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FARM CREDIT ADMINISTRATION

12 CFR Chapter VI

RIN 3052-AD55

Statement on Regulatory Burden

AGENCY: Farm Credit Administration.

ACTION: Determination.

SUMMARY: This document is part of the Farm Credit Administration's (FCA, our, or we) initiative to reduce regulatory burden for Farm Credit System (FCS or System) institutions, including the Federal Agricultural Mortgage Corporation (Farmer Mac). Several System institutions responded to our 2022 request for comments by identifying regulations they considered unnecessary, unduly burdensome or costly, duplicative of other requirements, outmoded, insufficient, ineffective, or not based on law, and this document responds to those comments.

DATES: March 3, 2025.

FOR FURTHER INFORMATION CONTACT:

Technical Information: Mark Johansen, Associate Director, Office of Regulatory Policy, Farm Credit Administration, McLean, VA 22102-5090, (703) 883-4414, TTY (703) 883-4056, or ORPMailbox@fca.gov; or

Legal Information: Jacqueline Baker, Attorney-Advisor, Office of General Counsel, Farm Credit Administration, McLean, VA 22102-5090, (703) 883-4020, TTY (703) 883-4056, or Bakerj@fca.gov.

SUPPLEMENTARY INFORMATION:

I. Objective

The objective of this document is to respond to the comments submitted to us regarding our request to identify regulations that the public considered unnecessary, unduly burdensome or costly, duplicative of other requirements, outmoded, insufficient, ineffective, or not based on law.

II. Background

On July 20, 2022, we published a document in the **Federal Register** inviting the public to comment on our regulations that may duplicate other requirements, are ineffective, are not based on law, or impose burdens that are greater than the benefits received.¹ We also expressed interest in understanding how our regulations affect associations differently based on their location, size, and complexity of operations.

We received letters from AgFirst, FCB; AgGeorgia, ACA; AgriBank, FCB; AgTexas, ACA; Alabama, ACA; ArborOne, ACA; Central Texas, ACA; CoBank, ACB; Colonial, ACA; Farm Credit East, ACA; Farm Credit Illinois, ACA; Florida, ACA; Farm Credit Bank of Texas; the Farm Credit Council; Farm Credit Mid-America, ACA; First South, ACA; Farm Credit Foundations; the Federal Farm Credit Banks Funding Corporation; High Plains, ACA; Idaho, ACA; Louisiana Land Bank, ACA; Plains Land Bank, FLCA; Premier, ACA; Texas Farm Credit, ACA; and Western AgCredit, ACA. The Farm Credit Council stated that in preparing its response letter on behalf of all FCS institutions, it assembled and coordinated an FCS Regulatory Burden Workgroup of experts representing institutions across all four bank districts.

The letters commented on regulations concerning: investments, disclosure requirements, preparing and filing reports, and other FCA regulations and guidance. In addition, we received comments related to the FCA Examination Manual and the examination process. We referred those comments to FCA's Office of Examination.

This document restates the comments submitted, with certain non-substantive, technical changes made to improve clarity and readability (under the Comment heading), along with our response to the comments (under the FCA Response heading). Our responses take into consideration the comment and any proposed solution(s) the commenter suggested.

FCA organized the comments received into four categories. First, for some of the comments received, we took action between comment submission

and publication of this document that addressed the concerns raised. Second, many of the comments we received seek changes that we cannot implement because they are inconsistent with the Farm Credit Act of 1971, as amended (Act), safety and soundness, and/or other FCA guidance or position(s). Third, some comments raise issues that are the subject of existing regulatory projects scheduled for consideration by FCA as set forth in our Fall 2024 Regulatory Projects Plan, which is available on the FCA website, and those issues will be addressed in the planned regulatory projects. Finally, in other cases, commenters identified issues that need further evaluation before we can consider whether changes are appropriate.

III. Action Taken by FCA Related to Comments Received

A. Accounting and Disclosure of Troubled Debt Restructuring (TDR) (§ 621.6(b))

Comment: GAAP requirements have changed, resulting in the elimination of TDRs. As a result, the maintenance of current requirements for TDRs is operationally burdensome and immaterial to the financial statements and credit quality of System institutions. Retaining the legacy reporting requirements for TDRs will require System institutions to maintain two operational and reporting processes for TDRs and modifications under the updated reporting requirements. The legacy process is highly manual and subjective, requiring extensive documentation. The revised GAAP allows for systematic solutions and automated processes for reporting in a more efficient manner. Further, many System institutions plan to repurpose existing fields in loan accounting systems and databases/data warehouses to achieve the new reporting requirements. If FCA retains the legacy reporting requirements for TDRs, then the repurposing of data fields will not be possible and it will, therefore, be more costly to implement an automated and well-controlled solution for modification disclosures under the required GAAP implementation deadline of Q1 2023.

FCA Response: In response to the TDR changes under GAAP, we issued an Informational Memorandum (IM) dated December 30, 2022, that, among other

¹ 87 FR 43227 (July 20, 2022).

things, explained that the TDR loan performance category contained in § 621.6(b) was no longer required under GAAP after January 1, 2023. Our Fall 2024 Regulatory Projects Plan indicates that we plan to propose an update to § 621.6(b) to reflect this change.

B. Call Reporting for Farm Credit Leasing (FCL) (§ 621.12)

Comment: FCA requires a separate Call Report for FCL, which adds burden and costs to prepare and file. This separate Call Report provides no value as FCL's financial results are fully incorporated in the CoBank Call Report and CoBank backstops FCL's obligations. Section 621.12 requires Call Reports to be filed for each institution chartered under the Act. However, wholly owned subsidiaries are typically excluded from the requirement for filing a separate Call Report through administrative action by FCA. In addition, FCA has previously recognized that FCL is integrated into CoBank by waiving the requirement for a separate Annual Report and providing regulatory relief from separate capital requirements.

FCA Response: The Farm Credit Leasing Corporation (FCL) is a chartered service corporation. It was chartered under section 4.25 of the Act and is currently wholly owned by CoBank. Unrelated to this comment, FCA determined and notified relevant parties that FCL is no longer required to prepare and file separate Call Reports. The existing structure and financial reporting from CoBank about FCL are sufficient to not require separate Call Reports from FCL. If FCL's structure or financial reporting changes in the future, FCA may require FCL to file Call Reports.

IV. Comments That Will Not Result in Changes

A. Approval of Equity Investments in Unincorporated Business Entities (UBEs) (§ 611.1155)

Comment: The detailed requirement of the information that must be provided to FCA for its approval (Part 611 Subpart J) before a UBE can be created is administratively burdensome, time consuming, and thus expensive to System institutions. The process for creating and seeking approval for UBEs to protect System institutions in their administration of acquired assets is administratively burdensome and should be simplified.

FCA Response: Section 611.1154 requires notice to FCA, and not FCA prior approval, when a System institution wishes to make an equity

investment in UBEs whose activities are limited to acquiring and managing unusual or complex collateral associated with loans, providing hail or multi-peril crop insurance services with another System institution in accordance with § 618.8040, or another activity that FCA determines is appropriate for this provision. This provision provides a simplified process that avoids unnecessary administrative burdens and costs for investments in UBEs for the specified activities.

For all other UBEs, however, § 611.1155 requires pre-approval. We are not persuaded by the comment that a change is needed for these other UBEs. We continue to believe that it is prudent to have System institutions obtain preapproval for investing in these UBEs to avoid the burden and cost associated with potentially reversing investments if such investments were later deemed through the examination process to be inappropriate, unsafe or unsound, or contrary to law. FCA will, however, consider whether additional categories of UBE investments could be included in the provisions to reduce burden on System institutions.

B. Floor Nominations (§ 611.326)

Comment: The requirement that associations permit voting stockholders to make floor nominations for director positions circumvents the nominating committee's process and creates inefficiencies in the development of the association's election materials. The same requirement is not imposed on banks. Banks are only required to allow floor nominations if they are permitted by a bank's election policies and procedures.

FCA Response: Section 4.15 of the Act requires associations to allow for floor nominations for director positions. Therefore, we are unable to make association floor nominations optional. In the preamble to the final rule adopting § 611.326, we thoroughly discussed this requirement.²

C. Preparing and Filing Reports (§ 620.2(c))

Comment: This regulation permits System institutions to provide the reports made subject of this part (Part 620) electronically; however, the regulation requires System institutions to obtain "shareholder agreement" to do so. See § 620.2(c). This language effectively imposes an "opt in" requirement (a hurdle) for System institutions and their customers to benefit from electronic delivery, Part 609, and E-SIGN Act, rather than an

"opt out" requirement. § 609.920 confirms that System institutions may interpret the Act and FCA "broadly to allow electronic transmissions, communications, records, and submission, as provided by E-SIGN," § 609.920(b), and the E-SIGN Act "preempts most statutes and regulations, including the Act and FCA Regulation." § 609.920(a). Section 620.2, therefore, seems to impose a hurdle on, in most instances, the use of electronic communications in System institution business, contrary to the purpose and intent of § 609.920 and the E-SIGN Act, presents a significant financial, administrative, and logistical burden to System institutions, without guaranteeing better receipt of, or access to, the report by shareholders, is inconsistent with other FCA regulations, which permit website access or notice (e.g., § 620.15), is not in alignment with shareholders' preferred method of communication, which is electronic access or delivery in most circumstances, and does not better serve or support the cooperative. System institutions must operate efficiently and in the best interest of the cooperative. Many, if not most, businesses operate, and engage in, electronic commerce, with less reliance on paper due to preference, cost, administrative or logistical burdens, and delays associated with mail, and not all System institutions have shareholder agreements with all customers and/or may not be able to secure shareholder agreements from all customers before reports are required to be provided. Importantly, System institutions provide ready access to reports on their websites, which are accessible by all, and paper copies may also be available in branch offices, at customer events, and upon request.

FCA Response: As the comment notes, § 620.2(c) permits institutions to deliver shareholder reports electronically only with shareholder agreement. This is, effectively, an opt-in requirement for electronic delivery of shareholder reports. If a shareholder does not agree to electronic delivery, an institution is not permitted to deliver the reports electronically.

FCA believes this requirement is appropriate and is consistent with the E-SIGN Act, 15 U.S.C. 7001, *et seq.* Accordingly, FCA declines to change this requirement.

D. Preparing and Providing the Annual Report (§ 620.4)

Comment: This regulation requires System institutions to provide, within 90 calendar days of the end of its fiscal year, an annual report substantively

² 75 FR 18726 (April 12, 2010).

identical to the copy of the report sent to FCA under subparagraph (a)(1) of this regulation. System institutions are permitted to provide the report made subject of this part electronically; however, System institutions are required to obtain “shareholder agreement” to do so. See § 620.2(c). Requiring that System institutions mail a hard copy of the report to shareholders unless they first “opt in” to electronic delivery runs afoul of, or presents a hurdle to, § 609.920 and the E-SIGN Act in most instances, presents a significant financial, administrative, and logistical burden to System institutions, without guaranteeing better receipt of, or access to, the report by shareholders, is inconsistent with other FCA regulations, which permit website access or notice (e.g., § 620.15).

FCA Response: As discussed in FCA’s response to the previous comment, § 620.2(c) permits institutions to deliver shareholder reports electronically only with shareholder agreement. This requirement applies to annual reports required by § 620.4.

FCA believes this requirement is appropriate and is consistent with the E-SIGN Act, 15 U.S.C. 7001, *et seq.* Accordingly, FCA declines to change this requirement.

E. Preparing and Distributing the Information Statement (§ 620.20)

Comment: The regulation requires that System institutions post their Annual Meeting Information Statement (AMIS) on their website “[i]n addition to the mailed AMIS.” The requirement that electronic publication and notification is to be used as an additional, not alternative, method of communication is burdensome and expensive. Providing print communications to all stockholders provides a substantial logistical and financial burden on System institutions and often does not align with the communication method preferred by many stockholders, which is electronic.

FCA Response: As an initial matter, FCA regulation § 620.20(a)(3) does not require a System institution to post its AMIS on its website. This regulation states that a System institution may choose to post its AMIS on its website in addition to mailing the AMIS and, if it does so, the posted AMIS must remain on its website for a reasonable period of time, but not less than 30 calendar days.

As to the comment that providing a print AMIS to all stockholders is burdensome, as discussed in FCA’s response to the previous two comments, § 620.2(c) permits institutions to provide reports to shareholders electronically with shareholder

agreement. The AMIS is a shareholder report that may be provided electronically with shareholder agreement. Accordingly, FCA declines to change this requirement.

F. Use of Average Daily Balance (ADB) in Capital Ratio Calculations (§§ 615.5206, 628.10)

Comment: FCA call report requirements should be evaluated for consistency with other financial institution regulators (e.g., OCC, FRB). Any additional reporting requirements need to be evaluated to determine the necessity of the information or perform a cost benefit analysis. For example, FCA should modify its regulatory capital ratio calculations to be consistent with other financial institution regulators. The current calculations requiring a 3-month average daily balance (“ADB”), in addition to calculating it based on ending balance, is overly burdensome, and the 3-month ADB actually materially misrepresents an entity’s capital ratios during quarter-end reporting. The requirement to calculate quarterly averages (e.g., 3-month ADBs) results in challenges to the System. For example, the requirement often results in the need for ad-hoc calculations and modifications to loan accounting/reporting systems as this is often not a standard offering from providers who are primarily focused on commercial banking needs.

FCA Response: As we noted in a 2020 preamble, FCA has long required institutions to compute their capital ratios using three-month average daily balances.³ FCA continues to believe using the three-month average daily balances in its capital ratios is the appropriate safety and soundness measure given the seasonality in agriculture. The requirement to reconcile the three-month average daily balance amounts with the quarterly financial statements provides financial statement users the appropriate level of detail regarding the capital levels of System institutions.

G. Outside Director (§ 619.9235)

Comment: Section 619.9235 defines an outside director to be “[a] member of a board of directors selected or appointed by the board, who is not a director, officer, employee, agent, or stockholder of any Farm Credit System institution.” The commenter agrees that

the Act prohibits an outside director from holding any other Farm Credit System position at the time of their initial appointment. However, the commenter asks that FCA consider amending this definition to allow an outside director to concurrently serve on the boards of subsidiary institutions and, with the association board’s approval, serve on the boards of institutions that perform functions or services the association might otherwise perform on its own behalf. As currently drafted, § 619.9235 (i) places requirements on outside directors that are broader than the Act and other regulations; (ii) discourages associations from utilizing Section 4.25 Service Corporations; (iii) treats outside directors differently than elected directors; and (iv) can deny System institutions valuable skills and expertise possessed by outside directors.

FCA Response: The comment states that FCA regulation § 619.9235, which defines an outside director as, in pertinent part, a board member who is appointed or selected by the board and who is not a director of a System institution,⁴ goes beyond the Act’s requirements.⁵ However, § 619.9235 implements provisions in the Act that prevent outside directors from serving more than one System institution at any given time.⁶ Therefore, FCA is unable to change § 619.9235 to permit a bank or association outside director to concurrently serve on a service corporation board, or vice versa.

The comment also contends the independence requirement for outside directors results in disparate treatment from what is required to be a stockholder-elected director. The differences in treatment result from the required legal distinction that outside directors are independent of any System affiliation⁷ while other directors in the

⁴ Section 4.27 of the Act states that a service corporation is a Farm Credit System institution.

⁵ 619.9235 defines an outside director as “A member of a board of directors selected or appointed by the board, who is not a director, officer, employee, agent, or stockholder of any Farm Credit System institution.”

⁶ Section 1.4 of the Act states that for a System bank, “at least one member [of the board of directors] shall be elected by the other directors, which member shall not be a director . . . of a System institution.” Sections 2.1, 2.11, and 3.2 impose the same requirements for associations and banks for cooperatives.

⁷ The brief discussion of this issue in the 1987 legislative history states that Congress “believed it would be prudent for all boards to have a disinterested, objective member . . .” 133 Cong. Rec. S. 16831 (December 1, 1987). Congress explained that an outside director on the System boards adds a disinterested, objective member experienced in agricultural finance. (133 Cong. Rec. S16,836 (daily ed. Dec. 1, 1987) (comment of Sen.

³ See 85 FR 55786, 55794 (September 10, 2020). See also FCA regulation 615.5206(b) (requiring permanent capital and the asset base to be computed using 3-month ADBs); FCA regulation § 628.10(a) (requiring regulatory capital ratios to use 3-month ADBs).

cooperatively-structured System are not. As a cooperative, System institutions must be owner controlled. That owner control is partially achieved by having a board composed mainly of stockholder-elected directors, which directors must be owners of voting stock in the System institution.

For these reasons, we decline to make the change sought by the commenter.

H. Confidentiality and Security in Voting (§ 611.340)

Comment: Regard regulation § 611.340 (Confidentiality and security in voting, and specifically § 611.340(e)), the regulation is overly burdensome and creates undue costs regarding the interpretation at the Agency of the duty to maintain and preserve undeliverable, late, and invalid ballots. To retain late ballots that come in months or even years after the close of an election will not change the outcome of the election, yet it does cause burden and cost to the association to pay tabulators to continue to track and retain late ballots. It is reasonable to put a limit on how long a tabulator should be required to retain late ballots (e.g. 30 days after the close of election) and allow for a shorter retention time in the regulation as it relates to undeliverable, late, or invalid ballots.

FCA Response: In an election of directors, ballots, proxy ballots, and election records must be retained at least until the end of the term of office of the director. This retention period applies to all ballots, including those that were undeliverable, late, or invalid. This retention enables an institution to document how it conducted a vote, including being able to show why a ballot was undeliverable, late, or invalid. The recordkeeping and storage burden is minimal when compared with the benefits derived from having access to materials in the event of a challenge to procedures involved in the election of a board member.

We are not persuaded by the comment that a change is needed.

I. Criminal Referral (Bookletter-073)

Comment: Bookletter-073 “Criminal Referral Guidance” has increased the cost, complexity, and burden of filing criminal referrals under § 612 subpart B. It requires System institutions to file a criminal referral if a borrower has misstated financial statements or converted collateral valued at more than \$5,000 regardless of intent, which is required to support a known or suspected violation of criminal law.

This requirement does not provide latitude for an analysis of intent or a factual determination as to whether this was an isolated incident or mistake. As a result, institutions are required to report more incidents that do not constitute known or suspected violations of criminal law, which may require unnecessary, misleading, or otherwise inaccurate reports, but may also require separation of employment or other relationships unnecessarily and which may not warrant the safe harbor protections afforded under law. Further, reporting incidents prophylactically and without satisfying all of the requirements of § 612 subpart B is not legally required, may be impermissible, would increase the administrative and cost burdens on System institutions, would reduce the impact of any event that may actually warrant the attention of the authorities (e.g., the FBI and U.S. Attorney’s Office), would waste the resources of governmental agencies who are charged with receiving and reviewing such reports, and may impair a System institution’s reputation and credibility with federal and local authorities. Other regulatory burdens are also caused by FCA’s requirement to use its portal to file criminal referrals. The portal is an awkward tool that requires multiple entries of the same information. The portal does not readily allow the editing of a completed draft within the portal and does not consistently (if ever) allow for the linking of a supplemental referral to an original or initial referral. Relatedly, a criminal referral cannot be subsequently amended after it has been submitted through the portal, which may necessitate the filing of a new referral through the portal to update or append any additional information. Such steps result in administrative costs and inefficient uses of System resources.

FCA Response: Section 612.2301(a) requires that “within 30 calendar days of determining that there is a known or suspected criminal violation . . . the institution shall refer such criminal violation . . .” to various Federal law enforcement agencies using the FCA referral form. FCA Bookletter-073, which provides guidance on criminal referrals, including frequently asked questions (FAQs), states that “known or suspected criminal activity” means there appears to be a reasonable basis through discovery of relevant facts that a known or suspected federal criminal violation has occurred.⁸

FAQ #2 discusses the factual determinations that a System institution

should consider when determining whether it must file a criminal referral. The FAQ explains that the institution should consider whether all the relevant facts constitute a *reasonable basis* for filing a criminal referral and conduct an objective analysis to determine whether to file a criminal referral. Intent, or a lack thereof, by itself is not a reason for not filing a criminal referral.

To the extent institutions are worried about liability for making a criminal referral, FAQ #13 explains the safe harbor provisions that provide immunity from liability for institutions and their personnel who make criminal referrals in good faith. Fear of reprisal, litigation, or reputation risk should not keep anyone from filing a criminal referral.

We believe that the criminal referral regulations, as explained by Bookletter BL-073, impose reasonable requirements to ensure the safety and soundness of the Farm Credit System. The FCA criminal referral regulations promote consistency, efficiency, and timeliness by FCS institutions in reporting and aiding the prosecution of known or suspected criminal activities. Federal law enforcement agencies need to receive timely and specific information from System institutions on known or suspected criminal violations to determine whether investigations and prosecutions are warranted. See section 5.17(a)(10) of the Farm Credit Act. As such, we are not persuaded by the comment that a change is needed at this time.

The commenter also raised issues with FCA’s criminal referral portal. We are considering updates to the criminal referral portal to address the issues raised. In the meantime, institutions that have questions on completing and filing the FCA Referral Form may contact FCA’s Office of General Counsel (OGC).⁹ Institutions that have technical questions about the online criminal referral system may contact FCA’s Helpline.¹⁰ Both OGC and Helpline routinely help institutions with the criminal referral process.

J. Loan Purchases and Sales (Independent Credit Judgement) (§ 614.4325)

Comment: Section 614.4325(e) requires an association to reproduce a full Credit Summary (evidencing a complete analysis and independent credit decision) when purchasing a loan participation from another System

⁹ OGC’s phone number for this purpose is 703-883-4020.

¹⁰ FCA’s Helpline may be contacted at 877-322-4503 or helpline@fca.gov.

institution. This is time-consuming, burdensome, and redundant when the originating lender has already performed the analysis. Each institution is responsible for their loans including participations; however, a simplified credit summary or abbreviated review of the original CDA should be sufficient.

FCA Response: Section 614.4325(e) requires each FCS institution to make a judgement on the creditworthiness of the borrower that is independent of the originating or lead lender when purchasing an interest in a loan. The purchasing institution may use information, such as appraisals or collateral inspections, furnished by the originating or lead lender, or any intermediary seller or broker, but must independently evaluate such information when exercising its independent credit judgment.

The independent credit judgment must be documented by a credit analysis that considers factors established within the institution's loan underwriting standards adopted pursuant to § 614.4150 and be independent of the originating institution and any intermediary seller or broker. § 614.4325(e) clarifies that an evaluation of the capacity and reliability of the servicer must be included as part of the credit analysis of a prudent lender.

The regulation does not refer to a "full" or "complete" credit summary as indicated by the commenter. As such, we are not persuaded by the comment that a change is needed.

V. Comments That We Will Address in Existing Regulatory Projects

A. Contents of Annual Report to Shareholders (ARS) (§ 620.5)

Comment: The requirement to include permanent capital ratio in the annual report is administratively burdensome and costly, is not relied upon by FCA or other key stakeholders and does not provide valuable information on the System institution.

FCA Response: We plan to address this comment as part of the proposed permanent capital rulemaking project listed on our Fall 2024 Regulatory Projects Plan. This project will consider removing the permanent capital ratio as an ARS disclosure.

B. Similar Entities (§ 613.3300)

Comment: The regulation is more restrictive than required by the Act. Based on the language of the statute, it appears as if Congress intended the 50 percent test to be satisfied only at the time the System institution first enters the transaction, whereas the regulation

requires an "at any time" requirement. For example, the regulation provides, in relevant part: "Percentage held in the principal amount of the loan. The participation interest in the same loan held by one or more Farm Credit bank(s) or association(s) shall not, at any time, equal or exceed 50 percent of the principal amount of the loan." § 613.3300(c)(2). Compare, e.g., 12 U.S.C. 2122, § 3.1(11)(B)(i)(I)(bb); 12 U.S.C. 2206a, § 4.18A(b)(2) (the Act uses the words "would" and "will" when applied to the similar entity requirements; "would" and "will" imply a prospective pro-forma test at the time the System institution enters the transaction, not an ongoing compliance obligation).

FCA Response: FCA is currently engaged in a rulemaking that plans to consider the commenter's point raised about the limit in § 613.3300(c)(2). On September 6, 2024, FCA published an Advanced Notice of Proposed Rulemaking in the **Federal Register** requesting comment on certain provisions in the current similar entity regulation, § 613.3300.¹¹

VI. Comments That Need Further Evaluation

A. Disclosure Requirements for Sales of Borrower Stock (§ 615.5250)

Comment: This regulation requires that System institutions provide a prospective borrower with the annual report, the most recent quarterly report, if filed more recently than the annual report, the capitalization bylaws, and a written description of the terms and conditions under which the equity is issued, prior to closing. Section 609.920 permits System institutions to provide the disclosures electronically, confirms that System institutions may interpret the Act and FCA regulations "broadly to allow electronic transmissions, communications, records, and submission, as provided by E-SIGN," § 609.920(b), and the E-SIGN Act "preempts most statutes and regulations, including the Act and [FCA regulations]." The commenter cited section 609.920(a). And, neither the Act nor FCA regulation provides how long prior to closing the disclosures must be provided. Providing the disclosures prior to consummation of the loan documents (even on the same day and within the same sitting) is prior to closing, and certain loans (e.g., personal property or equipment loans, point-of-sale financing) must be closed efficiently to satisfy the needs of the customer or operation, support the

mission, and/or remain competitive. There has been an inconsistency in the System on the examination (interpretation) of "prior to closing" and on the delivery requirements associated with these disclosures. The inconsistency in examination (interpretation) and approach exceed not only the Act and FCA regulation but also the E-SIGN Act, which preempts the Act and FCA regulation. In some of the examinations performed or interpretations being made, words would have to be read into the E-SIGN Act, the Act, and/or FCA regulation (e.g., a System institution must provide the disclosures at least 24 hours in advance of closing or by mail or paper form) to support the positions being taken. Such interpretations and approaches not only exceed the regulator's authority, which is impermissible, but also impose administrative costs and burdens on System institutions, threaten their competitiveness in the market, fail to support the mission, do not guarantee receipt prior to closing, do not comport with preferred methods of delivery for most customers, and are inconsistent with delivery methods of other financial institutions that are similarly situated.

FCA Response: Further evaluation is needed before we can consider whether changes are appropriate.

B. Disclosures in Annual Report to Shareholders (ARS) (§ 620.6)

Comment: As identified in the 2017 FCC commentary, the requirements of § 620.6, and, in particular, to the provisions relating to retirement account information policies, are not only unduly burdensome and costly, but also confusing, if not misleading to stockholders.

FCA Response: Further evaluation is needed before we can consider whether changes are appropriate.

C. Monitoring of Performance Categories and Other Property Owned (§ 621.10)

Comment: Nonaccrual reporting requirements are significantly greater under FCA call reports than other regulators. The costs associated with tracking nonaccruals and modifying loan accounting systems to meet FCA requirements are overly burdensome. The nonaccrual reporting requirements can cost in excess of \$1,000,000 in custom code and personnel costs to customize the core functionality of a premier loan accounting service provider's software. This is the same software as others are using in the System, which means the cost to the System overall is considerable. Accrual loan roll forward (RC-K) is overly

¹¹ See 89 FR 72759 (Sep. 6, 2024).

burdensome and inconsistent with prudential regulator reporting requirements.

FCA Response: Further evaluation is needed before we consider whether a change to this regulation is appropriate.

D. Eligible Investments (§ 615.5140)

Comment: FCA's regulations regarding eligible investments found in Part 615, and specifically in § 615.5140(b) include a restricted list of investments that can be purchased by Farm Credit Associations. The regulation also limits the investments of associations to no more than 10 percent of total outstanding loans. Both limitations are unnecessarily restrictive and place undue burden on associations' ability to manage risk. Association investment options currently are limited to (i) securities that are issued by or unconditionally guaranteed or insured by the United States Government or its agencies and (ii) those guaranteed portions of loans that are originated by non-Farm Credit lenders and sold into the secondary market that USDA fully and unconditionally guarantees or insures as to both principal and interest. System institution investment portfolios are reviewed approximately every six months and System institutions are constantly required to tweak investment policies and procedures, with little to no beneficial impact. At a minimum, because these investments are guaranteed, there should be less scrutiny (or fewer limitations) imposed on these investments and the review cycle should be extended. Moreover, the regulatory restrictions on eligible investments in § 615.5140(b) limit opportunities for balance sheet diversification and liquidity needs. Banks were once the direct lender, with associations being the service providers; the relationships, roles, and sophistication levels of associations have significantly changed since then. Associations are also more complex, larger, and have a greater need to better manage their own safety and soundness, with reduced reliance on banks. Associations have gained expertise to manage investments in a safe and sound manner that supports the ability to expand their investments, diversify their earnings, and allow for more stabilization of their balance sheets to better support the cooperative model. There is no reason to differentiate between associations and banks with regard to eligible investments as there once was, and System institution guidance and regulations require the monitoring of, and reporting on, such investments, and such investments are

audited and subject to examination. With these and other controls and reviews, eligible investment limitations should no longer be applied to associations in a way that is dissimilar to those of banks. The eligible list of investments that can be purchased by associations, therefore, should be broadened to match those that can be purchased by banks.

FCA Response: Further evaluation is needed before we can consider whether changes are appropriate.

E. Audit Committee Financial Expert (§ 620.30(a))

Comment: Section 620.30(a) requires that an association's audit committee "must include any director designated as a financial expert under § 611.210(a)(2) of this chapter." This requirement, along with the time commitment required to serve on a board committee, places an undue burden on other board committees by limiting who is able to serve on those committees. As discussed more fully below, the aims of § 620.30(a) can be served, without unduly burdening other board committees, by requiring one director designated as a financial expert to serve on the audit committee instead of every so designated director. Associations typically have several board committees, such as audit, compensation, risk, governance, etc. Committees allow boards to divide the work of the board into manageable sections and address complex issues in depth. Because board committees often take deep dives into complex issues, the time commitment required to serve on a committee often precludes a director from serving on two committees at the same time. This is particularly true of the audit committee, which tends to require a great deal of time and effort by each member. As a result, a director serving on the audit committee likely is not able to serve on other board committees. As association boards become more sophisticated, they often include several directors who satisfy the "financial expert" qualifications set forth in § 611.210(a)(2). By requiring each designated financial expert to be a member of the audit committee, § 611.210(a)(2) effectively precludes any designated financial expert from serving on any other board committee. As association may satisfy § 620.30(a) by having one designated financial expert on its board and audit committee. If a board has more than one director who qualifies as a financial expert, the association should be able to satisfy § 620.30(a) by having any of the designated financial experts serve on the audit committee. An association

should otherwise be able to determine where its directors' expertise will best serve the association. For the reasons stated, we request that § 620.30(a) be revised to require an audit committee to include at least one director designated as a financial expert under § 611.210(a)(2).

FCA Response: Further evaluation is needed before we can consider whether the recommended changes are appropriate.

F. Electronic Filing of Part 620 (Informational Memorandum, Electronic Filing of Part 620 Regulatory Report, Dated October 13, 2006)

Comment: This Informational Memorandum requires each System institution to maintain a dated and signed hard copy of regulatory reports filed in compliance with § 620. The IM exceeds the requirements of the Act and FCA regulation and imposes costs on System institutions beyond those imposed by law. No reasonable basis exists for maintaining paper copies of System institution records, and other applicable law (e.g., federal rules of evidence) does not require same.

FCA Response: Further evaluation is needed before we can consider whether updates to this Informational Memorandum are appropriate.

G. Revised Guidelines on Submission of Proposals to Merge (Merger Guidance)

Comment: The practical merger process adopted by FCA is inconsistent with FCA regulations and guidance provided. For example, in practice, FCA's review period of merger applications far exceeds the regulatory 60-day period. FCA routinely asks for additional items for review that are neither listed in FCA regulations nor the corresponding informational memoranda. Increasingly, FCA is requiring entities to address issues unrelated to the safety and soundness of the proposed merged entity (e.g., climate-related risk assessments) in their disclosure materials. Additionally, there appears to be very little practical consideration given to the specific circumstances of each merger when structuring the merger conditions. For example, often the conditions of merger are the same regardless of the size of the merging institutions, whether the particular merger being reviewed would have a material financial impact or any other factors related to the specific proposed merger. Finally, the costs associated with sending required disclosures and information in hard copy form by mail to stockholders, which often is hundreds of pages in length, contains reports and information

that many stockholders have previously received, and which may be stale by the time disclosures are sent to shareholders, is excessive and the process is impractical.

FCA Response: Further evaluation is needed before we can consider whether updates to FCA's merger guidance are appropriate.

VII. Non-Regulatory Comments Received

FCA also received comments related to the Examination Manual, examination process, and to FCA regulatory interpretations and explanations. We referred the examination-related comments to FCA's Office of Examination, which has taken or may take action to address the comments, as appropriate. We will not provide any further response to those comments within this document. In this document, we responded to comments related to regulatory interpretations and explanations.

VIII. Future Efforts To Reduce Regulatory Burden on System Institutions

For over 30 years, we have been making a concerted effort to remove regulatory burden whenever possible and will continue to do so into the future. However, we will maintain regulations that are necessary to implement the Act and/or are critical for the safety and soundness of the System. Our approach is intended to enable the System to continue to provide credit to America's farmers, ranchers, aquatic producers, their cooperatives, and rural communities.

Dated: February 24, 2025.

Ashley Waldron,

Secretary to the Board, Farm Credit Administration.

[FR Doc. 2025-03172 Filed 2-28-25; 8:45 am]

BILLING CODE 6705-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2024-1982; Airspace Docket No. 24-ASO-23]

RIN 2120-AA66

Establishment of Class E Airspace; Windsor, NC

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes Class E airspace extending upward from 700 feet above the surface for ECU Health Bertie Hospital Heliport, Windsor, NC, to accommodate new area navigation (RNAV) global positioning system (GPS) standard instrument approach procedures serving the heliport. Controlled airspace is necessary for the safety and management of instrument flight rules (IFR) operations at this heliport.

DATES: Effective 0901 UTC, June 12, 2025. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

ADDRESSES: A copy of the notice of proposed rulemaking (NPRM), all comments received, this final rule, and all background material may be viewed online at www.regulations.gov using the FAA Docket number. Electronic retrieval help and guidelines are available on the website. It is available 24 hours a day, 365 days a year.

FAA Order JO 7400.11J, Airspace Designations, and Reporting Points, as well as subsequent amendments, can be viewed online at www.faa.gov/air-traffic/publications/. For further information, you can 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: Marc Ellerbee, Operations Support Group, Eastern Service Center, Federal Aviation Administration, 1701 Columbia Avenue, College Park, GA 30337; telephone: (404) 305-5589.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority, as it establishes Class E airspace extending upward from 700 feet above the surface at ECU Health Bertie Hospital Heliport, Windsor, NC.

History

The FAA published a notice of proposed rulemaking for Docket No. FAA 2024-1982 in the **Federal Register** (89 FR 88184; November 7, 2024), proposing to establish Class E airspace extending upward from 700 feet above the surface for ECU Health Bertie Hospital Heliport, Windsor, NC. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Incorporation by Reference

Class E airspace is published in paragraph 6005 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document amends the current version of that order, FAA Order JO 7400.11J, dated July 31, 2024, and effective September 15, 2024. FAA Order JO 7400.11J is publicly available as listed in the **ADDRESSES** section of this document. These amendments will be published in the next update to FAA Order JO 7400.11. FAA Order JO 7400.11J lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This amendment to 14 CFR part 71 establishes Class E airspace extending upward from 700 feet above the surface within a 6-mile radius of ECU Health Bertie Hospital Heliport, Windsor, NC, providing the controlled airspace required to support the new RNAV (GPS) standard instrument approach procedures for instrument flight rules (IFR) operations at the heliport. Controlled airspace is necessary for the safety and management of IFR operations in the area.

Regulatory Notices and Analyses

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

substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

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

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

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

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

* * * * *

ASO NC E5 Windsor, NC [New]

ECU Health Bertie Hospital Heliport, NC
(Lat. 35°59′19″ N, long. 76°55′45″ W)

That airspace extending upward from 700 feet above the surface within a 6-mile radius of ECU Health Bertie Hospital Heliport.

* * * * *

Issued in College Park, Georgia, on February 24, 2025.

Patrick Young,

Manager, Airspace & Procedures Team North, Eastern Service Center, Air Traffic Organization.

[FR Doc. 2025–03258 Filed 2–28–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2024–2511; Airspace Docket No. 24–ASW–21]

RIN 2120–AA66

Amendment of Class E Airspace; Austin, TX; Establishment of Class E Airspace; Austin, Lago Vista, and Lakeway, TX

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; correction.

SUMMARY: This action corrects a typographic error in the final rule published in the **Federal Register** on February 24, 2025, amending the Class E airspace at Austin, TX, and establishing Class E airspace at Austin, Lago Vista, and Lakeway, TX.

DATES: Effective 0901 UTC, June 12, 2025. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

ADDRESSES: FAA Order JO 7400.11J, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at www.faa.gov/air_traffic/publications/. You may also contact the Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267–8783.

FOR FURTHER INFORMATION CONTACT: Jeffrey Claypool, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222–5711.

