Diamond Coal Co., 250 West Main Street, Suite 2000, Lexington, KY 40507.

Mine: Mine No. 77, MSHA ID No. 15–09636, located in Perry County, Kentucky.

Regulation Affected: 30 CFR 75.507–1(a), Electric equipment other than power-connection points; outby the last open crosscut; return air; permissibility requirements.

Modification Request: The petitioner requests a modification of 30 CFR 75.507–1(a) to allow the use of unapproved Powered Air Purifying Respirators (PAPRs) taken into or used inby the last open crosscut or used in return air outby the last open crosscut. Specifically, the petitioner is requesting to utilize the CleanSpace EX PAPR and sealed motor/blower/battery power pack assembly, and the 3M Versaflo TR–800 Intrinsicly Safe PAPR motor/blower and battery with battery pack.

The petitioner states that:

(a) The 3M Versaflo TR–800 PAPR with motor/blower and battery qualifies as intrinsically safe.

(b) The CleanSpace EX PAPR also qualifies as intrinsically safe.

(c) Both the CleanSpace EX and 3M Versaflo TR–800 PAPRs provide a constant flow of air inside the mask or helmet. This airflow provides respiratory protection and comfort in hot working conditions.

(d) Neither the 3M Versaflo TR–800 nor the CleanSpace EX PAPR is MSHA-approved as permissible.

(e) Neither 3M nor CleanSpace is pursuing MSHA approval.

(f) Mine No. 77 currently makes available to all miners NIOSH-approved high efficiency 100 series respirators to

protect the miners against potential exposure to respirable coal mine dust, including crystalline silica, during normal mining conditions. Mine No. 77 desires to expand the miners' option in choosing a respirator that provides the greatest degree of protection as well as comfort while being worn. Powered Air Purifying Respirators (PAPRs) provide a constant flow of filtered air and serve that purpose.

(g) On June 17, 2024, MSHA finalized the rule *Lowering Miners' Exposure to Respirable Crystalline Silica and Improving Respiratory Protection*. The rule requires the mine operator to have a written respiratory protection program in place when miners are required to use respirators. Adding the CleanSpace EX and the 3M TR–800 Versaflo PAPRs to the respiratory protection program as additional options will provide the miners with alternatives to the series 100 high efficiency respirators already in use at the mine. The PAPRs will also serve as a respirator option to protect the miners with facial hair who may not be able to pass the "fit test" requirement of the program. In addition, the positive flow of filtered air provided by the PAPRs will provide a solution for the miners who are unable to wear a tight-fitting respirator.

(h) Since the 3M Airstream Headgear-Mounted PAPR System has been discontinued by the manufacturer, there are no other MSHA-approved units available that can be taken into or used inby the last open crosscut or used in return air outby the last open crosscut.

The petitioner proposes the following alternative method:

(a) All miners who will be involved with or affected by the use of the 3M Versaflo TR–800 or CleanSpace EX PAPRs shall receive training in accordance with 30 CFR 48.7 on the requirements of this petition and manufacturer guidelines. Such training shall be completed before any 3M Versaflo TR–800 or CleanSpace EX PAPR can be used inby the last open crosscut or in return air outby the last open crosscut. The operator shall keep a record of such training and provide such record to MSHA upon request.

(b) The PAPRs, battery packs, all associated wiring and connections shall be inspected before use to determine if there is any damage to the units that would negatively impact intrinsic safety. If any defects are found, the PAPR shall be removed from service.

(c) A separate logbook shall be maintained for the 3M Versaflo TR–800 and CleanSpace EX PAPRs that shall be kept with the equipment, or in a location with other mine record books and shall be made available to MSHA

upon request. The equipment shall be examined at least weekly by a qualified person as defined in 30 CFR 75.512–1 and the examination results recorded in the logbook. Examination records shall be maintained for one year.

(d) All 3M Versaflo TR–800 and CleanSpace EX PAPRs to be used inby the last open crosscut or in return air outby the last open crosscut shall be physically examined prior to initial use and each unit shall be assigned a unique identification number. Each unit shall be examined by the person to operate the equipment prior to taking the equipment underground to ensure the equipment is used according to the original equipment manufacturer's recommendations and maintained in a safe operating condition. The examinations for the 3M Versaflo TR–800 PAPRs shall include:

(1) Check the equipment for any physical damage and the integrity of the case.

(2) Remove the battery and inspect for corrosion.

(3) Inspect the contact points to ensure a secure connection to the battery.

(4) Reinsert the battery and power up and shut down to ensure proper connections.

(5) Check the battery compartment cover or battery attachment to ensure that it is securely fastened.

(6) For equipment utilizing lithium type cells, ensure that lithium cells and/or packs are not damaged or swelled in size.

The CleanSpace EX PAPR does not have an accessible/removable battery. The internal battery and motor/blower assembly are both contained within the "power unit" assembly and the battery cannot be removed, reinserted or fastened. Therefore, examination of the CleanSpace EX PAPR should include any indications of physical damage.

(e) All 3M Versaflo TR–800 and CleanSpace EX PAPR units shall be serviced according to the manufacturer's recommendations.

(f) Prior to energizing and during use of the 3M Versaflo TR–800 or the CleanSpace EX PAPR inby the last open crosscut or in return air outby the last open crosscut, procedures in accordance with 30 CFR 75.323 shall be followed.

(g) Only the 3M TR–830 Battery Pack, which meets lithium battery safety standard UL 1642 or IEC 62133, in the 3M Versaflo TR–800 PAPR shall be used. Only the CleanSpace EX Power Unit, which meets lithium battery safety standard UL 1642 or IEC 62133, in the CleanSpace EX shall be used.

(h) If battery packs for the 3M Versaflo TR–800 PAPR are provided, all battery

“change outs” shall occur in intake air outby the last open crosscut.

(i) The following maintenance and use conditions shall apply to equipment containing lithium-type batteries:

(1) Neither the 3M TR-830 Battery Pack nor the CleanSpace EX Power Unit shall be disassembled nor modified by anyone other than permitted by the manufacturer of the equipment.

(2) The 3M TR-830 Battery Pack shall be charged only in an area free of combustible material and in intake air outby the last open crosscut. The 3M TR-830 Battery Pack shall be charged only by a manufacturer’s recommended battery charger, such as the:

(i) 3M Battery Charger Kit TR-641N, which includes one 3M Charger Cradle TR-640 and one 3M Power Supply TR-941N, or,

(ii) 3M 4-Station Battery Charger Kit TR-644N, which includes four 3M Charger Cradles TR-640 and one 3M 4-Station Battery Charger Base/Power Supply TR-944N.

(3) The CleanSpace EX internal battery, which is contained within the power unit assembly, shall be charged in areas located outby the last open crosscut in intake air and only the manufacturer’s recommended battery chargers shall be used, such as the CleanSpace EX Battery Charger, Product Code PAF-0066.

(4) Neither the 3M TR-830 Battery Pack nor the CleanSpace EX power unit which contains the internal battery, shall be exposed to water, allowed to get wet or immersed in liquid. This does not preclude incidental exposure of the 3M TR-830 battery pack or the CleanSpace EX power unit assembly.

(5) Neither the 3M Versaflo TR-800 PAPR nor the CleanSpace EX PAPR, including the internal battery, shall be used, charged or stored in locations where the manufacturer’s recommended temperature limits are exceeded. Neither the 3M Versaflo TR-800 PAPR nor the CleanSpace EX PAPR shall be placed in direct sunlight nor stored near a source of heat.

(j) Annual retraining shall be given to all miners who will be involved with or affected by the use of the 3M Versaflo TR-800 or CleanSpace EX PAPRs in accordance with 30 CFR 48.8. Training of new miners on the requirements of this petition in accordance with 30 CFR 48.5, and training of experienced miners on the requirements of this petition in accordance with 30 CFR 48.6 shall be given. The operator shall keep a record of such training and provide such record to MSHA upon request.

The miners at Mine No. 77 are not represented by a labor organization and there are no representatives of the

miners at the mine. The petition is posted at the mine.

The petitioner asserts that the alternative method proposed will at all times guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

Song-ae Aromie Noe,

Director, Office of Standards, Regulations, and Variances.

[FR Doc. 2025-02769 Filed 2-18-25; 8:45 am]

BILLING CODE 4520-43-P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petition for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by Blue Diamond Coal Co.

DATES: All comments on the petition must be received by MSHA’s Office of Standards, Regulations, and Variances on or before March 21, 2025.

ADDRESSES: You may submit comments identified by Docket No. MSHA-2025-0006 by any of the following methods:

1. *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments for MSHA-2025-0006.

2. *Fax:* 202-693-9441.

3. *Email:* petitioncomments@dol.gov.

4. *Regular Mail or Hand Delivery:*

MSHA, Office of Standards, Regulations, and Variances, Room C3522, 200 Constitution Ave. NW, Washington, DC 20210.

Attention: S. Aromie Noe, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist’s desk. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202-693-9455 to make an appointment.

FOR FURTHER INFORMATION CONTACT: S. Aromie Noe, Office of Standards, Regulations, and Variances at 202-693-9440 (voice), Petitionsformodification@dol.gov (email), or 202-693-9441 (fax). [These are not toll-free numbers.]

SUPPLEMENTARY INFORMATION: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and title 30 of the

Code of Federal Regulations (CFR) part 44 govern the application, processing, and disposition of petitions for modification.

I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or

2. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, sections 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

II. Petition for Modification

Docket Number: M-2025-005-C.

Petitioner: Blue Diamond Coal Co., 250 West Main Street, Suite 2000, Lexington, KY 40507.

Mine: Calvary No. 81, MSHA ID No. 15-12753, located in Leslie County, Kentucky.

Regulation Affected: 30 CFR 75.507-1(a), Electric equipment other than power-connection points; outby the last open crosscut; return air; permissibility requirements.

Modification Request: The petitioner requests a modification of 30 CFR 75.507-1(a) to allow the use of unapproved Powered Air Purifying Respirators (PAPRs) taken into or used inby the last open crosscut or used in return air outby the last open crosscut. Specifically, the petitioner is requesting to utilize the CleanSpace EX PAPR and sealed motor/blower/battery power pack assembly, and the 3M Versaflo TR-800 Intrinsically Safe PAPR motor/blower and battery with battery pack.

The petitioner states that:

(a) The 3M Versaflo TR-800 PAPR with motor/blower and battery qualifies as intrinsically safe.

(b) The CleanSpace EX PAPR also qualifies as intrinsically safe.

(c) Both the CleanSpace EX and 3M Versaflo TR-800 PAPRs provide a constant flow of air inside the mask or helmet. This airflow provides respiratory protection and comfort in hot working conditions.

(d) Neither the 3M Versaflo TR-800 nor the CleanSpace EX PAPR is MSHA-approved as permissible.

(e) Neither 3M nor CleanSpace is pursuing MSHA approval.

(f) Calvary No. 81 currently makes available to all miners NIOSH-approved high efficiency 100 series respirators to protect the miners against potential exposure to respirable coal mine dust, including crystalline silica, during normal mining conditions. Calvary No. 81 desires to expand the miners' option in choosing a respirator that provides the greatest degree of protection as well as comfort while being worn. Powered Air Purifying Respirators (PAPRs) provide a constant flow of filtered air and serve that purpose.

(g) On June 17, 2024, MSHA finalized the rule *Lowering Miners' Exposure to Respirable Crystalline Silica and Improving Respiratory Protection*. The rule requires the mine operator to have a written respiratory protection program in place when miners are required to use respirators. Adding the CleanSpace EX and the 3M TR-800 Versaflo PAPRs to the respiratory protection program as additional options will provide the miners with alternatives to the series 100 high efficiency respirators already in use at the mine. The PAPRs will also serve as a respirator option to protect the miners with facial hair who may not be able to pass the "fit test" requirement of the program. In addition, the positive flow of filtered air provided by the PAPRs will provide a solution for the miners who are unable to wear a tight-fitting respirator.

(h) Since the 3M Airstream Headgear-Mounted PAPR System has been discontinued by the manufacturer, there are no other MSHA-approved units available that can be taken into or used inby the last open crosscut or used in return air outby the last open crosscut.

The petitioner proposes the following alternative method:

(a) All miners who will be involved with or affected by the use of the 3M Versaflo TR-800 or CleanSpace EX PAPRs shall receive training in accordance with 30 CFR 48.7 on the requirements of this petition and manufacturer guidelines. Such training shall be completed before any 3M Versaflo TR-800 or CleanSpace EX PAPR can be used inby the last open crosscut or in return air outby the last open crosscut. The operator shall keep a record of such training and provide such record to MSHA upon request.

(b) The PAPRs, battery packs, all associated wiring and connections shall be inspected before use to determine if there is any damage to the units that would negatively impact intrinsic safety. If any defects are found, the PAPR shall be removed from service.

(c) A separate logbook shall be maintained for the 3M Versaflo TR-800 and CleanSpace EX PAPRs that shall be

kept with the equipment, or in a location with other mine record books and shall be made available to MSHA upon request. The equipment shall be examined at least weekly by a qualified person as defined in 30 CFR 75.512-1 and the examination results recorded in the logbook. Examination records shall be maintained for one year.

(d) All 3M Versaflo TR-800 and CleanSpace EX PAPRs to be used inby the last open crosscut or in return air outby the last open crosscut shall be physically examined prior to initial use and each unit shall be assigned a unique identification number. Each unit shall be examined by the person to operate the equipment prior to taking the equipment underground to ensure the equipment is used according to the original equipment manufacturer's recommendations and maintained in a safe operating condition. The examinations for the 3M Versaflo TR-800 PAPRs shall include:

(1) Check the equipment for any physical damage and the integrity of the case.

(2) Remove the battery and inspect for corrosion.

(3) Inspect the contact points to ensure a secure connection to the battery.

(4) Reinsert the battery and power up and shut down to ensure proper connections.

(5) Check the battery compartment cover or battery attachment to ensure that it is securely fastened.

(6) For equipment utilizing lithium type cells, ensure that lithium cells and/or packs are not damaged or swelled in size.

The CleanSpace EX PAPR does not have an accessible/removable battery. The internal battery and motor/blower assembly are both contained within the "power unit" assembly and the battery cannot be removed, reinserted or fastened. Therefore, examination of the CleanSpace EX PAPR should include any indications of physical damage.

(e) All 3M Versaflo TR-800 and CleanSpace EX PAPR units shall be serviced according to the manufacturer's recommendations.

(f) Prior to energizing and during use of the 3M Versaflo TR-800 or the CleanSpace EX PAPR inby the last open crosscut or in return air outby the last open crosscut, procedures in accordance with 30 CFR 75.323 shall be followed.

(g) Only the 3M TR-830 Battery Pack, which meets lithium battery safety standard UL 1642 or IEC 62133, in the 3M Versaflo TR-800 PAPR shall be used. Only the CleanSpace EX Power Unit, which meets lithium battery safety

standard UL 1642 or IEC 62133, in the CleanSpace EX shall be used.

(h) If battery packs for the 3M Versaflo TR-800 PAPR are provided, all battery "change outs" shall occur in intake air outby the last open crosscut.

(i) The following maintenance and use conditions shall apply to equipment containing lithium-type batteries:

(1) Neither the 3M TR-830 Battery Pack nor the CleanSpace EX Power Unit shall be disassembled nor modified by anyone other than permitted by the manufacturer of the equipment.

(2) The 3M TR-830 Battery Pack shall be charged only in an area free of combustible material and in intake air outby the last open crosscut. The 3M TR-830 Battery Pack shall be charged only by a manufacturer's recommended battery charger, such as the:

(i) 3M Battery Charger Kit TR-641N, which includes one 3M Charger Cradle TR-640 and one 3M Power Supply TR-941N, or,

(ii) 3M 4-Station Battery Charger Kit TR-644N, which includes four 3M Charger Cradles TR-640 and one 3M 4-Station Battery Charger Base/Power Supply TR-944N.

(3) The CleanSpace EX internal battery, which is contained within the power unit assembly, shall be charged in areas located outby the last open crosscut in intake air and only the manufacturer's recommended battery chargers shall be used, such as the CleanSpace EX Battery Charger, Product Code PAF-0066.

(4) Neither the 3M TR-830 Battery Pack nor the CleanSpace EX power unit which contains the internal battery, shall be exposed to water, allowed to get wet or immersed in liquid. This does not preclude incidental exposure of the 3M TR-830 battery pack or the CleanSpace EX power unit assembly.

(5) Neither the 3M Versaflo TR-800 PAPR nor the CleanSpace EX PAPR, including the internal battery, shall be used, charged or stored in locations where the manufacturer's recommended temperature limits are exceeded. Neither the 3M Versaflo TR-800 PAPR nor the CleanSpace EX PAPR shall be placed in direct sunlight nor stored near a source of heat.

(j) Annual retraining shall be given to all miners who will be involved with or affected by the use of the 3M Versaflo TR-800 or CleanSpace EX PAPRs in accordance with 30 CFR 48.8. Training of new miners on the requirements of this petition in accordance with 30 CFR 48.5, and training of experienced miners on the requirements of this petition in accordance with 30 CFR 48.6 shall be given. The operator shall keep a record

of such training and provide such record to MSHA upon request.

The miners at Calvary No. 81 are not represented by a labor organization and there are no representatives of the miners at the mine. The petition is posted at the mine.

The petitioner asserts that the alternative method proposed will at all times guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

Song-ae Aromie Noe,

Director, Office of Standards, Regulations, and Variances.

[FR Doc. 2025-02766 Filed 2-18-25; 8:45 am]

BILLING CODE 4520-43-P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petition for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by Blue Diamond Coal Co.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before March 21, 2025.

ADDRESSES: You may submit comments identified by Docket No. MSHA-2025-0004 by any of the following methods:

1. *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments for MSHA-2025-0004.

2. *Fax:* 202-693-9441.

3. *Email:* petitioncomments@dol.gov.

4. *Regular Mail or Hand Delivery:*

MSHA, Office of Standards, Regulations, and Variances, Room C3522, 200 Constitution Ave. NW, Washington, DC 20210.

Attention: S. Aromie Noe, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202-693-9455 to make an appointment.

FOR FURTHER INFORMATION CONTACT: S. Aromie Noe, Office of Standards, Regulations, and Variances at 202-693-9440 (voice), Petitionsformodification@

dol.gov (email), or 202-693-9441 (fax). [These are not toll-free numbers.]

SUPPLEMENTARY INFORMATION: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and title 30 of the Code of Federal Regulations (CFR) part 44 govern the application, processing, and disposition of petitions for modification.

I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or

2. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, §§ 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

II. Petition for Modification

Docket Number: M-2025-003-C.

Petitioner: Blue Diamond Coal Co., 250 West Main Street, Suite 2000, Lexington, KY 40507.

Mine: Mine No. 77, MSHA ID No. 15-09636, located in Perry County, Kentucky.

Regulation Affected: 30 CFR 75.1002(a), Installation of electric equipment and conductors; permissibility.

Modification Request: The petitioner requests a modification of 30 CFR 75.1002(a) to allow the use of unapproved Powered Air Purifying Respirators (PAPRs) within 150 feet of pillar workings or longwall faces. Specifically, the petitioner is requesting to utilize the CleanSpace EX PAPR and sealed motor/blower/battery power pack assembly, and the 3M Versaflo TR-800 Intrinsically Safe PAPR motor/blower and battery with battery pack.

The petitioner states that:

(a) The 3M Versaflo TR-800 PAPR with motor/blower and battery qualifies as intrinsically safe.

(b) The CleanSpace EX PAPR also qualifies as intrinsically safe.

(c) Both the CleanSpace EX and 3M Versaflo TR-800 PAPRs provide a constant flow of air inside the mask or helmet. This airflow provides respiratory protection and comfort in hot working conditions.

(d) Neither the 3M Versaflo TR-800 nor the CleanSpace EX PAPR is MSHA-approved as permissible.

(e) Neither 3M nor CleanSpace is pursuing MSHA approval.

(f) Mine No. 77 currently makes available to all miners NIOSH-approved high efficiency 100 series respirators to protect the miners against potential exposure to respirable coal mine dust, including crystalline silica, during normal mining conditions. Mine No. 77 desires to expand the miners' option in choosing a respirator that provides the greatest degree of protection as well as comfort while being worn. Powered Air Purifying Respirators (PAPRs) provide a constant flow of filtered air and serve that purpose.

(g) On June 17, 2024, MSHA finalized the rule *Lowering Miners' Exposure to Respirable Crystalline Silica and Improving Respiratory Protection*. The rule requires the mine operator to have a written respiratory protection program in place when miners are required to use respirators. Adding the CleanSpace EX and the 3M TR-800 Versaflo PAPRs to the respiratory protection program as additional options will provide the miners with alternatives to the series 100 high efficiency respirators already in use at the mine. The PAPRs will also serve as a respirator option to protect the miners with facial hair who may not be able to pass the "fit test" requirement of the program. In addition, the positive flow of filtered air provided by the PAPRs will provide a solution for the miners who are unable to wear a tight-fitting respirator.

(h) Since the 3M Airstream Headgear-Mounted PAPR System has been discontinued by the manufacturer, there are no other MSHA-approved units available that can be used within 150 feet of pillar workings or longwall faces.