SUPPLEMENTARY INFORMATION:

History

The FAA published a final rule in the **Federal Register** (90 FR 10454; February 24, 2025), amending the Class E airspace at Austin, TX, and establishing Class E airspace at Austin, Lago Vista, and Lakeway, TX. Subsequent to publication, the FAA identified that the final rule was published with a typographic error in the header establishing the E3 airspace for Austin, TX. This action corrects the header from “ASW AR E3 Austin, TX [Establish]” to “ASW TX E3 Austin, TX [Establish].”

Correction to Final Rule

Accordingly, pursuant to the authority delegated to me, Amendment

of Class E Airspace; Austin, TX; Establishment of Class E Airspace; Austin, Lago Vista, and Lakeway, TX, published in the **Federal Register** on February 24, 2025 (90 FR 10454), is corrected as follows:

§ 71.1 [Amended]

■ On page 10455, in column 3, the header for “ASW AR E3 Austin, TX [Establish]” is corrected to read:

ASW TX E3 Austin, TX [Establish]

Issued in Fort Worth, Texas, on February 25, 2025.

Martin A. Skinner,

Acting Manager, Operations Support Group, ATO Central Service Center.

[FR Doc. 2025–03289 Filed 2–28–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

24 CFR Parts 5, 91, 92, 570, 574, 576, and 903

[Docket No. FR–6519–I–01]

RIN 2529–AB08

Affirmatively Furthering Fair Housing Revisions

AGENCY: Office of the Secretary, U.S. Department of Housing and Urban Development (HUD).

ACTION: Interim final rule; request for comments.

SUMMARY: This interim final rule revises HUD’s regulation governing the Fair Housing Act’s mandate that the Secretary administer HUD’s program and activities in a manner that affirmatively furthers fair housing. This interim final rule returns to the original understanding of what the statutory AFFH certification was prior to 1994—a general commitment that grantees will take active steps to promote fair housing. Grantee AFFH certifications will be deemed sufficient provided they took any action during the relevant period rationally related to promoting fair housing, such as helping eliminate housing discrimination. This interim final rule does not, however, reinstate the obligation to conduct an Analysis of Impediments or mandate any specific fair housing planning mechanism; program participants must continue to affirmatively further fair housing as and to the extent required by the Fair Housing Act.

DATES:

Effective date: April 2, 2025.

Comment due date: May 2, 2025.

ADDRESSES: Interested persons are invited to submit comments regarding this rule. All submissions must refer to the docket number and title. There are two methods for submitting public comments.

1. *Electronic Submission of Comments.* Interested persons may submit comments electronically through the Federal eRulemaking Portal at <http://www.regulations.gov>.

2. *Submission of Comments by Mail.* Comments may be submitted by mail to the Regulations Division, Office of General Counsel, Department of Housing and Urban Development, 451 7th Street SW, Room 10276, Washington, DC 20410–0500.

FOR FURTHER INFORMATION CONTACT: Andrew Hughes, Chief of Staff, or Brian Miller, Acting General Counsel, U.S. Department of Housing and Urban Development, 451 7th Street SW, Washington, DC 20410; telephone number 202–402–2244 (this is not a toll-free number). HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit <https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs>.

SUPPLEMENTARY INFORMATION:

I. Background

History of AFFH Rulemaking

In 1994, HUD promulgated a rule dictating that a grantee would fulfill its AFFH obligation by conducting an analysis of “impediments to fair housing choice within its jurisdiction” and “taking appropriate actions to overcome the effects of any impediments.”¹ In 1996, HUD issued a 170-page guidance document titled, “HUD Fair Housing Planning Guide” to explain further the meaning of the four-word phrase “affirmatively further fair housing.”

On July 16, 2015, at 80 FR 42357, HUD published in the **Federal Register** HUD’s Affirmatively Furthering Fair Housing (AFFH) final rule. The 2015 final rule required HUD program participants to undertake an expansive new approach for planning for fair housing outcomes consistent with the Obama Administration’s vision of centralized direction of community planning, purporting to act under the statutory obligation to affirmatively further fair housing under the Fair

Housing Act, 42 U.S.C. 3608. Ostensibly to assist HUD program participants in meeting this obligation, the 2015 final rule required program participants to conduct an Assessment of Fair Housing (“AFH”) using an “Assessment Tool.” HUD’s 2015 final rule provided for a staggered AFH submission deadline for its program participants. HUD issued a **Federal Register** notice extending those deadlines for consolidated plan program participants on January 5, 2018 (83 FR 683).

HUD subsequently published three **Federal Register** notices on May 23, 2018, one of which withdrew the Assessment Tool for Local Governments, the only HUD-provided Assessment Tool then available for program participants to use when conducting an AFH (83 FR 23922). As explained in a second **Federal Register** notice published the same day, HUD directed all program participants who had not yet completed an AFH that they would continue to be required to conduct an “Analysis of Impediments” (AI) under previously issued sub-regulatory guidance (83 FR 23927). The third **Federal Register** notice withdrew the notice extending the submission deadline for an Assessment of Fair Housing (AFH) by local government consolidated plan program participants (83 FR 23928). HUD published a proposed rule on January 14, 2020 (85 FR 2041), to repeal and replace the 2015 final rule. On August 7, 2020, at 85 FR 47899, HUD withdrew that proposed rule and instead promulgated a final rule (Preserving Community and Neighborhood Choice (“PCNC”)), which repealed the 2015 final rule. The 2020 PCNC final rule thus eliminated substantial regulatory burdens on program participants and simplified the definition of the AFFH obligation to which funding recipients must certify.

On June 10, 2021 (86 FR 30779), HUD withdrew the 2020 PCNC final rule via issuance of an interim final rule. The 2021 interim final rule restored some elements of the 2015 final rule. Elements of the 2015 final rule related to the creation and submission of Assessments of Fair Housing that were removed by the PCNC final rule were not restored by the 2021 interim final rule, but the 2021 IFR did reinstate the requirement to certify that participants are fulfilling their obligation to AFFH consistent with the definition of AFFH restored by the 2021 rule. Finally, on February 9, 2023, HUD published a proposed rule (88 FR 8516), incorporating parts of, and expanding upon, the 2021 interim final rule, including elements of the 2015 final rule (but not the AFH). That proposed

rule was withdrawn on January 16, 2025 (90 FR 4686). Thus, the rule currently in effect is the 2021 interim final rule published on June 10, 2021.

Justification for This Interim Final Rule

Thirty years of expansive back and forth rulemaking over vague statutory directives is the epitome of regulatory overreach. HUD’s 2020 PCNC final rule, while taking into account a number of considerations, as detailed in the notice thereof and incorporated herein, fairly targeted and reined in this overreach. Less effort and money spent across thousands of state and local jurisdictions attempting to validate community planning theories can mean more affordable and better housing for Americans. This interim final rule follows the directive of, and is consistent with, Executive Order 14192 (Unleashing Prosperity Through Deregulation).

This interim final rule is narrowly focused to meet the urgent need to reset the tangle of rulemaking concerning AFFH, which promotes confusion and creates enormous costs that detract from the ability of thousands of state and local jurisdictions to provide decent, safe and affordable housing. It is relevant that in the past 30 years, no notable enforcement action by HUD has been based solely upon the failure of a local jurisdiction to meet AFFH obligations.

III. This Interim Final Rule

This interim final rule repeals the 2021 interim final rule, including any parts of the 2015 AFFH Rule incorporated therein, and the 1994 AI requirements where they appear in regulation or guidance. Thus, it returns to the original understanding of what the statutory AFFH certification was prior to 1994—a general commitment that grantees will take active steps to promote fair housing. Grantee AFFH certifications will be deemed sufficient provided they took any action during the relevant period rationally related to promoting fair housing, such as helping to eliminate housing discrimination.

In issuing this interim rule, HUD has reconsidered the need for §§ 91.205(b)(2) and 91.305(b)(2). These paragraphs require that local and state governments, respectively, compare whether the needs of any racial or ethnic group are disproportionately greater than the needs of the categories enumerated by §§ 91.205(b)(1) and 91.305(b)(1). Removing these requirements is consistent with the administration’s view that under the Fair Housing Act HUD should ensure against housing discrimination based on

¹ See <https://www.federalregister.gov/documents/1994/08/05/94-18705/consolidated-submission-for-community-planning-and-development-program>.

all protected classes and not provide preferences based on racial or ethnic characteristics. Moreover, removing these requirements gives local communities maximum flexibility in designing and implementing sound policies responsive to unique local needs, and eliminates overly burdensome, intrusive and inconsistent reporting and monitoring requirements.

This interim final rule also makes conforming amendments to the certifications in the relevant HUD program regulations at 24 CFR 91.225, 91.325, 91.425, 570.487, and 903.7. Amendments to 24 CFR parts 92, 570, 574, and 576 include updated cross-references and clarification of program participants in the HOME, Community Development Block Grant (CDBG), Housing Opportunities for Persons With AIDS (HOPWA), and Emergency Solutions Grants programs. In a similar manner, this interim final rule amends 24 CFR 903.7(o), 903.15, and 903.23(f) to update cross-references to the amended definitions and certification provisions in 24 CFR 5.151 and 5.152.

HUD invites public comment for a period of 60 days. HUD will consider all comments received in its ongoing process of reviewing this interim final rule for consistency with recent Supreme Court decisions (see *Loper Bright Enterprises v. Raimondo*, 603 U.S. 369 (2024); *West Virginia v. Environmental Protection Agency*, 597 U.S. 697 (2022); and *Students for Fair Admissions, Inc. v. President and Fellows of Harvard College*, 600 U.S. 181 (2023)) and HUD's statutory authority. HUD will also consider all comments received as it continues to broadly reconsider the appropriate implementation of the affirmatively furthering fair housing mandate.

IV. Justification for Interim Rule

The Administrative Procedure Act exempts from notice-and-comment rulemaking any “matter relating to agency management or personnel or to public property, loans, grants, benefits, or contracts.” 5 U.S.C. 553(a)(2). Because this rule applies only to the AFFH obligation of grantees, it would have been exempt under the APA.

However, in 1969 the Administrative Conference of the United States (ACUS) urged Congress to amend the APA to remove this exemption. Congress declined. Still, several agencies, including HUD, issued regulations codifying this policy. See 24 CFR 10.1. HUD's regulation still remains in force, but 24 CFR 10.1 also provides that advance public notice and comment may be omitted if the Department determines that notice and public

comment are impracticable, unnecessary or contrary to the public interest.

Advance public notice and comment is unnecessary and does not serve the public interest in this case because AFFH has already been the subject of extensive public debate. Over the past several years, HUD has received extensive public feedback about AFFH. HUD has received tens of thousands of comments covering a wide range of stakeholders, including public housing agencies, other housing providers, organizations representative of housing providers, governmental jurisdictions and agencies, civil rights organizations, tenant and other housing advocacy organizations, and concerned citizens. There has also been a thorough public debate on these issues in print and online. In light of this public engagement, further notice and comment concerning AFFH is unnecessary and would simply be a formality without adding substance to the debate.

V. Findings and Certifications

Regulatory Review (Executive Orders 12866 and 13563)

Pursuant to Executive Order 12866 (Regulatory Planning and Review), a determination must be made whether a regulatory action is significant and therefore, subject to review by the Office of Management and Budget (OMB) in accordance with the requirements of the Executive Order. This interim final rule has been determined to be a “significant regulatory action,” as defined in section 3(f) of Executive Order 12866, but not economically significant.

Executive Order 13563 (Improving Regulations and Regulatory Review) directs executive agencies to analyze regulations that are “outmoded, ineffective, insufficient, or excessively burdensome, and to modify, streamline, expand, or repeal them in accordance with what has been learned.” Executive Order 13563 also directs that, where relevant, feasible, and consistent with regulatory objectives, and to the extent permitted by law, agencies are to identify and consider regulatory approaches that reduce burdens and maintain flexibility and freedom of choice for the public. This final rule will provide maximum flexibility and freedom for HUD grantees to affirmatively further fair housing and is consistent with Executive Order 13563.

Regulatory Costs (Executive Order 14192)

Executive Order 14192, entitled “Unleashing Prosperity Through

Deregulation,” was issued on January 31, 2025. Section 3(c) of Executive Order 14192 requires that any new incremental costs associated with new regulations shall, to the extent permitted by law, be offset by the elimination of existing costs associated with at least 10 prior regulations. OMB has determined that this interim final rule reduces the reporting burden for jurisdictions in the formulation of AFFH strategies and therefore is a repeal of a regulation that results in reduced regulatory costs for purposes of Executive Order 14192.

Federalism (Executive Order 13132)

Executive Order 13132 (entitled “Federalism”) prohibits an agency from publishing any rule that has federalism implications if the rule either: imposes substantial direct compliance costs on State and local governments and is not required by statute; or the rule preempts state law, unless the agency meets the consultation and funding requirements of section 6 of the Executive Order. This interim final rule does not have federalism implications and does not impose substantial direct compliance costs on state and local governments nor preempt state law within the meaning of the Executive Order.

Environmental Impact

This interim final rule is a policy document that sets out nondiscrimination standards. Accordingly, under 24 CFR 50.19(c)(3), this rule is categorically excluded from environmental review under the National Environmental Policy Act (42 U.S.C. 4321).

Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) (RFA) generally requires an agency to conduct a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements, unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Because HUD has determined that good cause exists to issue this rule without prior public comment, this rule is not subject to the requirement to publish an initial or final regulatory flexibility analysis under the RFA as part of such action.

Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520), an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information, unless the collection displays a currently valid Office of Management

and Budget (OMB) control number. The information collection requirements for Affirmatively Furthering Fair Housing collected have previously been approved by OMB under the Paperwork Reduction Act and assigned OMB control number 2506-0117 (Consolidated Plan, Annual Action Plan & Annual Performance Report).

Unfunded Mandates Reform Act

Title II of the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4; approved March 22, 1995) (UMRA) establishes requirements for Federal agencies to assess the effects of their regulatory actions on state, local, and tribal governments, and on the private sector. This rule does not impose any Federal mandates on any state, local, or tribal government, or on the private sector, within the meaning of the UMRA.

VI. Electronic Access and Filing

Comments submitted electronically through the <http://www.regulations.gov> website can be viewed by other commenters and interested members of the public. Commenters should follow the instructions provided on that site to submit comments electronically.

All comments and communications properly submitted to HUD will be available for public inspection and copying between 8 a.m. and 5 p.m. weekdays at the above address. Due to security measures at the HUD Headquarters building, an advance appointment to review the public comments must be scheduled by calling the Regulations Division at (202) 708-3055 (this is not a toll-free number). HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as from individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit <https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs>.

Lists of Subjects

24 CFR Part 5

Administrative practice and procedure; Aged; Claims; Crime; Government contracts; Grant programs—housing and community development; Individuals with disabilities; Intergovernmental relations; Loan programs—housing and community development; Low and moderate income housing; Mortgage insurance; Penalties; Pets; Public housing; Rent subsidies; Reporting and recordkeeping requirements; Social

security; Unemployment compensation; Wages.

24 CFR Part 91

Aged; Grant programs—housing and community development; Homeless; Individuals with disabilities; Low and moderate income housing; Reporting and recordkeeping requirements.

24 CFR Part 92

Administrative practice and procedure; Low and moderate income housing; Manufactured homes; Rent subsidies; Reporting and recordkeeping requirements.

24 CFR Part 570

Administrative practice and procedure; American Samoa; Community development block grants; Grant programs—education; Grant programs—housing and community development; Guam; Indians; Loan programs—housing and community development; Low and moderate income housing; Northern Mariana Islands; Pacific Islands Trust Territory; Puerto Rico; Reporting and recordkeeping requirements; Student aid; Virgin Islands.

24 CFR Part 574

Community facilities; Grant programs—housing and community development; Grant programs—social programs; HIV/AIDS; Low- and moderate-income housing; Reporting and recordkeeping requirements.

24 CFR Part 576

Community facilities; Grant programs—housing and community development; Grant programs—social programs; Homeless; Reporting and recordkeeping requirements

24 CFR Part 903

Administrative practice and procedure; Public housing; Reporting and recordkeeping requirements.

Accordingly, for the reasons described in the preamble, HUD amends 24 CFR parts 5, 91, 92, 570, 574, 576, and 903 as follows:

PART 5—GENERAL HUD PROGRAM REQUIREMENTS; WAIVERS

Subpart A—Generally Applicable Definitions and Requirements; Waivers

- 1. The authority citation for part 5, subpart A, continues to read as follows:

Authority: 29 U.S.C. 794, 42 U.S.C. 1437a, 1437c, 1437c-1(d), 1437d, 1437f, 1437n, 3535(d), and Sec. 327, Pub. L. 109-115, 119 Stat. 2936; 42 U.S.C. 3600-3620; 42 U.S.C. 5304(b); 42 U.S.C. 12101 *et seq.*; 42 U.S.C. 12704-12708; Executive Order 11063, 27 FR

11527, 3 CFR, 1958-1963 Comp., p. 652; Executive Order 12892, 59 FR 2939, 3 CFR, 1994 Comp., p. 849.

- 2. Revise § 5.150 to read as follows:

§ 5.150 Affirmatively Furthering Fair Housing: Definitions.

(a) The phrase “fair housing” in 42 U.S.C. 5304(b)(2), 5306(d)(7)(B), 12705(b)(15), and 1437c-1(d)(16) means housing that, among other attributes, is affordable, safe, decent, free of unlawful discrimination, and accessible as required under civil rights laws.

(b) The phrase “affirmatively further” in 42 U.S.C. 5304(b)(2), 5306(d)(7)(B), 12705(b)(15), and 1437c-1(d)(16) means to take any action rationally related to promoting any attribute or attributes of fair housing as defined in the preceding subsection.

- 3. Revise § 5.151 to read as follows:

§ 5.151 Affirmatively Furthering Fair Housing: AFFH Certifications.

A HUD program participant’s certification that it will affirmatively further fair housing is sufficient if the participant takes, in the relevant period, any action that is rationally related to promoting one or more attributes of fair housing as defined in section 5.150(a). Nothing in this paragraph relieves jurisdictions of their other obligations under civil rights and fair housing statutes and regulations.

§§ 5.152 [Removed and Reserved]

- 4. Remove and reserve §§ 5.152.

PART 91—CONSOLIDATED SUBMISSIONS FOR COMMUNITY PLANNING AND DEVELOPMENT PROGRAMS

- 5. The authority citation for part 91 continues to read as follows:

Authority: 42 U.S.C. 3535(d), 3601-3619, 5301-5315, 11331-11388, 12701-12711, 12741-12756, and 12901-12912.

§ 91.205 [Amended]

- 6. Amend § 91.205 by removing and reserving paragraph (b)(2).

- 7. Amend § 91.225 by revising paragraph (a)(1) to read as follows:

§ 91.225 Certifications.

(a) * * *
(1) *Affirmatively furthering fair housing.* Each jurisdiction is required to submit a certification that it will affirmatively further fair housing. This includes certification that the grantee will affirmatively further fair housing, consistent with §§ 5.150 and 5.151 of this title.

* * * * *

- 8. Revise § 91.230 to read as follows:

§ 91.230 Monitoring.

The plan must describe the standards and procedures that the jurisdiction will use to monitor activities carried out in furtherance of the plan and will use to ensure long-term compliance with requirements of the programs involved, including civil rights related program requirements and the comprehensive planning requirements.

■ 9. Amend § 91.235 by revising paragraphs (c)(1) and (4) to read as follows:

§ 91.235 Special case; abbreviated consolidated plan.

* * * * *

(c) * * *

(1) *Assessment of needs, resources, and planned activities.* An abbreviated plan must contain sufficient information about needs, resources, and planned activities to address the needs to cover the type and amount of assistance anticipated to be funded by HUD.

* * * * *

(4) *Submissions, certifications, amendments, and performance reports.* An Insular Area grantee that submits an abbreviated consolidated plan under this section must comply with the submission, certification, amendment, and performance report requirements of § 570.440 of this title. This includes certification that the grantee will affirmatively further fair housing, consistent with §§ 5.150 and 5.151 of this title.

* * * * *

§ 91.305 [Amended]

■ 10. Amend § 91.305 by removing and reserving paragraph (b)(2).

■ 11. Amend § 91.325 by revising paragraph (a)(1) to read as follows:

§ 91.325 Certifications.

(a) * * *

(1) *Affirmatively furthering fair housing.* Each State is required to submit a certification that the grantee will affirmatively further fair housing, consistent with §§ 5.150 and 5.151 of this title.

* * * * *

■ 12. Amend § 91.425 by revising paragraph (a)(1)(i) to read as follows:

§ 91.425 Certifications.

(a) * * *

(1) * * *

(i) *Affirmatively furthering fair housing.* Each consortium must submit a certification that it will affirmatively further fair housing, consistent with §§ 5.150 and 5.151 of this title.

* * * * *

PART 92—HOME INVESTMENT PARTNERSHIPS PROGRAM

■ 13. The authority citation for part 92 continues to read as follows:

Authority: 42 U.S.C. 3535(d), and 12701–12839, 12 U.S.C. 1701x.

■ 14. Amend § 92.508 by revising paragraph (a)(7)(i)(B) to read as follows:

§ 92.508 Recordkeeping.

(a) * * *

(7) * * *

(i) * * *

(B) Documentation that the participating jurisdiction submitted a certification that it will affirmatively further fair housing, consistent with §§ 5.150 and 5.151 of this title.

* * * * *

PART 570—COMMUNITY DEVELOPMENT BLOCK GRANTS

■ 15. The authority citation for part 570 continues to read as follows:

Authority: 12 U.S.C. 1701x, 1701x–1; 42 U.S.C. 3535(d) and 5301–5320.

■ 16. Amend § 570.487 by revising paragraph (b) to read as follows:

§ 570.487 Other applicable laws and related program requirements.

* * * * *

(b) *Affirmatively furthering fair housing.* Each State is required to submit a certification that it will affirmatively further fair housing, consistent with §§ 5.150 and 5.151 of this title. Each unit of general local government is required to submit a certification that it will affirmatively further fair housing, consistent with §§ 5.150 and 5.151 of this title.

* * * * *

■ 17. Amend § 570.490 by:

■ a. In paragraph (a)(1), removing the word “gender” and adding, in its place, the word “sex”; and

■ b. Revising paragraph (b).

The revision reads as follows:

§ 570.490 Recordkeeping requirements.

* * * * *

(b) *Unit of general local government’s record.* The State shall establish recordkeeping requirements for units of general local government receiving CDBG funds that are sufficient to facilitate reviews and audits of such units of general local government under §§ 570.492 and 570.493. For fair housing and equal opportunity purposes, whereas such data is already being collected and where applicable, such records shall include data on the racial, ethnic, and sex characteristics of persons who are applicants for,

participants in, or beneficiaries of the program.

* * * * *

■ 18. Amend § 570.506 by revising paragraph (g)(1) to read as follows:

§ 570.506 Records to be maintained.

* * * * *

(g) * * *

(1) Documentation that the recipient submitted a certification that it will affirmatively further fair housing, consistent with §§ 5.150 and 5.151 of this title.

* * * * *

■ 19. Amend § 570.601 by revising paragraph (a)(2) to read as follows:

§ 570.601 Public Law 88–352 and Public Law 90–284; affirmatively furthering fair housing; Executive Order 11063.

(a) * * *

(2) Public Law 90–284, which is the Fair Housing Act (42 U.S.C. 3601–3620). In accordance with the Fair Housing Act, the Secretary requires that grantees administer all programs and activities related to housing and urban development in a manner to affirmatively further the policies of the Fair Housing Act. Each community receiving a grant under subpart D of this part, shall submit a certification that it will affirmatively further fair housing, consistent with §§ 5.150 and 5.151 of this title.

* * * * *

PART 574—HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

■ 20. The authority citation for part 574 continues to read as follows:

Authority: 12 U.S.C. 1701x, 1701x–1; 42 U.S.C. 3535(d) and 5301–5320.

■ 21. Amend § 574.530 by revising paragraph (b) to read as follows:

§ 574.530 Recordkeeping.

* * * * *

(b) Documentation that the grantee submitted a certification that it will affirmatively further fair housing, consistent with §§ 5.150 and 5.151 of this title.

* * * * *

PART 576—EMERGENCY SOLUTIONS GRANTS PROGRAM

■ 22. The authority citation for part 576 continues to read as follows:

Authority: 12 U.S.C. 1701x, 1701x–1; 42 U.S.C. 11371 *et seq.*, 42 U.S.C. 3535(d).

■ 23. Amend § 576.500 by revising paragraph (s)(1)(ii) to read as follows:

§ 576.500 Recordkeeping and reporting requirements.

* * * * *

(s) * * *

(1) * * *

(ii) Documentation that the recipient submitted a certification that it will affirmatively further fair housing, consistent with §§ 5.150 and 5.151 of this title.

* * * * *

PART 903—PUBLIC HOUSING AGENCY PLANS

■ 24. The authority citation for part 903 continues to read as follows:

Authority: 42 U.S.C. 1437c; 42 U.S.C. 1437c-1; Pub. L. 110-289; 42 U.S.C. 3535d.

■ 25. Amend § 903.7 by revising paragraph (o) to read as follows:

§ 903.7 What information must a PHA provide in the Annual Plan?

* * * * *

(o) *Civil rights certification.* (1) The PHA must certify that it will carry out its plan in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d—2000d-4), the Fair Housing Act (42 U.S.C. 3601-19), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), title II of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 *et seq.*), and other applicable Federal civil right laws, and that it will affirmatively further fair housing, consistent with §§ 5.150 and 5.151 of this title.

(2) The certification is applicable to both the 5-Year Plan and the Annual Plan, including any plan incorporated therein.

* * * * *

■ 26. Amend § 903.15 by revising paragraph (c)(3)(i)(A) to read as follows:

§ 903.15 What is the relationship of the public housing agency plans to the Consolidated Plan and a PHA's Fair Housing Requirements?

* * * * *

(c) * * *

(3) * * *

(i) * * *

(A) Fails to meet the affirmatively furthering fair housing requirements at 24 CFR 5.150 through 5.151.

* * * * *

■ 27. Amend § 903.23 by revising paragraph (f) to read as follows:

§ 903.23 What is the process by which HUD reviews, approves, or disapproves an Annual Plan?

* * * * *

(f) *Recordkeeping.* PHAs must maintain records reflecting a

certification that the PHA will affirmatively further fair housing, consistent with §§ 5.150 and 5.151 of this title.

Scott Turner,*Secretary.*

[FR Doc. 2025-03360 Filed 2-28-25; 8:45 am]

BILLING CODE 4210-67-P**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 261****[EPA-R06-RCRA-2024; FRL-12389-02-R6]****Hazardous Waste Management System; Identification and Listing of Hazardous Waste**

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; amendment.

SUMMARY: The Environmental Protection Agency (EPA) is amending an exclusion for Bayer Material Science LLC, Baytown, Texas facility to reflect changes in ownership and name.

DATES: This rule is effective March 3, 2025.

FOR FURTHER INFORMATION CONTACT: E'shala Dixon, RCRA Permits & Solid Waste Section (LCR-RP), Land, Chemicals and Redevelopment Division, EPA Region 6, 1201 Elm Street, Suite 500, Dallas, TX 75270, phone number: 214-665-6592; email address: dixon.eshala@epa.gov.

SUPPLEMENTARY INFORMATION: In this document EPA is amending Appendix IX to Part 261 to reflect a change in the ownership and name of a particular facility. This action documents the transfer of ownership and name change by updating Appendix IX to incorporate the change in owner's name for the Bayer Material Science LLC, Baytown, TX facility for the (1) Toluene diisocyanate (TDI) residue (K027) generated from the facility distillation units in Table 1, and the exclusion from hazardous waste regulations for the spent carbon generated from the wastewater treatment plant (K027), (K104), (K111) and (K112) in Table 2. The exclusion or "delisting" for the spent carbons was granted to Bayer Material Science LLC on May 16, 2006 (see 71 FR 28275), and for the TDI residue on March 12, 2009 (see 74 FR 10680). The EPA has been notified that the transfer of ownership of the Bayer Material Science, Baytown, TX facility to Covestro LLC occurred on September

1, 2015. Covestro LLC has certified that it plans to comply with all the terms and conditions set forth in the delisting and will not change the characteristics of the wastes subject to the exclusion at the Baytown, TX facility. This action documents the change by updating appendix IX to incorporate a change in name.

The changes to appendix IX to part 261 are effective March 3, 2025. The Hazardous and Solid Waste Amendments of 1984 amended section 3010 of the Resource Conservation and Recovery Act (RCRA) allows rules to become effective in less than six months when the regulated community does not need the six-month period to come into compliance. As described above, the facility has certified that it is prepared to comply with the requirements of the exclusion. Therefore, a six-month delay in the effective date is not necessary in this case. This provides the basis for making this amendment effective immediately upon publication under the Administrative Procedures Act pursuant to 5 United States Code (U.S.C.) 553(d). The EPA has determined that having a proposed rulemaking and public comment on this change is unnecessary, as it involves only a change in company ownership, with all the same delisting requirements remaining in effect.

List of Subjects in 40 CFR Part 261

Environmental protection, Hazardous waste, Recycling, Reporting and recordkeeping requirements.

Dated: January 29, 2025.

Helena Healy,

Director, Land, Chemicals and Redevelopment Division, Region 6.

For the reasons set out in the preamble, 40 CFR part 261 is amended as follows:

PART 261—IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

■ 1. The authority citation for part 261 continues to read as follows:

Authority: 42 U.S.C. 6905, 6912(a), 6921, 6922, 6924(y) and 6938.

■ 2. Amend tables 1 and 2 of Appendix IX to part 261 by removing the entries for "Bayer Material Science LLC" "Baytown, TX" and adding entries for "Covestro LLC" in alphabetical order by facility to read as follows:

Appendix IX to Part 261—Waste Excluded Under §§ 260.20 and 260.22

TABLE 1—WASTES EXCLUDED FROM NON-SPECIFIC SOURCES—Continued

If any of this information is determined by EPA in its sole discretion to be false, inaccurate or incomplete, and upon conveyance of this fact to the company, I recognize and agree that this exclusion of waste will be void as if it never had effect or to the extent directed by EPA and that the company will be liable for any actions taken in contravention of the company's RCRA and CERCLA obligations premised upon the company's reliance on the void exclusion."

(6) *Reopener:*

- (A) If, any time after disposal of the delisted waste Covestro possesses or is otherwise made aware of any environmental data (including but not limited to leachate data or ground water monitoring data) or any other data relevant to the delisted waste indicating that any constituent identified for the delisting verification testing is at a level higher than the delisting level allowed by EPA in granting the petition, then the facility must report the data, in writing, to EPA within 10 days of first possessing or being made aware of that data.
- (B) If either the quarterly or annual testing of the waste does not meet the delisting requirements in paragraph 1, Covestro must report the data, in writing, to EPA within 10 days of first possessing or being made aware of that data.
- (C) If Covestro fails to submit the information described in paragraph (5), (6)(A) or (6)(B) or if any other information is received from any source, EPA will make a preliminary determination as to whether the reported information requires action to protect human health and/or the environment. Further action may include suspending, or revoking the exclusion, or other appropriate response necessary to protect human health and the environment.
- (D) If EPA determines that the reported information requires action, EPA will notify the facility in writing of the actions it believes are necessary to protect human health and the environment. The notice shall include a statement of the proposed action and a statement providing the facility with an opportunity to present information explaining why the proposed EPA action is not necessary. The facility shall have 10 days from the date of EPA's notice to present such information.
- (E) Following the receipt of information from the facility described in paragraph (6)(D) or (if no information is presented under paragraph (6)(D) the initial receipt of information described in paragraphs (5), (6)(A) or (6)(B), EPA will issue a final written determination describing the actions that are necessary to protect human health and/or the environment. Any required action described in EPA's determination shall become effective immediately, unless EPA provides otherwise.

(7) *Notification Requirements:*

- Covestro must do the following before transporting the delisted waste. Failure to provide this notification will result in a violation of the delisting petition and a possible revocation of the decision.
 - (A) Provide a one-time written notification to any state Regulatory Agency to which or through which it will transport the delisted waste described above for disposal, 60 days before beginning such activities.
 - (B) Update the one-time written notification if it ships the delisted waste into a different disposal facility.
 - (C) Failure to provide the notification will result in a violation of the delisting variance and a possible revocation of the decision.

* * * * *

TABLE 2—WASTES EXCLUDED FROM SPECIFIC SOURCES

*	*	*	*	*	*	*
Facility	Address	Waste description				
*	*	*	*	*	*	*
Covestro, LLC	Baytown, TX	Spent Carbon (EPA Hazardous Waste Nos. K027, K104, K111, and K112) generated at a maximum rate of 7,728 cubic yards per calendar year after May 16, 2006. For the exclusion to be valid, Covestro must implement a verification testing program that meets the following Paragraphs: (1) <i>Delisting Levels:</i> All concentrations for those constituents must not exceed the maximum allowable concentrations in mg/l specified in this paragraph. Spent Carbon Leachable Concentrations (mg/l): Antimony—0.251; Arsenic—0.385, Barium—8.93; Beryllium—0.953; Cadmium—0.687; Chromium—5.0; Cobalt—2.75; Copper—128.0; Cyanide—1.65; Lead—5.0; Mercury—0.0294; Nickel—3.45; Selenium—0.266; Tin—2.75; Vanadium—2.58; Zinc—34.2; Aldrin—0.000482; Acetophenone—87.1; Aniline—2.82; Benzene—0.554; Bis(2-ethylhexyl)phthalate—0.342; Benzyl alcohol—261; Butylbenzylphthalate—3.54; Chloroform—0.297; Di-n-octyl phthalate—0.00427; 2,4-Dinitrotoluene—0.0249; 2,6-Dinitrotoluene—0.0249 Diphenylamine—1.43; 1,4-Dioxane—14.6; Di-n-butylphthalate—2.02; Kepone—0.000373; 2-Nitrophenol—87.9; N-Nitrodiphenylamine—3.28; Phenol—52.2; 2,4-Toluenediamine—0.00502; Toluene diisocyanate—0.001. (2) <i>Waste Holding and Handling:</i> (A) Waste classification as non-hazardous cannot begin until compliance with the limits set in paragraph (1) for spent carbon has occurred for two consecutive quarterly sampling events and the reports have been approved by EPA. (B) If constituent levels in any sample taken by Covestro exceed any of the delisting levels set in paragraph (1) for the spent carbon, Covestro must do the following: (i) notify EPA in accordance with paragraph (6) and (ii) manage and dispose the spent carbon as hazardous waste generated under Subtitle C of RCRA. (3) <i>Testing Requirements:</i> Upon this exclusion becoming final, Covestro must perform quarterly analytical testing by sampling and analyzing the spent carbon as follows: (A) <i>Quarterly Testing:</i> (i) Collect two representative composite samples of the spent carbon at quarterly intervals after EPA grants the final exclusion. The first composite samples may be taken at any time after EPA grants the final approval. Sampling should be performed in accordance with the sampling plan approved by EPA in support of the exclusion. (ii) Analyze the samples for all constituents listed in paragraph (1). Any composite sample taken that exceeds the delisting levels listed in paragraph (1) for the spent carbon must be disposed as hazardous waste in accordance with the applicable hazardous waste requirements. (iii) Within thirty (30) days after taking its first quarterly sample, Covestro will report its first quarterly analytical test data to EPA. If levels of constituents measured in the samples of the spent carbon do not exceed the levels set forth in paragraph (1) of this exclusion for two consecutive quarters, Covestro can manage and dispose the non-hazardous spent carbon according to all applicable solid waste regulations. (B) <i>Annual Testing:</i>				

TABLE 2—WASTES EXCLUDED FROM SPECIFIC SOURCES—Continued

- (i) If Covestro completes the quarterly testing specified in paragraph (3) above and no sample contains a constituent at a level which exceeds the limits set forth in paragraph (1), Covestro can begin annual testing as follows: Covestro must test two representative composite samples of the spent carbon for all constituents listed in paragraph (1) at least once per calendar year.
- (ii) The samples for the annual testing shall be a representative composite sample according to appropriate methods. As applicable to the method-defined parameters of concern, analyses requiring the use of SW-846 methods incorporated by reference in 40 CFR 260.11 must be used without substitution. As applicable, the SW-846 methods might include Methods 0010, 0011, 0020, 0023A, 0030, 0031, 0040, 0050, 0051, 0060, 0061, 1010B, 1020C, 1110A, 1310B, 1311, 1312, 1320, 1330A, 9010C, 9012B, 9040C, 9045D, 9060A, 9070A (uses EPA Method 1664, Rev. A), 9071B, and 9095B. Methods must meet Performance Based Measurement System Criteria in which the Data Quality Objectives are to demonstrate that samples of the Covestro spent carbon are representative for all constituents listed in paragraph (1).
- (iii) The samples for the annual testing taken for the second and subsequent annual testing events shall be taken within the same calendar month as the first annual sample taken.
- (iv) The annual testing report must include the total amount of waste in cubic yards disposed during the calendar year.
- (4) *Changes in Operating Conditions:*
If Covestro significantly changes the process described in its petition or starts any process that generates the waste that may or could affect the composition or type of waste generated (by illustration, but not limitation, changes in equipment or operating conditions of the treatment process), it must notify EPA in writing and it may no longer handle the wastes generated from the new process as non-hazardous until the wastes meet the delisting levels set in paragraph (1) and it has received written approval to do so from EPA.
Covestro must submit a modification to the petition complete with full sampling and analysis for circumstances where the waste volume changes and/or additional waste codes are added to the waste stream.
- (5) *Data Submittals:*
Covestro must submit the information described below. If Covestro fails to submit the required data within the specified time or maintain the required records on-site for the specified time, EPA, at its discretion, will consider this sufficient basis to reopen the exclusion as described in paragraph (6). Covestro must:
(A) Submit the data obtained through paragraph 3 to the Section Supervisor, Solid Waste and Permit Section, EPA Region 6, 1201 Elm Street, Suite 500, Dallas, Texas 75270, Mail Code, (6LCR-RP) within the time specified.
(B) Compile records of analytical data from paragraph (3), summarized, and maintained onsite for a minimum of five years.
(C) Furnish these records and data when either EPA or the State of Texas requests them for inspection.
(D) Send along with all data a signed copy of the following certification statement, to attest to the truth and accuracy of the data submitted:
"Under civil and criminal penalty of law for the making or submission of false or fraudulent statements or representations (pursuant to the applicable provisions of the Federal Code, which include, but may not be limited to, 18 U.S.C. 1001 and 42 U.S.C. 6928), I certify that the information contained in or accompanying this document is true, accurate and complete.
As to the (those) identified section(s) of this document for which I cannot personally verify its (their) truth and accuracy, I certify as the company official having supervisory responsibility for the persons who, acting under my direct instructions, made the verification that this information is true, accurate and complete.
If any of this information is determined by EPA in its sole discretion to be false, inaccurate or incomplete, and upon conveyance of this fact to the company, I recognize and agree that this exclusion of waste will be void as if it never had effect or to the extent directed by EPA and that the company will be liable for any actions taken in contravention of the company's RCRA and CERCLA obligations premised upon the company's reliance on the void exclusion."
- (6) *Reopener:*
(A) If, anytime after disposal of the delisted waste Covestro possesses or is otherwise made aware of any environmental data (including but not limited to leachate data or ground water monitoring data) or any other data relevant to the delisted waste indicating that any constituent identified for the delisting verification testing is at a level higher than the delisting level allowed by EPA in granting the petition, then the facility must report the data, in writing, to EPA within 10 days of first possessing or being made aware of that data.
(B) If either the quarterly or annual testing of the waste does not meet the delisting requirements in paragraph 1, Covestro must report the data, in writing, to EPA within 10 days of first possessing or being made aware of that data.
(C) If Covestro fails to submit the information described in paragraphs (5), (6)(A) or (6)(B) or if any other information is received from any source, EPA will make a preliminary determination as to whether the reported information requires action to protect human health and/or the environment. Further action may include suspending, or revoking the exclusion, or other appropriate response necessary to protect human health and the environment.
(D) If EPA determines that the reported information requires action, EPA will notify the facility in writing of the actions it believes are necessary to protect human health and the environment. The notice shall include a statement of the proposed action and a statement providing the facility with an opportunity to present information explaining why the proposed EPA action is not necessary. The facility shall have 10 days from the date of EPA's notice to present such information.
(E) Following the receipt of information from the facility described in paragraph (6)(D) or (if no information is presented under paragraph (6)(D)) the initial receipt of information described in paragraphs (5), (6)(A) or (6)(B), EPA will issue a final written determination describing the actions that are necessary to protect human health and/or the environment. Any required action described in EPA's determination shall become effective immediately, unless EPA provides otherwise.