The petitioner proposes the following alternative method:

(a) All miners who will be involved with or affected by the use of the 3M Versaflo TR-800 or CleanSpace EX PAPRs shall receive training in accordance with 30 CFR 48.7 on the requirements of this petition and manufacturer guidelines. Such training shall be completed before any 3M Versaflo TR-800 or CleanSpace EX PAPR can be used within 150 feet of pillar workings or longwall faces. The operator shall keep a record of such training and provide such record to MSHA upon request.

(b) The PAPRs, battery packs, all associated wiring and connections shall be inspected before use to determine if there is any damage to the units that would negatively impact intrinsic

safety. If any defects are found, the PAPER shall be removed from service.

(c) A separate logbook shall be maintained for the 3M Versaflo TR-800 and CleanSpace EX PAPRs that shall be kept with the equipment, or in a location with other mine record books and shall be made available to MSHA upon request. The equipment shall be examined at least weekly by a qualified person as defined in 30 CFR 75.512-1 and the examination results recorded in the logbook. Examination records shall be maintained for one year.

(d) All 3M Versaflo TR-800 and CleanSpace EX PAPRs to be within 150 feet of pillar workings or longwall faces shall be physically examined prior to initial use and each unit shall be assigned a unique identification number. Each unit shall be examined by the person to operate the equipment prior to taking the equipment underground to ensure the equipment is used according to the original equipment manufacturer's recommendations and maintained in a safe operating condition. The examinations for the 3M Versaflo TR-800 PAPRs shall include:

(1) Check the equipment for any physical damage and the integrity of the case.

(2) Remove the battery and inspect for corrosion.

(3) Inspect the contact points to ensure a secure connection to the battery.

(4) Reinsert the battery and power up and shut down to ensure proper connections.

(5) Check the battery compartment cover or battery attachment to ensure that it is securely fastened.

(6) For equipment utilizing lithium type cells, ensure that lithium cells and/or packs are not damaged or swelled in size.

The CleanSpace EX PAPER does not have an accessible/removable battery. The internal battery and motor/blower assembly are both contained within the "power unit" assembly and the battery cannot be removed, reinserted or fastened. Therefore, examination of the CleanSpace EX PAPER should include any indications of physical damage.

(e) All 3M Versaflo TR-800 and CleanSpace EX PAPER units shall be serviced according to the manufacturer's recommendations.

(f) Prior to energizing and during use of the 3M Versaflo TR-800 or the CleanSpace EX PAPER within 150 feet of pillar workings or longwall faces, procedures in accordance with 30 CFR 75.323 shall be followed.

(g) Only the 3M TR-830 Battery Pack, which meets lithium battery safety

standard UL 1642 or IEC 62133, in the 3M Versaflo TR-800 PAPER shall be used. Only the CleanSpace EX Power Unit, which meets lithium battery safety standard UL 1642 or IEC 62133, in the CleanSpace EX shall be used.

(h) If battery packs for the 3M Versaflo TR-800 PAPER are provided, all battery "change outs" shall occur in intake air outby the last open crosscut.

(i) The following maintenance and use conditions shall apply to equipment containing lithium-type batteries:

(1) Neither the 3M TR-830 Battery Pack nor the CleanSpace EX Power Unit shall be disassembled nor modified by anyone other than permitted by the manufacturer of the equipment.

(2) The 3M TR-830 Battery Pack shall be charged only in an area free of combustible material and in intake air outby the last open crosscut. The 3M TR-830 Battery Pack shall be charged only by a manufacturer's recommended battery charger, such as the:

(i) 3M Battery Charger Kit TR-641N, which includes one 3M Charger Cradle TR-640 and one 3M Power Supply TR-941N, or,

(ii) 3M 4-Station Battery Charger Kit TR-644N, which includes four 3M Charger Cradles TR-640 and one 3M 4-Station Battery Charger Base/Power Supply TR-944N.

(3) The CleanSpace EX internal battery, which is contained within the power unit assembly, shall be charged in areas located outby the last open crosscut in intake air and only the manufacturer's recommended battery chargers shall be used, such as the CleanSpace EX Battery Charger, Product Code PAF-0066.

(4) Neither the 3M TR-830 Battery Pack nor the CleanSpace EX power unit which contains the internal battery, be exposed to water, allowed to get wet or immersed in liquid. This does not preclude incidental exposure of the shall3M TR-830 battery pack or the CleanSpace EX power unit assembly.

(5) Neither the 3M Versaflo TR-800 PAPER nor the CleanSpace EX PAPER, including the internal battery, shall be used, charged or stored in locations where the manufacturer's recommended temperature limits are exceeded. Neither the 3M Versaflo TR-800 PAPER nor the CleanSpace EX PAPER shall be placed in direct sunlight nor stored near a source of heat.

(j) Annual retraining shall be given to all miners who will be involved with or affected by the use of the 3M Versaflo TR-800 or CleanSpace EX PAPRs in accordance with 30 CFR 48.8. Training of new miners on the requirements of this petition in accordance with 30 CFR 48.5, and training of experienced miners

on the requirements of this petition in accordance with 30 CFR 48.6 shall be given. The operator shall keep a record of such training and provide such record to MSHA upon request.

The miners at Mine No. 77 are not represented by a labor organization and there are no representatives of the miners at the mine. The petition is posted at the mine.

The petitioner asserts that the alternative method proposed will at all times guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

Song-ae Aromie Noe,

Director, Office of Standards, Regulations, and Variances.

[FR Doc. 2025-02770 Filed 2-18-25; 8:45 am]

BILLING CODE 4520-43-P

NATIONAL SCIENCE FOUNDATION

Proposal Review Panel for Materials Research; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation (NSF) announces the following meeting:

Name and Committee Code: Proposal Review Panel for Materials Research—Materials Research Science and Engineering Center (MRSEC) University of Pennsylvania (DMR) (#1203) (Site Visit).

Date and Time: March 31, 2025; 8 a.m.–3:45 p.m.

Place: University of Pennsylvania, 3231 Walnut Street, Philadelphia, PA 19104.

Type of Meeting: Part-Open.

Contact Person: Dr. Serdar Ogut, Program Director, National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314; Telephone: 703-292-4429.

Purpose of Meeting: NSF site visit to conduct a review during year 2 of the award period as stipulated in the cooperative agreement.

Agenda: To conduct an in depth evaluation of performance, to assess progress towards goals, and to provide recommendations.

Monday, March 31, 2025

8 a.m.–8:20 a.m.—Executive Sessions (Closed)

8:20 a.m.–11:40 a.m.—MRSEC Presentations (Open)

11:40 a.m.–12:10 p.m.—Executive Sessions (Closed)

12:10 p.m.–1:10 p.m.—Lunch (Open)

1:10 p.m.–2:10 p.m.—Poster Session (Open)

2:10 p.m.–3:45 p.m.—Executive Sessions (Closed)

Reason for Closing: The program being reviewed during the site visit includes information of a proprietary or confidential nature, including technical information; financial data, such as salaries, and personal information concerning individuals associated with the program. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: February 12, 2025.

Crystal Robinson,

Committee Management Officer.

[FR Doc. 2025–02761 Filed 2–18–25; 8:45 am]

BILLING CODE 7555–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–251; NRC–2025–0029]

Florida Power and Light Company; Turkey Point Nuclear Generating, Unit No. 4; License Amendment Application

AGENCY: Nuclear Regulatory Commission.

ACTION: Opportunity to comment, request a hearing, and petition for leave to intervene.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC, the Commission) is considering issuance of an amendment to Subsequent Renewed Facility Operating License No. DPR–41, issued to Florida Power and Light Company (FPL, the licensee), for operation of the Turkey Point Nuclear Generating (Turkey Point), Unit No. 4. The proposed amendment would extend the implementation date specified in Amendment 291 from refueling outage (RFO) 4R35 (spring 2025) to RFO 4R36 (spring 2027).

DATES: Submit comments by March 21, 2025. Request for a hearing or petitions for leave to intervene must be filed by April 21, 2025.

ADDRESSES: You may submit comments by any of the following methods however, the NRC encourages electronic comment submission through the Federal rulemaking website.

- *Federal rulemaking website:* Go to <https://www.regulations.gov> and search for Docket ID NRC–2025–0029. Address questions about Docket IDs in *Regulations.gov* to Bridget Curran; telephone: 301–415–1003; email: Bridget.Curran@nrc.gov. For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *Mail comments to:* Office of Administration, Mail Stop: TWFN–7–

A60M, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, ATTN: Program Management, Announcements and Editing Staff.

For additional direction on obtaining information and submitting comments, see “Obtaining Information and Submitting Comments” in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT:

Perry Buckberg, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–1383; email: Perry.Buckberg@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2025–0029 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–2025–0029.

- *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 license amendment request is available in ADAMS under ADAMS Accession No. ML25036A099.

- *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.

B. Submitting Comments

The NRC encourages electronic comment submission through the Federal rulemaking website (<https://www.regulations.gov>). Please include Docket ID NRC–2025–0029 in your comment submission.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission.

The NRC will post all comment submissions at <https://www.regulations.gov> as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

II. Introduction

The NRC is considering issuance of an amendment to Subsequent Renewed Facility Operating License No. DPR–41, issued to FPL, for operation of Turkey Point, Unit No. 4, located in Miami-Dade County, Florida.

The proposed amendment would extend the implementation date specified in Amendment 291 from RFO 4R35 (spring 2025) to RFO 4R36 (spring 2027). Amendment No. 291 was issued January 22, 2024 (ADAMS Accession No. ML23320A306), and corrected June 26, 2024 (ADAMS Accession No. ML24159A265), and approved the installation of Framatome reactor coolant pump hydrostatic seal packages. The proposed change would extend the implementation schedule due to unforeseen delays in fabrication of the new reactor coolant pump seal.

Before issuance of the proposed license amendment, the NRC will need to make the findings required by the Atomic Energy Act of 1954, as amended (the Act), and NRC’s regulations.

The NRC has made a proposed determination that the license amendment request involves no significant hazards consideration. Under the NRC’s regulations in section 50.92 of title 10 of the *Code of Federal Regulations* (10 CFR), “Issuance of amendment,” this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant

hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change would extend the implementation date for Amendment No. 291 from refueling outage (RFO) 4R35 (spring 2025) to RFO 4R36 (spring 2027) for Turkey Point Unit 4. Since the current FPP [Fire Protection Program] reflects the current RCP [reactor coolant pump] seal design, the proposed change neither alters plant equipment nor the manner in which plant equipment is operated and maintained, and thereby cannot increase the probability of an accident. The proposed change cannot affect the type or quantity of radioactive effluent that may be released or increase occupational exposures resulting from any accident, and thereby cannot increase the consequences of a previously evaluated accident. The proposed change is an administrative change with no technical or safety aspects. Therefore, the proposed amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed change would extend the implementation schedule for Amendment No. 291 for Turkey Point Unit 4 and is thereby an administrative change with no technical or safety aspects. The proposed change neither installs new equipment nor introduces new equipment failure modes and thereby cannot introduce a new or different type of malfunction or accident. The proposed change does not create or revise any safety analysis inputs or projections and thereby cannot create new accident initiators or precursors.

Therefore, the proposed amendment does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

Response: No.

The proposed change would extend the implementation schedule for Amendment No. 291 for Turkey Point Unit 4 and is thereby an administrative change with no technical or safety aspects. The proposed change does not alter the approach to any safety limits, limiting safety system settings, or safety analysis assumptions or inputs, and thereby cannot affect plant operating margins. The proposed change does not modify the design and capability of equipment credited in safety analyses, or introduce new energy sources, and thereby cannot affect the integrity of any radiological barrier.

Therefore, the proposed amendments do not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this

review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. The technical and safety aspects of this request will be reviewed and documented in a NRC safety evaluation that will be issued with the NRC's future licensing decision. Therefore, the NRC staff proposes to determine that the license amendment request involves no significant hazards consideration.

The NRC is seeking public comments on this proposed determination that the license amendment request involves no significant hazards consideration. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of 60 days after the date of publication of this notice. The Commission may issue the license amendment before expiration of the 60-day notice period if the Commission concludes the amendment involves no significant hazards consideration. In addition, the Commission may issue the amendment prior to the expiration of the 30-day comment period if circumstances change during the 30-day comment period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility. If the Commission takes action prior to the expiration of either the comment period or the notice period, it will publish in the **Federal Register** a notice of issuance. If the Commission makes a final no significant hazards consideration determination, any hearing will take place after issuance. The Commission expects that the need to take this action will occur very infrequently.

III. Opportunity To Request a Hearing and Petition for Leave To Intervene

Within 60 days after the date of publication of this notice, any person (petitioner) whose interest may be affected by this action may file a request for a hearing and petition for leave to intervene (petition) with respect to the action. Petitions shall be filed in accordance with the Commission's "Agency Rules of Practice and Procedure" in 10 CFR part 2. Interested persons should consult 10 CFR 2.309. If a petition is filed, the presiding officer will rule on the petition and, if appropriate, a notice of a hearing will be issued.

Petitions must be filed no later than 60 days from the date of publication of this notice in accordance with the filing instructions in the "Electronic Submissions (E-Filing)" section of this

document. Petitions and motions for leave to file new or amended contentions that are filed after the deadline will not be entertained absent a determination by the presiding officer that the filing demonstrates good cause by satisfying the three factors in 10 CFR 2.309(c)(1)(i) through (iii).

If a hearing is requested and the Commission has not made a final determination on the issue of no significant hazards consideration, the Commission will make a final determination on the issue of no significant hazards consideration, which will serve to establish when the hearing is held. If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing would take place after issuance of the amendment. If the final determination is that the amendment request involves a significant hazards consideration, then any hearing held would take place before the issuance of the amendment unless the Commission finds an imminent danger to the health or safety of the public, in which case it will issue an appropriate order or rule under 10 CFR part 2.

A State, local governmental body, Federally recognized Indian Tribe, or designated agency thereof, may submit a petition to the Commission to participate as a party under 10 CFR 2.309(h) no later than 60 days from the date of publication of this notice. Alternatively, a State, local governmental body, Federally recognized Indian Tribe, or agency thereof may participate as a non-party under 10 CFR 2.315(c).

For information about filing a petition and about participation by a person not a party under 10 CFR 2.315, see ADAMS Accession No. ML20340A053 (<https://adamswebsearch2.nrc.gov/webSearch2/main.jsp?AccessionNumber=ML20340A053>) and on the NRC's public website at <https://www.nrc.gov/about-nrc/regulatory/adjudicatory/hearing.html#participate>.

IV. Electronic Submissions and E-Filing

All documents filed in NRC adjudicatory proceedings, including documents filed by an interested State, local governmental body, Federally recognized Indian Tribe, or designated agency thereof that requests to participate under 10 CFR 2.315(c), must be filed in accordance with 10 CFR 2.302. The E-Filing process requires participants to submit and serve all adjudicatory documents over the

internet, or in some cases, to mail copies on electronic storage media, unless an exemption permitting an alternative filing method, as further discussed, is granted. Detailed guidance on electronic submissions is located in the “Guidance for Electronic Submissions to the NRC” (ADAMS Accession No. ML13031A056) and on the NRC’s public website at <https://www.nrc.gov/site-help/e-submittals.html>.

To comply with the procedural requirements of E-Filing, at least 10 days prior to the filing deadline, the participant should contact the Office of the Secretary by email at Hearing.Docket@nrc.gov, or by telephone at 301-415-1677, to (1) request a digital identification (ID) certificate, which allows the participant (or its counsel or representative) to digitally sign submissions and access the E-Filing system for any proceeding in which it is participating; and (2) advise the Secretary that the participant will be submitting a petition or other adjudicatory document (even in instances in which the participant, or its counsel or representative, already holds an NRC-issued digital ID certificate). Based upon this information, the Secretary will establish an electronic docket for the proceeding if the Secretary has not already established an electronic docket.

Information about applying for a digital ID certificate is available on the NRC’s public website at <https://www.nrc.gov/site-help/e-submittals/getting-started.html>. After a digital ID certificate is obtained and a docket created, the participant must submit adjudicatory documents in Portable Document Format. Guidance on submissions is available on the NRC’s public website at <https://www.nrc.gov/site-help/electronic-sub-ref-mat.html>. A filing is considered complete at the time the document is submitted through the NRC’s E-Filing system. To be timely, an electronic filing must be submitted to the E-Filing system no later than 11:59 p.m. ET on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an email confirming receipt of the document. The E-Filing system also distributes an email that provides access to the document to the NRC’s Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the document on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before adjudicatory

documents are filed to obtain access to the documents via the E-Filing system.

A person filing electronically using the NRC’s adjudicatory E-Filing system may seek assistance by contacting the NRC’s Electronic Filing Help Desk through the “Contact Us” link located on the NRC’s public website at <https://www.nrc.gov/site-help/e-submittals.html>, by email to MSHD.Resource@nrc.gov, or by a toll-free call at 1-866-672-7640. The NRC Electronic Filing Help Desk is available between 9 a.m. and 6 p.m., ET, Monday through Friday, except Federal holidays.

Participants who believe that they have good cause for not submitting documents electronically must file an exemption request, in accordance with 10 CFR 2.302(g), with their initial paper filing stating why there is good cause for not filing electronically and requesting authorization to continue to submit documents in paper format. Such filings must be submitted in accordance with 10 CFR 2.302(b)–(d). Participants filing adjudicatory documents in this manner are responsible for serving their documents on all other participants. Participants granted an exemption under 10 CFR 2.302(g)(2) must still meet the electronic formatting requirement in 10 CFR 2.302(g)(1), unless the participant also seeks and is granted an exemption from 10 CFR 2.302(g)(1).

Documents submitted in adjudicatory proceedings will appear in the NRC’s electronic hearing docket, which is publicly available at <https://adams.nrc.gov/ehd>, unless excluded pursuant to an order of the presiding officer. If you do not have an NRC-issued digital ID certificate as previously described, click “cancel” when the link requests certificates and you will be automatically directed to the NRC’s electronic hearing docket where you will be able to access any publicly available documents in a particular hearing docket. Participants are requested not to include personal privacy information such as social security numbers, home addresses, or personal phone numbers in their filings unless an NRC regulation or other law requires submission of such information. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants should not include copyrighted materials in their submission.

For further details with respect to this action, see the application for license amendment dated February 4, 2025 (ADAMS Accession No. ML25036A099).

Attorney for licensee: James Petro, Managing Attorney—Nuclear, Florida Power and Light Company, 700 Universe Boulevard, MS LAW/JB, Juno Beach, FL 33408-0420.

NRC Branch Chief: David Wrona.

Dated: February 13, 2025.

For the Nuclear Regulatory Commission.

Perry H. Buckberg,

Senior Project Manager, Plant Licensing Branch II-2, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. 2025-02801 Filed 2-18-25; 8:45 am]

BILLING CODE 7590-01-P

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

Senior Executive Service Performance Review Board Membership

AGENCY: Occupational Safety and Health Review Commission.

ACTION: Annual notice.

SUMMARY: Notice is given of the appointment of members to the Performance Review Board (PRB) of the Occupational Safety and Health Review Commission.

DATES: Membership is effective on February 19, 2025.

FOR FURTHER INFORMATION CONTACT: Michelle Huffman, Human Resources Specialist, U.S. Occupational Safety and Health Review Commission, 1120 20th Street NW—Ninth Floor, Washington, DC 20036-3457, (202) 606-5393.

SUPPLEMENTARY INFORMATION: The Review Commission, as required by 5 U.S.C. 4314(c)(1) through (5), has established a Senior Executive Service PRB. The PRB reviews and evaluates the initial appraisal of a senior executive’s performance by the supervisor and makes recommendations to the Chairman of the Review Commission regarding performance ratings, performance awards, and pay-for-performance adjustments. Members of the PRB serve for a period of 24 months. In the case of an appraisal of a career appointee, more than half of the members shall consist of career appointees, pursuant to 5 U.S.C. 4314(c)(5). The names and titles of the PRB members are as follows:

- Fred B. Jacob, Solicitor, National Labor Relations Board;
- Michael A. McCord, General Counsel, Federal Mine Safety and Health Review Commission;

• Reggie James, Associate Director,
Court Services and Offender
Supervision Agency.

Cynthia L. Attwood,
Chairman.

[FR Doc. 2025-02775 Filed 2-18-25; 8:45 am]

BILLING CODE 7600-01-P

POSTAL REGULATORY COMMISSION

[Docket Nos. CP2023-7; MC2025-1185 and K2025-1185; MC2025-1186 and K2025-1186; MC2025-1187 and K2025-1187]

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:* February 21, 2025.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at <https://www.prc.gov>. Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202-789-6820.

SUPPLEMENTARY INFORMATION:

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- I. Introduction
- 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):* CP2023-7; *Filing Title:* USPS Request Concerning Amendment One to Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 61, with Material Filed Under Seal; *Filing Acceptance Date:* February 12, 2025; *Filing Authority:* 39 CFR 3035.105 and 39 CFR 3041.505; *Public*

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).

Representative: Christopher Mohr; *Comments Due:* February 21, 2025.