* * * * *

[FR Doc. 2025-03272 Filed 2-28-25; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES**Office of the Secretary****45 CFR Subtitle A****Policy on Adhering to the Text of the Administrative Procedure Act**

AGENCY: Office of the Secretary, Department of Health and Human Services.

ACTION: Policy statement.

SUMMARY: The Department of Health and Human Services' (the Department) Immediate Office of the Secretary is rescinding the policy on Public Participation in Rule Making (Richardson Waiver) and re-aligning the Department's rule-making procedures with the Administrative Procedure Act.

DATES: March 3, 2025.

FOR FURTHER INFORMATION CONTACT:

Sean R. Keveney, Acting General Counsel, Office of the General Counsel, HHS, 200 Independence Avenue SW, Washington, DC 20201. 202-690-7741.

SUPPLEMENTARY INFORMATION: The Administrative Procedure Act (APA) establishes procedures for the issuance of rules and regulations. 5 U.S.C. 553. An agency generally is required to publish a notice of proposed rulemaking in the **Federal Register**; give interested persons an opportunity to participate in the rulemaking through the submission of written data, views, or arguments; and publish a final rule that is accompanied by a statement of the rule's basis and purpose. 5 U.S.C. 553. The APA exempts from these requirements "matter(s) relating to agency management or personnel or to public property, loans, grants, benefits, or contracts." 5 U.S.C. 553(a)(2). The APA also permits an agency to forgo these requirements for "good cause" when the agency finds that the procedures are "impracticable, unnecessary, or contrary to the public interest." 5 U.S.C. 553(b)(B).

In a 1971 **Federal Register** document, the Department adopted a policy that waived the APA's statutory exemption from procedural rulemaking requirements for rules and regulations relating to public property, loans, grants, benefits, or contracts (Richardson Waiver). 36 FR 2532 (Feb. 5, 1971). The Richardson Waiver thus required the Department to use the APA's notice and comment rulemaking procedures for these types of matters. The policy also instructed the Department to use the good cause exception "sparingly." *Id.* The Department later proposed a rule to

formally confirm the policy regarding the Department's use of rulemaking procedures for rules and regulations relating to public property, loans, grants, benefits, or contracts. 47 FR 26860 (June 22, 1982). The proposed rule was never adopted.

The policy waiving the statutory exemption for rules relating to public property, loans, grants, benefits, or contracts is contrary to the clear text of the APA and imposes on the Department obligations beyond the maximum procedural requirements specified in the APA. *See Perez v. Mortgage Bankers Ass'n*, 575 U.S. 92, 100 (2015) (finding that courts lack authority to impose obligations "beyond the 'maximum procedural requirements' specified in the APA"). The text of the APA recognizes that it is necessary and appropriate to issue rules relating to agency management or personnel or to public property, loans, grants, benefits, or contracts without notice and comment procedures. It also is contrary to the clear text of the APA to use the good cause exception "sparingly." The extra-statutory obligations of the Richardson Waiver impose costs on the Department and the public, are contrary to the efficient operation of the Department, and impede the Department's flexibility to adapt quickly to legal and policy mandates.

Effective immediately, the Richardson Waiver is rescinded and is no longer the policy of the Department. In accordance with the APA, "matters relating to agency management or personnel or to public property, loans, grants, benefits, or contracts," are exempt from the notice and comment procedures of 5 U.S.C. 553, except as otherwise required by law. Agencies and offices of the Department have discretion to apply notice and comment procedures to these matters but are not required to do so, except as otherwise required by law. Additionally, the good cause exception should be used in appropriate circumstances in accordance with the requirements of the APA. The Department will continue to follow notice and comment rulemaking procedures in all instances in which it is required to do so by the statutory text of the APA.

Robert F. Kennedy, Jr.,

Secretary, Department of Health and Human Services.

[FR Doc. 2025-03300 Filed 2-28-25; 8:45 am]

BILLING CODE 4150-26-P

DEPARTMENT OF TRANSPORTATION**National Highway Traffic Safety Administration****49 CFR Part 513**

[Docket No. NHTSA-2023-0014]

RIN 2127-AL85

Implementing the Whistleblower Provisions of the Vehicle Safety Act

AGENCY: National Highway Traffic Safety Administration, U.S. Department of Transportation (DOT).

ACTION: Notification of enforcement discretion.

SUMMARY: This notice announces that the National Highway Traffic Safety Administration will not enforce the requirements of the final rule titled "Implementing the Whistleblower Provisions of the Vehicle Safety Act" until March 20, 2025.

DATES: This notice of enforcement discretion is effective from March 3, 2025 to March 20, 2025.

FOR FURTHER INFORMATION CONTACT:

Dylan Voneiff, Office of the Chief Counsel, National Highway Traffic Safety Administration (telephone: (202) 763-8536), email: dylan.voneiff@dot.gov; or Daniel Rabinovitz, Office of the Chief Counsel, National Highway Traffic Safety Administration (telephone: (202) 366-5263), email: daniel.rabinovitz@dot.gov.

Electronic Access and Filing: This document, the notice of proposed rulemaking (NPRM), all comments received, the final rule (including Form WB-INFO (Appendix A), Form WB-RELEASE (Appendix B), Form WB-AWARD (Appendix C)), 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: In December 2024, the National Highway Traffic Safety Administration issued a final rule titled, "Implementing the Whistleblower Provisions of the Vehicle Safety Act," 89 FR 101952 (Dec. 17, 2024). This final rule fulfills a requirement in the Motor Vehicle Safety Whistleblower Act (Whistleblower Act), 49 U.S.C. 30172(i), that NHTSA promulgate regulations on the

requirements of the Act, in complement to NHTSA's existing whistleblower program. The Whistleblower Act authorizes the Secretary of Transportation to pay an award, subject to certain limitations, to eligible whistleblowers who voluntarily provide original information relating to any motor vehicle defect, noncompliance, or any violation or alleged violation of any notification or reporting requirement of 49 U.S.C. Chapter 301, which is likely to cause unreasonable risk of death or serious physical injury, if the information provided leads to the successful resolution of a covered action. This final rule defines certain terms important to the operation of the whistleblower program, outlines the procedures for submitting original information to NHTSA and applying for awards, discusses NHTSA's procedures for making decisions on award applications, and generally explains the scope of the whistleblower program to the public and potential whistleblowers. This final rule became effective on January 16, 2025.

On January 20, 2025, the President issued a memorandum titled, "Regulatory Freeze Pending Review," 90 FR 8249 (Jan. 28, 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, the National Highway Traffic Safety Administration is providing notice that it will exercise its enforcement discretion and not enforce the provisions of the final rule titled "Implementing the Whistleblower Provisions of the Vehicle Safety Act" 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 1.95 and 501.5:

Peter Simshauser,
Chief Counsel.

[FR Doc. 2025-03355 Filed 2-28-25; 8:45 am]

BILLING CODE 4910-59-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. NHTSA-2021-0088]

RIN 2127-AK96

Federal Motor Vehicle Safety Standards; Bus Rollover Structural Integrity

AGENCY: National Highway Traffic Safety Administration (NHTSA), U.S. Department of Transportation (DOT).

ACTION: Notification of enforcement discretion.

SUMMARY: This notice announces that NHTSA will not take enforcement action against regulated entities for failing to comply with the Bus Rollover Structural Integrity final rule and the Bus Rollover Structural Integrity final rule; partial grant of petitions for reconsideration until March 20, 2025.

DATES: This notice of enforcement discretion is effective from December 30, 2024 to March 20, 2025.

FOR FURTHER INFORMATION CONTACT: For technical issues, you may contact Mr. Dow Shelnut, Office of Crashworthiness Standards, Telephone: (202) 366-8779, Facsimile: (202) 493-2739. For legal issues, you may contact Mr. Matthew Filpi, Office of the Chief Counsel, Telephone: (202) 366-2992, Facsimile: (202) 366-3820. The mailing address of these officials is: The National Highway Traffic Safety Administration, 1200 New Jersey Avenue SE, Washington, DC 20590.

Electronic Access and Filing: This document, the notice of proposed rulemaking (NPRM), all comments received, the final regulatory evaluation (FRE), 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 29, 2021, NHTSA issued a final rule titled "Federal Motor Vehicle Safety Standards; Bus Rollover Structural Integrity." 86 FR 74270. The final rule established FMVSS No. 227, a new Federal Motor Vehicle Safety Standard that subjects over-the-road

buses (motorcoaches) and other large buses to a rollover test, and requires applicable buses provide a "survival space" to protect occupants from possible collapse of the bus structure around them. The final rule also prohibits emergency exits from opening during the rollover test. This rule became effective December 30, 2024.

On November 13, 2023, NHTSA issued a final rule titled "Federal Motor Vehicle Safety Standards; Bus Rollover Structural Integrity," which partially granted petitions for reconsideration to the December 2021 final rule. 88 FR 77523. This final rule amended the definition of "transit bus" and revised the maximum allowable weight of objects intruding into the survival space during the rollover test described in the paragraph above. This rule became effective on December 30, 2024.

On January 20, 2025, the President issued a memorandum titled, "Regulatory Freeze Pending Review," 90 FR 8249 (Jan. 28, 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, NHTSA is providing notice that it will exercise its enforcement discretion and not enforce the provisions of the Bus Rollover Structural Integrity final rule and Bus Rollover Structural Integrity final rule; petitions for reconsideration 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 1.95 and 501.5.

Peter Simshauser,
Chief Counsel.

[FR Doc. 2025-03347 Filed 2-28-25; 8:45 am]

BILLING CODE P

DEPARTMENT OF TRANSPORTATION**National Highway Traffic Safety Administration****49 CFR Parts 571 and 585**

[Docket No. NHTSA–2024–0089]

RIN 2127–AL20

Federal Motor Vehicle Safety Standards; Child Restraint Systems, Child Restraint Anchorage Systems, Incorporation by Reference; Correction

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Final rule; correction.

SUMMARY: This document corrects a January 7, 2025 final rule that amended Federal Motor Vehicle Safety Standard (FMVSS) No. 225; “Child restraint anchorage systems,” and FMVSS No. 213b; “Child restraint systems,” to improve ease-of-use of the lower and tether anchorages, improve correct use of child restraint systems in vehicles, and maintain or improve the correct use and effectiveness of child restraint systems (CRSs) in motor vehicles. The final rule fulfilled a mandate of the Moving Ahead for Progress in the 21st Century Act (MAP–21) requiring that NHTSA improve the ease-of-use for lower anchorages and tethers in all rear seat positions.

DATES: Effective March 20, 2025.

ADDRESSES: Correspondence related to this rule should refer to the docket number set forth above (NHTSA–2024–0089) and be submitted to the Administrator, National Highway Traffic Safety Administration, 1200 New Jersey Avenue, SE, Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: *For technical issues:* Ms. Cristina Echemendia, Office of Crashworthiness Standards, Telephone (202) 366–6345), Facsimile: (202) 493–2990. *For legal issues:* Ms. Natasha Reed, Office of the Chief Counsel, Telephone: (202) 366–2992, Facsimile: (202) 366–3820. The mailing address for these officials is: National Highway Traffic Safety Administration, 1200 New Jersey Avenue SE, Washington, DC 20590.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of January 7, 2025, (90 FR 1288), NHTSA published a final rule that amended FMVSS No. 225 and 213b. The preamble indicated that the final rule’s amendments to FMVSS No. 213b would include a 3-year lead time following the publication of the final rule, as proposed by the Notice of

Proposed Rulemaking (NPRM), with no phase-in period, but the compliance date for FMVSS No. 213b was inadvertently omitted from the compliance date section of the preamble and the applicable regulatory text of § 571.213b in the final rule. NHTSA is therefore correcting the preamble’s “Compliance Date” section and the regulatory text of § 571.213b to include the required compliance dates for this final rule’s amendments to § 571.213b. Specifically, this document corrects § 571.213b S5.5.2(j), S5.6.1.13, S5.6.1.14, S5.9(a), S5.9(b), and S5.9(c) to ensure that, as stated in the preamble, current requirements are effective for three years following the publication of the final rule and includes language to ensure that optional early compliance is permissible, but not required.

In FR Doc. 2024–31142, appearing on page 1288 in the **Federal Register** of Tuesday, January 7, 2025, the following corrections are made:

Preamble

1. On page 1288, in the first column, in the **DATES** section, the paragraph “*Compliance Date:* This final rule adopts a 3-year phase-in period to comply with the updated requirements in FMVSS No. 225. The phase-in begins on September 1, 2028, and requires that 20 percent of a manufacturer’s applicable vehicles produced from September 1, 2028, to August 31, 2029, comply with the updated FMVSS No. 225, followed by 50 percent from September 1, 2029, to August 31, 2030, and 100 percent on and after September 1, 2030. Early compliance is permitted.” is corrected to read: “*Compliance Date:* This final rule adopts a 3-year phase-in period to comply with the updated requirements in FMVSS No. 225. The phase-in begins on September 1, 2028, and requires that 20 percent of a manufacturer’s applicable vehicles produced from September 1, 2028, to August 31, 2029, comply with the updated FMVSS No. 225, followed by 50 percent from September 1, 2029, to August 31, 2030, and 100 percent on and after September 1, 2030. The compliance date for this final rule’s amendments to FMVSS No. 213b is January 8, 2028. Early compliance is permitted.”

Regulatory Text*§ 571.213b [Corrected]*

2. On page 1341, in the first column, in § 571.213b, in paragraph S5.5.2(j), the sentence “In the case of each child restraint system equipped with a tether strap the statement: Secure the tether strap provided with this child

restraint.” is corrected to read “In the case of each child restraint system equipped with a tether strap system the statement: Secure the tether strap provided with this child restraint. For child restraints manufactured before January 8, 2028, the statement may state: Secure the top anchorage strap provided with this child restraint.”

3. On page 1341, in the second column, in § 571.213b, in paragraph S5.6.1.13, the sentence “In the case of child restraint systems marked as specified in S5.9(a) and (b) of this standard, explain that the markings identify the lower anchor connectors and the tether anchor connector, respectively, and that the consumer should look for corresponding marks on the vehicle child restraint anchorage system to attach the appropriate connectors of the child restraint system.” is corrected to read “For child restraints manufactured on or after January 8, 2028, in the case of child restraint systems marked as specified in S5.9(a) and (b) of this standard, explain that the markings identify the lower anchor connectors and the tether anchor connector, respectively, and that the consumer should look for corresponding marks on the vehicle child restraint anchorage system to attach the appropriate connectors of the child restraint system.”

4. On page 1341, in the second column, in § 571.213b, in paragraph S5.6.1.14, the sentence “Use the following terms when referring to the different components of the child restraint anchorage system or for components of the child restraint system that are used to connect the child restraint system to the vehicle: “lower anchor” means the lower anchorage of the child restraint anchorage system in the vehicle, “tether anchor” means the top tether anchorage of the child restraint anchorage system in the vehicle, “lower anchor attachment” means the child restraint system or the detachable base’s (in the case of a rear-facing child restraint with a detachable base) lower anchorage connector and the lower anchorage strap (for flexible lower anchorage attachments), “rigid lower anchor attachment” means the child restraint system or the detachable base’s (in the case of a rear-facing child restraint with a detachable base) lower anchorage connector that is rigidly attached to the CRS and does not have a lower anchorage strap, and “tether” means the child restraints system’s tether hook and tether strap.” is corrected to read “For child restraints manufactured on or after January 8, 2028, use the following terms when referring to the different

components of the child restraint anchorage system or for components of the child restraint system that are used to connect the child restraint system to the vehicle: “lower anchor” means the lower anchorage of the child restraint anchorage system in the vehicle, “tether anchor” means the top tether anchorage of the child restraint anchorage system in the vehicle, “lower anchor attachment” means the child restraint system or the detachable base’s (in the case of a rear-facing child restraint with a detachable base) lower anchorage connector and the lower anchorage strap (for flexible lower anchorage attachments), “rigid lower anchor attachment” means the child restraint system or the detachable base’s (in the case of a rear-facing child restraint with a detachable base) lower anchorage connector that is rigidly attached to the CRS and does not have a lower anchorage strap, and “tether” means the child restraints system’s tether hook and tether strap.”

5. On page 1341, in the third column, in § 571.213b, in paragraph S5.9(a), the last sentence “All components provided to attach the add-on child restraint or the detachable base (in the case of a rear-facing child restraint with a detachable base) to the lower anchorages of the child restraint anchorage system shall be permanently marked with the pictogram in figure 15 to this section.” is corrected to read “For child restraints manufactured on or after January 8, 2028, all components provided to attach the add-on child restraint or the detachable base (in the case of a rear-facing child restraint with a detachable base) to the lower anchorages of the child restraint anchorage system shall be permanently marked with the pictogram in figure 15 to this section.”

6. On page 1341, in the third column, in § 571.213b, in paragraph S5.9(b), the second sentence “The tether hook or the tether strap shall be permanently marked with either pictogram shown in figure 16 to this section.” is corrected to

read “For child restraints manufactured on or after January 8, 2028, the tether hook or the tether strap shall be permanently marked with either pictogram shown in figure 16 to this section.”

7. On page 1341, in the third column, in § 571.213, in paragraph S5.9(c), the last sentence “The length of the tether hardware assembly, which consists of a tether hook and a mechanism designed to tighten and loosen the tether strap, shall not exceed 165 mm.” is corrected to read “For child restraints manufactured on or after January 8, 2025, the length of the tether hardware assembly, which consists of a tether hook and a mechanism designed to tighten and loosen the tether strap, shall not exceed 165 mm.”

Issued in Washington, DC, under authority delegated in 49 CFR 1.95 and 501.8.

Peter Simshauser,
Chief Counsel.

[FR Doc. 2025–03348 Filed 2–28–25; 8:45 am]

BILLING CODE P

Proposed Rules

Federal Register

Vol. 90, No. 40

Monday, March 3, 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.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2025-0215; Project Identifier MCAI-2024-00347-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 all Airbus Canada Limited Partnership Model BD-500-1A10 and BD-500-1A11 airplanes. This proposed AD was prompted by events where the cargo bottle fail caution message was displayed. This proposed AD would require replacing affected low rate discharge (LRD) bottles, inspecting extinguishing discharge lines and tubes, and replacing extinguishing discharge lines and tubes, as applicable, and would also prohibit the installation of affected LRD bottles, 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 17, 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-2025-0215; 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-2025-0215.

- 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: Fatin Saumik, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 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-2025-0215; Project Identifier MCAI-2024-00347-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](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 Fatin Saumik, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 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-2024-23, dated June 18, 2024 (Transport Canada AD CF-2024-23) (also referred to as the MCAI), to correct an unsafe condition for all Airbus Canada Limited Partnership Model BD-500-1A10 and BD-500-1A11 airplanes. The MCAI states there were events where the cargo bottle fail caution message was displayed during flight resulting in diversions. Investigations found the LRD bottle was depleted of extinguishing agent. Further investigation revealed the LRD bottle metering device could be loose allowing extinguishing agent to escape resulting in loss or degraded capability of the cargo extinguishing system. 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–2025–0215.

Material Incorporated by Reference Under 1 CFR Part 51

Transport Canada AD CF–2024–23 specifies procedures for verifying aircraft technical records to determine if an affected part (any LRD bottle having part number 475086–1, 475124–1 or 475087–1 with certain serial numbers, unless the LRD bottle is marked with an encircled ‘C’ on the LRD bottle label) is installed on the airplane, replacing affected LRD bottles, and replacing extinguishing discharge lines and tubes, as applicable. Transport Canada AD CF–2024–23 also prohibits the installation of affected parts. The detailed visual inspections of the discharge lines and tubes, in multiple compartments, include checking discharge heads and distribution tubes for signs of residue and corrosion. 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–2024–23 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–2024–23 by reference in the FAA final rule. This proposed AD would, therefore, require compliance with Transport Canada AD CF–2024–23 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–2024–23 for compliance will be available at *regulations.gov* under Docket No. FAA–2025–0215 after the FAA final rule is published.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 74 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
16 work-hours × \$85 per hour = \$1,360	\$0	\$1,360	\$100,640

ESTIMATED COSTS OF ON-CONDITION ACTIONS

Labor cost	Parts cost	Cost per product
10 work-hours × \$85 per hour = \$850	Up to \$17,368	Up to \$18,218.

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

Authority for This Rulemaking

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

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

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

Regulatory Findings

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–2025–0215; Project Identifier MCAI–2024–00347–T.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by April 17, 2025.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all 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.

(d) Subject

Air Transport Association (ATA) of America Code 26, Fire protection.

(e) Unsafe Condition

This AD was prompted by events where the cargo bottle fail caution message was displayed due to the depletion of extinguishing agent from the low rate discharge bottle. The FAA is issuing this AD to address the unsafe condition, which if not addressed, could result in loss or degraded capability of the cargo extinguishing system.

(f) Compliance

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

(g) Requirements

Except as specified in paragraphs (h), (i) and (j) of this AD: Comply with all required actions and compliance times specified in, and in accordance with Transport Canada AD CF–2024–23, dated June 18, 2024 (Transport Canada AD CF–2024–23).

(h) Exception to Transport Canada AD CF–2024–23

(1) Where Transport Canada AD CF–2024–23 refers to its effective date, this AD requires using the effective date of this AD.

(2) Where the definition of “Affected Part” in Transport Canada AD CF–2024–23 specifies “a serial number listed in the Applicability Section of the ACLP SB,” this AD requires replacing that text with “a serial number listed in the Applicability Section of SB BD500–262010, Issue 001, dated 30 April 2024.”

(3) Where the paragraph B. of Part 1 in Transport Canada AD CF–2024–23 specifies “in accordance with the procedure in Section 2 of the Accomplishment Instructions of the ACLP SB,” this AD requires replacing that text with “in accordance with the “Procedure” section of the Accomplishment Instructions of the ACLP SB.”

(i) No Reporting Requirement

Although the material referenced in Transport Canada AD CF–2024–23 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 of AIR–520, Continued Operational Safety Branch, 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 paragraphs (i) and (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 Fatin Saumik, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 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–2024–23, dated June 18, 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 25, 2025.

Suzanne Masterson,

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

[FR Doc. 2025–03375 Filed 2–28–25; 8:45 am]

BILLING CODE 4910–13–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MB Docket No. 25–6; RM–11993; DA 25–21; FR ID 273220]

Television Broadcasting Services Price, Utah

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Video Division, Media Bureau (Bureau), has before it a petition for rulemaking filed July 15, 2024, as amended on January 6, 2025, by Gray Television Licensee LLC (Petitioner), the permittee of unbuil full power television station KCBU, channel 11, Price, Utah (Station or KCBU). The Petitioner requests the substitution of channel 15 for channel 11 at Price, Utah (Price), in the Table of TV Allotments.

DATES: Comments must be filed on or before April 2, 2025 and reply comments on or before April 17, 2025.

ADDRESSES: Federal Communications Commission, Office of the Secretary, 45 L Street NE, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve counsel for the Petitioner as follows: Joan Stewart, Esq., Wiley Rein LLP, 2025 M Street NW, Washington, DC 20036.

FOR FURTHER INFORMATION CONTACT:

Joyce Bernstein, Media Bureau, at Joyce.Bernstein@fcc.gov, (202) 418–1647, or Mark Colombo, Media Bureau, at Mark.Colombo@fcc.gov, (202) 418–7611.

SUPPLEMENTARY INFORMATION: In support of its Petition, Gray asserts that the proposed channel substitution serves the public interest by allowing Gray to build out KCBU on a UHF channel to avoid widely publicized issues with indoor digital VHF reception. Gray states that the Commission has recognized that VHF channels have certain characteristics that pose challenges for their use in providing digital television service, including propagation characteristics that allow undesired signals and noise to be receivable at relatively far distances and a large variability in performance of indoor antennas available to consumers, with most antenna receiving UHF channels fairly well, but more poorly on VHF channels. Gray also provides an engineering statement which confirms that the proposed channel substitution contour would provide full principal community coverage to Price and would not cause impermissible interference to any station. It also states that if its proposed channel substitution is granted, it ultimately plans to convert the Station into a Distributed Transmission System that will allow it to serve viewers on the other side of the mountainous terrain between Price and Provo, Utah.

We believe that the Petitioner’s channel substitution proposal for KCBU warrants consideration. Channel 15 can be substituted for channel 11 at Price as proposed, in compliance with the principal community coverage requirements of § 73.618(a) of the Commission’s rules (rules), at coordinates 39–45’–25.2” N+ and 110–59’–22.9” W –. In addition, we find that this channel change meets the technical requirements set forth in § 73.622(a) of the rules.

This is a synopsis of the Commission’s *Notice of Proposed Rulemaking*, MB Docket No. 25–6; RM–11993; DA 25–21, adopted January 8, 2025, and released January 8, 2025. The full text of this document is available for download at <https://www.fcc.gov/edocs>. To request materials in accessible

formats (braille, large print, computer diskettes, or audio recordings), please send an email to FCC504@fcc.gov or call the Consumer & Government Affairs Bureau at (202) 418–0530 (VOICE), (202) 418–0432 (TTY).

This document does not contain information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104–13. In addition, therefore, it does not contain any proposed information collection burden “for small business concerns with fewer than 25 employees,” pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, *see* 44 U.S.C. 3506(c)(4). Provisions of the Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, do not apply to this proceeding.

Members of the public should note that all *ex parte* contacts are prohibited from the time a notice of proposed rulemaking is issued to the time the matter is no longer subject to Commission consideration or court review, *see* 47 CFR 1.1208. There are, however, exceptions to this prohibition, which can be found in § 1.1204(a) of the Commission’s rules, 47 CFR 1.1204(a).

See §§ 1.415 and 1.420 of the Commission’s rules for information regarding the proper filing procedures for comments, 47 CFR 1.415 and 1.420.

Providing Accountability Through Transparency Act: The Providing Accountability Through Transparency Act, Public Law 118–9, requires each agency, in providing notice of a rulemaking, to post online a brief plain-language summary of the proposed rule. The required summary of this notice of proposed rulemaking is available at <https://www.fcc.gov/proposed-rulemakings>.

List of Subjects in 47 CFR Part 73

Television.

Federal Communications Commission.

Thomas Horan,

Chief of Staff, Media Bureau.

Proposed Rule

For the reasons discussed in the preamble, the Federal Communications

Commission proposes to amend 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 § 73.622, in the table in paragraph (j), under Utah, revise the entry for “Price” to read as follows:

§ 73.622 Digital television table of allotments.

* * * * *		
(j) * * *		
	Community	Channel No.
* * * * *		
	Utah	
* * * * *		
Price		15
* * * * *		

* * * * *
[FR Doc. 2025–03379 Filed 2–28–25; 8:45 am]

BILLING CODE 6712–01–P

Notices

Federal Register

Vol. 90, No. 40

Monday, March 3, 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.

UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

Public Quarterly Meeting of the Board of Directors

AGENCY: United States African Development Foundation.

ACTION: Notice of meeting.

SUMMARY: The U.S. African Development Foundation (USADF) will hold its quarterly meeting of the Board of Directors to discuss the agency's programs and administration. This meeting will occur at the USADF office.

DATES: The meeting date is Tuesday, March 4, 2025, 9 a.m. to 10 a.m.

ADDRESSES: The meeting location is USADF, 1400 I St. NW, Suite 1000, Washington, DC 20005.

FOR FURTHER INFORMATION CONTACT: Kerline Perry, (202)233-8805.

Authority: Public Law 96-533 (22 U.S.C. 290h).

Dated: February 24, 2025.

Wendy Carver,

Business Manager.

[FR Doc. 2025-03326 Filed 2-28-25; 8:45 am]

BILLING CODE 6117-01-P

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Comments are requested regarding: whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; the accuracy of the agency's estimate of burden including the validity of the methodology and

assumptions used; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques and other forms of information technology.

Comments regarding this information collection received by April 2, 2025 will be considered. Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Forest Service

Title: National Visitor Use Monitoring, and Customer and Use Survey Techniques for Operations, Management, Evaluation, and Research.

OMB Control Number: 0596-0110.

Summary of Collection: The Forest Service regularly collaborates with the other land management agencies in the areas of visitor monitoring and visitation estimation. Forest Service requests the revision and extension of the National Visitor Use Monitoring (NVUM) survey. The NVUM sampling protocol and survey instrument are designed to estimate the number of individuals who visit lands in the National Forest System (NFS).

Recreation is a key output identified in the Forest Service's strategic plan and in the National Forest Management Act. Credible science-based estimates of recreation visitation on national forests provided by this collection are critical elements of agency performance reporting, budgeting, and resource planning. The NVUM data is used to track the agency's progress for the Forest

Service's Performance Accountability Rating Tool (PART) documentation. The Government Performance and Results Act of 1993 (GPRA) requires that Federal agencies establish measurable goals and monitor their success at meeting those goals. Also, the information collected is used when the Forest Service reports to Congress regarding the agency's effectiveness in utilizing appropriated funds.

Need and Use of the Information: The information collection addresses two specific performance elements for the Forest Service: (1) the quantity of recreation visitation to the National Forest System, including wilderness areas managed by the agency and (2) the level of customer satisfaction with recreation opportunities. Also, NVUM results and data are a source of data and information in addressing forest land management planning, facility master planning, regional- and local-level agency-mandated business planning, national strategic planning, civil rights issues regarding service to minorities, and identification of a national forest's recreation niche. Conducting the collection less frequently puts information updates out of cycle with forest planning and other data preparations and reporting activities.

Description of Respondents:

Individuals or households.

Number of Respondents: 45,000.

Frequency of Responses: Reporting; Quarterly; Annually.

Total Burden Hours: 5,870.

Forest Service

Title: Small Business Timber Set-Aside Program: Appeal Procedures on Recomputation of Shares.

OMB Control Number: 0596-0141.

Summary of Collection: The Forest Service (FS) administers the Small Business Timber Sale Set-Aside Program in cooperation with the Small Business Administration (SBA) under the authorities of the Small Business Act (15 U.S.C. 631), which establishes Federal policy regarding assistance provided to small businesses; the National Forest Management Act of 1976; the Administrative Procedures Act (5 U.S.C. 522); and SBA's regulations found at 13 CFR part 121. The Set-Aside Program is designed to ensure that qualifying small business manufacturers can purchase a fair portion of National Forest System sawtimber offered for sale.

Need and Use of the Information: Under the program, the FS must re-compute the shares of timber sales to be set aside for qualifying small businesses every five years based on the actual volume of sawtimber purchased by small businesses. Re-computation of shares must occur if there is a change in manufacturing capability, if the purchaser size class changes, or if certain purchaser(s) discontinue operations. The appeal information is collected in writing and is possible, in most locations to be sent via email and attached documents to a Forest Service Officer. The collected information is reviewed by FS officials who use the information to render decisions related to re-computations of timber sale share to be set-aside for small business timber purchasers.

Description of Respondents: Business or other for-profit.

Number of Respondents: 20.

Frequency of Responses: Reporting: On occasion.

Total Burden Hours: 200.

Forest Service

Title: Non-Timber Forest Products Generic for Surveys, Interviews, and Focus Groups.

OMB Control Number: 0596–243.

Summary of Collection: Many laws and policies specifically direct the USDA Forest Service (FS) to consider and manage for non-timber forest products for the benefit of the American public and to meet trust responsibilities to American Indians and Alaskan Natives on Federal and Tribal lands. Primary authorities to collect information include the Multiple-Use Sustained-Yield Act of 1960 that requires the FS to manage national forests “under principles of multiple use and to produce a sustained yield of products and services.” The Forest and Rangeland Renewable Resources Planning Act of 1974 requires the Secretary of Agriculture to “maintain a comprehensive inventory of renewable resources and evaluate opportunities to improve their yield of goods and services. The 2012 Planning Rule specifically requires “consideration of habitat conditions for wildlife, fish, and plants commonly enjoyed and used by the public for hunting, fishing, trapping, gathering, observing, and subsistence” on national forests.

Need and Use of the Information: Surveys, interviews, and focus groups administered under this generic collection will be designed to collect information from individuals and groups who forage for non-timber forest products and from natural resource professionals who manage land where

non-timber forest products foraging takes place. Non-timber forest products harvested for use as food, medicine, and other purposes are plants, mushrooms, and plant- or tree-derived goods like nuts, boughs, sap, and leaves. The FS and other land management agencies will not have a scientific basis for managing non-timber forest product resources and the lands that support them without this information. Also, FS will not have the necessary information to provide technical advice on this issue to other land management agencies and individuals.

Description of Respondents:

Individuals or households; Non-profit organizations and State, Local and Tribal government.

Number of Respondents: 1,560.

Frequency of Responses: Reporting: One time.

Total Burden Hours: 828.

Levi S. Harrell,

Departmental Information Collection Clearance Officer.

[FR Doc. 2025–03333 Filed 2–28–25; 8:45 am]

BILLING CODE 3411–15–P

COMMISSION ON CIVIL RIGHTS

Notice of Public Briefing of the Mississippi Advisory Committee to the U.S. Commission on Civil Rights

AGENCY: U.S. Commission on Civil Rights.

ACTION: Announcement of briefing.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act that the Mississippi Advisory Committee (Committee) will hold a briefing on Tuesday, March 18, 2025 at 2 p.m. Central time. The Committee will approve their memorandum on education funding in the state of Mississippi.

DATES: The meeting will take place on Tuesday, March 18, 2025, at 2:00 p.m. Central Time.

FOR FURTHER INFORMATION CONTACT: David Barreras, DFO, at dbarreras@usccr.gov or (202) 656–8937.

SUPPLEMENTARY INFORMATION:

Public Call Information: Dial: 833–568–8864, Confirmation Code: 161 296 7302.

Join from the meeting link: <https://www.zoomgov.com/j/1612967302>.

Members of the public may listen to this discussion through the above call-in number. An open comment period will be provided to allow members of

the public to make a statement as time allows. Callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Individuals who are deaf, deafblind and hard of hear hearing may also follow the proceedings by first calling the Federal Relay Service at 1–800–877–8339 and providing the Service with the conference call number and confirmation code.