2. *Docket No(s):* MC2025-1185 and K2025-1185; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 622 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* February 12, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Maxine Bradley; *Comments Due:* February 21, 2025.

3. *Docket No(s):* MC2025-1186 and K2025-1186; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 623 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* February 12, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Maxine Bradley; *Comments Due:* February 21, 2025.

4. *Docket No(s):* MC2025-1187 and K2025-1187; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 1332 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* February 12, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Kenneth Moeller; *Comments Due:* February 21, 2025.

III. Summary Proceeding(s)

None. *See* Section II for public proceedings.

This Notice will be published in the **Federal Register**.

Erica A. Barker,
Secretary.

[FR Doc. 2025-02791 Filed 2-18-25; 8:45 am]

BILLING CODE 7710-FW-P

POSTAL SERVICE

Product Change—Priority Mail and USPS Ground Advantage® Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* February 19, 2025.

FOR FURTHER INFORMATION CONTACT: Sean C. Robinson, 202-268-8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on February 6, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage® Contract 614 to Competitive Product List*. Documents are available at www.prc.gov, Docket Nos. MC2025–1173, K2025–1173.

Sean C. Robinson,
Attorney, Corporate and Postal Business Law.
[FR Doc. 2025–02783 Filed 2–18–25; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail and USPS Ground Advantage® Negotiated Service Agreement

AGENCY: Postal Service™.
ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* February 19, 2025.

FOR FURTHER INFORMATION CONTACT: Sean C. Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on February 6, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage® Contract 615 to Competitive Product List*. Documents are available at www.prc.gov, Docket Nos. MC2025–1174, K2025–1174.

Sean C. Robinson,
Attorney, Corporate and Postal Business Law.
[FR Doc. 2025–02784 Filed 2–18–25; 8:45 am]
BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail and USPS Ground Advantage® Negotiated Service Agreement

AGENCY: Postal Service™.
ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service

Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* February 19, 2025.

FOR FURTHER INFORMATION CONTACT: Sean C. Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on February 7, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage® Contract 619 to Competitive Product List*. Documents are available at www.prc.gov, Docket Nos. MC2025–1179, K2025–1179.

Sean C. Robinson,
Attorney, Corporate and Postal Business Law.
[FR Doc. 2025–02786 Filed 2–18–25; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail and USPS Ground Advantage® Negotiated Service Agreement

AGENCY: Postal Service™.
ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* February 19, 2025.

FOR FURTHER INFORMATION CONTACT: Sean C. Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on February 7, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage® Contract 617 to Competitive Product List*. Documents are available at www.prc.gov, Docket Nos. MC2025–1177, K2025–1177.

Sean C. Robinson,
Attorney, Corporate and Postal Business Law.
[FR Doc. 2025–02782 Filed 2–18–25; 8:45 am]
BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail and USPS Ground Advantage® Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* February 19, 2025.

FOR FURTHER INFORMATION CONTACT: Sean C. Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on February 6, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage® Contract 616 to Competitive Product List*. Documents are available at www.prc.gov, Docket Nos. MC2025–1176, K2025–1176.

Sean C. Robinson,
Attorney, Corporate and Postal Business Law.
[FR Doc. 2025–02781 Filed 2–18–25; 8:45 am]
BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail and USPS Ground Advantage® Negotiated Service Agreement

AGENCY: Postal Service™.
ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* February 19, 2025.

FOR FURTHER INFORMATION CONTACT: Sean C. Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on February 7, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage® Contract 618 to Competitive Product List*. Documents are available at www.prc.gov, Docket Nos. MC2025–1178, K2025–1178.

Sean C. Robinson,
Attorney, Corporate and Postal Business Law.
[FR Doc. 2025–02785 Filed 2–18–25; 8:45 am]
BILLING CODE 7710–12–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–102408; File No. SR–CboeBZX–2024–112]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Order Instituting Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change To Amend BZX Rule 14.11(l) To Permit the Generic Listing and Trading of Multi-Class ETF Shares

February 12, 2025.

I. Introduction

On November 8, 2024, Cboe BZX Exchange, Inc. (“BZX” 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 BZX Rule 14.11(l) to permit the generic listing and trading of Multi-Class ETF Shares. The proposed rule change was published for comment in the **Federal Register** on November 25, 2024.³ The Commission has received no comments on the proposed rule change.

On December 18, 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 disapprove the proposed rule change.⁵ The Commission is publishing this order to institute proceedings pursuant to Section 19(b)(2)(B) of the Act⁶ to determine whether to disapprove the proposed rule change.

II. Description of the Proposed Rule Change

BZX Rule 14.11(l) governs the generic listing and trading of Exchange-Traded Fund Shares (“ETF Shares”)⁷ on the Exchange. BZX Rule 14.11(l)(4) currently provides that the Exchange may approve a series of ETF Shares for listing and/or trading (including

pursuant to unlisted trading privileges) pursuant to Rule 19b–4(e) under the Act,⁸ provided such series of ETF Shares is eligible to operate in reliance on Rule 6c–11 under the 1940 Act, and must satisfy the requirements of BZX Rule 14.11(l) on an initial and continued listing basis.⁹ BZX Rule 14.11(l)(4)(A) also specifically requires that the requirements of Rule 6c–11 under the 1940 Act must be satisfied by a series of ETF Shares on an initial and continued listing basis.¹⁰ In addition, BZX Rule 14.11(l)(4)(B)(i) provides that, if the Exchange becomes aware that the issuer of the ETF Shares is no longer eligible to operate in reliance on Rule 6c–11 under the 1940 Act, the Exchange will consider suspending trading in, and will commence delisting proceedings under BZX Rule 14.12 for, the series of ETF Shares.¹¹

The Exchange proposes to expand BZX Rule 14.11(l) to allow the Exchange to also approve a series of ETF Shares for listing and/or trading (including pursuant to unlisted trading privileges) on the Exchange pursuant to Rule 19b–4(e) under the Act, provided such series of ETF Shares is eligible to operate in reliance on any exemptive relief under Rule 6c–11 under the 1940 Act that permits the fund to offer a class of ETF Shares in addition to classes of shares that are not exchange-traded (“Multi-class ETF Shares”). Similarly, as proposed, such series also must satisfy the requirements of BZX Rule 14.11(l) on an initial and continued listing basis. The Exchange also proposes that the requirements of Rule 6c–11, including the requirements of any exemptive relief applicable to Multi-class ETF Shares, must be satisfied by a series of ETF Shares on an initial and continued listing basis. Lastly, the Exchange proposes to amend BZX Rule 14.11(l)(4)(B)(i)(a) to provide that, if the Exchange becomes aware that the issuer of the ETF Shares is no longer eligible

to operate in reliance on Rule 6c–11 under the 1940 Act or any exemptive relief applicable to Multi-class ETF Shares, the Exchange will consider suspending trading in the series and will commence delisting proceedings under BZX Rule 14.12.

The Exchange states that there are numerous applications for exemptive relief for Multi-class ETF Shares currently before the Commission that request exemptive relief similar to that previously granted to other funds that are not listed on the Exchange.¹² As a result, the Exchange states that the proposed amendment would provide for the generic listing and/or trading of Multi-class ETF Shares under BZX Rule 14.11(l) on the Exchange immediately upon the Commission’s applicable order granting exemptive relief.¹³ The Exchange further states that it submits the proposal only to prevent any unnecessary delay in listing Multi-class ETF Shares when and if such requests for exemptive relief are granted by the Commission.¹⁴

The Exchange states that “permitting Multi-class ETF Shares to list on the Exchange is consistent with the applicable exemptive relief and will help perfect the mechanism of a free and open market and, in general, will protect investors and the public interest in that it will permit the listing and trading of Multi-class ETF Shares, consistent with the applicable exemptive relief, and in a manner that will benefit investors.”¹⁵ Specifically, the Exchange believes that the exemptive relief proposed in the applications and the expected benefits of the Multi-class ETF Shares would be to the benefit of investors, and that eliminating any unnecessary delay for additional Multi-class ETF Shares listing on the Exchange under BZX Rule 14.11(l), as proposed to be amended, will simply help accrue those benefits to investors more expeditiously.¹⁶ The Exchange states that, to the extent that the Commission does not grant Multi-class ETF Shares relief, the proposed change to BZX Rule 14.11(l) will have no impact on series of ETF Shares listed on the Exchange.¹⁷ The Exchange further states that amending BZX Rule

⁸ Rule 19b–4(e)(1) under the Act provides that the listing and trading of a new derivative securities product by a self-regulatory organization shall not be deemed a proposed rule change, pursuant to paragraph (c)(1) of Rule 19b–4, if the Commission has approved, pursuant to section 19(b) of the Act, the self-regulatory organization’s trading rules, procedures and listing standards for the product class that would include the new derivative securities product and the self-regulatory organization has a surveillance program for the product class. See 17 CFR 19b–4(e)(1). Rule 19b–4(e) defines “new derivative securities product” as any type of option, warrant, hybrid securities product or any other security, other than a single equity option or a security futures product, whose value is based, in whole or in part, upon the performance of, or interest in, an underlying instrument. See 17 CFR 19b–4(e).

⁹ See BZX Rule 14.11(l)(4).

¹⁰ See BZX Rule 14.11(l)(4)(A).

¹¹ See BZX Rule 14.11(l)(4)(B)(i).

¹² See Notice, *supra* note 3, 89 FR at 92990.

¹³ See *id.*

¹⁴ See *id.* The Exchange also restates that it “is only proposing to amend its rules to allow such a series of Multi-class ETF Shares to list on the Exchange pursuant to Rule 14.11(l), a change to its rules that will only be meaningful if and when the Commission grants such relief to an [applicant].” *Id.*, 89 FR at 92991.

¹⁵ Notice, *supra* note 3, 89 FR at 92991.

¹⁶ See *id.*

¹⁷ See *id.*

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b–4.

³ See Securities Exchange Act Release No. 101655 (November 19, 2024), 89 FR 92989 (“Notice”).

⁴ 15 U.S.C. 78s(b)(2).

⁵ See Securities Exchange Act Release No. 101960, 89 FR 105118 (December 26, 2024). The Commission designated February 23, 2025 as the date by which the Commission shall approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change.

⁶ 15 U.S.C. 78s(b)(2)(B).

⁷ ETF Shares are shares of stock issued by an Exchange-Traded Fund. See BZX Rule 14.11(l)(3)(A). Exchange-Traded Fund means “exchange-traded fund” as defined in Rule 6c–11 under the Investment Company Act of 1940 (“1940 Act”). See BZX Rule 14.11(l)(3)(B).

14.11(l) to explicitly provide that the initial and continued listing standards applicable to ETF Shares, including the suspension of trading or removal standards, which would be applicable to Multi-class ETF Shares operating under any applicable exemptive relief, is designed to promote transparency and clarity in the Exchange's rules.¹⁸ The Exchange believes that these amendments would clearly allow Multi-class ETF Shares to list and trade upon the Commission's order of exemptive relief.¹⁹

The Exchange further states that, while Multi-class ETF Shares could potentially be listed under existing BZX Rules 14.11(c) or 14.11(i), it would require quantitative portfolio requirements and ongoing compliance obligations that the Exchange believes are unnecessary and burdensome.²⁰ The Exchange also states that it "is not aware of any clear policy rationale as to why those quantitative requirements should apply to Multi-class ETF Shares other than the rules are already in place."²¹ In addition, the Exchange states that, while the applicants generally seek the same exemptive relief as granted under the previous orders, several applicants have proposed different conditions to the relief that reflect the adoption of Rule 6c-11, and, as a result, the Exchange believes there is a reasonable relationship between the proposed rule change and the applications for exemptive relief to allow the Commission to evaluate whether the proposed rule change is consistent with the Act.²² The Exchange also acknowledges that approval of this proposed rule change would not necessarily result in the listing and trading of additional Multi-class ETF Shares under proposed BZX Rule 14.11(l) until and unless the necessary exemptive relief was granted, but that approving this proposal would address any potential concerns the Commission might have as it specifically relates to the listing and trading of Multi-class ETF Shares under proposed BZX Rule 14.11(l) and "would allow for a smooth launch process if and when such relief is granted."²³

III. Proceedings To Determine Whether To Approve or Disapprove SR–CboeBZX–2024–112 and Grounds for Disapproval Under Consideration

The Commission is instituting proceedings pursuant to Section 19(b)(2)(B) of the Act²⁴ to determine whether the proposed rule change should be approved or disapproved. Institution of such proceedings is appropriate at this time in view of the legal and policy issues raised by the proposal. Institution of proceedings does not indicate that the Commission has reached any conclusions with respect to any of the issues involved. Rather, as described below, the Commission seeks and encourages interested persons to provide comments on the proposed rule change.

Pursuant to Section 19(b)(2)(B) of the Act,²⁵ the Commission is providing notice of the grounds for disapproval under consideration. The Commission is instituting proceedings to allow for additional analysis of the proposal's consistency with Section 6(b)(5) of the Act, which requires, among other things, that the rules of a national securities exchange be "designed to prevent fraudulent and manipulative acts and practices" and "to protect investors and the public interest."²⁶

The Commission asks that commenters address the sufficiency of the Exchange's statements in support of the proposal, which are set forth in the Notice, in addition to any other comments they may wish to submit about the proposed rule change. In particular, the Commission seeks comment on whether the proposal is consistent with Section 6(b)(5) of the Act,²⁷ and specifically, whether the proposed rule change is designed to prevent fraudulent and manipulative acts and practices.

According to the Exchange, a number of applications for exemptive relief to permit the applicable fund to offer Multi-class ETF Shares have been submitted to the Commission, and that such applications for exemptive relief are similar to those previously granted to other funds that are not listed on the Exchange.²⁸ However, the Exchange provides no indication that any exemptive relief to such applicants has yet been granted or from what elements of either Rule 6c-11 or sections of, or particular rules under, the 1940 Act issuers would be exempt. Correspondingly, it is unclear whether

the proposed rule change actually would allow for the generic listing of shares of any funds authorized to offer a class of ETF Shares in addition to classes of shares that are not exchange-traded.

In addition, although the Exchange states that its proposed rule change is to prevent any unnecessary delay in listing Multi-class ETF Shares when and if the requested prospective exemptive relief is granted by the Commission, BZX Rule 14.11(l), as proposed to be amended, would allow the Exchange to generically list and trade ETF Shares issued by a fund that has received any exemptive relief under Rule 6c-11 under the 1940 Act to offer Multi-class ETF Shares, not only the requested prospective exemptive relief referenced in the proposed rule change. The Exchange further states that, while the applicants generally seek the same exemptive relief as granted under the previous orders, several applicants have proposed different conditions to the relief that reflect the adoption of Rule 6c-11 and that this establishes a reasonable relationship between the proposed rule change and the applications for exemptive relief to allow the Commission to evaluate whether the proposed rule change is consistent with the Act.²⁹ The Commission seeks comment on whether the Exchange has provided sufficient information and explanation regarding either the requested proposed exemptive relief referenced in the proposed rule change or other future exemptive relief that has not yet been requested, and the relationship between any such exemptive relief and its proposed rule change, as well as the factors the Commission considered in approving BZX Rule 14.11(l),³⁰ to allow an evaluation of whether the proposed rule change is consistent with Section 6 of the Act. In particular, the Commission requests comment on whether the Exchange has provided sufficient explanation of how its proposed rule change is designed to prevent fraudulent and manipulative practices in light of the scope of the exemptive relief under Rule 6c-11 potentially available to the Multi-class ETF Shares that may be generically listed under the proposed rule change.

IV. Procedure: Request for Written Comments

The Commission requests that interested persons provide written

¹⁸ See *id.*

¹⁹ See *id.* See also *supra* note 14 and accompanying text.

²⁰ See Notice, *supra* note 3, 89 FR at 92990.

²¹ *Id.*, 89 FR at 92990–91.

²² See *id.*

²³ *Id.*

²⁴ 15 U.S.C. 78s(b)(2)(B).

²⁵ *Id.*

²⁶ 15 U.S.C. 78f(b)(5).

²⁷ *Id.*

²⁸ See Notice, *supra* note 3, 89 FR at 92990.

²⁹ See *id.*, 89 FR at 92990–91. See also *supra* note 22 and accompanying text.

³⁰ See Securities Exchange Act Release No. 88566 (April 6, 2020), 85 FR 20312 (April 10, 2020) (SR–CboeBZX–2019–097).

submissions of their views, data, and arguments with respect to the issues identified above, as well as any other concerns they may have with the proposal. In particular, the Commission invites the written views of interested persons concerning whether the proposed rule change is consistent with Section 6(b)(5) or any other provision of the Act, and the rules and regulations thereunder. Although there do not appear to be any issues relevant to approval or disapproval that would be facilitated by an oral presentation of views, data, and arguments, the Commission will consider, pursuant to Rule 19b-4, any request for an opportunity to make an oral presentation.³¹

Interested persons are invited to submit written data, views, and arguments regarding whether the proposed rule change should be approved or disapproved by March 12, 2025. Any person who wishes to file a rebuttal to any other person's submission must file that rebuttal by March 26, 2025.

Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<https://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include file number SR-CboeBZX-2024-112 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090.

All submissions should refer to file number SR-CboeBZX-2024-112. 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

³¹ Section 19(b)(2) of the Act, as amended by the Securities Acts Amendments of 1975, Public Law 94-29 (June 4, 1975), grants the Commission flexibility to determine what type of proceeding—either oral or notice and opportunity for written comments—is appropriate for consideration of a particular proposal by a self-regulatory organization. See Securities Acts Amendments of 1975, Senate Comm. on Banking, Housing & Urban Affairs, S. Rep. No. 75, 94th Cong., 1st Sess. 30 (1975).

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-CboeBZX-2024-112 and should be submitted on or before March 12, 2025. Rebuttal comments should be submitted by March 26, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.³²

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2025-02753 Filed 2-18-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-102405; File No. SR-Phlx-2025-09]

Self-Regulatory Organizations; Nasdaq PHLX LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Pricing in Options 7, Section 3 Regarding Fees and Rebates in SPY and Option 7, Section 4 Regarding Multiply Listed Options Fees

February 12, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”)¹, and Rule 19b-4 thereunder,² notice is hereby given that on February 10, 2025, Nasdaq PHLX LLC (“Phlx” or “Exchange”) filed with the Securities and Exchange Commission (“Commission”) the proposed rule change as described in Item I below, which Item has been substantially prepared by the Exchange. Phlx has designated this proposal for immediate effectiveness pursuant to Section

³² 17 CFR 200.30-3(a)(57).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

19(b)(3)(A) of the Act³ and Rule 19b-4(f) thereunder.⁴ The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Phlx's Pricing Schedule at Options 7, Section 3, Rebates and Fees for Adding and Removing Liquidity in SPY, to pay a rebate to Customers and assess a fee to Non-Customers for executions against an order for which the Exchange broadcasts an order exposure alert in SPY. The Exchange also proposes to assess a stock handling fee for the stock leg of stock-option orders executed against other stock-option orders in the Complex Order Book in SPY. The Exchange proposes to amend Options 7, Section 4, Multiply Listed Options Fees (Includes options overlying equities, ETFs, ETNs and indexes which are Multiply Listed) (Excludes SPY and broad-based index options symbols listed within Options 7, Section 5.A), to assess a stock handling fee for the stock leg of stock-option orders executed against other stock-option orders in the Complex Order Book in multiply-listed options. The Exchange also proposes to increase a surcharge assessed to electronic Complex Orders that remove liquidity from the Complex Order Book and auctions, excluding PIXL, in Penny Symbols (excluding SPY).⁵

The proposed rule change, including the Exchange's statement of the purpose of, and statutory basis for, the proposed rule change, is available on the Exchange's website at <https://listingcenter.nasdaq.com/rulebook/phlx/rulefilings> and on the Commission's website at https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-Phlx-2025-09.

II. Solicitation of Comments

Interested persons are invited to submit written data, views and

³ 15 U.S.C. 78s(b)(3)(A).

⁴ 17 CFR 240.19b-4(f). 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.

⁵ On January 31, 2025 the Exchange filed SR-Phlx-2025-07. On February 10, 2025 the Exchange withdrew SR-Phlx-2025-07 and replaced it with this rule change.

arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act.⁶ Comments may be submitted electronically by using the Commission's internet comment form (https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-Phlx-2025-09) or by sending an email to rule-comments@sec.gov. Please include file number SR-Phlx-2025-09 on the subject line. Alternatively, paper comments may be sent to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090. All submissions should refer to file number SR-Phlx-2025-09. 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-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-Phlx-2025-09). 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-Phlx-2025-09 and should be submitted on or before March 12, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁷

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025-02751 Filed 2-18-25; 8:45 am]

BILLING CODE 8011-01-P

⁶ 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.

⁷ 17 CFR 200.30-3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-102407; File No. SR-MIAX-2025-03]

Self-Regulatory Organizations; Miami International Securities Exchange, LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Its Fee Schedule Related to the Removal of SPIKES Options

February 12, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),¹ and Rule 19b-4 thereunder,² notice is hereby given that on January 31, 2025, Miami International Securities Exchange, LLC ("Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Item I below, which Item has been substantially prepared by the Exchange. The Exchange has designated this proposal for immediate effectiveness pursuant to Section 19(b)(3)(A) of the Act³ and Rule 19b-4(f) thereunder.⁴ The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the MIAX Options Exchange Fee Schedule (the "Fee Schedule") to remove (i) all transaction fees and rebates for SPIKES options; (ii) the SPIKES Options Market Maker Incentive Program (the "Incentive Program"), which expires on January 31, 2025,⁵ from Section 1)b)i) of the Fee Schedule; and (iii) all references to Proprietary Products⁶ from Sections 3)b) and 5)d)ii) of the Fee Schedule. The

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ 15 U.S.C. 78s(b)(3)(A).