Members of the public are entitled to submit written comments; the comments must be received in the regional office within 30 days following the meeting. Written comments may be mailed to the Regional Programs Unit, U.S. Commission on Civil Rights, 230 S Dearborn, Suite 2120, Chicago, IL 60604. They may also be faxed to the Commission at (312) 353–8324 or emailed to David.Barreras@usccr.gov. Persons who desire additional information may contact the Regional Programs Unit at (312) 353–8311.

Records generated from this meeting may be inspected and reproduced at the Regional Programs Unit Office, as they become available, both before and after the meeting. Records of the meeting will be available via www.facadatabase.gov under the Commission on Civil Rights, Mississippi Advisory Committee link. Persons interested in the work of this Committee are directed to the Commission’s website, <http://www.usccr.gov>, or may contact the Regional Programs Unit at the above email or street address.

Agenda

- I. Welcome and roll call
- II. Chair’s Comments
- III. Memorandum review
- IV. Public comment
- V. Next steps
- VI. Adjournment

Dated: February 25, 2025.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2025–03354 Filed 2–28–25; 8:45 am]

BILLING CODE P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meetings of the Missouri Advisory Committee to the U.S. Commission on Civil Rights

AGENCY: U.S. Commission on Civil Rights.

ACTION: Announcement of meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act that the Missouri Advisory Committee (Committee) will hold a meeting on Friday, March 14, 2025, at 12 p.m. Central time. The purpose of the meeting is for the Committee to review, edit, and approve the report on Curriculum Censorship.

DATES: The meeting will take place on Friday, March 14, 2025, at 12:00 p.m. Central Time.

FOR FURTHER INFORMATION CONTACT: David Barreras, DFO, at dbarreras@usccr.gov or (202) 656-8937.

SUPPLEMENTARY INFORMATION:

Public Call Information: Dial: (833) 568-8864, Confirmation Code: 160 491 7299.

Zoom Link: <https://www.zoomgov.com/j/1604917299>
Members of the public may listen to this discussion through the above call in number. An open comment period will be provided to allow members of the public to make a statement as time allows. Callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Individual who is deaf, deafblind and hard of hear hearing may also follow the proceedings by first calling the Federal Relay Service at 1-800-877-8339 and providing the Service with the conference call number and confirmation code.

Members of the public are entitled to submit written comments; the comments must be received in the regional office within 30 days following the meeting. Written comments may be mailed to the Regional Programs Unit,

U.S. Commission on Civil Rights, 230 S Dearborn, Suite 2120, Chicago, IL 60604. They may also be faxed to the Commission at (312) 353-8324, or emailed to David Barreras at dbarreras@usccr.gov. Persons who desire additional information may contact David Barreras at (202) 656-8937.

Records generated from this meeting may be inspected and reproduced at the Regional Programs Unit Office, as they become available, both before and after the meeting. Records of the meeting will be available via www.facadatabase.gov under the Commission on Civil Rights, Missouri Advisory Committee link. Persons interested in the work of this Committee are directed to the Commission's website, <http://www.usccr.gov>, or may contact the Regional Programs Unit at the above email or street address.

Agenda

- I. Welcome and roll call
- II. Chair's Comments
- III. Report Discussion
- IV. Public comment
- V. Next steps
- VI. Adjournment

Dated: February 25, 2025.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2025-03353 Filed 2-28-25; 8:45 am]

BILLING CODE 6335-01-P

DEPARTMENT OF COMMERCE

International Trade Administration

Initiation of Five-Year (Sunset) Reviews

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

SUMMARY: In accordance with the Tariff Act of 1930, as amended (the Act), the U.S. Department of Commerce (Commerce) is automatically initiating

the five-year reviews (Sunset Reviews) of the antidumping and countervailing duty (AD/CVD) order(s) and suspended investigation(s) listed below. The U.S. International Trade Commission (ITC) is publishing concurrently with this notice its notice of *Institution of Five-Year Reviews* which covers the same order(s) and suspended investigation(s).

DATES: Applicable March 3, 2025.

FOR FURTHER INFORMATION CONTACT: Commerce official identified in the *Initiation of Review* section below at AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230. For information from the ITC, contact Mary Messer, Office of Investigations, U.S. International Trade Commission at (202) 205-3193.

SUPPLEMENTARY INFORMATION:

Background

Commerce's procedures for the conduct of Sunset Reviews are set forth in its *Procedures for Conducting Five-Year (Sunset) Reviews of Antidumping and Countervailing Duty Orders*, 63 FR 13516 (March 20, 1998) and 70 FR 62061 (October 28, 2005). Guidance on methodological or analytical issues relevant to Commerce's conduct of Sunset Reviews is set forth in *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification*, 77 FR 8101 (February 14, 2012).

Initiation of Review

In accordance with section 751(c) of the Act and 19 CFR 351.218(c), we are initiating the Sunset Reviews of the following antidumping and countervailing duty order(s) and suspended investigation(s):

DOC case No.	ITC case No.	Country	Product	Commerce contact
A-570-929	731-TA-1143	China	Small Diameter Graphite Electrodes (3rd Review)	Mary Kolberg, (202) 482-1785.
A-570-106	731-TA-1445	China	Wooden Cabinets and Vanities and Components Thereof (1st Review).	Mary Kolberg, (202) 482-1785.
A-201-845	731-TA-1249	Mexico	Sugar (2nd Review)	Jill Buckles, (202) 482-6230.
C-570-107	701-TA-620	China	Wooden Cabinets and Vanities and Components Thereof (1st Review).	Mary Kolberg, (202) 482-1785.
C-201-846	701-TA-513	Mexico	Sugar (2nd Review)	Jill Buckles, (202) 482-6230.

Filing Information

As a courtesy, we are making information related to sunset proceedings, including copies of the pertinent statute and Commerce's regulations, Commerce's schedule for

Sunset Reviews, a listing of past revocations and continuations, and current service lists, available to the public on Commerce's website at the following address: <https://enforcement.trade.gov/sunset/>. All submissions in

these Sunset Reviews must be filed in accordance with Commerce's regulations regarding format, translation, and service of documents. These rules, including electronic filing requirements via Enforcement and

Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS), can be found at 19 CFR 351.303.

In accordance with section 782(b) of the Act, any party submitting factual information in an AD/CVD proceeding must certify to the accuracy and completeness of that information. Parties must use the certification formats provided in 19 CFR 351.303(g). Commerce intends to reject factual submissions if the submitting party does not comply with applicable revised certification requirements.

Letters of Appearance and Administrative Protective Orders

Pursuant to 19 CFR 351.103(d), Commerce will maintain and make available a public service list for these proceedings. Parties wishing to participate in any of these five-year reviews must file letters of appearance as discussed at 19 CFR 351.103(d). To facilitate the timely preparation of the public service list, it is requested that those seeking recognition as interested parties to a proceeding submit an entry of appearance within 10 days of the publication of the Notice of Initiation. Because deadlines in Sunset Reviews can be very short, we urge interested parties who want access to proprietary information under administrative protective order (APO) to file an APO application immediately following publication in the **Federal Register** of this notice of initiation. Commerce's regulations on submission of proprietary information and eligibility to receive access to business proprietary information under APO can be found at 19 CFR 351.304–306. Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until further notice.¹

Information Required From Interested Parties

Domestic interested parties, as defined in section 771(9)(C), (D), (E), (F), and (G) of the Act and 19 CFR 351.102(b), wishing to participate in a Sunset Review must respond not later than 15 days after the date of publication in the **Federal Register** of this notice of initiation by filing a notice of intent to participate. The required contents of the notice of intent to participate are set forth at 19 CFR 351.218(d)(1)(ii). In accordance with Commerce's regulations, if we do not

receive a notice of intent to participate from at least one domestic interested party by the 15-day deadline, Commerce will automatically revoke the order without further review.²

If we receive an order-specific notice of intent to participate from a domestic interested party, Commerce's regulations provide that *all parties* wishing to participate in a Sunset Review must file complete substantive responses not later than 30 days after the date of publication in the **Federal Register** of this notice of initiation. The required contents of a substantive response, on an order-specific basis, are set forth at 19 CFR 351.218(d)(3). Note that certain information requirements differ for respondent and domestic parties. Also, note that Commerce's information requirements are distinct from the ITC's information requirements. Consult Commerce's regulations for information regarding Commerce's conduct of Sunset Reviews. Consult Commerce's regulations at 19 CFR part 351 for definitions of terms and for other general information concerning antidumping and countervailing duty proceedings at Commerce.

Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).³ An electronically filed document must be received successfully in its entirety by ACCESS by 5:00 p.m. Eastern Time on the day on which it is due.

In prior proceedings we have encouraged interested parties to provide an executive summary of their comments, including footnotes. In these sunset reviews, we request that interested parties provide at the beginning of their comments, an executive summary for each issue raised in their comments. Further, we request that interested parties limit their public executive summary of each issue to no more than 450 words, not including citations. We intend to use the public executive summaries as the basis of the comment summaries included in the decision memorandum that will accompany the notice to be published in the **Federal Register**. Finally, we request that interested parties include footnotes for relevant citations in the public executive summary of each issue.

This notice of initiation is being published in accordance with section 751(c) of the Act and 19 CFR 351.218(c).

² See 19 CFR 351.218(d)(1)(iii).

³ See *Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings; Final Rule*, 88 FR 67069 (September 29, 2023).

Dated: February 24, 2025.

Scot Fullerton,

Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2025–03376 Filed 2–28–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

University of Chicago, Notice of Decision on Application for Duty-Free Entry of Scientific Instrument

This is a decision pursuant to section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 a.m. and 5:00 p.m. in Room 41006, U.S. Department of Commerce, 14th and Constitution Avenue NW, Washington, DC.

Docket Number: 23–018. *Applicant:* University of Chicago, 5640 S Ellis Avenue, ERC LL248, Chicago, IL 60637. *Instrument:* Fiber Laser Amplifier. *Manufacturer:* PreciLasers, People's Republic of China. *Intended Use:* See notice at 89 FR 3636, January 19, 2024. *Date of Denial Without Prejudice to Resubmission:* October 4, 2024. *Decision:* Denied. Applicant has failed to establish that domestic instruments of equivalent scientific value to the foreign instrument for the intended purposes are not available. *Reasons:* Section 301.5(e)(4) of the regulations requires the denial of applications that have been denied without prejudice to resubmission if they are not resubmitted within the specified time period. This is the case for the above-mentioned docket.

Dated: February 26, 2025.

Gregory W. Campbell,

Director, Subsidies and Economic Analysis, Enforcement & Compliance.

[FR Doc. 2025–03378 Filed 2–28–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Advance Notification of Sunset Review

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

¹ See *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19*, 85 FR 41363 (July 10, 2020).

Background

Every five years, pursuant to the Tariff Act of 1930, as amended (the Act), the U.S. Department of Commerce (Commerce) and the U.S. International Trade Commission automatically initiate and conduct reviews to determine whether revocation of a

countervailing or antidumping duty order or termination of an investigation suspended under section 704 or 734 of the Act would be likely to lead to continuation or recurrence of dumping or a countervailable subsidy (as the case may be) and of material injury.

Upcoming Sunset Reviews for April 2025

Pursuant to section 751(c) of the Act, the following Sunset Reviews are scheduled for initiation in April 2025 and will appear in that month's *Notice of Initiation of Five-Year Sunset Reviews* (Sunset Review).

	Department contact
Antidumping Duty Proceedings	
No Sunset review of antidumping duty orders is scheduled for initiation in April 2025.	
Countervailing Duty Proceedings	
Chlorinated Isocyanurates from China C-570-991 (2nd Review)	Thomas Martin, (202) 482-3936.

Suspended Investigations

No Sunset Review of suspended investigations is scheduled for initiation in April 2025.

Commerce's procedures for the conduct of Sunset Review are set forth in 19 CFR 351.218. The *Notice of Initiation of Five-Year (Sunset) Review* provides further information regarding what is required of all parties to participate in Sunset Review.

Pursuant to 19 CFR 351.103(c), Commerce will maintain and make available a service list for these proceedings. To facilitate the timely preparation of the service list(s), it is requested that those seeking recognition as interested parties to a proceeding contact Commerce in writing within 10 days of the publication of the Notice of Initiation.

Please note that if Commerce receives a Notice of Intent to Participate from a member of the domestic industry within 15 days of the date of initiation, the review will continue.

Thereafter, any interested party wishing to participate in the Sunset Review must provide substantive comments in response to the notice of initiation no later than 30 days after the date of initiation. Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).¹ An electronically filed document must be received successfully in its entirety by ACCESS by 5:00 p.m. Eastern Time on the day on which it is due.

In prior proceedings we have encouraged interested parties to provide an executive summary of their comments, including footnotes. In these sunset reviews, we request that interested parties provide at the beginning of their comments, an

executive summary for each issue raised in their comments. Further, we request that interested parties limit their public executive summary of each issue to no more than 450 words, not including citations. We intend to use the public executive summaries as the basis of the comment summaries included in the decision memorandum that will accompany the notice to be published in the **Federal Register**. Finally, we request that interested parties include footnotes for relevant citations in the public executive summary of each issue.

This notice is not required by statute but is published as a service to the international trading community.

Dated: February 24, 2025.

Scot Fullerton,

Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2025-03377 Filed 2-28-25; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XE699]

Research Track Assessment for Atlantic Herring; Public Meeting

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

ACTION: Notice of public meeting.

SUMMARY: NMFS will convene the Research Track Assessment Peer Review Meeting for the purpose of reviewing the Atlantic herring stock. The Research Track Assessment Peer Review is a formal scientific peer-review process for evaluating and presenting stock assessment results to managers for fish stocks in the offshore U.S. waters of the northwest Atlantic. Assessments are

prepared by the research track working group and reviewed by an independent panel of stock assessment experts from the Center of Independent Experts. The public is invited to attend the presentations and discussions between the review panel and the scientists who have participated in the stock assessment process.

DATES: The public portion of the Research Track Assessment Peer Review Meeting will be held from March 10, 2025–March 13, 2025. The meeting will conclude on March 14, 2025 at 5 p.m. Eastern Standard Time. Please see **SUPPLEMENTARY INFORMATION** for the daily meeting agenda.

ADDRESSES: The meeting will be held in person and virtually. The in-person meeting will be held in the S.H. Clark Conference Room in the Aquarium Building of the National Marine Fisheries Service, Northeast Fisheries Science Center (NEFSC), 166 Water Street, Woods Hole, MA 02543 and virtually using this Google Meet link: <https://meet.google.com/her-pcjt-aog>.

FOR FURTHER INFORMATION CONTACT: Brian Hooper, 508-258-9580; brian.hooper@noaa.gov.

SUPPLEMENTARY INFORMATION: For further information, please visit the NEFSC website at <https://www.fisheries.noaa.gov/new-england-mid-atlantic/population-assessments/fishery-stock-assessments-new-england-and-mid-atlantic>. For additional information about research track assessment peer review, please visit the NEFSC web page at <https://www.fisheries.noaa.gov/new-england-mid-atlantic/population-assessments/research-track-stock-assessments>.

Daily Meeting Agenda—Research Track Peer Review Meeting

¹ See *Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings; Final Rule*, 88 FR 67069 (September 29, 2023).

The agenda is subject to change; all times are approximate and may be changed at the discretion of the Peer Review Chair.

Time	Topic	Presenter(s)	Notes
Monday, March 10, 2025			
9 a.m.–9:15 a.m	Welcome, Introductions & Agenda Logistics.	Conor McManus, Panel Chair; Brian Hooper, Assessment Process Lead.	
9:15 a.m.–9:30 a.m ...	Research Track Process Overview	Kristan Blackhart, NEFSC PopDy Branch Chief.	
9:30 a.m.–10 a.m	Overview of Herring Research Track ..	Matthew Cieri.	
10 a.m.–10:30 a.m	Management History and Currant Practices.	Jaime Cournane.	
10:30 a.m.–10:45 a.m	Break.		
10:45 a.m.–12 p.m	Term of Reference (TOR) 1—Ecosystem and Socioeconomic Profile & Supporting Analysis.	Adelle Molina	Ecosystem.
12 p.m.–1 p.m	Lunch.		
1 p.m.–2 p.m	TOR 1—Copepods & Vector Autoregressive Spatio-Temporal (VAST) model.	Sarah Gaichas	Ecosystem.
2 p.m.–3 p.m	TOR 1—Haddock Predation	Micah Dean	Ecosystem.
3 p.m.–3:15 p.m	Break.		
3:15 p.m.–4 p.m	TOR 1—Stakeholder Observations	Jaime Cournane	Ecosystem.
4 p.m.–4:15 p.m	Public Comment	Public.	
4:15 p.m.–5 p.m	Discussion/Summary	Review Panel	Conclusions, Recommendations & Final Wrap-up of TOR 1.
5 p.m	Adjourn.		
Tuesday, March 11, 2025			
9 a.m.–9:05 a.m	Welcome/Logistics/Agenda	Conor McManus, Panel Chair; Brian Hooper, Assessment Process Lead.	
9:05 a.m.–10:30 a.m	TOR 2	Ashley Asci, Matthew Cieri	Catch.
10:30 a.m.–10:45 a.m	Break.		
10:45 a.m.–12 p.m	TOR 3	Mathew Cieri	Surveys.
12 p.m.–1 p.m	Lunch.		
1 p.m.–3 p.m	TOR 4	Jonathan Deroba	Model.
3 p.m.–3:15 p.m	Break.		
3:15 p.m.–3:45 p.m ...	TOR 4, continued	Jonathan Deroba	Model.
3:45 p.m.–4 p.m	Public Comment	Public.	
4 p.m.–5 p.m	Discussion/Summary	Review Panel	Conclusions, Recommendations & Final Wrap-up of TORs 2, 3 & 4.
5 p.m	Adjourn.		
Wednesday, March 12, 2025			
9 a.m.–9:05 a.m	Welcome/Logistics/Agenda	Conor McManus, Panel Chair; Brian Hooper, Assessment Process Lead.	
9:05 a.m.–10 a.m	Review Homework	Conor McManus	If needed.
10 a.m.–10:30 a.m	TOR 5	Jonathan Deroba	Biological Reference Points (BRPs).
10:30 a.m.–10:45 a.m	Break.		
10:45 a.m.–12 p.m	TOR 5, continued	Jonathan Deroba	BRPs.
12 p.m.–1 p.m	Lunch.		
1 p.m.–3 p.m	TOR 6	Jonathan Deroba	Projections.
3 p.m.–3:15 p.m	Break.		
3:15 p.m.–4 p.m	TOR 8	Jonathan Deroba	Backup Approach.
3:45 p.m.–4 p.m	Public Comment	Public.	
4 p.m.–5 p.m	Discussion/Summary	Review Panel	Conclusions, Recommendations & Final Wrap-up for TORs 4, 5, 6 & 8.
5 p.m	Adjourn.		
Thursday, March 13, 2025			
9 a.m.–9:05 a.m	Welcome/Logistics/Agenda	Conor McManus, Panel Chair; Brian Hooper, Assessment Process Lead.	
9:05 a.m.–10 a.m	Review Homework	Conor McManus	If needed.
10 a.m.–10:30 a.m	TOR 7	Jaime Cournane	Research Recommendations.
10:30 a.m.–10:45 a.m	Break.		
10:45 a.m.–12 p.m	TOR 7, continued	Jaime Cournane	Research Recommendations.
12 p.m.–1 p.m	Lunch.		
1 p.m.–3 p.m	Revisit any remaining issues	Conor McManus	If needed.
3:15 p.m.–3:30 p.m ...	Public Comment	Public.	
3:30 p.m.–5 p.m	Discussion/Summary	Review Panel	Conclusions, Recommendations & Final Wrap-up for TOR 7, any remaining issues.

Time	Topic	Presenter(s)	Notes
5 p.m.	Adjourn.		
Friday, March 14, 2025			
9 a.m.–5 p.m.	Report Writing	Review Panel	If necessary, open session may be re-convened to revisit any remaining issues.
5 p.m.	Adjourn.		

The meeting is open to the public; however, during the ‘Report Writing’ session on Friday, March 14th, the public should not engage in discussion with the Peer Review Panel.

Special Accommodations

This meeting is physically accessible to people with disabilities. Special requests should be directed to Brian Hooper, via the email provided in the ADDRESSES section.

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

Dated: February 25, 2025.

Karen H. Abrams,
Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2025–03358 Filed 2–28–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE686]

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 hybrid meeting of its Groundfish Joint Committee and Advisory Panel to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

DATES: This meeting will be held on Friday, March 21, 2025 at 9 a.m.

ADDRESSES:

Meeting address: This meeting will be held at Hampton Inn, 20 Hotel Drive, South Kingstown, RI 02879; telephone: (401) 788–3500.

Webinar registration URL information: <https://nefmc-org.zoom.us/j/9qpn558Iz4VRuly4rn3>

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 Groundfish Committee and Advisory Panel will meet to discuss Amendment 23 Review Metrics and Indicators. They will receive an update on the development of monitoring review metrics and indicators, including potential feedback for further refining the list of possible metrics and indicators. Also on the agenda is Framework Adjustment 68/Acceptable Biological Catch (ABC) Control Rules, they plan to receive an update, including a work plan for integration with revised Risk Policy. The group will receive a brief update on the Redfish Sector Exemption Program Review. Other business will be discussed, as necessary.

Although non-emergency issues not contained on the agenda may come before this Council for discussion, those issues may not be the subject of formal action during this meeting. Council action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council’s intent to take final action to address the emergency. The public also should be aware that the meeting will be recorded. Consistent with 16 U.S.C. 1852, a copy of the recording is available upon request.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Cate O’Keefe, Executive Director, at (978) 465–0492, at least 5 days prior to the meeting date.

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

Dated: February 26, 2025.

Rey Israel Marquez,
Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2025–03371 Filed 2–28–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE671]

Fisheries of the South Atlantic; Southeast Data, Assessment, and Review (SEDAR); Public Meeting

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

ACTION: Notice of SEDAR 90 South Atlantic Red Snapper Data Webinar 1.

SUMMARY: The SEDAR 90 assessment process for South Atlantic red snapper will consist of a Data Workshop, and a series of assessment webinars, and a Review Workshop. See **SUPPLEMENTARY INFORMATION**.

DATES: The SEDAR 90 Data Webinar 1 will be held on March 19, 2025, from 9 a.m. to 12 p.m. The established times may be adjusted as necessary to accommodate the timely completion of discussion relevant to the assessment process. Such adjustments may result in the meeting being extended from or completed prior to the time established by this notice.

ADDRESSES:

Meeting address: The meeting will be held via webinar. The webinar is open to members of the public. Registration for the webinar is available by contacting the SEDAR coordinator via email at Emily.Ott@safmc.net.

SEDAR address: 4055 Faber Place Drive, Suite 201, North Charleston, SC 29405.

FOR FURTHER INFORMATION CONTACT: Emily L. Ott, SEDAR Coordinator; (937) 479–6171; email: Emily.Ott@safmc.net.

SUPPLEMENTARY INFORMATION: The Gulf of Mexico, South Atlantic, and Caribbean Fishery Management

Councils, in conjunction with NOAA Fisheries and the Atlantic and Gulf States Marine Fisheries Commissions have implemented the Southeast Data, Assessment and Review (SEDAR) process, a multi-step method for determining the status of fish stocks in the Southeast Region. SEDAR is a multi-step process including: (1) Data/Assessment Workshop, and (2) a series of webinars. The product of the Data/Assessment Workshop is a report which compiles and evaluates potential datasets and recommends which datasets are appropriate for assessment analyses, and describes the fisheries, evaluates the status of the stock, estimates biological benchmarks, projects future population conditions, and recommends research and monitoring needs. Participants for SEDAR Workshops are appointed by the Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils and NOAA Fisheries Southeast Regional Office, HMS Management Division, and Southeast Fisheries Science Center. Participants include data collectors and database managers; stock assessment scientists, biologists, and researchers; constituency representatives including fishermen, environmentalists, and NGO's; International experts; and staff of Councils, Commissions, and state and federal agencies.

The items of discussion for the SEDAR 90 Data Webinar 1 are as follows:

The group will discuss available data streams/sources and their use in the assessment for South Atlantic red snapper.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the intent to take final action to address the emergency.

Special Accommodations

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to the Council office (see **ADDRESSES**) at least 5 business days prior to each workshop.

Note: The times and sequence specified in this agenda are subject to change.

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

Dated: February 25, 2025.

Rey Israel Marquez,

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

[FR Doc. 2025-03327 Filed 2-28-25; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XE683]

Fisheries of the Gulf of Mexico, Atlantic, and U.S. Caribbean; Southeast Data, Assessment, and Review (SEDAR); Public Meeting

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

ACTION: Notice of SEDAR 101 Data Scoping Webinar for Highly Migratory Species (HMS) Sandbar Shark.

SUMMARY: The SEDAR 101 assessment process of HMS sandbar shark will consist of a Data Workshop, and an Assessment Workshop. See **SUPPLEMENTARY INFORMATION.**

DATES: The SEDAR 101 Data Scoping Webinar will be held March 19, 2025, from 1 p.m. to 3 p.m., Central Time.

ADDRESSES:

Meeting address: The meeting will be held via webinar. The webinar is open to members of the public. Those interested in participating should contact Emily Ott at SEDAR (see **FOR FURTHER INFORMATION CONTACT**) to request an invitation providing webinar access information. Please request webinar invitations at least 24 hours in advance of each webinar.

SEDAR address: 4055 Faber Place Drive, Suite 201, North Charleston, SC 29405.

FOR FURTHER INFORMATION CONTACT:

Emily Ott, SEDAR Coordinator; (843) 571-4366; email: Emily.ott@safmc.net.

SUPPLEMENTARY INFORMATION: The Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils, in conjunction with NOAA Fisheries and the Atlantic and Gulf States Marine Fisheries Commissions have implemented the Southeast Data, Assessment and Review (SEDAR)

process, a multi-step method for determining the status of fish stocks in the Southeast Region. SEDAR is a multi-step process including: (1) Data Workshop, (2) a series of assessment webinars, and (3) A Review Workshop. The product of the Data Workshop is a report that compiles and evaluates

potential datasets and recommends which datasets are appropriate for assessment analyses. The assessment webinars produce a report that describes the fisheries, evaluates the status of the stock, estimates biological benchmarks, projects future population conditions, and recommends research and monitoring needs. The product of the Review Workshop is an Assessment Summary documenting panel opinions regarding the strengths and weaknesses of the stock assessment and input data. Participants for SEDAR Workshops are appointed by the Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils and NOAA Fisheries Southeast Regional Office, HMS Management Division, and Southeast Fisheries Science Center. Participants include data collectors and database managers; stock assessment scientists, biologists, and researchers; constituency representatives including fishermen, environmentalists, and NGO's; International experts; and staff of Councils, Commissions, and state and federal agencies.

The items of discussion during the Data scoping webinar are as follows:

Participants will discuss what data may be available for use in the assessment.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the intent to take final action to address the emergency.

Special Accommodations

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to the Council office (see **ADDRESSES**) at least 5 business days prior to each workshop.

Note: The times and sequence specified in this agenda are subject to change.

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

Dated: February 25, 2025.

Rey Israel Marquez,

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

[FR Doc. 2025-03328 Filed 2-28-25; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

[RTID 0648-XE688]

Mid-Atlantic Fishery Management Council (MAFMC); Public Meeting

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

ACTION: Notice; public meeting.

SUMMARY: The Ecosystem and Ocean Planning (EOP) Committee and Advisory Panel (AP) of the Mid-Atlantic Fishery Management Council (Council) will hold a joint meeting. See

SUPPLEMENTARY INFORMATION for agenda details.

DATES: The meeting will be held on Thursday, March 20, 2025, from 1 p.m. through 4 p.m.

ADDRESSES: The meeting will take place over webinar with a telephone-only connection option. Details on how to connect to the meeting will be available at: www.mafmc.org.

Council address: Mid-Atlantic Fishery Management Council, 800 N State Street, Suite 201, Dover, DE 19901; telephone: (302) 674-2331; website: www.mafmc.org.

FOR FURTHER INFORMATION CONTACT:

Christopher M. Moore, Ph.D., Executive Director, Mid-Atlantic Fishery Management Council, telephone: (302) 526-5255.

SUPPLEMENTARY INFORMATION: During this meeting the EOP Committee and AP will review a draft of the 2025 Ecosystem Approach to Fisheries Management (EAFM) risk assessment report. The draft report has been updated to reflect recent revisions to the risk assessment, incorporates the latest data and scientific information, including the 2025 Mid-Atlantic State of the Ecosystem report, and continued improvements to indicators based on previous input from the EOP Committee and AP. The EOP Committee and AP will provide any additional feedback before the 2025 EAFM risk assessment report is finalized and presented to the Council in April.

A detailed agenda and background documents will be made available on the Council's website (www.mafmc.org) prior to the meeting.

Special Accommodations

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aid should be directed to

Shelley Spedden, (302) 526-5251, at least 5 days prior to the meeting date.

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

Dated: February 26, 2025.

Rey Israel Marquez,

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

[FR Doc. 2025-03372 Filed 2-28-25; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

[RTID 0648-XE690]

New England Fishery Management Council; Public Meeting

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

ACTION: Notice of public meeting.

SUMMARY: The New England Fishery Management Council (Council) is scheduling a public hybrid meeting of its Joint Skate and Monkfish Advisory Panels to consider actions affecting New England fisheries in the exclusive economic zone (EEZ).

Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

DATES: This meeting will be held on Wednesday, March 19, 2025 at 10:30 a.m.

ADDRESSES:

Meeting address: This meeting will be held at the Hampton Inn, 20 Hotel Drive, South Kingstown, RI 02879; telephone: (401) 788-3500.

Webinar registration URL information: <https://nefmc-org.zoom.us/j/5r5rMT9apJr8pKE1FPA>.

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 Skate and Monkfish Advisory Panels (AP) will meet to discuss nominations for a Monkfish AP Chair. They will receive an overview of 2025 Council work priorities for the Skate and Monkfish Fishery Management Plans. They plan to discuss research updates on skate and monkfish. They also plan to discuss the 2025 Monkfish and Skate Management Track

Assessments. On the agenda, is the development of separate specifications actions for the Monkfish and Skate Fishery Management Plans (a) Fishing years 2026-2028 Monkfish specifications, (b) Fishing years 2026-2027 Skate specifications, (c) Range of potential measures (monkfish and skate possession limits, monkfish Days-At-Sea). They will also discuss plans for the Joint Monkfish-Skate Plan Development Teams to develop joint analyses on monkfish and skate fisheries overlap.

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 25, 2025.

Rey Israel Marquez,

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

[FR Doc. 2025-03329 Filed 2-28-25; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF DEFENSE**Department of the Air Force****Notice of Intent To Prepare an Environmental Assessment for Rocket Cargo Test and Demonstration at Johnston Atoll, United States (EAXX-007-57-USF-1728497279)**

AGENCY: United States Space Force, Department of the Air Force, Department of Defense.

ACTION: Notice of intent.

SUMMARY: The Department of the Air Force (DAF) is issuing this notice of

intent (NOI) to advise the public of the pending preparation of an Environmental Assessment (EA) to evaluate the impacts of construction and operation of two landing pads at Johnston Atoll for up to 10 reentry vehicle landings per year over four consecutive years to support the test, demonstration, and evaluation of capabilities under the DAF Rocket Cargo Vanguard program (Proposed Action). The Federal Aviation Administration (FAA) and the U.S. Fish and Wildlife Service, National Wildlife Refuge System (USFWS) are cooperating agencies.

DATES: The DAF anticipates that a Draft EA and Draft Finding of No Significant Impact (FONSI) will be available for public review in early April 2025 and posted on U.S. Air Force websites for the Pacific Air Forces (PACAF) and the Air Force Installation and Mission Support Center. During a 30-day public review period, agencies and the public will be encouraged to submit written comments for the DAF's consideration.

FOR FURTHER INFORMATION CONTACT: Once available, electronic copies of the Draft EA and Draft FONSI may be found online at <https://www.afcec.af.mil/Home/Environment/National-Environmental-Policy-Act-Center/> and <https://www.jber.jb.mil/Services-Resources/Environmental/NEPA/>. The public and agencies will be advised to submit questions or comments concerning the Draft EA or the Draft FONSI to the project managers at AFCEC.CIE.RocketCargo@us.af.mil; media inquiries should be directed to the PACAF Regional Support Center Public Affairs Officer, tommie.baker@us.af.mil, or mailed to 10471 20th Street, Suite 243, Joint Base Elmendorf-Richardson, Alaska 99506-2101 (Attn: Tommie Baker).

SUPPLEMENTARY INFORMATION: The purpose of the Proposed Action is to safely test and demonstrate the expeditious delivery of tons of materiel through space in support of ongoing research, development, test, and experimentation under the DAF Rocket Cargo Vanguard program. Under the Rocket Cargo Vanguard, the Air Force Research Laboratory is leading a science and technology effort to determine the viability and utility of using large commercial rockets for Department of Defense (DoD) global logistics, potentially expanding the portfolio of capabilities the United States Space Force presents to combatant commanders. The need for the Proposed Action is to advance novel space capabilities to transport materiel in hours anywhere around the globe.

Current military modes of transportation require days to weeks of planning and logistics to provide materiel to distant locations at the time and place of need. The Proposed Action would explore the military utility of this technology to address rapid global mobility challenges by leveraging commercial technology to mature critical capabilities.

To begin the testing, demonstration, and evaluation of these capabilities as soon as 2025, the DAF's operational requirements necessitate use of a landing location that ensures public safety and adherence to applicable sections of 14 CFR part 450, Launch and Reentry Licensing Requirements, as implemented by the FAA, and limits impacts to ongoing military operations. In accordance with these operational requirements, the DAF further determined that the location must be remote, securable, U.S. Government-controlled, capable of air or maritime transport of personnel and materiel and support the disposition and removal of reentry vehicles via barged transport. Based on these operational requirements, the DAF identified several initial locations potentially capable of supporting reentry vehicle landings: Johnston Atoll, Kwajalein Atoll, Midway Island, and Wake Island. Upon further examination, the DAF concluded that Johnston Atoll is the only location that meets all operational requirements over the duration of the four-year reentry and landing test program. Therefore, Johnston Atoll is the alternative to be considered in the EA.

Johnston Island, an unincorporated territory of the United States within Johnston Atoll located in a broad ocean area, was identified as the safest and most viable location to meet operational requirements. Johnston Atoll includes the Johnston Atoll National Wildlife Refuge and is within the Pacific Islands Heritage Marine National Monument (PIHMNM). This area has historically enabled decades of DoD operations in support of national defense and holds important national ecological and cultural values.

Expected effects of the Proposed Action that will be analyzed in the EA include but are not limited to the potential effects on essential fish habitat, migratory birds, and other protected species. Potential effects to protected species will be addressed under consultation with USFWS and National Marine Fisheries Service (NMFS) as appropriate.

As required, the DAF will also analyze the no action alternative for this Proposed Action. The DAF will coordinate and consult as appropriate

with the USFWS under Section 7 of the Endangered Species Act (ESA), the Migratory Bird Treaty Act, and the National Wildlife Refuge System Administration Act, and with the NMFS under Section 7 of the ESA, the Marine Mammal Protection Act, and the Magnuson-Stevens Fishery Conservation and Management Act. Additionally, the DAF is committed to working with the FAA, USFWS, NMFS, other stakeholders, and interested parties to advance cultural, ecological and conservation protections at Johnston Atoll, the Johnston Atoll National Wildlife Refuge, and the PIHMNM.

Tommy W. Lee,

Acting Air Force Federal Register Liaison Officer.

[FR Doc. 2025-03359 Filed 2-28-25; 8:45 am]

BILLING CODE 3911-44-P

DEPARTMENT OF DEFENSE

Department of the Army

Notice of Intended Disinterment From Carlisle Barracks Post Cemetery

AGENCY: Department of the Army, DoD.

ACTION: Notice of intended disinterment.

SUMMARY: The Office of Army Cemeteries (OAC) is honoring the requests of the family members and Tribes to disinter the human remains of nineteen Native American students from the Carlisle Barracks Post Cemetery, Carlisle, Pennsylvania. The decedent names are: Wallace Perryman from the Seminole Nation of Oklahoma; Belle Cahoe, Wash E. He, Tabitha Carroll, Jane Lumpfoot, Leah Road Traveler, Percy Whitebear, George Harrison, Charles Whiteshield, Matavito Horse, Nannie Little Robe, Dora Morning, Louise Thunder, Giles Hands, Ruben Tanpedes, Henry Morning, William Sammers, Abe Lincoln, and Elsie Davis from the Cheyenne and Arapaho Tribes. These students died between 1880 and 1910 while attending the Carlisle Indian Industrial School. See the **SUPPLEMENTARY INFORMATION** section for more details.

DATES: The Army intends to begin disinterment activities on September 3, 2025. Transportation to and Reinterment in private cemeteries will take place as soon as practical after the disinterment. If other living relatives object to the disinterment of these remains, please provide written objection to MAJ Oluwaseun Adedeji at the email addresses listed below prior to May 1st, 2025. Such objections may

delay the disinterment for the decedent in question.

ADDRESSES: Public comments or objections may be mailed to MAJ Oluwaseun Adedeji, OAC Project Manager, 1 Memorial Avenue, Arlington, VA 22211 or emailed to usarmy.pentagon.hqda-anc-osa.mbx.carlisle-barracks-operations@army.mil (preferred).

FOR FURTHER INFORMATION CONTACT: MAJ Oluwaseun Adedeji, OAC Project Manager at (703) 614-0612 or the email address listed above.