⁴ 17 CFR 240.19b-4(f). 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.

⁵ See MIAX Options Exchange Regulatory Circular 2024-54, Updated SPIKES Options Market Maker Incentive Program (September 26, 2024), available at https://www.miaxglobal.com/sites/default/files/circular-files/MIAX_Options_RC_2024_54.pdf.

⁶ SPIKES is a "Proprietary Product." The term "Proprietary Product" means a class of options that is listed exclusively on the Exchange. See Exchange Rule 100.

Exchange proposes to implement the changes to the Fee Schedule pursuant to this proposal on February 1, 2025.

The proposed rule change, including the Exchange's statement of the purpose of, and statutory basis for, the proposed rule change, is available on the Exchange's website at <https://www.miaxglobal.com/markets/us-options/all-options-exchanges/rule-filings> and on the Commission's website at https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-MIAX-2025-03.

II. 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.⁷ Comments may be submitted electronically by using the Commission's internet comment form (https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-MIAX-2025-03) or by sending an email to rule-comments@sec.gov. Please include file number SR-MIAX-2025-03 on the subject line. Alternatively, paper comments may be sent to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090. All submissions should refer to file number SR-MIAX-2025-03. 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-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-MIAX-2025-03). 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

⁷ 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.

to file number SR-MIAX-2025-03 and should be submitted on or before March 12, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁸

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2025-02752 Filed 2-18-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-102404; File No. 4-698]

Joint Industry Plan; Plan; Notice of Designation of a Longer Period for Commission Action on a Proposed Amendment to the National Market System Plan Governing the Consolidated Audit Trail

February 12, 2025

I. Introduction

On August 2, 2024, the Operating Committee for Consolidated Audit Trail, LLC (“CAT LLC”), on behalf of the following parties to the National Market System Plan Governing the Consolidated Audit Trail (the “CAT NMS Plan” or “Plan”):¹ BOX Exchange LLC; Cboe BYX Exchange, Inc., Cboe BZX Exchange, Inc., Cboe EDGA Exchange, Inc., Cboe EDGX Exchange, Inc., Cboe C2 Exchange, Inc., Cboe Exchange, Inc., Financial Industry Regulatory Authority, Inc., Investors Exchange LLC, Long-Term Stock Exchange, Inc., MEMX, LLC, Miami International Securities Exchange LLC, MIAX Emerald, LLC, MIAX PEARL, LLC, Nasdaq BX, Inc., Nasdaq GEMX, LLC, Nasdaq ISE, LLC, Nasdaq MRX, LLC, Nasdaq PHLX LLC, The NASDAQ Stock Market LLC, New York Stock Exchange LLC, NYSE American LLC, NYSE Arca, Inc., NYSE Chicago, Inc., and NYSE National, Inc. (collectively, the “Participants,” “self-regulatory organizations,” or “SROs”) filed with the Securities and Exchange Commission (“SEC” or “Commission”) pursuant to section 11A(a)(3) of the Securities Exchange Act of 1934 (“Exchange Act”),² and Rule 608 thereunder,³ a proposed amendment (“Proposed Amendment”) to the CAT NMS Plan to amend existing

requirements for the consolidated audit trail (“CAT”) regarding the reporting of certain verbal activity, floor and upstairs activity (the “Verbal Quotes Amendment”). The proposed plan amendment was published for comment in the **Federal Register** on August 20, 2024.⁴

On November 18, 2024, the Commission instituted proceedings to determine whether to approve or disapprove the Proposed Amendment.⁵ Rule 608(b)(2)(i) of Regulation NMS provides that such proceedings shall be concluded within 180 days of the date of the publication of notice of the plan or amendment and that the time for conclusion of such proceedings may be extended for up to 60 days (up to 240 days from the date of notice publication) if the Commission determines that a longer period is appropriate and publishes the reasons for such determination or the plan participants consent to a longer period.⁶ The 180th day after publication of the Notice for the Proposed Amendment is February 16, 2025. The Commission is extending this 180-day period.

The Commission finds that it is appropriate to designate a longer period within which to conclude proceedings regarding the Proposed Amendment so that it has sufficient time to consider the Proposed Amendment and the comments received. Accordingly, pursuant to Rule 608(b)(2)(i) of Regulation NMS,⁷ the Commission designates April 17, 2025, as the date by which the Commission shall conclude the proceedings to determine whether to approve or disapprove the Proposed Amendment (File No. 4-698).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁸

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2025-02750 Filed 2-18-25; 8:45 am]

BILLING CODE 8011-01-P

⁴ See Notice of Filing of Amendment to the National Market System Plan Governing the Consolidated Audit Trail, Release No. 100727 (August 14, 2024), 89 FR 67499 (“Notice”). Comments received in response to the Notice can be found on the Commission’s website at <https://www.sec.gov/comments/4-698/4-698-e.htm>.

⁵ See Exchange Act Release No. 101648 (November 18, 2024), 89 FR 92726 (November 22, 2024).

⁶ 17 CFR 242.608(b)(2)(i).

⁷ *Id.*

⁸ 17 CFR 200.30-3(a)(85).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-102409; File No. SR-NASDAQ-2025-014]

Self-Regulatory Organizations; The Nasdaq Stock Market LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend NOM’s Pricing Schedule at Options 7, Section 2(1) Regarding NOM Market Maker and Non-NOM Market Maker Incentives for Removing Liquidity in Penny Symbols

February 12, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”),¹ and Rule 19b-4 thereunder,² notice is hereby given that on February 10, 2025, The Nasdaq Stock Market LLC (“Exchange”) filed with the Securities and Exchange Commission (“Commission”) the proposed rule change as described in Item I below, which Item has been substantially prepared by the Exchange. The Exchange has designated this proposal for immediate effectiveness pursuant to Section 19(b)(3)(A) of the Act³ and Rule 19b-4(f) thereunder.⁴ The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend The Nasdaq Options Market LLC (“NOM”) Rules at Options 7, Section 2, Nasdaq Options Market—Fees and Rebates. Specifically, NOM proposes to lower the percentages to achieve each of the note 2 incentives in Options 7, Section 2(1) related to NOM Market Maker⁵ and

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ 15 U.S.C. 78s(b)(3)(A).

⁴ 17 CFR 240.19b-4(f). 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.

⁵ The term “NOM Market Maker” or (“M”) is a Participant that has registered as a Market Maker on NOM pursuant to Options 2, Section 1, and must also remain in good standing pursuant to Options 2, Section 9. In order to receive NOM Market Maker pricing in all securities, the Participant must be registered as a NOM Market Maker in at least one security. See Options 7, Section 1(a).

⁸ 17 CFR 200.30-3(a)(12).

¹ The CAT NMS Plan is a national market system plan approved by the Commission pursuant to section 11A of the Exchange Act and the rules and regulations thereunder. See Securities Exchange Act Release No. 79318 (November 15, 2016), 81 FR 84696 (November 23, 2016).

² 15 U.S.C. 78k-1(a)(3).

³ 17 CFR 242.608.

Non-NOM Market Maker⁶ Penny Symbols Fee for Removing Liquidity.⁷

The proposed rule change, including the Exchange's statement of the purpose of, and statutory basis for, the proposed rule change, is available on the Exchange's website at <https://listingcenter.nasdaq.com/rulebook/nasdaq/rulefilings> and on the Commission's website at https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-NASDAQ-2025-014.

II. 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.⁸ Comments may be submitted electronically by using the Commission's internet comment form (https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-NASDAQ-2025-014) or by sending an email to rule-comments@sec.gov. Please include file number SR-NASDAQ-2025-014 on the subject line. Alternatively, paper comments may be sent to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090. All submissions should refer to file number SR-NASDAQ-2025-014. 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-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-NASDAQ-

⁶ The term "NOM Market Maker" or ("M") is a Participant that has registered as a Market Maker on NOM pursuant to Options 2, Section 1, and must also remain in good standing pursuant to Options 2, Section 9. In order to receive NOM Market Maker pricing in all securities, the Participant must be registered as a NOM Market Maker in at least one security. See Options 7, Section 1(a).

⁷ On January 31, 2025 the Exchange filed SR-NASDAQ-2025-010. On February 10, 2025 the Exchange withdrew SR-NASDAQ-2025-010 and replaced it with this rule change.

⁸ 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.

2025-014). 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-NASDAQ-2025-014 and should be submitted on or before March 12, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁹

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2025-02754 Filed 2-18-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-102410]

In the Matter of The Nasdaq Stock Market LLC; Order Granting Petition for Review and Scheduling Filing of Statements Regarding an Order Disapproving a Proposed Rule Change To Increase Fees for Certain Market Data and Connectivity Products and To Maintain the Current Fees for Such Products if Members Meet a Minimum Average Daily Displayed Volume Threshold

February 12, 2025.

This matter comes before the Securities and Exchange Commission ("Commission") on petition to review the disapproval, pursuant to delegated authority, of The Nasdaq Stock Market LLC ("Nasdaq" or "Exchange") proposed rule change (File No. SR-NASDAQ-2024-016) to increase fees for certain market data and connectivity products and to maintain the current fees for such products if members meet a minimum average daily displayed volume threshold.

On March 22, 2024, the Exchange filed with the Commission, pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Exchange Act"),¹ and Rule 19b-4² thereunder, the proposed rule change, which was immediately effective upon filing with the Commission pursuant to section 19(b)(3)(A) of the Exchange Act.³ The proposed rule change was published for comment in the **Federal Register** on April 5, 2024.⁴ On May 21, 2024, the

⁹ 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ 15 U.S.C. 78s(b)(3)(A).

⁴ See Securities Exchange Act Release No. 99879 (Apr. 1, 2024), 89 FR 24070 (Apr. 5, 2024).

Division of Trading and Markets ("Division"), acting on behalf of the Commission by delegated authority, issued an order temporarily suspending the proposed rule change pursuant to section 19(b)(3)(C) of the Exchange Act⁵ and simultaneously instituting proceedings under section 19(b)(2)(B) of the Exchange Act⁶ to determine whether to approve or disapprove the proposed rule change.⁷ On October 1, 2024, the Division, acting on behalf of the Commission by delegated authority, designated a longer period for Commission action on the proposed rule change.⁸ On November 26, 2024, after consideration of the record for the proposed rule change, the Division, acting on behalf of the Commission by delegated authority,⁹ issued an order disapproving the proposed rule change ("Disapproval Order").¹⁰

Pursuant to Rule 430 of the Commission's Rules of Practice,¹¹ on December 4, 2024, the Exchange filed a notice of intention to petition for review of the Disapproval Order, and on December 11, 2024, the Exchange filed a petition for review of the Disapproval Order. Pursuant to Rule 431(e) of the Commission's Rules of Practice,¹² a notice of intention to petition for review results in an automatic stay of the action by delegated authority until the Commission orders otherwise.

Pursuant to Rule 431 of the Commission's Rules of Practice,¹³ the Exchange's petition for review of the Disapproval Order is granted. Further, the Commission hereby establishes that any party to the action or other person may file a written statement in support of or in opposition to the Disapproval Order on or before March 12, 2025.

For the reasons stated above, it is hereby:

Ordered that the petition of the Exchange for review of the Division's action to disapprove the proposed rule change by delegated authority be *Granted*; and

It is further *ordered* that any party or other person may file a statement in support of or in opposition to the action

Comments received on the proposed rule change are available at <https://www.sec.gov/comments/sr-nasdaq-2024-016/srnasdaq2024016.htm>.

⁵ 15 U.S.C. 78s(b)(3)(C).

⁶ 15 U.S.C. 78s(b)(2)(B).

⁷ See Securities Exchange Act Release No. 100188 (May 21, 2024), 89 FR 46243 (May 28, 2024).

⁸ See Securities Exchange Act Release No. 101224 (Oct. 1, 2024), 89 FR 81129 (Oct. 7, 2024).

⁹ 17 CFR 200.30-3(a)(12).

¹⁰ See Securities Exchange Act Release No. 101766 (Nov. 26, 2024), 89 FR 95822 (Dec. 3, 2024).

¹¹ 17 CFR 201.430.

¹² 17 CFR 201.431(e).

¹³ 17 CFR 201.431.

made pursuant to delegated authority on or before March 12, 2025.

It is further *ordered* that the automatic stay of delegated action pursuant to Commission Rule of Practice 431(e) is hereby discontinued.

The order disapproving the proposed rule change (File No. SR–NASDAQ–2024–016) shall remain in effect.

By the Commission.

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2025–02758 Filed 2–18–25; 8:45 am]

BILLING CODE 8011–01–P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36834]

Kansas City West Bottoms Railroad, LLC—Operation Exemption With Interchange Commitment—Union Pacific Railroad Company

Kansas City West Bottoms Railroad, LLC (KCWB), a noncarrier, has filed a verified notice of exemption pursuant to 49 CFR 1150.31 to lease from Union Pacific Railroad Company (UP) and operate a line of railroad consisting of a track running adjacent to and parallel with UP's KC Metro Big Mary Subdivision between milepost 0.63 and milepost 1.60 in Kansas City, Jackson County, Mo., and Kansas City, Wyandotte County, Kan. (the Line).¹ KCWB will also lease and operate the adjacent State Line Yard Tracks, which it states fall under 49 U.S.C. 10906.

According to the verified notice, KCWB and UP have reached an agreement pursuant to which KCWB will lease and operate the Line.

This transaction is related to a concurrently filed verified notice of exemption in *OPSEU Pension Plan Trust Fund, Jaguar Transport Holdings, LLC, and Jaguar Rail Holdings, LLC—Continuance in Control Exemption—Kansas City West Bottoms Railroad*, Docket No. FD 36835, in which the filing parties seek to continue in control of KCWB upon KCWB's becoming a Class III rail carrier.

KCWB certifies that its projected annual revenues from this transaction will not result in it becoming a Class I or Class II rail carrier and are not expected to exceed \$5 million. KCWB

¹ KCWB states that the Line is currently UP side track. KCWB explains that the KC Metro Big Mary Subdivision mileposts are supplied as approximate cross-references to the terminal points on the adjacent track that will serve as KCWB's main line. KCWB states that it also determined that the actual track length of KCWB's proposed main line will be roughly 1.25 miles in length, rather than the 0.97 miles suggested by strict application of the milepost cross-references.

also certifies that the agreement with UP contains provisions that would limit future interchange with third-party connecting carriers. KCWB has provided additional information regarding the interchange commitment, as required by 49 CFR 1150.33(h).²

The transaction may be consummated on or after March 5, 2025, the effective date of the exemption (30 days after the verified notice was filed).

If the verified notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions for stay must be filed by February 26, 2025.

All pleadings, referring to Docket No. FD 36834, must be filed with the Surface Transportation Board either via e-filing on the Board's website or in writing addressed to 395 E Street SW, Washington, DC 20423–0001. In addition, a copy of each pleading must be served on KCWB's representative, Robert A. Wimbish, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 800, Chicago, IL 60606–3208.

According to KCWB, this action is categorically excluded from environmental review under 49 CFR 1105.6(c) and from historic preservation reporting requirements under 49 CFR 1105.8(b).

Board decisions and notices are available at www.stb.gov.

Decided: February 13, 2025.

By the Board, Mai T. Dinh, Director, Office of Proceedings.

Regena Smith-Bernard,
Clearance Clerk.

[FR Doc. 2025–02789 Filed 2–18–25; 8:45 am]

BILLING CODE 4915–01–P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36835]

OPSEU Pension Plan Trust Fund, Jaguar Transport Holdings, LLC, and Jaguar Rail Holdings, LLC—Continuance in Control Exemption—Kansas City West Bottoms Railroad, LLC

OPSEU Pension Plan Trust Fund (OPTrust), Jaguar Transport Holdings, LLC (JTH), and Jaguar Rail Holdings, LLC (JRH, and collectively with OPTrust and JTH, Jaguar), each a noncarrier, have filed a verified notice of exemption under 49 CFR 1180.2(d)(2) to continue

² KCWB filed a copy of the agreement under seal with the verified notice. See 49 CFR 1150.33(h)(1).

in control of Kansas City West Bottoms Railroad, LLC (KCWB), upon KCWB's becoming a Class III rail carrier. The verified notice states that KCWB is a directly controlled holding of JRH, which is directly controlled by JTH, which is indirectly controlled by OPTrust. Jaguar collectively controls ten Class III rail carriers.¹

This transaction is related to a concurrently filed verified notice of exemption in *Kansas City West Bottoms Railroad, LLC—Operation Exemption with Interchange Commitment—Union Pacific Railroad Company*, Docket No. FD 36834, in which KCWB seeks Board approval to lease and operate approximately 1.25 miles of rail line owned by Union Pacific Railroad Company (UP) in Kansas City, Jackson County, Mo., and Kansas City, Wyandotte County, Kan., replacing the line's current operator, UP.

Jaguar represents that its control of KCWB upon KCWB's becoming a rail common carrier is not a transaction where: (1) KCWB would connect with any railroads in Jaguar's corporate family; (2) Jaguar plans through the continuance of control of KCWB (once KCWB becomes a common carrier) to connect KCWB to any of the railroads in Jaguar's corporate family, or to connect any of those railroads to one another; and (3) a Class I carrier is involved. Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. See 49 CFR 1180.2(d)(2).

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. However, 49 U.S.C. 11326(c) does not provide for labor protection for transactions under 49 U.S.C. 11324 and 11325 that involve only Class III rail carriers. Accordingly, because this transaction involves Class III rail carriers only, the Board may not impose labor protective conditions here.

The earliest this transaction may be consummated is March 5, 2025, the effective date of the exemption. If the verified notice contains false or misleading information, the exemption

¹ Those carriers are, and the states in which they operate, are: (1) Southwestern Railroad, Inc.—New Mexico, Texas, and Oklahoma; (2) Texas & Eastern Railroad, LLC—Texas; (3) Wyoming and Colorado Railroad, Inc. (which also does business under the name Oregon Eastern Railroad)—Oregon; (4) Missouri Eastern Railroad, LLC—Missouri; (5) Charlotte Western Railroad, LLC—North Carolina; (6) Kinston Railroad, LLC—North Carolina; (7) Waterloo Railroad, LLC—Iowa; (8) Cimarron Valley Railroad, L.C.—Kansas, Colorado, and Oklahoma; (9) Washington Eastern Railroad, LLC—Washington; and (10) West Memphis Base Railroad, L.L.C.—Arkansas.

is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(g) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions for stay must be filed by February 26, 2025 (at least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36835, must be filed with the Surface Transportation Board either via e-filing on the Board's website or in writing addressed to 395 E Street SW, Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Jaguar's representative, Robert A. Wimbish, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 800, Chicago, IL 60606-3208.

According to Jaguar, this action is excluded from environmental review under 49 CFR 1105.6(c) and from historic preservation reporting requirements under 49 CFR 1105.8(b).

Board decisions and notices are available at www.stb.gov.

Decided: February 13, 2025.

By the Board, Mai T. Dinh, Director, Office of Proceedings.

Regena Smith-Bernard
Clearance Clerk.

[FR Doc. 2025-02790 Filed 2-18-25; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Agency Information Collection Activities: Requesting Comments on Form W-2G

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Internal Revenue Service, as part of its continuing effort to reduce paperwork and respondent burden,

invites the general public and other federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995. The IRS is soliciting comments concerning Form W-2G, Certain Gambling Winnings.

DATES: Written comments should be received on or before April 21, 2025 to be assured of consideration.

ADDRESSES: Direct all written comments to Andres Garcia, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or by email to pra.comments@irs.gov. Include the OMB Control No. 1545-0238 in the subject line of the message.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the form and instructions should be directed to Marcus McCrary (470) 769-2001, at Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or through the internet at marcus.w.mccrary@irs.gov.

SUPPLEMENTARY INFORMATION:

Title: Certain Gambling Winnings.

OMB Number: 1545-0238.

Form Number: Form W-2G.

Abstract: Internal Revenue Code sections 6041, 3402(q), and 3406 require payers of certain gambling winnings to withhold tax and to report the winnings to the IRS. The IRS uses the information to verify compliance with the reporting rules and to verify that the winnings are properly reported on the recipient's tax return.

Current Actions: There are changes to the existing collection to update the number of responses per the projected filings from Publication 6961.

Type of Review: Extension of a currently approved collection.

Affected Public: Business or other for-profit organizations, individuals or households, and not-for-profit institutions, and state, local or tribal governments.

Estimated Number of Responses: 31,114,200.

Estimated Time per Respondent: 24 minutes.

Estimated Total Annual Burden Hours: 12,445,680.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of 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.

Approved: February 12, 2025.

Marcus W. McCrary,
Tax Analyst.

[FR Doc. 2025-02745 Filed 2-18-25; 8:45 am]

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