SUPPLEMENTARY INFORMATION: OAC has received written requests for disinterment from the closest living descendant of each of the nineteen individuals. OAC will disinter and facilitate the transport and reinterment of the remains to private cemeteries chosen by the families and Tribes at government expense. This disinterment will be conducted under the authority of Army Regulation 290-5, in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA) savings clauses at 25 U.S.C. 3009. Additional information related to Native Americans buried at the Carlisle Barracks Post Cemetery can be found at <https://armycemeteries.army.mil/Cemeteries/Carlisle-Barracks-Main-Post-Cemetery>.

James W. Satterwhite Jr.,
Army Federal Register Liaison Officer.
[FR Doc. 2025-03357 Filed 2-28-25; 8:45 am]

BILLING CODE 3711-CC-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: RP25-587-000.
Applicants: Dauphin Island Gathering Partners.
Description: Compliance filing: 2025 Storm Surcharge filing to be effective N/A.
Filed Date: 2/25/25.
Accession Number: 20250225-5047.
Comment Date: 5 p.m. ET 3/10/25.
Docket Numbers: RP25-588-000.
Applicants: Elba Express Company, L.L.C.

Description: § 4(d) Rate Filing: EEC Fuel Tracker Filing—2025 to be effective 4/1/2025.
Filed Date: 2/25/25.

Accession Number: 20250225-5052.
Comment Date: 5 p.m. ET 3/10/25.

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.

The filings are accessible in the Commission's eLibrary system (<https://elibrary.ferc.gov/idmws/search/fercgensearch.asp>) by querying the docket number.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, 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 25, 2025.

Carlos D. Clay,
Deputy Secretary.

[FR Doc. 2025-03374 Filed 2-28-25; 8:45 am]
BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the commission received the following accounting Request filings:

Docket Numbers: AC25-26-000.
Applicants: Wisconsin Power and Light Company.
Description: Wisconsin Power and Light Company, et al. submits Supplement to the 11/27/2024 proposed accounting entries re transaction with Wisconsin Electric Power Company in Docket No. EC24-30-000.
Filed Date: 2/19/25.
Accession Number: 20250219-5092.
Comment Date: 5 p.m. ET 3/12/25.

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG25-167-000.
Applicants: Osagrove Flats Wind, LLC.
Description: Osagrove Flats Wind, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.
Filed Date: 2/24/25.
Accession Number: 20250224-5189.
Comment Date: 5 p.m. ET 3/17/25.
Docket Numbers: EG25-168-000.
Applicants: Dusty Rose Wind, LLC.
Description: Dusty Rose Wind, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.
Filed Date: 2/25/25.
Accession Number: 20250225-5066.
Comment Date: 5 p.m. ET 3/18/25.
Docket Numbers: EG25-169-000.
Applicants: Hart Wind Project, LLC.
Description: Hart Wind Project, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.
Filed Date: 2/25/25.
Accession Number: 20250225-5115.
Comment Date: 5 p.m. ET 3/18/25.
Docket Numbers: EG25-170-000.
Applicants: CPV Rogue's Wind, LLC.
Description: CPV Rogue's Wind, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.
Filed Date: 2/25/25.
Accession Number: 20250225-5162.
Comment Date: 5 p.m. ET 3/18/25.

Take notice that the Commission received the following Complaints and Compliance filings in EL Dockets:

Docket Numbers: EL25-57-000.
Applicants: Pluvia LLC.
Description: Petition for Declaratory Order of Pluvia LLC.
Filed Date: 2/10/25.
Accession Number: 20250210-5156.
Comment Date: 5 p.m. ET 3/3/25.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER20-1604-003.
Applicants: EF Oxnard LLC.
Description: Notice of Change in Status of EF Oxnard LLC.
Filed Date: 2/24/25.
Accession Number: 20250224-5200.
Comment Date: 5 p.m. ET 3/17/25.
Docket Numbers: ER25-1115-000.
Applicants: Purge Energy LLC.
Description: Notice of Cancellation of Market Based Rate Tariff of Purge Energy LLC.
Filed Date: 1/29/25.
Accession Number: 20250129-5266.
Comment Date: 5 p.m. ET 3/11/25.
Docket Numbers: ER25-1389-000.
Applicants: Cascade Market Solutions, Inc.

Description: Initial Rate Filing: Market-Based Rate Application to be effective 4/26/2025.

Filed Date: 2/24/25.

Accession Number: 20250224–5176.

Comment Date: 5 p.m. ET 3/17/25.

Docket Numbers: ER25–1390–000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Original GIA, Service Agreement No. 7560; AF2–413 to be effective 1/24/2025.

Filed Date: 2/24/25.

Accession Number: 20250224–5178.

Comment Date: 5 p.m. ET 3/17/25.

Docket Numbers: ER25–1391–000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Original CSA, Service Agreement No. 7561; AF2–413 to be effective 1/28/2025.

Filed Date: 2/24/25.

Accession Number: 20250224–5188.

Comment Date: 5 p.m. ET 3/17/25.

Docket Numbers: ER25–1392–000.

Applicants: East Kentucky Power Cooperative, Inc.

Description: § 205(d) Rate Filing: EKPC submits revisions to Formula Rate, OATT Attachment H–24A to be effective 6/1/2025.

Filed Date: 2/25/25.

Accession Number: 20250225–5020.

Comment Date: 5 p.m. ET 3/18/25.

Docket Numbers: ER25–1393–000.

Applicants: Versant Power.

Description: Compliance filing: Order No. 904 Compliance Filing for Versant Power, MPD to be effective 6/1/2025.

Filed Date: 2/25/25.

Accession Number: 20250225–5061.

Comment Date: 5 p.m. ET 3/18/25.

Docket Numbers: ER25–1394–000.

Applicants: Midcontinent

Independent System Operator, Inc.

Description: § 205(d) Rate Filing: 2025–02–25_SA 3735 Termination of METC–Jackson County Solar E&P (J1310) to be effective 2/26/2025.

Filed Date: 2/25/25.

Accession Number: 20250225–5085.

Comment Date: 5 p.m. ET 3/18/25.

Docket Numbers: ER25–1395–000.

Applicants: NorthWestern

Corporation.

Description: § 205(d) Rate Filing: RS337–LGIA with Colstrip Trans. Owners and Jane Wind to be effective 2/26/2025.

Filed Date: 2/25/25.

Accession Number: 20250225–5087.

Comment Date: 5 p.m. ET 3/18/25.

Docket Numbers: ER25–1396–000.

Applicants: Midcontinent

Independent System Operator, Inc.

Description: § 205(d) Rate Filing: 2025–02–25_SA 3866 Termination of ATC–Whitetail E&P (J1374) to be effective 2/26/2025.

Filed Date: 2/25/25.

Accession Number: 20250225–5089.

Comment Date: 5 p.m. ET 3/18/25.

Docket Numbers: ER25–1397–000.

Applicants: Midcontinent

Independent System Operator, Inc.

Description: § 205(d) Rate Filing: 2025–02–25_SA 3649 Termination of ATXI–Northeast Missouri Wind E&P (J1025) to be effective 2/26/2025.

Filed Date: 2/25/25.

Accession Number: 20250225–5092.

Comment Date: 5 p.m. ET 3/18/25.

Docket Numbers: ER25–1398–000.

Applicants: NorthWestern

Corporation.

Description: § 205(d) Rate Filing: RS338–LGIA with Colstrip Trans. Owners and Jane Wind to be effective 2/26/2025.

Filed Date: 2/25/25.

Accession Number: 20250225–5095.

Comment Date: 5 p.m. ET 3/18/25.

Docket Numbers: ER25–1399–000.

Applicants: Birdsboro Power LLC,

Strategic PPAV, LLC.

Description: Joint Request for a one-time, limited waiver of the 90-day prior notice requirement set forth in Schedule 2 to the PJM Interconnection, L.L.C. Open Access Transmission Tariff of Birdsboro Power LLC, et. al.

Filed Date: 2/25/25.

Accession Number: 20250225–5118.

Comment Date: 5 p.m. ET 3/18/25.

Docket Numbers: ER25–1400–000.

Applicants: Alpaca Energy LLC.

Description: § 205(d) Rate Filing: Market-Based Rate Tariff Revisions to be effective 2/26/2025.

Filed Date: 2/25/25.

Accession Number: 20250225–5121.

Comment Date: 5 p.m. ET 3/18/25.

Docket Numbers: ER25–1401–000.

Applicants: Beaver Dam Energy LLC.

Description: § 205(d) Rate Filing: Market-Based Rate Tariff Revisions to be effective 2/26/2025.

Filed Date: 2/25/25.

Accession Number: 20250225–5122.

Comment Date: 5 p.m. ET 3/18/25.

Docket Numbers: ER25–1402–000.

Applicants: Milan Energy LLC.

Description: § 205(d) Rate Filing: Market-Based Rate Tariff Revisions to be effective 2/26/2025.

Filed Date: 2/25/25.

Accession Number: 20250225–5125.

Comment Date: 5 p.m. ET 3/18/25.

Docket Numbers: ER25–1403–000.

Applicants: Oxbow Creek Energy LLC.

Description: § 205(d) Rate Filing: Market-Based Rate Tariff Revisions to be effective 2/26/2025.

Filed Date: 2/25/25.

Accession Number: 20250225–5127.

Comment Date: 5 p.m. ET 3/18/25.

Docket Numbers: ER25–1404–000.

Applicants: Roundtop Energy LLC.

Description: § 205(d) Rate Filing:

Market-Based Rate Tariff Revisions to be effective 2/26/2025.

Filed Date: 2/25/25.

Accession Number: 20250225–5129.

Comment Date: 5 p.m. ET 3/18/25.

Docket Numbers: ER25–1405–000.

Applicants: Wolf Run Energy LLC.

Description: § 205(d) Rate Filing:

Market-Based Rate Tariff Revisions to be effective 2/26/2025.

Filed Date: 2/25/25.

Accession Number: 20250225–5131.

Comment Date: 5 p.m. ET 3/18/25.

Docket Numbers: ER25–1406–000.

Applicants: CSOLAR IV West, LLC.

Description: § 205(d) Rate Filing:

Market-Based Rate Tariff Revisions to be effective 2/26/2025.

Filed Date: 2/25/25.

Accession Number: 20250225–5145.

Comment Date: 5 p.m. ET 3/18/25.

Docket Numbers: ER25–1407–000.

Applicants: CPV Rogue’s Wind, LLC.

Description: § 205(d) Rate Filing:

Application for Market-Based Rate Authority to be effective 4/27/2025.

Filed Date: 2/25/25.

Accession Number: 20250225–5158.

Comment Date: 5 p.m. ET 3/18/25.

Docket Numbers: ER25–1408–000.

Applicants: DTE Electric Company.

Description: § 205(d) Rate Filing:

Wholesale Distribution Service Rate Schedule between DTE Electric and Sebewaung to be effective 2/25/2025.

Filed Date: 2/25/25.

Accession Number: 20250225–5178.

Comment Date: 5 p.m. ET 3/18/25.

Take notice that the Commission received the following electric reliability filings:

Docket Numbers: RR25–2–000.

Applicants: North American Electric

Reliability Corporation, Northeast Power Coordinating Council, Inc.

Description: Joint Petition for approval of Amendments to the Bylaws of Northeast Power Coordinating Council, Inc.

Filed Date: 2/25/25.

Accession Number: 20250225–5124.

Comment Date: 5 p.m. ET 3/18/25.

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.

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Dated: February 25, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025-03373 Filed 2-28-25; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RM98-1-000]

Records Governing Off-the-Record Communications; Public Notice

This constitutes notice, in accordance with 18 CFR 385.2201(b), of the receipt of prohibited and exempt off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who make or receive a prohibited or exempt off-the-record communication relevant to the merits of a contested proceeding, to deliver to the Secretary of the Commission, a copy of the communication, if written, or a summary of the substance of any oral communication.

Prohibited communications are included in a public, non-decisional file associated with, but not a part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become a part of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to

respond to any facts or contentions made in a prohibited off-the-record communication and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such a request only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record communication shall serve the document on all parties listed on the official service list for the applicable proceeding in accordance with Rule 2010, 18 CFR 385.2010.

Exempt off-the-record communications are included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e)(1)(v).

The following is a list of off-the-record communications recently received by the Secretary of the Commission. Each filing may be viewed on the Commission's website at <http://www.ferc.gov> using the eLibrary link. Enter the docket number, excluding the last three digits, in the docket number field to access the document. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll free at (866) 208-3676, or for TTY, contact (202) 502-8659.

Docket Nos.	File date	Presenter or requester
<i>Prohibited:</i> None.		
<i>Exempt:</i> 1. ER24-2893-000, EL25-20-000	2-20-2025	Congressman John Joyce, M.D.

Dated: February 25, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025-03369 Filed 2-28-25; 8:45 am]

BILLING CODE 6717-01-P

ENVIRONMENTAL PROTECTION AGENCY

[CERCLA-04-2024-7010; FRL-12255-01-R4]

Horton Iron and Metal Superfund Site, Wilmington, North Carolina; Proposed Settlement

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed settlement.

SUMMARY: Under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the United States Environmental Protection Agency

is proposing to enter into a settlement with Phillips 66 Company concerning the Horton Iron and Metal Superfund Site located in Wilmington, North Carolina. The proposed settlement addresses recovery of CERCLA costs for a cleanup that will be performed at the Site and costs incurred by EPA.

DATES: The Agency will consider public comments on the proposed settlement until April 2, 2025. The Agency will consider all comments received and may modify or withdraw its consent to the proposed settlement if comments received disclose facts or considerations which indicate that the proposed settlement is inappropriate, improper, or inadequate.

ADDRESSES: Copies of the proposed settlement are available from the Agency by contacting Mrs. Paula V. Painter, Program Analyst, using the contact information provided in this

notice. Comments may also be submitted by referencing the Site's name through one of the following methods:

Internet: <https://www.epa.gov/aboutepa/about-epa-region-4-southeast#r4-public-notices>.

Email: Painter.Paula@epa.gov.

FOR FURTHER INFORMATION CONTACT: Paula V. Painter at 404/562-8887.

Maurice Horsey,

Branch Manager, Enforcement Branch, Superfund & Emergency Management Division.

[FR Doc. 2025-03198 Filed 2-28-25; 8:45 am]

BILLING CODE 6560-50-P

FARM CREDIT ADMINISTRATION

Sunshine Act Meetings

TIME AND DATE: 10 a.m., Thursday, March 13, 2025.

PLACE: 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 observe, at least 24 hours in advance, visit *FCA.gov*, select “Newsroom,” then select “Events.” From there, access the linked “Instructions for board meeting visitors” and complete the described registration process.

STATUS: Parts of this meeting will be open to the public. The rest of the meeting will be closed to the public.

MATTERS TO BE CONSIDERED: The following matters will be considered:

PORTIONS OPEN TO THE PUBLIC:

- Approval of Minutes for February 13, 2025
- Report on Avian Flu

PORTIONS CLOSED TO THE PUBLIC:

- Office of Secondary Market Oversight Periodic Report ¹

CONTACT PERSON FOR MORE INFORMATION:

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.

Ashley Waldron,

Secretary to the Board.

[FR Doc. 2025–03469 Filed 2–27–25; 4:15 pm]

BILLING CODE 6705–01–P

FEDERAL DEPOSIT INSURANCE CORPORATION

[OMB No. 3064–0121]

Agency Information Collection Activities: Proposed Collection Renewal; Comment Request

AGENCY: Federal Deposit Insurance Corporation (FDIC).

ACTION: Notice and request for comment.

SUMMARY: The FDIC, as part of its obligations under the Paperwork Reduction Act of 1995, invites the general public and other Federal agencies to take this opportunity to comment on the request to renew the existing information collection described below (OMB Control No. 3064–0121). The notice of proposed renewal for this information collection was previously published in the **Federal Register** on December 9, 2024, allowing for a 60-day comment period.

DATES: Comments must be submitted on or before April 2, 2025.

ADDRESSES: Interested parties are invited to submit written comments to the FDIC by any of the following methods:

- *Agency Website:* <https://www.fdic.gov/resources/regulations/federal-register-publications/>.
- *Email:* comments@fdic.gov. Include the name and number of the collection in the subject line of the message.
- *Mail:* Manny Cabeza (202–898–3767), Regulatory Counsel, MB–3128, Federal Deposit Insurance Corporation,

550 17th Street NW, Washington, DC 20429.

- *Hand Delivery:* Comments may be hand-delivered to the guard station at the rear of the 17th Street NW building (located on F Street NW), on business days between 7 a.m. and 5 p.m.

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:

Manny Cabeza, Regulatory Counsel, 202–898–3767, mcabeza@fdic.gov, MB–3128, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.

SUPPLEMENTARY INFORMATION:

Proposal to renew the following currently approved collection of information:

1. *Title:* Certification of Compliance with Mandatory Bars to Employment.

OMB Number: 3064–0121.

Form Number: 2120/16.

Affected Public: Individuals seeking employment from the FDIC.

Burden Estimate:

SUMMARY OF ESTIMATED ANNUAL BURDEN (OMB No. 3064–0121)

Information collection (IC) (obligation to respond)	Type of burden (frequency of response)	Number of respondents	Number of responses per respondent	Time per response (HH:MM)	Annual burden (hours)
1. Form 2120/16, (Mandatory)	Reporting (Annual)	866	1	00:10	144
Total Annual Burden (Hours)	144

Source: FDIC.

General Description of Collection: This information collection arises from the reporting requirements contained in 12 CFR part 336, subpart B, of the FDIC Rules and Regulations entitled “Minimum Standards of Fitness for Employment with the Federal Deposit Insurance Corporation.” This rule implements Section 19 of the Resolution Trust Corporation Completion Act, Public Law 103–204, by (among other things) prescribing a certification, with

attachments in some cases, relating to job applicants’ fitness and integrity. More specifically, the statute provides that the FDIC shall issue regulations implementing provisions that prohibit any person from becoming employed by the FDIC who has been convicted of any felony; has been removed from, or prohibited from participating in the affairs of, any insured depository institution pursuant to any final enforcement action by any appropriate

federal banking agency; has demonstrated a pattern or practice of defalcation regarding obligations to insured depository institutions; or has caused a substantial loss to federal deposit insurance funds. This collection of information implements these mandatory bars to employment through a certification, signed by job applicants prior to an offer of employment using Form 2120/16. There is no change in the methodology or substance of this

¹ Session Closed-Exempt pursuant to 5 U.S.C. 552b(c)(8) and (9).

information collection. The increase in total estimated annual burden from 88 hours in 2022 to 144 hours in this renewal is due to an increase in estimated number of respondents. We are renewing on the PRA-required 3-year renewal schedule despite the current Federal hiring freeze to ensure the FDIC can resume collecting this information from job applicants when the freeze is lifted.

Request for Comment

Comments are invited on (a) whether the collection of information is necessary for the proper performance of the FDIC's functions, including whether the information has practical utility; (b) the accuracy of the estimates of the burden of the information collection, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. All comments will become a matter of public record.

Federal Deposit Insurance Corporation.

Dated at Washington, DC, February 26, 2025.

Jennifer M. Jones,

Deputy Executive Secretary.

[FR Doc. 2025-03384 Filed 2-28-25; 8:45 am]

BILLING CODE 6714-01-P

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

Sunshine Act Meetings

TIME AND DATE: 10 a.m., Tuesday, March 11, 2025.

PLACE: The Richard V. Backley Hearing Room, Room 511, 1331 Pennsylvania Avenue NW, Suite 504 North, Washington, DC 20004 (enter from F Street entrance).

STATUS: Open.

MATTERS TO BE CONSIDERED: The Commission will consider and act upon the following in open session: *Nally & Hamilton Enterprises, Inc.*, Docket No. KENT 2022-0084. (Issues include whether substantial evidence supports the Judge's finding that a tree was not a hazardous condition that had to be reported and corrected within the meaning of 30 CFR 77.1713(a).)

Any person attending this meeting who requires special accessibility features and/or auxiliary aids, such as sign language interpreters, must inform the Commission in advance of those

needs. Subject to 29 CFR 2706.150(a)(3) and 2706.160(d).

CONTACT PERSON FOR MORE INFORMATION: Emogene Johnson, (202) 434-9935/(202) 708-9300 for TDD. Relay/1-800-877-8339 for toll free.

Phone Number for Listening to Meeting: 1 (866) 236-7472. Passcode: 678-100.

Authority: 5 U.S.C. 552b.

Dated: February 27, 2025.

Sarah L. Stewart,

Deputy General Counsel.

[FR Doc. 2025-03472 Filed 2-27-25; 4:15 pm]

BILLING CODE 6735-01-P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at <https://www.federalreserve.gov/foia/request.htm>. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)).

Comments received are subject to public disclosure. In general, comments received will be made available without change and will not be modified to remove personal or business information including confidential, contact, or other identifying information. Comments should not include any information such as confidential information that would not be appropriate for public disclosure.

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Ann E.

Misback, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington, DC 20551-0001, not later than April 2, 2025.

A. Federal Reserve Bank of Chicago (Colette A. Fried, Assistant Vice President) 230 South LaSalle Street, Chicago, Illinois 60690-1414.

Comments can also be sent electronically to

Comments.applications@chi.frb.org:

1. *Longview Capital Corporation, Newman, Illinois*; to acquire Federated Bank, Onarga, Illinois.

Board of Governors of the Federal Reserve System.

Michele Taylor Fennell,

Associate Secretary of the Board.

[FR Doc. 2025-03380 Filed 2-28-25; 8:45 am]

BILLING CODE P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Indian Health Service

Request for Public Comment: 30-Day Notice for Extension of Fast Track Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery: Indian Health Service Customer Service Satisfaction and Similar Surveys

AGENCY: Indian Health Service, HHS.

ACTION: Notice and request for comments. Request for extension of approval.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the Indian Health Service (IHS) invites the general public to take this opportunity to comment on the information collection Office of Management and Budget (OMB) Control Number 0917-0036, "Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery."

This notice announces our intent to submit this previously approved information collection, which expires February 28, 2025, to the OMB for approval of an extension and solicit comments on specific aspects for the proposed information collection.

DATES: Consideration will be given to all comments received by April 2, 2025.

ADDRESSES: Send your comments and suggestions regarding the proposed information collection contained in this notice, especially regarding the estimated public burden and associated response time to: Office of Management and Budget, Office of Regulatory Affairs, New Executive Office Building, Room 10235, Washington, DC 20503, Attention: Desk Officer for IHS.

FOR FURTHER INFORMATION CONTACT: To request additional information, please contact Thomas Hamby, Acting Information Collection Clearance Officer by email at: Thomas.Hamby@ihs.gov or at 240–252–0331.

SUPPLEMENTARY INFORMATION: The IHS is submitting the proposed information collection to OMB for review, as required by the Paperwork Reduction Act of 1995, as amended, and its implementing regulations. This notice is soliciting comments from members of the public and affected agencies as required by 44 U.S.C. 3506(c)(2)(A) and 5 CFR 1320.8(d) concerning the proposed collection of information to: (1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility; (2) Evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information; (3) Enhance the quality, utility, and clarity of the information to be collected; and (4) Minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques of other forms of information technology, e.g., permitting electronic submission of responses. A copy of the draft supporting statement is available at www.regulations.gov (see Docket ID [IHS_FRDOC_0001]). The Agency's 60-day notice (89 FR 104550) soliciting comments on the information collection was published in the **Federal Register** on December 23, 2024, in compliance with the Paperwork Reduction Act of 1995. No comments were received.

Title: Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery: Indian Health Service Customer Service Satisfaction and Similar Surveys.

Type of Information Collection Request: Three-year extension approval of this information collection.

OMB Control Number: 0917–0036.

Abstract: The proposed information collection activity provides a means to garner qualitative customer and stakeholder feedback in an efficient, timely manner, in accordance with the Administration's commitment to improving service delivery. Qualitative feedback is information that provides useful insights on perceptions and opinions, but is not statistical surveys that yield quantitative results that can be generalized to the population of study. This feedback will provide insights into customer or stakeholder perceptions, experiences and

expectations, provide an early warning of issues with service, or focus attention on areas where communication, training or changes in operations might improve delivery of products or services. These collections will allow for ongoing, collaborative and actionable communications between the Agency and its customers and stakeholders. It will also allow feedback to contribute directly to the improvement of program management.

The solicitation of feedback will target areas such as: timeliness, appropriateness, accuracy of information, courtesy, efficiency of service delivery, and resolution of issues with service delivery. Responses will be assessed to plan and inform efforts to improve or maintain the quality of service offered to the public. If this information is not collected, vital feedback from customers and stakeholders on the Agency's services will be unavailable.

The Agency will only submit a collection for approval under this generic clearance if it meets the following conditions:

- Information gathered will be used only internally for general service improvement and program management purposes and is not intended for release outside of the Agency;
- Information gathered will not be used for the purpose of substantially informing influential policy decisions;
- Information gathered will yield qualitative information; the collections will not be designed or expected to yield statistically reliable results or used as though the results are generalizable to the population of study;
- The collections are voluntary;
- The collections are low-burden for respondents (based on considerations of total burden hours, total number of respondents, or burden-hours per respondent) and are low-cost for both the respondents and the Federal Government;
- The collections are non-controversial and do not raise issues of concern to other Federal agencies;
- Any collection is targeted to the solicitation of opinions from respondents who have experience with the program or may have experience with the program in the near future; and
- With the exception of information needed to provide remuneration for participants of focus groups and cognitive laboratory studies, personally identifiable information (PII) is collected only to the extent necessary and is not retained.

Feedback collected under this generic clearance provides useful information, but it does not yield data that can be

generalized to the overall population. This type of generic clearance for qualitative information will not be used for quantitative information collections that are designed to yield reliably actionable results, such as monitoring trends over time or documenting program performance. Such data uses require more rigorous designs that address: the target population to which generalizations will be made, the sampling frame, the sample design (including stratification and clustering), the precision requirements or power calculations that justify the proposed sample size, the expected response rate, methods for assessing potential non-response bias, the protocols for data collection, and any testing procedures that were or will be undertaken prior to fielding the study. Depending on the degree of influence the results are likely to have, such collections may still be eligible for submission for other generic mechanisms that are designed to yield quantitative results.

As a general matter, information collections will not result in any new system of records containing privacy information and will not ask questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

Current Actions: Extension of approval for a collection of information.

Type of Review: Extension.

Affected Public: Individuals and households, businesses and organizations, and Tribal governments.

Estimated Number of Respondents: 105,000.

Below are projected annual average estimates for the next 3 years:

Average Expected Annual Number of Activities: 100.

Average Number of Respondents per Activity: 1,050.

Annual Responses: 105,000.

Frequency of Response: Once per request.

Average Minutes per Response: 10.

Burden Hours: 17,500.

There are no direct costs to respondents to report.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Comment Due Date: Your comments regarding this information collection are best assured of having full effect if received within 30-days of the date of this publication.

P. Benjamin Smith,

Acting Director, Indian Health Service.

[FR Doc. 2025–03381 Filed 2–28–25; 8:45 am]

BILLING CODE 4166–14–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

Current List of HHS-Certified Laboratories and Instrumented Initial Testing Facilities Which Meet Minimum Standards To Engage in Urine and Oral Fluid Drug Testing for Federal Agencies

AGENCY: Substance Abuse and Mental Health Services Administration, HHS.

ACTION: Notice.

SUMMARY: The Department of Health and Human Services (HHS) notifies Federal agencies of the laboratories and Instrumented Initial Testing Facilities (IITFs) currently certified to meet the standards of the Mandatory Guidelines for Federal Workplace Drug Testing Programs (Mandatory Guidelines) using Urine and the laboratories currently certified to meet the standards of the Mandatory Guidelines using Oral Fluid.

FOR FURTHER INFORMATION CONTACT: Anastasia Flanagan, Division of Workplace Programs, SAMHSA/CSAP, 5600 Fishers Lane, Room 16N06B, Rockville, Maryland 20857; 240-276-2600 (voice); Anastasia.Flanagan@samhsa.hhs.gov (email).

SUPPLEMENTARY INFORMATION: The Department of Health and Human Services (HHS) publishes a notice listing all HHS-certified laboratories and Instrumented Initial Testing Facilities (IITFs) in the **Federal Register** during the first week of each month, in accordance with Section 9.19 of the Mandatory Guidelines for Federal Workplace Drug Testing Programs (Mandatory Guidelines) using Urine and Section 9.17 of the Mandatory Guidelines using Oral Fluid. If any laboratory or IITF certification is suspended or revoked, the laboratory or IITF will be omitted from subsequent lists until such time as it is restored to full certification under the Mandatory Guidelines.

If any laboratory or IITF has withdrawn from the HHS National Laboratory Certification Program (NLCP) during the past month, it will be listed at the end and will be omitted from the monthly listing thereafter.

This notice is also available on the internet at <https://www.samhsa.gov/workplace/drug-testing-resources/certified-lab-list>.

HHS separately notifies Federal agencies of the laboratories and IITFs currently certified to meet the standards of the Mandatory Guidelines using Urine and of the laboratories currently

certified to meet the standards of the Mandatory Guidelines using Oral Fluid.

The Mandatory Guidelines using Urine were first published in the **Federal Register** on April 11, 1988 (53 FR 11970), and subsequently revised in the **Federal Register** on June 9, 1994 (59 FR 29908); September 30, 1997 (62 FR 51118); April 13, 2004 (69 FR 19644); November 25, 2008 (73 FR 71858); December 10, 2008 (73 FR 75122); April 30, 2010 (75 FR 22809); January 23, 2017 (82 FR 7920); and on October 12, 2023 (88 FR 70768).

The Mandatory Guidelines using Oral Fluid were first published in the **Federal Register** on October 25, 2019 (84 FR 57554) with an effective date of January 1, 2020, and subsequently revised in the **Federal Register** on October 12, 2023 (88 FR 70814).

The Mandatory Guidelines were initially developed in accordance with Executive Order 12564 and section 503 of Public Law 100-71 and allowed urine drug testing only. The Mandatory Guidelines using Urine have since been revised, and new Mandatory Guidelines allowing for oral fluid drug testing have been published. The Mandatory Guidelines require strict standards that laboratories and IITFs must meet in order to conduct drug and specimen validity tests on specimens for Federal agencies. HHS does not allow IITFs to conduct oral fluid testing.

To become certified, an applicant laboratory or IITF must undergo three rounds of performance testing plus an on-site inspection. To maintain that certification, a laboratory or IITF must participate in a quarterly performance testing program plus undergo periodic, on-site inspections.

Laboratories and IITFs in the applicant stage of certification are not to be considered as meeting the minimum requirements described in the HHS Mandatory Guidelines using Urine and/or Oral Fluid. An HHS-certified laboratory or IITF must have its letter of certification from HHS/SAMHSA (formerly: HHS/NIDA), which attests that the test facility has met minimum standards. HHS does not allow IITFs to conduct oral fluid testing.

HHS-Certified Laboratories Approved To Conduct Oral Fluid Drug Testing

In accordance with the Mandatory Guidelines using Oral Fluid effective October 10, 2023 (88 FR 70814), the following HHS-certified laboratories meet the minimum standards to conduct drug and specimen validity tests on oral fluid specimens:

At this time, there are no laboratories certified to conduct drug and specimen validity tests on oral fluid specimens.

HHS-Certified Instrumented Initial Testing Facilities Approved To Conduct Urine Drug Testing

In accordance with the Mandatory Guidelines using Urine effective February 1, 2024 (88 FR 70768), the following HHS-certified IITFs meet the minimum standards to conduct drug and specimen validity tests on urine specimens:

Dynacare,* 6628 50th Street NW, Edmonton, AB Canada T6B 2N7, 780-784-1190 (Formerly: Gamma-Dynacare Medical Laboratories)

HHS-Certified Laboratories Approved To Conduct Urine Drug Testing

In accordance with the Mandatory Guidelines using Urine effective February 1, 2024 (88 FR 70768), the following HHS-certified laboratories meet the minimum standards to conduct drug and specimen validity tests on urine specimens:

Alere Toxicology Services, 1111 Newton St., Gretna, LA 70053, 504-361-8989/800-433-3823 (Formerly: Kroll Laboratory Specialists, Inc., Laboratory Specialists, Inc.)

Alere Toxicology Services, 450 Southlake Blvd., Richmond, VA 23236, 804-378-9130 (Formerly: Kroll Laboratory Specialists, Inc.; Scientific Testing Laboratories, Inc.; Kroll Scientific Testing Laboratories, Inc.)

Clinical Reference Laboratory, Inc., 8433 Quivira Road, Lenexa, KS 66215-2802, 800-445-6917

Desert Tox, LLC, 5425 E Bell Rd., Suite 125, Scottsdale, AZ, 85254, 602-457-5411/623-748-5045

DrugScan, Inc., 200 Precision Road, Suite 200, Horsham, PA 19044, 800-235-4890

Dynacare,* 245 Pall Mall Street, London, ONT, Canada N6A 1P4, 519-679-1630 (Formerly: Gamma-Dynacare Medical Laboratories)

ElSohly Laboratories, Inc., 5 Industrial Park Drive, Oxford, MS 38655, 662-236-2609

LabOne, Inc. d/b/a Quest Diagnostics, 10101 Renner Blvd., Lenexa, KS 66219, 913-888-3927/800-873-8845 (Formerly: Quest Diagnostics Incorporated; LabOne, Inc.; Center for Laboratory Services, a Division of LabOne, Inc.)

Laboratory Corporation of America Holdings, 7207 N Gessner Road, Houston, TX 77040, 713-856-8288/800-800-2387

Laboratory Corporation of America Holdings, 69 First Ave., Raritan, NJ 08869, 908-526-2400/800-437-4986 (Formerly: Roche Biomedical Laboratories, Inc.)

Laboratory Corporation of America Holdings, 1904 TW Alexander Drive, Research Triangle Park, NC 27709, 919-572-6900/800-833-3984 (Formerly: LabCorp Occupational Testing Services, Inc., CompuChem Laboratories, Inc.; CompuChem Laboratories, Inc., A Subsidiary of Roche Biomedical Laboratory; Roche CompuChem Laboratories, Inc., A Member of the Roche Group)

Laboratory Corporation of America Holdings, 1120 Main Street, Southaven, MS 38671, 866-827-8042/800-233-6339 (Formerly: LabCorp Occupational Testing Services, Inc.; MedExpress/National Laboratory Center)

MedTox Laboratories, Inc., 402 W County Road D, St. Paul, MN 55112, 651-636-7466/800-832-3244

Minneapolis Veterans Affairs Medical Center, Forensic Toxicology Laboratory, 1 Veterans Drive, Minneapolis, MN 55417, 612-725-2088. Testing for Veterans Affairs (VA) Employees Only

Omega Laboratories, Inc.,* 2150 Dunwin Drive, Unit 1 & 2, Mississauga, ON, Canada L5L 5M8, 289-919-3188

Pacific Toxicology Laboratories, 9348 DeSoto Ave., Chatsworth, CA 91311, 800-328-6942 (Formerly: Centinela Hospital Airport Toxicology Laboratory)

Phamatech, Inc., 15175 Innovation Drive, San Diego, CA 92128, 888-635-5840

US Army Forensic Toxicology Drug Testing Laboratory, 2490 Wilson St., Fort George G. Meade, MD 20755-5235, 301-677-7085 Testing for Department of Defense (DoD) Employees Only

The following laboratory is voluntarily withdrawing from the National Laboratory Certification Program effective January 10, 2025:

Laboratory Corporation of America, 1225 NE 2nd Ave., Portland, OR 97323, 503-413-5295/800-950-5295 (Formerly: Legacy Laboratory Services Toxicology MetroLab)

* The Standards Council of Canada (SCC) voted to end its Laboratory Accreditation Program for Substance Abuse (LAPSA) effective May 12, 1998. Laboratories certified through that program were accredited to conduct forensic urine drug testing as required by U.S. Department of Transportation (DOT) regulations. As of that date, the certification of those accredited Canadian laboratories continued under DOT authority. The responsibility for conducting quarterly performance testing plus periodic on-site inspections

of those LAPSA-accredited laboratories was transferred to the U.S. HHS, with the HHS' NLCP contractor continuing to have an active role in the performance testing and laboratory inspection processes. Other Canadian laboratories wishing to be considered for the NLCP may apply directly to the NLCP contractor just as U.S. laboratories do.

Upon finding a Canadian laboratory to be qualified, HHS will recommend that DOT certify the laboratory as meeting the minimum standards of the current Mandatory Guidelines published in the **Federal Register**. After receiving DOT certification, the laboratory will be included in the monthly list of HHS-certified laboratories and participate in the NLCP certification maintenance program. DOT established this process in July 1996 (61 FR 37015) to allow foreign laboratories to participate in the DOT drug testing program.

Anastasia D. Flanagan,

Public Health Advisor, Division of Workplace Programs.

[FR Doc. 2025-03368 Filed 2-28-25; 8:45 am]

BILLING CODE 4160-20-P

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[OMB Control Number 1615-NEW]

Agency Information Collection Activities; New Collection: Generic Clearance for the Collection of Certain Information on Immigration Forms

AGENCY: U.S. Citizenship and Immigration Services, Department of Homeland Security.

ACTION: 60-Day notice.

SUMMARY: The Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS) invites the general public and other Federal agencies to comment upon this proposed new collection of information. In accordance with the Paperwork Reduction Act (PRA) of 1995, the information collection notice is published in the **Federal Register** to obtain comments regarding the nature of the information collection, the categories of respondents, the estimated burden (*i.e.*, the time, effort, and resources used by the respondents to respond), the estimated cost to the respondent, and the actual information collection instruments. This collection of information is necessary to comply with section 2 of the Executive order (E.O.) entitled "Protecting the United

States from Foreign Terrorists and Other National Security and Public Safety Threats" to establish enhanced screening and vetting standards and procedures to enable USCIS to assess an alien's eligibility to receive an immigration-related benefit. This data collection also is used to help validate an applicant's identity and to determine whether such grant of a benefit poses a security or public-safety risk to the United States.

DATES: Comments are encouraged and will be accepted for 60 days until May 2, 2025.

ADDRESSES: All submissions received must include the Office of Management and Budget (OMB) Control Number 1615-NEW in the body of the letter, the agency name and Docket ID USCIS-2025-0002. Submit comments via the Federal eRulemaking Portal website at <https://www.regulations.gov> under e-Docket ID number USCIS-2025-0002.

FOR FURTHER INFORMATION CONTACT: USCIS, Office of Policy and Strategy, Regulatory Coordination Division, Samantha Deshommes, Chief, telephone number (240) 721-3000 (This is not a toll-free number. Comments are not accepted via telephone message). Please note contact information provided here is solely for questions regarding this notice. It is not for individual case status inquiries. Applicants seeking information about the status of their individual cases can check Case Status Online, available at the USCIS website at <https://www.uscis.gov>, or call the USCIS Contact Center at 800-375-5283 (TTY 800-767-1833).

SUPPLEMENTARY INFORMATION:

Comments

You may access the information collection instrument with instructions or additional information by visiting the Federal eRulemaking Portal site at: <https://www.regulations.gov> and entering USCIS-2025-0002 in the search box. Comments must be submitted in English, or an English translation must be provided. All submissions will be posted, without change, to the Federal eRulemaking Portal at <https://www.regulations.gov> and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to consider limiting the amount of personal information that you provide in any voluntary submission you make to DHS. DHS may withhold information provided in comments from public viewing that it determines may impact the privacy of an individual or is offensive. For additional information,

please read the Privacy Act notice that is available via the link in the footer of <https://www.regulations.gov>.

Written comments and suggestions from the public and affected agencies should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Background

E.O. 14161, "Protecting the United States from Foreign Terrorists and Other National Security and Public Safety Threats," directs implementation of uniform vetting standards and necessitates the collection of all information necessary for a rigorous vetting and screening of all grounds of inadmissibility or bases for the denial of immigration-related benefits. *See* 90 FR 8451 (Jan. 20, 2025). Execution of the E.O. requires U.S. Citizenship and Immigration Services (USCIS) to collect standard data on immigration forms and/or information collection systems. This data will be collected from certain populations of individuals on applications for immigration-related benefits and is necessary for the enhanced identity verification, vetting, and national security screening and inspection conducted by USCIS and required under the E.O.

This collection of information is necessary to comply with section 2 of the E.O. to establish screening and vetting standards and procedures to enable USCIS to assess an alien's eligibility to receive an immigration-related benefit from USCIS. This data collection is also used to validate an applicant's identity and to help determine whether such grant of a benefit poses a security or public-safety threat to the United States.

USCIS will collect biographic information on immigration information

collection instruments and systems. USCIS will update its forms and systems to collect additional information from individuals who seek admissibility or other benefits when that information is not already collected.

New Information To Be Collected

U.S. Government departments and agencies involved in screening and vetting, to include USCIS, identified 24 data elements that would constitute a new baseline threshold of data to be collected for identity verification and national security vetting. For USCIS, these data elements will be added to certain immigration benefit request forms where the information is not already collected. The 24 core data elements are as follows:

The following seven (7) data elements are biographic identifiers used to help USCIS confirm both an individual's identity as it relates to the submitted application and to other records. These biographic identifiers are also used by USCIS and screening partners to help confirm or disprove an association between an applicant and information of interest and the strength of that association in the context of the underlying information.

1. Name
2. Alias(es)
3. Sex
4. Date of Birth
5. City/State/Province and Country of Birth
6. Country/Countries of Citizenship
7. Country of Residence

The following data elements are a unique numeric identifier issued to a single individual that USCIS uses to help confirm both a person's identity and for DHS records. They are also used by USCIS and screening partners to help find, confirm, or disprove an association between an applicant, the strength of that association, or to provide other information about the individual that may be important in the adjudication.

Applicants will be asked to provide current passport/travel/national identity document information, country of issuance, issue date, and expiration date, as applicable. Other USCIS forms request more information on passports or travel documents to include expired documents and passports containing a U.S. visa. The questions related to passport information are requested depending on benefit eligibility and national security needs. If additional information is needed for this data element, USCIS will revise the applicable OMB approved information collection under the form's control number and not add the additional questions using this generic approval.

8. Passport/Travel Document or National ID
 1. Country of issuance
 2. Issue date
 3. Expiration date

The following 16 data elements are used by USCIS (1) to provide official correspondence to an applicant, and/or (2) as secondary data elements to help confirm a subject's identity as it relates to the submitted application and to other records, and/or (3) to, internally and with screening partners, help confirm or disprove an association between an applicant and information of interest, and the strength of that association in the context of the underlying information.

9. Telephone Number(s) used in the last five (5) years, including dates used
10. Email address(es) used in the last ten (10) years
11. U.S. Address: Residence or Destination, city, street
12. U.S. Address: Residence or Destination, state/province
13. Foreign Address city, street
14. Foreign Address state/province
15. U.S. Point of Contact Name, if applicant is located outside of the United States
16. U.S. Point of Contact Telephone Number, if applicant is located outside of the United States
17. U.S. Point of Contact Email, if applicant is located outside of the United States
18. Family Member Names (parent, spouse, siblings, and children)
19. Family Member Telephone Numbers (parent, spouse, siblings, and children) used from the last five (5) years
20. Family Member Date(s) of Birth
21. Family Member Place(s) of Birth
22. Family Member Residence(s)
23. Business Telephone Number(s) from the last five (5) years
24. Business Email Address(es) from the last ten (10) years

Programs Affected, OMB Control Numbers

- OMB No. 1615-0052—Form N-400, Application for Naturalization
- OMB No. 1615-0013—Form I-131, Application for Travel Document
- OMB No. 1615-0017—Form I-192, Application for Advance Permission to Enter as a Nonimmigrant
- OMB No. 1615-0023—Form I-485, Application to Register Permanent Residence or Adjust status
- OMB No. 1615-0067—Form I-589, Application for Asylum and for Withholding of Removal
- OMB No. 1615-0068—Form I-590, Registration for Classification as Refugee

- OMB No. 1615–0037—Form I–730, Refugee/Asylee Relative Petition
- OMB No. 1615–0038—Form I–751, Petition to Remove Conditions on Residence
- OMB No. 1615–0045—Form I–829, Petition by Entrepreneur to Remove Conditions on Permanent Resident Status

Applicant information is collected to maintain a record of persons applying for specific immigration benefits, and to help determine whether these applicants are eligible to receive the benefits for which they are applying. The information provided through USCIS forms is also analyzed—along with other information that the Secretary of Homeland Security determines is necessary, including information about other persons included on the USCIS forms—against various security and law enforcement databases to identify those applicants who may pose a security or public-safety risk to the United States.

Overview of This Information Collection

(1) *Type of Information Collection:* New Collection.

(2) *Title of the Form/Collection:* Generic Clearance for the Collection of Certain Information on Immigration Forms.

(3) *Agency form number, if any, and the applicable component of the DHS sponsoring the collection:* GC–2025–0002; USCIS.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* *Primary:* Individuals or households. E.O. 14161, “Protecting the United States from Foreign Terrorists and Other National Security and Public Safety Threats,” directs implementation of uniform vetting standards and necessitates collection of all information necessary for a rigorous vetting and screening of all grounds of inadmissibility or bases for the denial of immigration-related benefits. Execution of the E.O. requires U.S. Citizenship and Immigration Services (USCIS) to collect standard data on immigration forms and/or information collection systems. This data will be collected from certain populations of individuals on applications for immigration-related benefits and is necessary for the enhanced identity verification, vetting and national security screening, and inspection conducted by USCIS and required under the E.O.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:*

- The estimated total number of respondents for the information collection N–400 is 909,700 and the estimated hour burden per response is 0.77 hour.

- The estimated total number of respondents for the information collection I–131 is 1,073,059 and the estimated hour burden per response is 0.77 hour.

- The estimated total number of respondents for the information collection I–192 is 68,050 and the estimated hour burden per response is 0.78 hour.

- The estimated total number of respondents for the information collection I–485 is 1,060,585 and the estimated hour burden per response is 0.73 hour.

- The estimated total number of respondents for the information collection I–589 is 203,379 and the estimated hour burden per response is 0.93 hour.

- The estimated total number of respondents for the information collection I–590 is 106,200 and the estimated hour burden per response is 0.77 hour.

- The estimated total number of respondents for the information collection I–730 is 13,000 and the estimated hour burden per response is 1.27 hour.

- The estimated total number of respondents for the information collection I–751 is 140,000 and the estimated hour burden per response is 0.77 hour.

- The estimated total number of respondents for the information collection I–829 is 1,010 and the estimated hour burden per response is 0.80 hour.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total estimated annual hour burden associated with this collection is 2,750,064 hours.

(7) *An estimate of the total public burden (in cost) associated with the collection:* The estimated total annual cost burden associated with this collection of information is \$0. No additional costs to the public are anticipated due to this action. Any costs to the respondents associated with the specific form filed are captured in those approved collections.

Dated: February 26, 2025.

Jerry L. Rigdon,

Acting Chief, Regulatory Coordination Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security.

[FR Doc. 2025–03436 Filed 2–28–25; 8:45 am]

BILLING CODE 9111–97–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731–TA–1143 (Third Review)]

Small Diameter Graphite Electrodes From China; Institution of a Five-Year Review

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice that it has instituted a review pursuant to the Tariff Act of 1930 (“the Act”), as amended, to determine whether revocation of the antidumping duty order on small diameter graphite electrodes from China would be likely to lead to continuation or recurrence of material injury. Pursuant to the Act, interested parties are requested to respond to this notice by submitting the information specified below to the Commission.

DATES: Instituted March 3, 2025. To be assured of consideration, the deadline for responses is April 2, 2025. Comments on the adequacy of responses may be filed with the Commission by May 14, 2025.

FOR FURTHER INFORMATION CONTACT: Alec Resch (202–708–1448), 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 proceeding may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>.

SUPPLEMENTARY INFORMATION:

Background.—On February 26, 2009, the Department of Commerce (“Commerce”) issued an antidumping duty order on imports of small diameter graphite electrodes from China (74 FR 8775). Commerce issued a continuation of the antidumping duty order on imports of small diameter graphite electrodes from China following Commerce’s and the Commission’s first five-year reviews, effective June 23, 2014 (79 FR 35523) and second five-year reviews, effective April 6, 2020 (85 FR 19134). The Commission is now conducting a third five-year review

pursuant to section 751(c) of the Act, as amended (19 U.S.C. 1675(c)), to determine whether revocation of the order would be likely to lead to continuation or recurrence of material injury to the domestic industry within a reasonably foreseeable time. Provisions concerning the conduct of this proceeding may be found in the Commission's Rules of Practice and Procedure at 19 CFR part 201, subparts A and B, and 19 CFR part 207, subparts A and F. The Commission will assess the adequacy of interested party responses to this notice of institution to determine whether to conduct a full or expedited review. The Commission's determination in any expedited review will be based on the facts available, which may include information provided in response to this notice.

Definitions.—The following definitions apply to this review:

(1) *Subject Merchandise* is the class or kind of merchandise that is within the scope of the five-year review, as defined by Commerce.

(2) The *Subject Country* in this review is China.

(3) The *Domestic Like Product* is the domestically produced product or products which are like, or in the absence of like, most similar in characteristics and uses with, the *Subject Merchandise*. In its original determination, its expedited first five-year review determination, and its full second five-year review determination, the Commission defined the *Domestic Like Product* as all small diameter graphite electrodes coextensive with Commerce's scope.

(4) The *Domestic Industry* is the U.S. producers as a whole of the *Domestic Like Product*, or those producers whose collective output of the *Domestic Like Product* constitutes a major proportion of the total domestic production of the product. In its original determination, its expedited first five-year review determination, and its full second five-year review determination, the Commission defined the *Domestic Industry* as all U.S. producers of small diameter graphite electrodes.

(5) An *Importer* is any person or firm engaged, either directly or through a parent company or subsidiary, in importing the *Subject Merchandise* into the United States from a foreign manufacturer or through its selling agent.

Participation in the proceeding and public service list.—Persons, including industrial users of the *Subject Merchandise* and, if the merchandise is sold at the retail level, representative consumer organizations, wishing to participate in the proceeding as parties

must file an entry of appearance with the Secretary to the Commission, as provided in § 201.11(b)(4) of the Commission's rules, no later than 21 days after publication of this notice in the **Federal Register**. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the proceeding.

Former Commission employees who are seeking to appear in Commission five-year reviews are advised that they may appear in a review even if they participated personally and substantially in the corresponding underlying original investigation or an earlier review of the same underlying investigation. The Commission's designated agency ethics official has advised that a five-year review is not the same particular matter as the underlying original investigation, and a five-year review is not the same particular matter as an earlier review of the same underlying investigation for purposes of 18 U.S.C. 207, the post-employment statute for Federal employees, and Commission rule 201.15(b) (19 CFR 201.15(b)), 79 FR 3246 (Jan. 17, 2014), 73 FR 24609 (May 5, 2008). Consequently, former employees are not required to seek Commission approval to appear in a review under Commission rule 19 CFR 201.15, even if the corresponding underlying original investigation or an earlier review of the same underlying investigation was pending when they were Commission employees. For further ethics advice on this matter, contact Charles Smith, Office of the General Counsel, at 202–205–3408.

Limited disclosure of business proprietary information (BPI) under an administrative protective order (APO) and APO service list.—Pursuant to § 207.7(a) of the Commission's rules, the Secretary will make BPI submitted in this proceeding available to authorized applicants under the APO issued in the proceeding, provided that the application is made no later than 21 days after publication of this notice in the **Federal Register**. Authorized applicants must represent interested parties, as defined in 19 U.S.C. 1677(9), who are parties to the proceeding. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Certification.—Pursuant to § 207.3 of the Commission's rules, any person submitting information to the Commission in connection with this proceeding 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 information submitted in response to this request for information and throughout this proceeding or other proceeding 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.

Written submissions.—Pursuant to § 207.61 of the Commission's rules, each interested party response to this notice must provide the information specified below. The deadline for filing such responses is 5:15 p.m. on April 2, 2025. Pursuant to § 207.62(b) of the Commission's rules, eligible parties (as specified in Commission rule 207.62(b)(1)) may also file comments concerning the adequacy of responses to the notice of institution and whether the Commission should conduct an expedited or full review. The deadline for filing such comments is 5:15 p.m. on May 14, 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. Also, in accordance with §§ 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the proceeding must be served on all other parties to the proceeding (as identified by either the public or APO service list as appropriate), and a certificate of service must accompany the document (if you are not a party to the proceeding you do not need to serve your response).

Please note the Secretary's Office 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.

No response to this request for information is required if a currently

valid Office of Management and Budget (“OMB”) number is not displayed; the OMB number is 3117 0016/USITC No. 25–5–630, expiration date June 30, 2026. Public reporting burden for the request is estimated to average 15 hours per response. Please send comments regarding the accuracy of this burden estimate to the Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436.

Inability to provide requested information.—Pursuant to § 207.61(c) of the Commission’s rules, any interested party that cannot furnish the information requested by this notice in the requested form and manner shall notify the Commission at the earliest possible time, provide a full explanation of why it cannot provide the requested information, and indicate alternative forms in which it can provide equivalent information. If an interested party does not provide this notification (or the Commission finds the explanation provided in the notification inadequate) and fails to provide a complete response to this notice, the Commission may take an adverse inference against the party pursuant to § 776(b) of the Act (19 U.S.C. 1677e(b)) in making its determination in the review.

Information To Be Provided in Response To This Notice of Institution: As used below, the term “firm” includes any related firms.

Those responding to this notice of institution are encouraged, but not required, to visit the USITC’s website at https://usitc.gov/reports/response_noi_worksheet, where one can download and complete the “NOI worksheet” Excel form for the subject proceeding, to be included as attachment/exhibit 1 of your overall response.

(1) The name and address of your firm or entity (including World Wide Web address) and name, telephone number, fax number, and Email address of the certifying official.

(2) A statement indicating whether your firm/entity is an interested party under 19 U.S.C. 1677(9) and if so, how, including whether your firm/entity is a U.S. producer of the *Domestic Like Product*, a U.S. union or worker group, a U.S. importer of the *Subject Merchandise*, a foreign producer or exporter of the *Subject Merchandise*, a U.S. or foreign trade or business association (a majority of whose members are interested parties under the statute), or another interested party (including an explanation). If you are a union/worker group or trade/business association, identify the firms in which

your workers are employed or which are members of your association.

(3) A statement indicating whether your firm/entity is willing to participate in this proceeding by providing information requested by the Commission.

(4) A statement of the likely effects of the revocation of the antidumping duty order on the *Domestic Industry* in general and/or your firm/entity specifically. In your response, please discuss the various factors specified in section 752(a) of the Act (19 U.S.C. 1675a(a)) including the likely volume of subject imports, likely price effects of subject imports, and likely impact of imports of *Subject Merchandise* on the *Domestic Industry*.

(5) A list of all known and currently operating U.S. producers of the *Domestic Like Product*. Identify any known related parties and the nature of the relationship as defined in section 771(4)(B) of the Act (19 U.S.C. 1677(4)(B)).

(6) A list of all known and currently operating U.S. importers of the *Subject Merchandise* and producers of the *Subject Merchandise* in the *Subject Country* that currently export or have exported *Subject Merchandise* to the United States or other countries after 2018.

(7) A list of 3–5 leading purchasers in the U.S. market for the *Domestic Like Product* and the *Subject Merchandise* (including street address, World Wide Web address, and the name, telephone number, fax number, and Email address of a responsible official at each firm).

(8) A list of known sources of information on national or regional prices for the *Domestic Like Product* or the *Subject Merchandise* in the U.S. or other markets.

(9) If you are a U.S. producer of the *Domestic Like Product*, provide the following information on your firm’s operations on that product during calendar year 2024, except as noted (report quantity data in metric tons and value data in U.S. dollars, f.o.b. plant). If you are a union/worker group or trade/business association, provide the information, on an aggregate basis, for the firms in which your workers are employed/which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total U.S. production of the *Domestic Like Product* accounted for by your firm’s(s’) production;

(b) Capacity (quantity) of your firm to produce the *Domestic Like Product* (that is, the level of production that your establishment(s) could reasonably have expected to attain during the year,

assuming normal operating conditions (using equipment and machinery in place and ready to operate), normal operating levels (hours per week/weeks per year), time for downtime, maintenance, repair, and cleanup, and a typical or representative product mix);

(c) the quantity and value of U.S. commercial shipments of the *Domestic Like Product* produced in your U.S. plant(s);

(d) the quantity and value of U.S. internal consumption/company transfers of the *Domestic Like Product* produced in your U.S. plant(s); and

(e) the value of (i) net sales, (ii) cost of goods sold (COGS), (iii) gross profit, (iv) selling, general and administrative (SG&A) expenses, and (v) operating income of the *Domestic Like Product* produced in your U.S. plant(s) (include both U.S. and export commercial sales, internal consumption, and company transfers) for your most recently completed fiscal year (identify the date on which your fiscal year ends).

(10) If you are a U.S. importer or a trade/business association of U.S. importers of the *Subject Merchandise* from the *Subject Country*, provide the following information on your firm’s(s’) operations on that product during calendar year 2024 (report quantity data in metric tons and value data in U.S. dollars). If you are a trade/business association, provide the information, on an aggregate basis, for the firms which are members of your association.

(a) The quantity and value (landed, duty-paid but not including antidumping duties) of U.S. imports and, if known, an estimate of the percentage of total U.S. imports of *Subject Merchandise* from the *Subject Country* accounted for by your firm’s(s’) imports;

(b) the quantity and value (f.o.b. U.S. port, including antidumping duties) of U.S. commercial shipments of *Subject Merchandise* imported from the *Subject Country*; and

(c) the quantity and value (f.o.b. U.S. port, including antidumping duties) of U.S. internal consumption/company transfers of *Subject Merchandise* imported from the *Subject Country*.

(11) If you are a producer, an exporter, or a trade/business association of producers or exporters of the *Subject Merchandise* in the *Subject Country*, provide the following information on your firm’s(s’) operations on that product during calendar year 2024 (report quantity data in metric tons and value data in U.S. dollars, landed and duty-paid at the U.S. port but not including antidumping duties). If you are a trade/business association, provide the information, on an aggregate basis,

for the firms which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total production of *Subject Merchandise* in the *Subject Country* accounted for by your firm's(s') production;

(b) Capacity (quantity) of your firm(s) to produce the *Subject Merchandise* in the *Subject Country* (that is, the level of production that your establishment(s) could reasonably have expected to attain during the year, assuming normal operating conditions (using equipment and machinery in place and ready to operate), normal operating levels (hours per week/weeks per year), time for downtime, maintenance, repair, and cleanup, and a typical or representative product mix); and

(c) the quantity and value of your firm's(s') exports to the United States of *Subject Merchandise* and, if known, an estimate of the percentage of total exports to the United States of *Subject Merchandise* from the *Subject Country* accounted for by your firm's(s') exports.

(12) Identify significant changes, if any, in the supply and demand conditions or business cycle for the *Domestic Like Product* that have occurred in the United States or in the market for the *Subject Merchandise* in the *Subject Country* after 2018, and significant changes, if any, that are likely to occur within a reasonably foreseeable time. Supply conditions to consider include technology; production methods; development efforts; ability to increase production (including the shift of production facilities used for other products and the use, cost, or availability of major inputs into production); and factors related to the ability to shift supply among different national markets (including barriers to importation in foreign markets or changes in market demand abroad). Demand conditions to consider include end uses and applications; the existence and availability of substitute products; and the level of competition among the *Domestic Like Product* produced in the United States, *Subject Merchandise* produced in the *Subject Country*, and such merchandise from other countries.

(13) (OPTIONAL) A statement of whether you agree with the above definitions of the *Domestic Like Product* and *Domestic Industry*; if you disagree with either or both of these definitions, please explain why and provide alternative definitions.

Authority: This proceeding is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to § 207.61 of the Commission's rules.

By order of the Commission.

Issued: February 25, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025-03296 Filed 2-28-25; 8:45 am]

BILLING CODE 7020-02-P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701-TA-620 and 731-TA-1445 (Review)]

Wooden Cabinets and Vanities From China; Institution of Five-Year Reviews

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice that it has instituted reviews pursuant to the Tariff Act of 1930 ("the Act"), as amended, to determine whether revocation of the antidumping and countervailing duty orders on wooden cabinets and vanities from China would be likely to lead to continuation or recurrence of material injury. Pursuant to the Act, interested parties are requested to respond to this notice by submitting the information specified below to the Commission.

DATES: Instituted March 3, 2025. To be assured of consideration, the deadline for responses is April 2, 2025. Comments on the adequacy of responses may be filed with the Commission by May 14, 2025.

FOR FURTHER INFORMATION CONTACT: Juan Carlos Pena Flores (202-205-3169), 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 proceeding may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>.

SUPPLEMENTARY INFORMATION:

Background.—On April 21, 2020, the Department of Commerce ("Commerce") issued antidumping and countervailing duty orders on imports of wooden cabinets and vanities from China (85 FR 22126 and 22134). The Commission is conducting reviews pursuant to section 751(c) of the Act, as amended (19 U.S.C.

1675(c)), to determine whether revocation of the orders would be likely to lead to continuation or recurrence of material injury to the domestic industry within a reasonably foreseeable time. Provisions concerning the conduct of this proceeding may be found in the Commission's Rules of Practice and Procedure at 19 CFR part 201, subparts A and B, and 19 CFR part 207, subparts A and F. The Commission will assess the adequacy of interested party responses to this notice of institution to determine whether to conduct full or expedited reviews. The Commission's determinations in any expedited reviews will be based on the facts available, which may include information provided in response to this notice.

Definitions.—The following definitions apply to these reviews:

(1) *Subject Merchandise* is the class or kind of merchandise that is within the scope of the five-year reviews, as defined by Commerce.

(2) The *Subject Country* in these reviews is China.

(3) The *Domestic Like Product* is the domestically produced product or products which are like, or in the absence of like, most similar in characteristics and uses with, the *Subject Merchandise*. In its original determinations, the Commission defined a single *Domestic Like Product* consisting of wooden cabinets and vanities, coextensive with Commerce's scope.

(4) The *Domestic Industry* is the U.S. producers as a whole of the *Domestic Like Product*, or those producers whose collective output of the *Domestic Like Product* constitutes a major proportion of the total domestic production of the product. In its original determinations, the Commission defined the *Domestic Industry* as those U.S. producers of the *Domestic Like Product*, but did not include (i) importers that assembled ready-to-assemble flat packs into assembled units and (ii) one firm for which appropriate circumstances existed to exclude from the *Domestic Industry* under the related party provision.

(5) The *Order Date* is the date that the antidumping and countervailing duty orders under review became effective. In these reviews, the *Order Date* is April 21, 2020.

(6) An *Importer* is any person or firm engaged, either directly or through a parent company or subsidiary, in importing the *Subject Merchandise* into the United States from a foreign manufacturer or through its selling agent.

Participation in the proceeding and public service list.—Persons, including industrial users of the *Subject Merchandise* and, if the merchandise is sold at the retail level, representative consumer organizations, wishing to participate in the proceeding as parties must file an entry of appearance with the Secretary to the Commission, as provided in § 201.11(b)(4) of the Commission's rules, no later than 21 days after publication of this notice in the **Federal Register**. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the proceeding.

Former Commission employees who are seeking to appear in Commission five-year reviews are advised that they may appear in a review even if they participated personally and substantially in the corresponding underlying original investigation or an earlier review of the same underlying investigation. The Commission's designated agency ethics official has advised that a five-year review is not the same particular matter as the underlying original investigation, and a five-year review is not the same particular matter as an earlier review of the same underlying investigation for purposes of 18 U.S.C. 207, the post-employment statute for Federal employees, and Commission rule 201.15(b) (19 CFR 201.15(b)), 79 FR 3246 (Jan. 17, 2014), 73 FR 24609 (May 5, 2008). Consequently, former employees are not required to seek Commission approval to appear in a review under Commission rule 19 CFR 201.15, even if the corresponding underlying original investigation or an earlier review of the same underlying investigation was pending when they were Commission employees. For further ethics advice on this matter, contact Charles Smith, Office of the General Counsel, at 202–205–3408.

Limited disclosure of business proprietary information (BPI) under an administrative protective order (APO) and APO service list.—Pursuant to § 207.7(a) of the Commission's rules, the Secretary will make BPI submitted in this proceeding available to authorized applicants under the APO issued in the proceeding, provided that the application is made no later than 21 days after publication of this notice in the **Federal Register**. Authorized applicants must represent interested parties, as defined in 19 U.S.C. 1677(9), who are parties to the proceeding. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Certification.—Pursuant to § 207.3 of the Commission's rules, any person submitting information to the Commission in connection with this proceeding 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 information submitted in response to this request for information and throughout this proceeding or other proceeding 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.

Written submissions.—Pursuant to § 207.61 of the Commission's rules, each interested party response to this notice must provide the information specified below. The deadline for filing such responses is on or before 5:15 p.m. on April 2, 2025. Pursuant to § 207.62(b) of the Commission's rules, eligible parties (as specified in Commission rule 207.62(b)(1)) may also file comments concerning the adequacy of responses to the notice of institution and whether the Commission should conduct expedited or full reviews. The deadline for filing such comments is on or before 5:15 p.m. on May 14, 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. Also, in accordance with §§ 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the proceeding must be served on all other parties to the proceeding (as identified by either the public or APO service list as appropriate), and a certificate of service must accompany the document (if you are not a party to the proceeding you do not need to serve your response).

Please note the Secretary's Office 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.

No response to this request for information is required if a currently valid Office of Management and Budget ("OMB") number is not displayed; the OMB number is 3117 0016/USITC No. 25–5–632, expiration date June 30, 2026. Public reporting burden for the request is estimated to average 15 hours per response. Please send comments regarding the accuracy of this burden estimate to the Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436.

Inability to provide requested information.—Pursuant to § 207.61(c) of the Commission's rules, any interested party that cannot furnish the information requested by this notice in the requested form and manner shall notify the Commission at the earliest possible time, provide a full explanation of why it cannot provide the requested information, and indicate alternative forms in which it can provide equivalent information. If an interested party does not provide this notification (or the Commission finds the explanation provided in the notification inadequate) and fails to provide a complete response to this notice, the Commission may take an adverse inference against the party pursuant to § 776(b) of the Act (19 U.S.C. 1677e(b)) in making its determinations in the reviews.

Information To Be Provided in Response to This Notice of Institution: As used below, the term "firm" includes any related firms.

Those responding to this notice of institution are encouraged, but not required, to visit the USITC's website at https://usitc.gov/reports/response_noi_worksheet, where one can download and complete the "NOI worksheet" Excel form for the subject proceeding, to be included as attachment/exhibit 1 of your overall response.

(1) The name and address of your firm or entity (including World Wide Web address) and name, telephone number, fax number, and email address of the certifying official.

(2) A statement indicating whether your firm/entity is an interested party under 19 U.S.C. 1677(9) and if so, how, including whether your firm/entity is a U.S. producer of the *Domestic Like Product*, a U.S. union or worker group, a U.S. importer of the *Subject Merchandise*, a foreign producer or exporter of the *Subject Merchandise*, a

U.S. or foreign trade or business association (a majority of whose members are interested parties under the statute), or another interested party (including an explanation). If you are a union/worker group or trade/business association, identify the firms in which your workers are employed or which are members of your association.

(3) A statement indicating whether your firm/entity is willing to participate in this proceeding by providing information requested by the Commission.

(4) A statement of the likely effects of the revocation of the antidumping and countervailing duty orders on the *Domestic Industry* in general and/or your firm/entity specifically. In your response, please discuss the various factors specified in § 752(a) of the Act (19 U.S.C. 1675a(a)) including the likely volume of subject imports, likely price effects of subject imports, and likely impact of imports of *Subject Merchandise* on the *Domestic Industry*.

(5) A list of all known and currently operating U.S. producers of the *Domestic Like Product*. Identify any known related parties and the nature of the relationship as defined in § 771(4)(B) of the Act (19 U.S.C. 1677(4)(B)).

(6) A list of all known and currently operating U.S. importers of the *Subject Merchandise* and producers of the *Subject Merchandise* in the *Subject Country* that currently export or have exported *Subject Merchandise* to the United States or other countries since the *Order Date*.

(7) A list of 3–5 leading purchasers in the U.S. market for the *Domestic Like Product* and the *Subject Merchandise* (including street address, World Wide Web address, and the name, telephone number, fax number, and email address of a responsible official at each firm).

(8) A list of known sources of information on national or regional prices for the *Domestic Like Product* or the *Subject Merchandise* in the U.S. or other markets.

(9) If you are a U.S. producer of the *Domestic Like Product*, provide the following information on your firm's operations on that product during calendar year 2024, except as noted (report quantity data in units and value data in U.S. dollars, f.o.b. plant). If you are a union/worker group or trade/business association, provide the information, on an aggregate basis, for the firms in which your workers are employed/which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total U.S. production of the *Domestic*

Like Product accounted for by your firm's(s') production;

(b) Capacity (quantity) of your firm to produce the *Domestic Like Product* (that is, the level of production that your establishment(s) could reasonably have expected to attain during the year, assuming normal operating conditions (using equipment and machinery in place and ready to operate), normal operating levels (hours per week/weeks per year), time for downtime, maintenance, repair, and cleanup, and a typical or representative product mix);

(c) the quantity and value of U.S. commercial shipments of the *Domestic Like Product* produced in your U.S. plant(s);

(d) the quantity and value of U.S. internal consumption/company transfers of the *Domestic Like Product* produced in your U.S. plant(s); and

(e) the value of (i) net sales, (ii) cost of goods sold (COGS), (iii) gross profit, (iv) selling, general and administrative (SG&A) expenses, and (v) operating income of the *Domestic Like Product* produced in your U.S. plant(s) (include both U.S. and export commercial sales, internal consumption, and company transfers) for your most recently completed fiscal year (identify the date on which your fiscal year ends).

(10) If you are a U.S. importer or a trade/business association of U.S. importers of the *Subject Merchandise* from the *Subject Country*, provide the following information on your firm's(s') operations on that product during calendar year 2024 (report quantity data in units and value data in U.S. dollars). If you are a trade/business association, provide the information, on an aggregate basis, for the firms which are members of your association.

(a) The quantity and value (landed, duty-paid but not including antidumping or countervailing duties) of U.S. imports and, if known, an estimate of the percentage of total U.S. imports of *Subject Merchandise* from the *Subject Country* accounted for by your firm's(s') imports;

(b) the quantity and value (f.o.b. U.S. port, including antidumping and/or countervailing duties) of U.S. commercial shipments of *Subject Merchandise* imported from the *Subject Country*; and

(c) the quantity and value (f.o.b. U.S. port, including antidumping and/or countervailing duties) of U.S. internal consumption/company transfers of *Subject Merchandise* imported from the *Subject Country*.

(11) If you are a producer, an exporter, or a trade/business association of producers or exporters of the *Subject Merchandise* in the *Subject Country*,

provide the following information on your firm's(s') operations on that product during calendar year 2024 (report quantity data in units and value data in U.S. dollars, landed and duty-paid at the U.S. port but not including antidumping or countervailing duties). If you are a trade/business association, provide the information, on an aggregate basis, for the firms which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total production of *Subject Merchandise* in the *Subject Country* accounted for by your firm's(s') production;

(b) Capacity (quantity) of your firm(s) to produce the *Subject Merchandise* in the *Subject Country* (that is, the level of production that your establishment(s) could reasonably have expected to attain during the year, assuming normal operating conditions (using equipment and machinery in place and ready to operate), normal operating levels (hours per week/weeks per year), time for downtime, maintenance, repair, and cleanup, and a typical or representative product mix); and

(c) the quantity and value of your firm's(s') exports to the United States of *Subject Merchandise* and, if known, an estimate of the percentage of total exports to the United States of *Subject Merchandise* from the *Subject Country* accounted for by your firm's(s') exports.

(12) Identify significant changes, if any, in the supply and demand conditions or business cycle for the *Domestic Like Product* that have occurred in the United States or in the market for the *Subject Merchandise* in the *Subject Country* since the *Order Date*, and significant changes, if any, that are likely to occur within a reasonably foreseeable time. Supply conditions to consider include technology; production methods; development efforts; ability to increase production (including the shift of production facilities used for other products and the use, cost, or availability of major inputs into production); and factors related to the ability to shift supply among different national markets (including barriers to importation in foreign markets or changes in market demand abroad). Demand conditions to consider include end uses and applications; the existence and availability of substitute products; and the level of competition among the *Domestic Like Product* produced in the United States, *Subject Merchandise* produced in the *Subject Country*, and such merchandise from other countries.

(13) (OPTIONAL) A statement of whether you agree with the above definitions of the *Domestic Like Product*

and *Domestic Industry*; if you disagree with either or both of these definitions, please explain why and provide alternative definitions.

Authority: This proceeding is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to § 207.61 of the Commission's rules.

By order of the Commission.

Issued: February 25, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025-03290 Filed 2-28-25; 8:45 am]

BILLING CODE 7020-02-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1404]

Certain Surface Cleaning Devices and Components Thereof; Notice of a Commission Determination Not To Review an Initial Determination Granting a Joint Motion To Terminate the Investigation Based on Settlement; Termination of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission ("Commission") has determined not to review an initial determination ("ID") (Order No. 20) of the presiding administrative law judge ("ALJ") granting a joint motion to terminate the investigation based on a settlement agreement. The investigation is terminated.

FOR FURTHER INFORMATION CONTACT:

Namo Kim, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-3459. 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, telephone (202) 205-1810.

SUPPLEMENTARY INFORMATION: On June 13, 2024, the Commission instituted this investigation under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 ("section 337"), based on a

complaint filed by SharkNinja Operating LLC of Needham, Massachusetts; Omachron Alpha Inc. of Canada; and Omachron Intellectual Property Inc. of Canada (collectively, "Complainants"). 89 FR 50369-70 (June 13, 2024). The complaint, as supplemented, alleged violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain surface cleaning devices and components thereof by reason of the infringement of certain claims of U.S. Patent No. 7,776,120 ("the '120 patent"); U.S. Patent No. 10,219,661 ("the '661 patent"); U.S. Patent No. 11,910,983 ("the '983 patent"); and U.S. Patent No. 11,910,984 ("the '984 patent"). *Id.* The complaint further alleged that an industry in the United States exists or is in the process of being established. *Id.* The notice of investigation named as respondents Dyson, Inc. of Chicago, Illinois; Dyson Technology Limited of Tetbury Hill, United Kingdom; and Dyson Canada Limited of Toronto, Canada (collectively, "Dyson"). *Id.* The Office of Unfair Import Investigations is not participating in this investigation. *Id.*

On December 23, 2024, the Commission terminated the investigation as to claims 1, 8, 9, and 12 of the '120 patent; claims 1, 2, 9-12, 15, and 16 of the '661 patent; claims 4, 8, 12, and 17-19 of the '983 patent; and claims 3, 4, 6, 7, 9-18 of the '984 patent. Order No. 16 (Dec. 3, 2024); *unreviewed by Comm'n Notice* (Dec. 26, 2024).

On February 4, 2025, Complainants and Dyson filed a joint motion to terminate the investigation based on a settlement agreement. The parties represented that the settlement agreement is the only agreement between the parties concerning the subject matter of the investigation, and that termination of the investigation is consistent with public interest as it would conserve public and private resources and would have no adverse effects to the public. The joint motion included confidential and redacted copies of the subject settlement agreement.

On February 5, 2025, the ALJ issued the subject ID (Order No. 20) pursuant to Commission Rule 210.21(b) (19 CFR 210.21(b)), granting the joint motion to terminate the investigation based on settlement.

No petitions for review of the subject ID were filed.

The Commission has determined not to review the subject ID. The investigation is terminated.

The Commission vote for this determination took place on February 26, 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 26, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025-03385 Filed 2-28-25; 8:45 am]

BILLING CODE 7020-02-P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701-TA-513 and 731-TA-1249 (Second Review)]

Sugar From Mexico; Institution of Five-Year Reviews

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice that it has instituted reviews pursuant to the Tariff Act of 1930 ("the Act"), as amended, to determine whether termination of the suspended investigations on sugar from Mexico would be likely to lead to continuation or recurrence of material injury. Pursuant to the Act, interested parties are requested to respond to this notice by submitting the information specified below to the Commission.

DATES: Instituted March 3, 2025. To be assured of consideration, the deadline for responses is April 2, 2025. Comments on the adequacy of responses may be filed with the Commission by May 14, 2025.

FOR FURTHER INFORMATION CONTACT:

Rachel Devenney (202-205-3172), 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 proceeding may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>.

SUPPLEMENTARY INFORMATION:

Background.—On December 19, 2014, the Department of Commerce (“Commerce”) suspended the antidumping and countervailing duty investigations on imports of sugar from Mexico (79 FR 78039 and 78044, December 29, 2014). On January 16, 2015, Commerce received timely requests pursuant to sections 734(g) and 704(g) of the Act, as amended (19 U.S.C. 1673c(g), 1671c(g)), to continue the antidumping and countervailing duty investigations on sugar from Mexico. Commerce resumed the investigations on May 4, 2015, and on September 23, 2015, published its final affirmative antidumping and countervailing duty determinations (80 FR 57337 and 57341). On November 16, 2015, the Commission published its affirmative determinations in the continued final investigations (80 FR 70833). Following the first five-year reviews by Commerce and the Commission, effective April 30, 2020, Commerce issued a continuation of the suspended investigations on imports of sugar from Mexico (85 FR 23945). The Commission is now conducting second reviews pursuant to section 751(c) of the Act, as amended (19 U.S.C. 1675(c)), to determine whether termination of the suspended investigations would be likely to lead to continuation or recurrence of material injury to the domestic industry within a reasonably foreseeable time. Provisions concerning the conduct of this proceeding may be found in the Commission’s Rules of Practice and Procedure at 19 CFR part 201, subparts A and B, and 19 CFR part 207, subparts A and F. The Commission will assess the adequacy of interested party responses to this notice of institution to determine whether to conduct full or expedited reviews. The Commission’s determinations in any expedited reviews will be based on the facts available, which may include information provided in response to this notice.

Definitions.—The following definitions apply to these reviews:

(1) *Subject Merchandise* is the class or kind of merchandise that is within the scope of the five-year reviews, as defined by Commerce.

(2) The *Subject Country* in these reviews is Mexico.

(3) The *Domestic Like Product* is the domestically produced product or products which are like, or in the absence of like, most similar in characteristics and uses with, the *Subject Merchandise*. In its original determinations and its first expedited five-year review determinations, the Commission defined a single *Domestic*

Like Product consisting of all sugar that is coextensive with Commerce’s scope.

(4) The *Domestic Industry* is the U.S. producers as a whole of the *Domestic Like Product*, or those producers whose collective output of the *Domestic Like Product* constitutes a major proportion of the total domestic production of the product. In its original determinations, the Commission defined the *Domestic Industry* as all U.S. producers of sugar within Commerce’s scope, including sugarcane and sugar beet farmers/ growers, as well as cane millers, cane refiners, and sugar beet processors, but did not include one firm because it did not engage in sufficient production-related activities. In its expedited five-year review determinations, the Commission defined the *Domestic Industry* as all U.S. producers of sugar within Commerce’s scope, including cane farmers and beet growers, and it adopted the same findings as to production-related activities as it did in its original investigations.

(5) An *Importer* is any person or firm engaged, either directly or through a parent company or subsidiary, in importing the *Subject Merchandise* into the United States from a foreign manufacturer or through its selling agent.

Participation in the proceeding and public service list.—Persons, including industrial users of the *Subject Merchandise* and, if the merchandise is sold at the retail level, representative consumer organizations, wishing to participate in the proceeding as parties must file an entry of appearance with the Secretary to the Commission, as provided in § 201.11(b)(4) of the Commission’s rules, no later than 21 days after publication of this notice in the **Federal Register**. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the proceeding.

Former Commission employees who are seeking to appear in Commission five-year reviews are advised that they may appear in a review even if they participated personally and substantially in the corresponding underlying original investigation or an earlier review of the same underlying investigation. The Commission’s designated agency ethics official has advised that a five-year review is not the same particular matter as the underlying original investigation, and a five-year review is not the same particular matter as an earlier review of the same underlying investigation for purposes of 18 U.S.C. 207, the post-employment statute for Federal employees, and Commission rule 201.15(b) (19 CFR

201.15(b)), 79 FR 3246 (Jan. 17, 2014), 73 FR 24609 (May 5, 2008).

Consequently, former employees are not required to seek Commission approval to appear in a review under Commission rule 19 CFR 201.15, even if the corresponding underlying original investigation or an earlier review of the same underlying investigation was pending when they were Commission employees. For further ethics advice on this matter, contact Charles Smith, Office of the General Counsel, at 202–205–3408.

Limited disclosure of business proprietary information (BPI) under an administrative protective order (APO) and APO service list.—Pursuant to § 207.7(a) of the Commission’s rules, the Secretary will make BPI submitted in this proceeding available to authorized applicants under the APO issued in the proceeding, provided that the application is made no later than 21 days after publication of this notice in the **Federal Register**. Authorized applicants must represent interested parties, as defined in 19 U.S.C. 1677(9), who are parties to the proceeding. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Certification.—Pursuant to § 207.3 of the Commission’s rules, any person submitting information to the Commission in connection with this proceeding 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 information submitted in response to this request for information and throughout this proceeding or other proceeding 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.

Written submissions.—Pursuant to § 207.61 of the Commission’s rules, each interested party response to this notice must provide the information specified below. The deadline for filing such responses is 5:15 p.m. on April 2, 2025. Pursuant to § 207.62(b) of the Commission’s rules, eligible parties (as specified in Commission rule

207.62(b)(1) may also file comments concerning the adequacy of responses to the notice of institution and whether the Commission should conduct expedited or full reviews. The deadline for filing such comments is 5:15 p.m. on May 14, 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. Also, in accordance with §§ 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the proceeding must be served on all other parties to the proceeding (as identified by either the public or APO service list as appropriate), and a certificate of service must accompany the document (if you are not a party to the proceeding you do not need to serve your response).

Please note the Secretary's Office 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.

No response to this request for information is required if a currently valid Office of Management and Budget ("OMB") number is not displayed; the OMB number is 3117 0016/USITC No. 25-5-631, expiration date June 30, 2026. Public reporting burden for the request is estimated to average 15 hours per response. Please send comments regarding the accuracy of this burden estimate to the Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436.

Inability to provide requested information.—Pursuant to § 207.61(c) of the Commission's rules, any interested party that cannot furnish the information requested by this notice in the requested form and manner shall notify the Commission at the earliest possible time, provide a full explanation of why it cannot provide the requested information, and indicate alternative forms in which it can provide equivalent information. If an interested party does not provide this notification (or the Commission finds the explanation provided in the notification inadequate) and fails to provide a complete response to this notice, the

Commission may take an adverse inference against the party pursuant to § 776(b) of the Act (19 U.S.C. 1677e(b)) in making its determinations in the reviews.

Information To Be Provided in Response to This Notice of Institution: As used below, the term "firm" includes any related firms.

Those responding to this notice of institution are encouraged, but not required, to visit the USITC's website at https://usitc.gov/reports/response_noi_worksheet, where one can download and complete the "NOI worksheet" Excel form for the subject proceeding, to be included as attachment/exhibit 1 of your overall response.

(1) The name and address of your firm or entity (including World Wide Web address) and name, telephone number, fax number, and Email address of the certifying official.

(2) A statement indicating whether your firm/entity is an interested party under 19 U.S.C. 1677(9) and if so, how, including whether your firm/entity is a U.S. sugarcane or sugar beet farmer/grower, cane miller, cane refiner, and/or sugar beet processor of the *Domestic Like Product*, a U.S. union or worker group, a U.S. importer of the *Subject Merchandise*, a foreign producer or exporter of the *Subject Merchandise*, a U.S. or foreign trade or business association (a majority of whose members are interested parties under the statute), or another interested party (including an explanation). If you are a union/worker group or trade/business association, identify the firms in which your workers are employed or which are members of your association.

(3) A statement indicating whether your firm/entity is willing to participate in this proceeding by providing information requested by the Commission.

(4) A statement of the likely effects of the termination of the suspended investigations on the *Domestic Industry* in general and/or your firm/entity specifically. In your response, please discuss the various factors specified in section 752(a) of the Act (19 U.S.C. 1675a(a)) including the likely volume of subject imports, likely price effects of subject imports, and likely impact of imports of *Subject Merchandise* on the *Domestic Industry*.

(5) A list of all known and currently operating U.S. sugarcane or sugar beet farmers/growers, cane millers, cane refiners, and sugar beet processors of the *Domestic Like Product*. Identify any known related parties and the nature of the relationship as defined in section 771(4)(B) of the Act (19 U.S.C. 1677(4)(B)).

(6) A list of all known and currently operating U.S. importers of the *Subject Merchandise* and producers of the *Subject Merchandise* in the *Subject Country* that currently export or have exported *Subject Merchandise* to the United States or other countries after 2018.

(7) A list of 3–5 leading purchasers in the U.S. market for the *Domestic Like Product* and the *Subject Merchandise* (including street address, World Wide Web address, and the name, telephone number, fax number, and Email address of a responsible official at each firm).

(8) A list of known sources of information on national or regional prices for the *Domestic Like Product* or the *Subject Merchandise* in the U.S. or other markets.

(9) If you are a U.S. producer of the *Domestic Like Product*, by reason of sugar beet and/or sugarcane farming/growing, provide the following information on your firm's farmer/grower operations on the *Domestic Like Product* during crop year (typically October–September) 2023/24: Total acres owned/leased (in number of acres), total acres of sugarcane and sugar beets harvested (in number of acres), sugar beet and sugarcane production (in short tons), an estimate of the percentage of total U.S. sugar beet and sugarcane production by U.S. sugar beet and sugarcane growers accounted for by your firm's(s') production (if known), and an estimate of the percentage of total U.S. acres of sugarcane and sugar beets harvested accounted for by your firm's(s') acres of sugarcane and sugar beets harvested (if known). If you are a U.S. producer of the *Domestic Like Product* by reason of cane milling, cane refining, and/or sugar beet processing, provide the following information on your firm's operations on the *Domestic Like Product* during crop year 2023/24 (report quantity data in short tons raw value, and value data in U.S. dollars, f.o.b. plant). If you are a union/worker group or trade/business association, provide the information, on an aggregate basis, for the firms in which your workers are employed/which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total U.S. production of the *Domestic Like Product* accounted for by your firm's(s') production;

(b) Capacity (quantity) of your firm to produce the *Domestic Like Product* (that is, the level of production that your establishment(s) could reasonably have expected to attain during the year, assuming normal operating conditions (using equipment and machinery in place and ready to operate), normal

operating levels (hours per week/weeks per year), time for downtime, maintenance, repair, and cleanup, and a typical or representative product mix);

(c) the quantity and value of U.S. commercial shipments of the *Domestic Like Product* produced in your U.S. plant(s);

(d) the quantity and value of U.S. internal consumption/company transfers of the *Domestic Like Product* produced in your U.S. plant(s); and

(e) the value of (i) net sales, (ii) cost of goods sold (COGS), (iii) gross profit, (iv) selling, general and administrative (SG&A) expenses, and (v) operating income of the *Domestic Like Product* produced in your U.S. plant(s) (include both U.S. and export commercial sales, internal consumption, and company transfers) for your most recently completed fiscal year (identify the date on which your fiscal year ends).

(10) If you are a U.S. importer or a trade/business association of U.S. importers of the *Subject Merchandise* from the *Subject Country*, provide the following information on your firm's(s') operations on that product during crop year 2023/24 (report quantity data in short tons raw value, and value data in U.S. dollars). If you are a trade/business association, provide the information, on an aggregate basis, for the firms which are members of your association.

(a) The quantity and value (landed, duty-paid) of U.S. imports and, if known, an estimate of the percentage of total U.S. imports of *Subject Merchandise* from the *Subject Country* accounted for by your firm's(s') imports;

(b) the quantity and value (f.o.b. U.S. port) of U.S. commercial shipments of *Subject Merchandise* imported from the *Subject Country*; and

(c) the quantity and value (f.o.b. U.S. port) of U.S. internal consumption/company transfers of *Subject Merchandise* imported from the *Subject Country*.

(11) If you are a producer, an exporter, or a trade/business association of producers or exporters of the *Subject Merchandise* in the *Subject Country*, provide the following information on your firm's(s') operations on that product during crop year 2023/24 (report quantity data in short tons raw value, and value data in U.S. dollars, landed and duty-paid at the U.S. port). If you are a trade/business association, provide the information, on an aggregate basis, for the firms which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total production of *Subject Merchandise* in the *Subject Country* accounted for by your firm's(s') production;

(b) Capacity (quantity) of your firm(s) to produce the *Subject Merchandise* in the *Subject Country* (that is, the level of production that your establishment(s) could reasonably have expected to attain during the year, assuming normal operating conditions (using equipment and machinery in place and ready to operate), normal operating levels (hours per week/weeks per year), time for downtime, maintenance, repair, and cleanup, and a typical or representative product mix); and

(c) the quantity and value of your firm's(s') exports to the United States of *Subject Merchandise* and, if known, an estimate of the percentage of total exports to the United States of *Subject Merchandise* from the *Subject Country* accounted for by your firm's(s') exports.

(12) Identify significant changes, if any, in the supply and demand conditions or business cycle for the *Domestic Like Product* that have occurred in the United States or in the market for the *Subject Merchandise* in the *Subject Country* after 2018, and significant changes, if any, that are likely to occur within a reasonably foreseeable time. Supply conditions to consider include technology; production methods; development efforts; ability to increase production (including the shift of production facilities used for other products and the use, cost, or availability of major inputs into production); and factors related to the ability to shift supply among different national markets (including barriers to importation in foreign markets or changes in market demand abroad). Demand conditions to consider include end uses and applications; the existence and availability of substitute products; and the level of competition among the *Domestic Like Product* produced in the United States, *Subject Merchandise* produced in the *Subject Country*, and such merchandise from other countries.

(13) (OPTIONAL) A statement of whether you agree with the above definitions of the *Domestic Like Product* and *Domestic Industry*; if you disagree with either or both of these definitions, please explain why and provide alternative definitions.

Authority: This proceeding is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to § 207.61 of the Commission's rules.

By order of the Commission.

Issued: February 25, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025-03282 Filed 2-28-25; 8:45 am]

BILLING CODE 7020-02-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 Peabody Twentymile Mining, LLC.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before April 2, 2025.

ADDRESSES: You may submit comments identified by Docket No. MSHA-2025-0022 by any of the following methods:

1. *Federal eRulemaking Portal:*

<https://www.regulations.gov>. Follow the instructions for submitting comments for MSHA-2025-0022.

2. *Fax:* 202-693-9441.

3. *Email:* petitioncomments@dol.gov.

4. *Regular Mail or Hand Delivery:*

MSHA, Office of Standards, Regulations, and Variances, 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–2025–016–C.

Petitioner: Peabody Twentymile Mining, LLC, 29515 Routt County Road 27, Oak Creek, Colorado 80467.

Mine: Foidel Creek Mine, MSHA ID No. 05–03836, located in Routt County, Colorado.

Regulation Affected: 30 CFR 75.1002(a), Permissible electric equipment.

Modification Request: The petitioner requests a modification of 30 CFR 75.1002(a) to permit alternative methods of compliance to permit the use of additional respiratory dust protection. Specifically, the petitioner proposes to use the Drager X-plore 8700 powered air purifying respirator (PAPR).

The petitioner states that:

(a) The Foidel Creek Mine is located at 29515 Routt County Road 27, Oak Creek, Colorado 80467. The mine's contact person is Terry Morson, Safety Manager. The Foidel Creek Mine is a typical western drift mine that opened in 1983. The mine has four portals and three shafts into the Wadge Seam, the latter consisting of two intake portals and one return portal. There is also one inner seam return shaft to the Wolf Creek Seam.

(b) The mine employs approximately 150 personnel underground and 49 on the surface, including office employees. The mine operates 2 shifts, 7 days a week. There is one longwall section in the Wolf Creek Seam, 985 feet long, approximately 9 feet in mining height, with the panel approximately 9,000 feet long. A longwall crew of 7 miners typically operates on the graveyard shift, seven days per week, and a second longwall crew frequently works on dayshift. A continuous mining machine (CMM) crew of 8 miners working seven days per week on the graveyard shift extracts coal using the room and pillar method, and a second CMM crew works frequently on the dayshift. The mine's total production was 91,038 tons during the 4th quarter of 2023. Total methane liberation in the 2nd quarter of FY 2023 was 174,495 cubic feet per day.

(c) Conveyor belts transport coal out of the mine. Diesel-powered mantrips

are used to transport miners in and out of the mine.

(d) The mine is ventilated by the following three fans:

(1) 5 MN Fan—Buffalo Forge, Model MS–1 28/16, RPM: 880/1,180, Diameter: 110 inches, HP: 3,000, Volts: 4,160, Water Gage: 11.1 inches, Axial Vane, Running.

(2) Bleeder Tap Fan—National Turbine, Model NT 122206, RPM: 3,000, Diameter: 12 inches, HP: 125, Volts: 480, Not recorded, Multi-stage pump, Running.

(3) 0 Entry Fan—Jeffery Model 84UA96, RPM: 1,195, Diameter: 96 inches, HP: 1,000, Volts: 4,160, Water Gage: 9.4 inches, Axial Vane, Idle.

(e) Peabody seeks modification of 30 CFR 75.1002(a), as it pertains to use of battery-powered respirable protection in its continuous miner sections.

(f) Peabody currently uses the 3M Airstream helmet to provide additional protection for its miners against exposure to respirable coal mine dust. There are clear long-term health benefits from using such technology.

(g) For more than 40 years the 3M Airstream Headgear-Mounted PAPR System has been used by many mine operators to help protect their workers. During those years there have been technological advancements in products and services for industrial applications. Recently 3M has indicated that they have been facing multiple key component supply disruptions for the Airstream product line that have created issues with providing acceptable supply service levels. Because of those issues, 3M discontinued the Airstream by June 1, 2020, and that this discontinuation is global.

(h) 3M announced that February 2020 was the final time to place an order for systems and components and that June 2020 was the final date to purchase Airstream components.

(i) Currently there are no replacement 3M PAPRs that meet applicable U.S. Mine Safety and Health Administration (MSHA) standards for permissibility. Electronic equipment used in underground mines in potentially explosive atmospheres is required to be approved by MSHA per 30 CFR. 3M and other manufacturers do offer alternative products for many other environments and applications.

(j) Following that discontinuation, mines that used the Airstream did not have an MSHA-approved alternative PAPR to provide to miners. One of the benefits of the PAPRs is that they provide a constant flow of air inside the headtop or helmet. This constant airflow helps to provide both respiratory

protection and comfort in hot working environments.

(k) Twentymile previously filed Petitions to permit the use of the Versaflo TR–800 Intrinsically Safe Powered Air Purifying Respirator and the Clean Space EX PAPR at Docket No. M–2023–011–C. Such petition was granted on November 18, 2024.

(l) Twentymile now seeks approval to use the Drager X-plore 8700 PAPR.

(m) The Drager X-plore 8700 is certified by CSA Group according to the ANSI 60079–0:2022 (General Requirements) and 60079–13 (intrinsic Safety) standards. The certificate, issued to Drager Safety AG&Co. KG, Ex ib III B 135°C DB, Class 1, Zone 1, AEx ib IIB T4 Gb and Zone 21, AEx ib IIIB 135°C DB. It is intrinsically safe. It uses a Drager LBT 04xx LI–ION Battery Pack.

(n) NIOSH researchers in a paper titled “*An Evaluation of the Relative Safety of U.S. Mining Explosion-Protected Equipment Approval Requirements versus those of International Standards*” have determined that equipment which meets two-fault intrinsic safety as defined in the ANSI/UL 60079 standard would provide at least an equivalent level of safety as that provided by equipment approved to MSHA criteria.

(o) The certifications, listing material (drawings, certificate and text report) were found to support the conclusion that the Drager X-plore 8700 (EX) meets the applicable “two fault” intrinsic safety requirements for mining equipment as found in the ANSI/UL standard.

(p) The Drager X-plore 8700 (EX) Unit is not MSHA approved as permissible and Drager is not pursuing approval.

(q) The standards for approval of these respirators are an acceptable alternative to MSHA's standards and provide an equivalent level of protection.

(r) Peabody believes the Drager unit will perform similarly to the Versaflo in terms of interference with the proximity detector as long as the manufacturer's guidelines in reproduction are met.

(s) The alternate method proposed by the petitioner will at all times guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

The petitioner proposes the following alternative method:

(a) Affected mine employees shall be trained in the proper use and maintenance of the Drager X-plore 8700 (EX) in accordance with established manufacturer guidelines. This training shall alert the affected employee that the Drager X-plore 8700 (EX) is not

approved under 30 CFR part 18 and shall be de-energized when 1.0 or more percent methane is detected. The training shall also include the proper method to de-energize these PAPRs. In addition to manufacturer guidelines, MSHA shall require that mine employees be trained to inspect the units before use to determine if there is any damage to the units that would negatively impact intrinsic safety as well as all stipulations in the proposed decision and order (PDO) granted by MSHA.

(b) The PAPRs, battery packs, all associated wiring and connections shall be inspected by a qualified person 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) Each PAPR shall be assigned a unique identification number. The operator shall maintain a separate logbook for the Drager Xplore 8700 (EX) 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. Since float coal dust is removed by the air filter prior to reaching the motor, the PAPR user shall conduct regular examinations of the filter and perform periodic testing any alarms concerning the filter. Examination entries may be expunged after one year.

(d) The mine shall stock an adequate supply of replacement filters.

(e) All Drager X-plore 8700 (EX) shall be physically examined prior to initial use by a qualified person as defined in 30 CFR 75.151. Each unit shall be examined by the person to operate the equipment prior to taking the equipment underground to ensure the equipment is being used according to the original equipment manufacturer's recommendations and maintained in a safe operating condition. The examinations for the Drager Xplore 8700 (EX) 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; and

(5) Check the battery compartment cover or battery attachment to ensure that it is securely fastened.

(f) The operator shall ensure that all Drager X-plore 8700 (EX) units are serviced according to the manufacturer's recommendations. Dates of service shall be recorded in the equipment's log book and shall include a description of the work performed.

(g) The Drager X-plore 8700 (EX) units to be located shall not be put into service until MSHA has initially inspected the equipment and determined that it is in compliance with all the terms and conditions of the PDO granted by MSHA.

(h) Prior to energizing the Drager X-plore 8700 (EX) in areas where permissible equipment is required, methane tests shall be made in accordance with 30 CFR 75.323(a).

(i) All hand-held methane detectors shall be MSHA-approved and maintained in permissible and proper operating condition as defined by 30 CFR 75.320. All methane detectors shall provide visual and audible warnings when methane is detected at or above 1.0 percent.

(j) A qualified person as defined in existing 30 CFR 75.151 shall continuously monitor for methane immediately before and during the use of the Drager X-plore 8700 (EX) when such equipment is located where permissible equipment is required.

(k) The Drager X-plore 8700 (EX) shall not be used if methane is detected in concentrations at or above 1.0 percent methane. When 1.0 percent or more of methane is detected while the Drager X-plore 8700 (EX) is being used, the equipment shall be de-energized immediately and the equipment withdrawn from the affected area.

(l) Use only Li-Ion High Capacity Battery or Li-Ion standard capacity battery (EX), which meets lithium battery safety standard UL 1642 or IEC 62133.

(m) The battery packs shall be "changed out" in intake air. Before each shift when the Drager X-plore 8700 (EX) is to be used, all batteries and power units for the equipment shall be charged sufficiently so that they are not expected to be replaced on that shift.

(n) The following maintenance and use conditions shall apply to equipment containing lithium-type batteries:

(1) Always correctly use and maintain the lithium-ion battery packs. The battery pack may be disassembled or modified by anyone other than permitted by the manufacturer of the equipment.

(2) The battery pack shall only be charged in an area free of combustible

material, readily monitored and located on the surface of the mine. The battery pack shall be charged by only using the manufacturer's recommended charger.

(3) The batteries shall not be allowed to get wet or immersed in liquid. This does not preclude incidental exposure of sealed battery packs.

(4) The batteries shall not be used, charged or stored in locations where the manufacturer's recommended temperature limits are exceeded. The batteries shall not be placed in direct sunlight or used or stored near a source of heat.

(5) The battery shall not be used at the end of its life cycle (e.g., when there is a performance decrease of greater than 20 percent in battery operated equipment). The battery shall be disposed of properly.

(6) Follow the manufacturer's recommendations and instructions. Check and monitor each unit's run time. Observe and notate the initial run time that a new fully charged battery provides for powering the unit. A record of the initial run time and the date shall be made by a trained and competent person. This record shall not be expunged on an annual basis but shall be retained until the PAPR and/or the battery is retired from service.

(7) Routinely check the battery's charge status.

(8) Routinely monitor batteries that are approaching the end of their estimated service life.

(9) Remove the battery from service when the following conditions are met:

(i) The battery run time drops below 80 percent of the new battery run time; or

(ii) The battery charge time increases significantly.

(10) Follow the storage instructions as recommended by the manufacturer. If the instructions were not followed for a battery stored or otherwise unused for an extended period or the battery has no charge remaining, consider it to be damaged. Do not attempt to recharge it or to use it. Remove it from service and replace it with a new battery.

(o) Personnel engaged in the use of the Drager X-plore 8700 (EX) shall be properly trained to recognize the hazards and limitations associated with the use of the equipment in areas where methane could be present. Affected mine employees shall also be trained to properly position their proximity detection system/miner wearable component (PDS MWC) at least six inches from their PAPR's battery/motor blower or battery/power unit to prevent interference. Additionally, personnel shall be trained regarding proper procedures for donning self-contained

self-rescuers (SCSRs) during a mine emergency while wearing the Drager X-plore 8700 (EX). The mine operator shall submit proposed revisions to update the Mine Emergency Evacuation and Firefighting Program of Instruction under 30 CFR 75.1502.

(p) Within 60 days after the PDO granted by MSHA becomes final, the operator shall submit proposed revisions for its approved 30 CFR part 48 training plans to the Mine Safety and Health Enforcement District Manager. These proposed revisions shall specify initial and refresher training regarding the terms and conditions stated in the PDO granted by MSHA. When training is conducted on the terms and conditions in the PDO granted by MSHA, an MSHA Certificate of Training (Form 5000-23) shall be completed. Comments shall be included on the Certificate of Training indicating that the training received was for use of the Drager X-plore 8700 (EX).

(q) All personnel who will be involved with or affected by the use of the Drager X-plore 8700 (EX) shall receive training in accordance with 30 CFR 48.7 on the requirements of the PDO granted by MSHA within 60 days of the date the PDO granted by MSHA becomes final. Such training shall be completed before any Drager X-plore 8700 (EX) can be used in areas where equipment must be permissible and such miners will be located. The operator shall keep a record of such training and provide such record to MSHA upon request.

(r) The operator shall provide annual retraining to all personnel who will be involved with or affected by the use of the Drager X-plore 8700 (EX) in accordance with 30 CFR 48.8. The operator shall train new miners on the requirements of the PDO granted by MSHA in accordance with 30 CFR 48.5 and shall train experienced miners on the requirements of the PDO granted by MSHA in accordance with 30 CFR 48.6. The operator shall keep a record of such training and provide such record to MSHA upon request.

(s) The operator shall post the PDO granted by MSHA in unobstructed locations on the bulletin boards and/or in other conspicuous places where notices to miners are ordinarily posted, for a period of not less than 60 consecutive days. Unless specifically mentioned herein, nothing in the PDO granted by MSHA changes or supersedes the requirements otherwise imposed by the Mine Act, other mandatory standards or regulations, or approved plans. The petitioner shall include the above terms and conditions in the initial and annual refresher

training as required in its approved Part 48 training plans to ensure that miners are aware of the stipulations contained in the PDO granted by MSHA.

(t) The miners at Foidel Creek are not represented by a labor organization and the Amended Petition is posted on the mine bulletin board as of December 20, 2024.

In support of the proposed alternative method, the petitioner has also submitted a copy of the PDO for the previously filed petition to permit the use of the Versaflo TR-800 PAPR and the Clean Space EX PAPR (Docket No. M-2023-011-C), manufacturer spec sheets for the Drager X-plore 8700 PAPR and certificates of compliance from CSAGroup.

The petitioner asserts that the alternative method will 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. 2025-03394 Filed 2-28-25; 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 Signal Peak Energy, LLC.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before April 2, 2025.

ADDRESSES: You may submit comments identified by Docket No. MSHA-2025-0017 by any of the following methods:

1. *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments for MSHA-2025-0017.
2. *Fax:* 202-693-9441.
3. *Email:* petitioncomments@dol.gov.
4. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, 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-2025-011-C.

Petitioner: Signal Peak Energy, LLC, 100 Portal Dr., Roundup, MT 59072.

Mine: Bull Mountains Mine No. 1, MSHA ID No. 24-01950, located in Musselshell County, Montana.

Regulation Affected: 30 CFR 75.507-1(a), Permissible electric equipment.

Modification Request: The petitioner requests a modification of the application of 30 CFR 75.507-1(a) to allow the use of an alternative method of respirable dust protection. Specifically, the petitioner is seeking modification of the existing standard to permit usage of Dräger X-plore 8700 Powered Air Purifying Respirators (PAPRs) to be used in the last open crosscut to protect miners from respirable dust.

The petitioner states that:

(a) The petitioner currently utilizes 3M Versaflo TR-800 PAPRs, that were approved for use under a previous

petition. The company's request to utilize Dräger units seeks to leverage its improved performance, battery life, durability, and air volume capacity to provide employees with the best protection available.

(b) Signal Peak Energy's Bull Mountains Mine No. 1 is a non-gassy mine. Methane and other relevant explosive gases have not been encountered at the mine.

(c) MSHA-approved permissible PAPRs are widely discontinued.

(d) Although not MSHA approved, the proposed Dräger X-plore 8700 PAPR is certified as intrinsically safe to use in explosive or dusty environments. It is approved with an intrinsically safe (IS) rating of Class I, Zone 1, AEx ib IIB T4 Gb for explosive gas environments, and Zone 21, AEx ib IIIB 135 °C Db for combustible dust environments, under standards including CAN/CSA-C22.2 No. 60079-11:14 and ANSI/UL 60079-11:13. These certifications ensure the unit's safe operation in hazardous locations where explosive gases or dusts may be present.

(e) The standards for approval of these respirators are an acceptable alternative to MSHA's standards and provide an equivalent level of protection.

(f) The alternative method will guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

The petitioner proposes the following alternative method:

(a) Batteries for the Dräger X-plore 8700 PAPR shall be charged only in intake air, either on the surface or underground, and not within 150 feet of a worked-out area.

(b) Battery inspections and replacements shall be conducted in intake air, either on the surface or underground.

(c) Appropriate battery packs and chargers shall be used with Dräger X-plore 8700 PAPRs:

(1) Li-Ion "High Capacity Battery (EX)", 10.8 V, 6400mAh, P/N R59575, Um= 18 V DC for charging; or

(2) Li-Ion "Standard Capacity Battery (EX)" 10.8 V, 3350mAh, P/N R59595, Um= 18 V DC for charging.

(d) Miners shall be trained on the safe use, care, and inspection of the Dräger X-plore 8700 PAPR units.

(e) The Dräger X-plore 8700 PAPR units shall be assessed for physical damage before each use.

(f) The Dräger X-plore 8700 PAPR shall not be used if methane is at or above one percent. If methane levels are higher than one percent, equipment shall immediately be de-energized and removed from the affected areas.

(g) All qualified and affected personnel shall receive training on the terms and conditions of the proposed decision and order (PDO) granted by MSHA prior to utilizing equipment in affected areas. A record of training shall be kept and provided upon request by an authorized representative.

(h) There are no representatives of miners at Signal Peak Energy, LLC, Bull Mountains Mine No. 1. A copy of this petition has been posted on the bulletin board as of December 20, 2024.

In support of the proposed alternative method, the petitioner has also submitted: a Dräger X-plore 8700 EX Certificate of Compliance and a Dräger X-plore 8700 EX data sheet.

The petitioner asserts that the alternative method will 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. 2025-03391 Filed 2-28-25; 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 Peabody Twentymile Mining, LLC.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before April 2, 2025.

ADDRESSES: You may submit comments identified by Docket No. MSHA-2025-0021 by any of the following methods:

1. *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments for MSHA-2025-0021.

2. *Fax:* 202-693-9441.

3. *Email:* petitioncomments@dol.gov.

4. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, 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-2025-015-C.

Petitioner: Peabody Twentymile Mining, LLC, 29515 Routt County Road 27, Oak Creek, Colorado 80467.

Mine: Foidel Creek Mine, MSHA ID No. 05-03836, located in Routt County, Colorado.

Regulation Affected: 30 CFR 75.507-1(a), Permissible electric equipment.

Modification Request: The petitioner requests a modification of 30 CFR 75.507-1(a) to permit alternative methods of compliance to permit the use of additional respiratory dust protection. Specifically, the petitioner proposes to use the Dräger X-plore 8700 powered air purifying respirator (PAPR).

The petitioner states that:

(a) The Foidel Creek Mine is located at 29515 Routt County Road 27, Oak Creek, Colorado 80467. The mine's contact person is Terry Morson, Safety Manager. The Foidel Creek Mine is a typical western drift mine that opened in 1983. The mine has four portals and

three shafts into the Wadge Seam, the latter consisting of two intake portals and one return portal. There is also one inner seam return shaft to the Wolf Creek Seam.

(b) The mine employs approximately 150 personnel underground and 49 on the surface, including office employees. The mine operates 2 shifts, 7 days a week. There is one longwall section in the Wolf Creek Seam, 985 feet long, approximately 9 feet in mining height, with the panel approximately 9,000 feet long. A longwall crew of 7 miners typically operates on the graveyard shift, seven days per week, and a second longwall crew frequently works on dayshift. A continuous mining machine (CMM) crew of 8 miners working seven days per week on the graveyard shift extracts coal using the room and pillar method, and a second CMM crew works frequently on the dayshift. The mine's total production was 91,038 tons during the 4th quarter of 2023. Total methane liberation in the 2nd quarter of FY 2023 was 174,495 cubic feet per day.

(c) Conveyor belts transport coal out of the mine. Diesel-powered mantrips are used to transport miners in and out of the mine.

(d) The mine is ventilated by the following three fans:

(1) 5 MN Fan—Buffalo Forge, Model MS-1 28/16, RPM: 880/1,180, Diameter: 110 inches, HP: 3,000, Volts: 4,160, Water Gage: 11.1 inches, Axial Vane, Running.

(2) Bleeder Tap Fan—National Turbine, Model NT 122206, RPM: 3,000, Diameter: 12 inches, HP: 125, Volts: 480, Not recorded, Multi-stage pump, Running.

(3) 0 Entry Fan—Jeffery Model 84UA96, RPM: 1,195, Diameter: 96 inches, HP: 1,000, Volts: 4,160, Water Gage: 9.4 inches, Axial Vane, Idle.

(e) Peabody seeks modification of 30 CFR 75.507-1(a), as it pertains to use of battery-powered respirable protection in its continuous miner sections.

(f) Peabody currently uses the 3M Airstream helmet to provide additional protection for its miners against exposure to respirable coal mine dust. There are clear long-term health benefits from using such technology.

(g) For more than 40 years the 3M Airstream Headgear-Mounted PAPR System has been used by many mine operators to help protect their workers. During those years there have been technological advancements in products and services for industrial applications. Recently 3M has indicated that they have been facing multiple key component supply disruptions for the Airstream product line that have created issues with providing acceptable supply

service levels. Because of those issues, 3M discontinued the Airstream by June 1, 2020, and that this discontinuation is global.

(h) 3M announced that February 2020 was the final time to place an order for systems and components and that June 2020 was the final date to purchase Airstream components.

(i) Currently there are no replacement 3M PAPRs that meet applicable U.S. Mine Safety and Health Administration (MSHA) standards for permissibility. Electronic equipment used in underground mines in potentially explosive atmospheres is required to be approved by MSHA per 30 CFR. 3M and other manufacturers do offer alternative products for many other environments and applications.

(j) Following that discontinuation, mines that used the Airstream did not have an MSHA-approved alternative PAPR to provide to miners. One of the benefits of the PAPRs is that they provide a constant flow of air inside the headtop or helmet. This constant airflow helps to provide both respiratory protection and comfort in hot working environments.

(k) Twentymile previously filed Petitions to permit the use of the Versaflo TR-800 Intrinsically Safe Powered Air Purifying Respirator and the Clean Space EX PAPR at Docket No. M-2023-010-C. Such petition was granted on November 18, 2024.

(l) Twentymile now seeks approval to use the Drager X-plore 8700 PAPR.

(m) The Drager X-plore 8700 is certified by CSA Group according to the ANSI 60079-0:2022 (General Requirements) and 60079-13 (intrinsic Safety) standards. The certificate, issued to Drager Safety AG&Co. KG, Ex ib III B 135 °C DB, Class 1, Zone 1, AEx ib IIB T4 Gb and Zone 21, AEx ib IIIB 135 °C DB. It is intrinsically safe. It uses a Drager LBT 04xx Li-ION Battery Pack.

(n) NIOSH researchers in a paper titled "*An Evaluation of the Relative Safety of U.S. Mining Explosion-Protected Equipment Approval Requirements versus those of International Standards*" have determined that equipment which meets two-fault intrinsic safety as defined in the ANSI/UL 60079 standard would provide at least an equivalent level of safety as that provided by equipment approved to MSHA criteria.

(o) The certifications, listing material (drawings, certificate and text report) were found to support the conclusion that the Drager X-plore 8700 (EX) meets the applicable "two fault" intrinsic safety requirements for mining equipment as found in the ANSI/UL standard.

(p) The Drager X-plore 8700 (EX) Unit is not MSHA approved as permissible and Drager is not pursuing approval.

(q) The standards for approval of these respirators are an acceptable alternative to MSHA's standards and provide an equivalent level of protection.

(r) Peabody believes the Drager unit will perform similarly to the Versaflo in terms of interference with the proximity detector as long as the manufacturer's guidelines in reproduction are met.

(s) The alternate method proposed by the petitioner will at all times guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

The petitioner proposes the following alternative method:

(a) Affected mine employees shall be trained in the proper use and maintenance of the Drager X-plore 8700 (EX) in accordance with established manufacturer guidelines. This training shall alert the affected employee that the Drager X-plore 8700 (EX) is not approved under 30 CFR part 18 and shall be de-energized when 1.0 or more percent methane is detected. The training shall also include the proper method to de-energize these PAPRs. In addition to manufacturer guidelines, MSHA shall require that mine employees be trained to inspect the units before use to determine if there is any damage to the units that would negatively impact intrinsic safety as well as all stipulations in the proposed decision and order (PDO) granted by MSHA.

(b) The PAPRs, battery packs, all associated wiring and connections shall be inspected by a qualified person 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) Each PAPR shall be assigned a unique identification number. The operator shall maintain a separate logbook for the Drager X-plore 8700 (EX) 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. Since float coal dust is removed by the air filter prior to reaching the motor, the PAPR user shall conduct regular examinations of the filter and perform periodic testing any alarms concerning the filter. Examination entries may be expunged after one year.

(d) The mine shall stock an adequate supply of replacement filters.

(e) All Drager X-plore 8700 (EX) shall be physically examined prior to initial use by a qualified person as defined in 30 CFR 75.151. Each unit shall be examined by the person to operate the equipment prior to taking the equipment underground to ensure the equipment is being used according to the original equipment manufacturer's recommendations and maintained in a safe operating condition. The examinations for the Drager X-plore 8700 (EX) 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; and

(5) Check the battery compartment cover or battery attachment to ensure that it is securely fastened.

(f) The operator shall ensure that all Drager X-plore 8700 (EX) units are serviced according to the manufacturer's recommendations. Dates of service shall be recorded in the equipment's log book and shall include a description of the work performed.

(g) The Drager X-plore 8700 (EX) units to be located shall not be put into service until MSHA has initially inspected the equipment and determined that it is in compliance with all the terms and conditions of the PDO granted by MSHA.

(h) Prior to energizing the Drager X-plore 8700 (EX) in areas where permissible equipment is required, methane tests shall be made in accordance with 30 CFR 75.323(a).

(i) All hand-held methane detectors shall be MSHA-approved and maintained in permissible and proper operating condition as defined by 30 CFR 75.320. All methane detectors shall provide visual and audible warnings when methane is detected at or above 1.0 percent.

(j) A qualified person as defined in existing 30 CFR 75.151 shall continuously monitor for methane immediately before and during the use of the Drager X-plore 8700 (EX) when such equipment is located where permissible equipment is required.

(k) The Drager X-plore 8700 (EX) shall not be used if methane is detected in concentrations at or above 1.0 percent methane. When 1.0 percent or more of methane is detected while the Drager X-plore 8700 (EX) is being used, the

equipment shall be de-energized immediately and the equipment withdrawn from the affected area.

(l) Use only Li-Ion High Capacity Battery or Li-Ion standard capacity battery (EX), which meets lithium battery safety standard UL 1642 or IEC 62133.

(m) The battery packs shall be "changed out" in intake air. Before each shift when the Drager X-plore 8700 (EX) is to be used, all batteries and power units for the equipment shall be charged sufficiently so that they are not expected to be replaced on that shift.

(n) The following maintenance and use conditions shall apply to equipment containing lithium-type batteries:

(1) Always correctly use and maintain the lithium-ion battery packs. The battery pack may be disassembled or modified by anyone other than permitted by the manufacturer of the equipment.

(2) The battery pack shall only be charged in an area free of combustible material, readily monitored and located on the surface of the mine. The battery pack shall be charged by only using the manufacturer's recommended charger.

(3) The batteries shall not be allowed to get wet or immersed in liquid. This does not preclude incidental exposure of sealed battery packs.

(4) The batteries shall not be used, charged or stored in locations where the manufacturer's recommended temperature limits are exceeded. The batteries shall not be placed in direct sunlight or used or stored near a source of heat.

(5) The battery shall not be used at the end of its life cycle (*e.g.*, when there is a performance decrease of greater than 20 percent in battery operated equipment). The battery shall be disposed of properly.

(6) Follow the manufacturer's recommendations and instructions. Check and monitor each unit's run time. Observe and notate the initial run time that a new fully charged battery provides for powering the unit. A record of the initial run time and the date shall be made by a trained and competent person. This record shall not be expunged on an annual basis but shall be retained until the PAPR and/or the battery is retired from service.

(7) Routinely check the battery's charge status.

(8) Routinely monitor batteries that are approaching the end of their estimated service life.

(9) Remove the battery from service when the following conditions are met:

(i) The battery run time drops below 80 percent of the new battery run time; or

(ii) The battery charge time increases significantly.

(10) Follow the storage instructions as recommended by the manufacturer. If the instructions were not followed for a battery stored or otherwise unused for an extended period or the battery has no charge remaining, consider it to be damaged. Do not attempt to recharge it or to use it. Remove it from service and replace it with a new battery.

(o) Personnel engaged in the use of the Drager X-plore 8700 (EX) shall be properly trained to recognize the hazards and limitations associated with the use of the equipment in areas where methane could be present. Affected mine employees shall also be trained to properly position their proximity detection system/miner wearable component (PDS MWC) at least six inches from their PAPR's battery/motor blower or battery/power unit to prevent interference. Additionally, personnel shall be trained regarding proper procedures for donning self-contained self-rescuers (SCSRs) during a mine emergency while wearing the Drager X-plore 8700 (EX). The mine operator shall submit proposed revisions to update the Mine Emergency Evacuation and Firefighting Program of Instruction under 30 CFR 75.1502.

(p) Within 60 days after the PDO granted by MSHA becomes final, the operator shall submit proposed revisions for its approved 30 CFR part 48 training plans to the Mine Safety and Health Enforcement District Manager. These proposed revisions shall specify initial and refresher training regarding the terms and conditions stated in the PDO granted by MSHA. When training is conducted on the terms and conditions in the PDO granted by MSHA, an MSHA Certificate of Training (Form 5000-23) shall be completed. Comments shall be included on the Certificate of Training indicating that the training received was for use of the Drager X-plore 8700 (EX).

(q) All personnel who will be involved with or affected by the use of the Drager X-plore 8700 (EX) shall receive training in accordance with 30 CFR 48.7 on the requirements of the PDO granted by MSHA within 60 days of the date the PDO granted by MSHA becomes final. Such training shall be completed before any Drager X-plore 8700 (EX) can be used in areas where equipment must be permissible and such miners will be located. The operator shall keep a record of such training and provide such record to MSHA upon request.

(r) The operator shall provide annual retraining to all personnel who will be involved with or affected by the use of

the Drager Xplore 8700 (EX) in accordance with 30 CFR 48.8. The operator shall train new miners on the requirements of the PDO granted by MSHA in accordance with 30 CFR 48.5 and shall train experienced miners on the requirements of the PDO granted by MSHA in accordance with 30 CFR 48.6. The operator shall keep a record of such training and provide such record to MSHA upon request.

(s) The operator shall post the PDO granted by MSHA in unobstructed locations on the bulletin boards and/or in other conspicuous places where notices to miners are ordinarily posted, for a period of not less than 60 consecutive days. Unless specifically mentioned herein, nothing in the PDO granted by MSHA changes or supersedes the requirements otherwise imposed by the Mine Act, other mandatory standards or regulations, or approved plans. The petitioner shall include the above terms and conditions in the initial and annual refresher training as required in its approved Part 48 training plans to ensure that miners are aware of the stipulations contained in the PDO granted by MSHA.

(t) The miners at Foidel Creek are not represented by a labor organization and the Amended Petition is posted on the mine bulletin board as of January 8, 2025.

In support of the proposed alternative method, the petitioner has also submitted a copy of the PDO for the previously filed petition to permit the use of the Versaflo TR-800 PAPR and the Clean Space EX PAPR (Docket No. M-2023-010-C), manufacturer spec sheets for the Drager X-plore 8700 PAPR and certificates of compliance from CSAGroup.

The petitioner asserts that the alternative method will 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. 2025-03390 Filed 2-28-25; 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 Canyon Fuel Company, LLC.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before April 2, 2025.

ADDRESSES: You may submit comments identified by Docket No. MSHA-2025-0024 by any of the following methods:

1. *Federal eRulemaking Portal:*

https://www.regulations.gov. Follow the instructions for submitting comments for MSHA-2025-0024.

2. *Fax:* 202-693-9441.

3. *Email:* *petitioncomments@dol.gov*

4. *Regular Mail or Hand Delivery:*

MSHA, Office of Standards, Regulations, and Variances, 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-2025-017-C.
Petitioner: Canyon Fuel Company, LLC, 597 South SR 24, Salina, Utah 84654.

Mine: Sufco Mine, MSHA ID No. 42-00089, located in Sevier County, Utah.

Regulation Affected: 30 CFR 75.507-1(a), Permissible electric equipment.

Modification Request: The petitioner requests a modification of 30 CFR 75.507-1(a) to permit an alternate method of compliance for respiratory protection. Specifically, the petitioner proposes to use the Drager X-plore 8000 powered air purifying respirator (PAPR) to protect miners from potential exposure to respirable dust during normal mining conditions, in return air outby the last open cross cut.

The petitioner states that:

(a) Sufco Mine is proposing to use the Drager X-plore 8000 PAPR in conjunction with the 3M Versa Flo units that have been approved for use. The 3M Versa Flo unit is highly used in the medical field which causes shortage and backorders of filters and other parts of the unit. Sufco feels that the Drager PAPR would help relieve the issues of storages and backorders for the 3M Versa Flo unit filters and other parts, and so that miners will still be provided a method that provides a direct reduction of miners' exposure to respirable dust, thus reducing their health risks.

(b) The Drager X-plore 8000 PAPR provides a constant flow of filtered air to the miners, which provides a direct reduction of miners' exposure to respirable dust, thus reducing their health risks. There are no other MSHA-approved units.

(c) The Drager X-plore 8000 PAPRs are ergonomically designed for greater movement in tight workspaces. This respirator has the following features: helps protect against certain airborne contaminants; is easy to use and maintain; has interchangeable components, which will enable Sufco to customize the PAPR system to help meet the needs of our specific application; is intrinsically safe; has audible and visual alarms; has a multi-speed blower; and the battery offers long run time and charges quickly.

(d) The Drager X-plore 8000 is intrinsically safe and certified by UL under the ANSI/UL 60079-11:13 standard to be used in hazardous locations.

(e) The alternative method will provide no less than the same measure of protection afforded the miners under the existing standard.

The petitioner proposes the following alternative method:

(a) The batteries for the PAPRs shall be charged outby the last open crosscut when not in operation.

(b) The batteries shall be charged by the following products: Drager battery Charger for the X-plore 8000 standard charger.

(c) The Drager X-plore 8000 PAPR shall only use the Drager X-plore 8700 battery.

(d) Affected miners shall be trained in the proper use and care of the PAPR units in accordance with manufacturers' instructions.

(e) The instrument shall be checked for physical damage and the integrity of the case.

(f) If methane is detected in concentrations of 1.0 percent or more, procedures in accordance with 30 CFR 75.323 shall be followed.

(g) There are no representatives of miners at Canyon Fuel Company, LLC, Sufco Mine. A copy of this petition has been posted on the bulletin board on December 29, 2024.

In support of the proposed alternative method, the petitioner has also submitted manufacturer spec sheets for the Drager X-plore PAPR and certificates of compliance from CSA Group, a nationally recognized testing laboratory (NRTL) in the U.S. and an Accredited Certification Organization by Standards Councils of Canada in Canada.

The petitioner asserts that the alternative method will 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. 2025-03388 Filed 2-28-25; 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 Peabody Twentymile Mining, LLC.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before April 2, 2025.

ADDRESSES: You may submit comments identified by Docket No. MSHA-2025-0020 by any of the following methods:

1. *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments for MSHA-2025-0020.

2. *Fax:* 202-693-9441.

3. *Email:* petitioncomments@dol.gov.

4. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, 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-2025-014-C.

Petitioner: Peabody Twentymile Mining, LLC, 29515 Routt County Road 27, Oak Creek, Colorado 80467.

Mine: Foidel Creek Mine, MSHA ID No. 05-03836, located in Routt County, Colorado.

Regulation Affected: 30 CFR 75.500(d), Permissible electric equipment.

Modification Request: The petitioner requests a modification of 30 CFR 75.500(d) to permit alternative methods of compliance to permit the use of additional respiratory dust protection. Specifically, the petitioner proposes to use the Drager X-plore 8700 powered air purifying respirator (PAPR).

The petitioner states that:

(a) The Foidel Creek Mine is located at 29515 Routt County Road 27, Oak Creek, Colorado 80467. The mine's contact person is Terry Morson, Safety Manager. The Foidel Creek Mine is a typical western drift mine that opened in 1983. The mine has four portals and three shafts into the Wadge Seam, the latter consisting of two intake portals and one return portal. There is also one inner seam return shaft to the Wolf Creek Seam.

(b) The mine employs approximately 150 personnel underground and 49 on the surface, including office employees. The mine operates 2 shifts, 7 days a week. There is one longwall section in the Wolf Creek Seam, 985 feet long, approximately 9 feet in mining height, with the panel approximately 9,000 feet long. A longwall crew of 7 miners typically operates on the graveyard shift, seven days per week, and a second longwall crew frequently works on dayshift. A continuous mining machine (CMM) crew of 8 miners working seven days per week on the graveyard shift extracts coal using the room and pillar method, and a second CMM crew works frequently on the dayshift. The mine's total production was 91,038 tons during the 4th quarter of 2023. Total methane liberation in the 2nd quarter of FY 2023 was 174,495 cubic feet per day.

(c) Conveyor belts transport coal out of the mine. Diesel-powered mantrips are used to transport miners in and out of the mine.

(d) The mine is ventilated by the following three fans:

(1) 5 MN Fan—Buffalo Forge, Model MS-1 28/16, RPM: 880/1,180, Diameter: 110 inches, HP: 3,000, Volts: 4,160, Water Gage: 11.1 inches, Axial Vane, Running.

(2) Bleeder Tap Fan—National Turbine, Model NT 122206, RPM: 3,000, Diameter: 12 inches, HP: 125, Volts: 480, Not recorded, Multi-stage pump, Running.

(3) 0 Entry Fan—Jeffery Model 84UA96, RPM: 1,195, Diameter: 96 inches, HP: 1,000, Volts: 4,160, Water Gage: 9.4 inches, Axial Vane, Idle.

(e) Peabody seeks modification of 30 CFR 75.500(d), as it pertains to use of

battery-powered respirable protection in its continuous miner sections.

(f) Peabody currently uses the 3M Airstream helmet to provide additional protection for its miners against exposure to respirable coal mine dust. There are clear long-term health benefits from using such technology.

(g) For more than 40 years the 3M Airstream Headgear-Mounted PAPR System has been used by many mine operators to help protect their workers. During those years there have been technological advancements in products and services for industrial applications. Recently 3M has indicated that they have been facing multiple key component supply disruptions for the Airstream product line that have created issues with providing acceptable supply service levels. Because of those issues, 3M discontinued the Airstream by June 1, 2020, and that this discontinuation is global.

(h) 3M announced that February 2020 was the final time to place an order for systems and components and that June 2020 was the final date to purchase Airstream components.

(i) Currently there are no replacement 3M PAPRs that meet applicable U.S. Mine Safety and Health Administration (MSHA) standards for permissibility. Electronic equipment used in underground mines in potentially explosive atmospheres is required to be approved by MSHA per 30 CFR. 3M and other manufacturers do offer alternative products for many other environments and applications.

(j) Following that discontinuation, mines that used the Airstream did not have an MSHA-approved alternative PAPR to provide to miners. One of the benefits of the PAPRs is that they provide a constant flow of air inside the headtop or helmet. This constant airflow helps to provide both respiratory protection and comfort in hot working environments.

(k) Twentymile previously filed Petitions to permit the use of the Versaflo TR-800 Intrinsically Safe Powered Air Purifying Respirator and the Clean Space EX PAPR at Docket No. M-2023-009-C. Such petition was granted on November 18, 2024.

(l) Twentymile now seeks approval to use the Drager X-plore 8700 PAPR.

(m) The Drager X-plore 8700 is certified by CSA Group according to the ANSI 60079-0:2022 (General Requirements) and 60079-13 (intrinsic Safety) standards. The certificate, issued to Drager Safety AG&Co. KG, Ex ib III B 135 °C DB, Class 1, Zone 1, AEx ib IIB T4 Gb and Zone 21, AEx ib IIIB 135 °C DB. It is intrinsically safe. It uses a Drager LBT 04xx LI-ION Battery Pack.

(n) NIOSH researchers in a paper titled “*An Evaluation of the Relative Safety of U.S. Mining Explosion-Protected Equipment Approval Requirements versus those of International Standards*” have determined that equipment which meets two-fault intrinsic safety as defined in the ANSI/UL 60079 standard would provide at least an equivalent level of safety as that provided by equipment approved to MSHA criteria.

(o) The certifications, listing material (drawings, certificate and text report) were found to support the conclusion that the Drager X-plore 8700 (EX) meets the applicable “two fault” intrinsic safety requirements for mining equipment as found in the ANSI/UL standard.

(p) The Drager X-plore 8700 (EX) Unit is not MSHA approved as permissible and Drager is not pursuing approval.

(q) The standards for approval of these respirators are an acceptable alternative to MSHA’s standards and provide an equivalent level of protection.

(r) Peabody believes the Drager unit will perform similarly to the Versaflo in terms of interference with the proximity detector as long as the manufacturer’s guidelines in reproduction are met.

(s) The alternate method proposed by the petitioner will at all times guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

The petitioner proposes the following alternative method:

(a) Affected mine employees shall be trained in the proper use and maintenance of the Drager X-plore 8700 (EX) in accordance with established manufacturer guidelines. This training shall alert the affected employee that the Drager X-plore 8700 (EX) is not approved under 30 CFR part 18 and shall be de-energized when 1.0 or more percent methane is detected. The training shall also include the proper method to de-energize these PAPRs. In addition to manufacturer guidelines, MSHA shall require that mine employees be trained to inspect the units before use to determine if there is any damage to the units that would negatively impact intrinsic safety as well as all stipulations in the proposed decision and order (PDO) granted by MSHA.

(b) The PAPRs, battery packs, all associated wiring and connections shall be inspected by a qualified person 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) Each PAPR shall be assigned a unique identification number. The operator shall maintain a separate logbook for the Drager X-plore 8700 (EX) 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. Since float coal dust is removed by the air filter prior to reaching the motor, the PAPR user shall conduct regular examinations of the filter and perform periodic testing any alarms concerning the filter. Examination entries may be expunged after one year.

(d) The mine shall stock an adequate supply of replacement filters.

(e) All Drager X-plore 8700 (EX) shall be physically examined prior to initial use by a qualified person as defined in 30 CFR 75.151. Each unit shall be examined by the person to operate the equipment prior to taking the equipment underground to ensure the equipment is being used according to the original equipment manufacturer’s recommendations and maintained in a safe operating condition. The examinations for the Drager X-plore 8700 (EX) 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; and

(5) Check the battery compartment cover or battery attachment to ensure that it is securely fastened.

(f) The operator shall ensure that all Drager X-plore 8700 (EX) units are serviced according to the manufacturer’s recommendations. Dates of service shall be recorded in the equipment’s log book and shall include a description of the work performed.

(g) The Drager X-plore 8700 (EX) units to be located shall not be put into service until MSHA has initially inspected the equipment and determined that it is in compliance with all the terms and conditions of the PDO granted by MSHA.

(h) Prior to energizing the Drager X-plore 8700 (EX) in areas where permissible equipment is required, methane tests shall be made in accordance with 30 CFR 75.323(a).

(j) All hand-held methane detectors shall be MSHA-approved and maintained in permissible and proper operating condition as defined by 30 CFR 75.320. All methane detectors shall provide visual and audible warnings when methane is detected at or above 1.0 percent.

(j) A qualified person as defined in existing 30 CFR 75.151 shall continuously monitor for methane immediately before and during the use of the Drager X-plore 8700 (EX) when such equipment is located where permissible equipment is required.

(k) The Drager X-plore 8700 (EX) shall not be used if methane is detected in concentrations at or above 1.0 percent methane. When 1.0 percent or more of methane is detected while the Drager X-plore 8700 (EX) is being used, the equipment shall be de-energized immediately and the equipment withdrawn from the affected area.

(l) Use only Li-Ion High Capacity Battery or Li-Ion standard capacity battery (EX), which meets lithium battery safety standard UL 1642 or IEC 62133.

(m) The battery packs shall be "changed out" in intake air. Before each shift when the Drager X-plore 8700 (EX) is to be used, all batteries and power units for the equipment shall be charged sufficiently so that they are not expected to be replaced on that shift.

(n) The following maintenance and use conditions shall apply to equipment containing lithium-type batteries:

(1) Always correctly use and maintain the lithium-ion battery packs. The battery pack may be disassembled or modified by anyone other than permitted by the manufacturer of the equipment.

(2) The battery pack shall only be charged in an area free of combustible material, readily monitored and located on the surface of the mine. The battery pack shall be charged by only using the manufacturer's recommended charger.

(3) The batteries shall not be allowed to get wet or immersed in liquid. This does not preclude incidental exposure of sealed battery packs.

(4) The batteries shall not be used, charged or stored in locations where the manufacturer's recommended temperature limits are exceeded. The batteries shall not be placed in direct sunlight or used or stored near a source of heat.

(5) The battery shall not be used at the end of its life cycle (e.g., when there is a performance decrease of greater than 20 percent in battery operated equipment). The battery shall be disposed of properly.

(6) Follow the manufacturer's recommendations and instructions. Check and monitor each unit's run time. Observe and notate the initial run time that a new fully charged battery provides for powering the unit. A record of the initial run time and the date shall be made by a trained and competent person. This record shall not be expunged on an annual basis but shall be retained until the PAPR and/or the battery is retired from service.

(7) Routinely check the battery's charge status.

(8) Routinely monitor batteries that are approaching the end of their estimated service life.

(9) Remove the battery from service when the following conditions are met:

(i) The battery run time drops below 80 percent of the new battery run time; or

(ii) The battery charge time increases significantly.

(10) Follow the storage instructions as recommended by the manufacturer. If the instructions were not followed for a battery stored or otherwise unused for an extended period or the battery has no charge remaining, consider it to be damaged. Do not attempt to recharge it or to use it. Remove it from service and replace it with a new battery.

(o) Personnel engaged in the use of the Drager X-plore 8700 (EX) shall be properly trained to recognize the hazards and limitations associated with the use of the equipment in areas where methane could be present. Affected mine employees shall also be trained to properly position their proximity detection system/miner wearable component (PDS MWC) at least six inches from their PAPR's battery/motor blower or battery/power unit to prevent interference. Additionally, personnel shall be trained regarding proper procedures for donning self-contained self-rescuers (SCSRs) during a mine emergency while wearing the Drager X-plore 8700 (EX). The mine operator shall submit proposed revisions to update the Mine Emergency Evacuation and Firefighting Program of Instruction under 30 CFR 75.1502.

(p) Within 60 days after the PDO granted by MSHA becomes final, the operator shall submit proposed revisions for its approved 30 CFR part 48 training plans to the Mine Safety and Health Enforcement District Manager. These proposed revisions shall specify initial and refresher training regarding the terms and conditions stated in the PDO granted by MSHA. When training is conducted on the terms and conditions in the PDO granted by MSHA, an MSHA Certificate of Training (Form 5000-23) shall be completed.

Comments shall be included on the Certificate of Training indicating that the training received was for use of the Drager X-plore 8700 (EX).

(q) All personnel who will be involved with or affected by the use of the Drager X-plore 8700 (EX) shall receive training in accordance with 30 CFR 48.7 on the requirements of the PDO granted by MSHA within 60 days of the date the PDO granted by MSHA becomes final. Such training shall be completed before any Drager X-plore 8700 (EX) can be used in areas where equipment must be permissible and such miners will be located. The operator shall keep a record of such training and provide such record to MSHA upon request.

(r) The operator shall provide annual retraining to all personnel who will be involved with or affected by the use of the Drager X-plore 8700 (EX) in accordance with 30 CFR 48.8. The operator shall train new miners on the requirements of the PDO granted by MSHA in accordance with 30 CFR 48.5 and shall train experienced miners on the requirements of the PDO granted by MSHA in accordance with 30 CFR 48.6. The operator shall keep a record of such training and provide such record to MSHA upon request.

(s) The operator shall post the PDO granted by MSHA in unobstructed locations on the bulletin boards and/or in other conspicuous places where notices to miners are ordinarily posted, for a period of not less than 60 consecutive days. Unless specifically mentioned herein, nothing in the PDO granted by MSHA changes or supersedes the requirements otherwise imposed by the Mine Act, other mandatory standards or regulations, or approved plans. The petitioner shall include the above terms and conditions in the initial and annual refresher training as required in its approved Part 48 training plans to ensure that miners are aware of the stipulations contained in the PDO granted by MSHA.

(t) The miners at Foidel Creek are not represented by a labor organization and the Amended Petition is posted on the mine bulletin board as of January 8, 2025.

In support of the proposed alternative method, the petitioner has also submitted a copy of the PDO for the previously filed petition to permit the use of the Versaflo TR-800 PAPR and the Clean Space EX PAPR (Docket No. M-2023-009-C), manufacturer spec sheets for the Drager X-plore 8700 PAPR and certificates of compliance from CSAGroup.

The petitioner asserts that the alternative method will 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. 2025-03393 Filed 2-28-25; 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 Grefco Minerals, LLC.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before April 2, 2025.

ADDRESSES: You may submit comments identified by Docket No. MSHA-2025-0023 by any of the following methods:

1. *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments for MSHA-2025-0023.

2. *Fax:* 202-693-9441.

3. *Email:* petitioncomments@dol.gov.

4. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, 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-2025-002-M.

Petitioner: Grefco Minerals, LLC, 36904 Summit Lake Road, Burney, CA 96013.

Mine: Grefco Mine & Mill, MSHA ID No. 26-00125, located in Nye County, Nevada.

Regulation Affected: 30 CFR 56.20001, Intoxicating beverages and narcotics.

Modification Request: The petitioner requests a modification of 30 CFR 56.20001 to permit alcohol stow-fermented from starch bearing an alcohol content of less than 10 percent alcohol by volume ("ABV"), commonly called "beer", to be at the Grefco plant for the purpose of use in chemical testing that is part of product quality control and research.

The petitioner states that:

(a) Grefco requests that it be permitted to:

(1) Store containers of beer at the plant in secure locations, with restricted access;

(2) Use beer for purposes of quality control testing, statistical method control testing, and research testing; and

(3) Store open containers of beer that may be used during more than one testing event at the Grefco Mine & Mill, in secure locations, with restricted access.

(b) Grefco does not seek modification of any other part of the standard. The consumption of any intoxicating beverages and narcotics (including beer) shall be prohibited, and persons under the influence of alcohol or narcotics (including beer) shall be prohibited, and persons under the influence of alcohol or narcotics shall not be permitted on site.

(c) The purpose of 30 CFR 56.20001 is to protect miners by ensuring that

miners do not have access to intoxicating beverages and narcotics at mines, and that miners are not under the influence of intoxicating beverages and narcotics while on the job. Grefco agrees with the purpose of the standard. The use of intoxicating beverages is not tolerated at Grefco. However, for commercial purposes, Grefco requires that containers of beer be stored at Grefco so that Grefco may conduct appropriate quality control and research testing.

(d) Grefco believes that the proposed modifications may be accomplished in a manner that ensures miners do not have access to the beer that Grefco will use for testing purposes.

(e) The Grefco Mine and Mill is a surface diatomaceous earth ("DE") mine and processing facility. Mined DE is processed by Grefco to create finished DE products ("the marketable products"). One of the commercial applications of the marketable products is a filtration agent utilized during the brewing process for beer. The marketable products are integrated onto a fine mesh screen, with other ingredients, thereby creating a "filter cake." At the end of the brewing process, following fermentation, which results in the creation of the alcohol-containing liquid that is called "beer", the beer is passed through the filter cake to remove undesirable containments. This results in higher clarity of the beer, which is commercially desirable.

(f) Grefco is filing this petition because 30 CFR 56.20001 prohibits intoxicating beverages on or around mines. Grefco's mining operations require that containers of beer, less than 10 percent ABV, be located at the Grefco plant in order to conduct quality control testing of the marketable products, and to perform research testing to ensure that the marketable products are suitable for use in beer brewing. Beer industry customers are at the core of Grefco's business.

(g) Although DE can be an excellent filtration aid in the production of beer, it also contains naturally occurring iron, which is undesirable in beer production. If the beer absorbs too much iron, the beer will develop a bitter taste, which is not commercially desirable. Soluble iron in beer also has a deleterious effect on beer stability, which is also not commercially desirable. Accordingly, one of the most critical properties of the marketable products is its beer-soluble iron ("BSI") content.

(h) In order to ensure that the marketable products meet the BSI and other applicable specifications, Grefco must engage in testing on-site at the

Grefco plant to identify the BSI content of the marketable products as they are processed. Specifications for BSI in the marketable products are measured at the parts per million level. Grefco warrants maximum BSI content in marketable products sold to the beer industry. In order to (1) adequately control the production of marketable products, and (2) release marketable products within customers' specifications, it is essential to conduct in-process, finished product and research testing of the marketing products. The number of actual BSI tests conducted daily at the Grefco plant can range from five to thirty per day. This testing methodology conforms to that recommended by the American Society of Brewing Chemists.

(i) Because this on-site testing and research activity requires that beer be stored and used at the Grefco plant, which is prohibited by 30 CFR 56.20001 there is a need for this petition.

(j) The alternate method proposed by the petitioner will at all times guarantee no less than the same measure of protection under the mandatory standard.

The petitioner proposes the following alternative method:

(a) Beer used in lab procedures shall be ordered by a lab technician or other responsible designee who will arrange for the supply of beer to be purchased and delivered to the appropriate person/department for receipt.

(b) When the beer is received, the amount shall be recorded on a log or other equivalent form.

(c) The bottles shall be initialed or marked in some way across the label with permanent marker, prior to storage, to easily identify containers purchased for testing purposes.

(d) Beer shall be stored in a steel locking cabinet. The key shall be kept by the lab technician or other designee(s). A copy of the key to the locking steel cabinet shall be kept by the Quality Manager or other responsible person.

(e) A record of use shall be kept on the log or equivalent form to include the amount, date used, and initials of the person acquiring the product for testing purposes.

(f) When testing has concluded the remaining degassed beer shall be disposed of appropriately by dumping down the drain or other disposal means.

(g) Empty containers shall be kept in the locking cabinet or designated receptacle until they can be disposed of properly.

(t) The miners at Grefco Minerals, LLC, Grefco Mine & Mill, are not represented by a labor organization; however, a copy of this petition has

been provided to the representative of the miners at the mine January 10, 2025.

The petitioner asserts that the alternative method will 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. 2025-03389 Filed 2-28-25; 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 Canyon Fuel Company, LLC.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before April 2, 2025.

ADDRESSES: You may submit comments identified by Docket No. MSHA-2025-0025 by any of the following methods:

1. *Federal eRulemaking Portal:*

<https://www.regulations.gov>. Follow the instructions for submitting comments for MSHA-2025-0025.

2. *Fax:* 202-693-9441.

3. *Email:* petitioncomments@dol.gov.

4. *Regular Mail or Hand Delivery:*

MSHA, Office of Standards, Regulations, and Variances, 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-2025-018-C.

Petitioner: Canyon Fuel Company, LLC, 597 South SR 24, Salina, Utah 84654.

Mine: Sufco Mine, MSHA ID No. 42-00089, located in Sevier County, Utah.

Regulation Affected: 30 CFR 75.1002(a), Permissible electric equipment.

Modification Request: The petitioner requests a modification of 30 CFR 75.1002(a) to permit an alternate method of compliance for respiratory protection. Specifically, the petitioner proposes to use the Drager X-plore 8000 powered air purifying respirator (PAPR) to protect miners from potential exposure to respirable dust during normal mining conditions, within 150 feet of pillar working or longwall faces.

The petitioner states that:

(a) Sufco Mine is proposing to use the Drager X-plore 8000 PAPR in conjunction with the 3M Versa Flo units that have been approved for use. The 3M Versa Flo unit is highly used in the medical field which causes shortage and backorders of filters and other parts of the unit. Sufco feels that the Drager PAPR would help relieve the issues of storages and backorders for the 3M Versa Flo unit filters and other parts, and so that miners will still be provided a method that provides a direct reduction of miners' exposure to respirable dust, thus reducing their health risks.

(b) The Drager X-plore 8000 PAPR provides a constant flow of filtered air to the miners, which provides a direct reduction of miners' exposure to

respirable dust, thus reducing their health risks. There are no other MSHA-approved units.

(c) The Drager X-plore 8000 PAPRs are ergonomically designed for greater movement in tight workspaces. This respirator has the following features: helps protect against certain airborne contaminants; is easy to use and maintain; has interchangeable components, which will enable Sufco to customize the PAPR system to help meet the needs of our specific application; is intrinsically safe; has audible and visual alarms; has a multi-speed blower; and the battery offers long run time and charges quickly.

(d) The Drager X-plore 8000 is intrinsically safe and certified by UL under the ANSI/UL 60079-11:13 standard to be used in hazardous locations.

(e) The alternative method will provide no less than the same measure of protection afforded the miners under the existing standard.

The petitioner proposes the following alternative method:

(a) The batteries for the PAPRs shall be charged out by the last open crosscut when not in operation.

(b) The batteries shall be charged by the following products: Drager battery Charger for the X-plore 8000 standard charger.

(c) The Drager X-plore 8000 PAPR shall only use the Drager X-plore 8700 battery.

(d) Affected miners shall be trained in the proper use and care of the PAPR units in accordance with manufacturers' instructions.

(e) The instrument shall be checked for physical damage and the integrity of the case.

(f) If methane is detected in concentrations of 1.0 percent or more, procedures in accordance with 30 CFR 75.323 shall be followed.

(g) There are no representatives of miners at Canyon Fuel Company, LLC, Sufco Mine. A copy of this petition has been posted on the bulletin board on December 29, 2024.

In support of the proposed alternative method, the petitioner has also submitted manufacturer spec sheets for the Drager X-plore PAPR and certificates of compliance from CSA Group, a nationally recognized testing laboratory (NRTL) in the U.S. and an Accredited Certification Organization by Standards Councils of Canada in Canada.

The petitioner asserts that the alternative method will 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. 2025-03392 Filed 2-28-25; 8:45 am]

BILLING CODE 4520-43-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-102484; File No. 010-00248]

Dream Exchange Holdings, Inc.; Notice of Filing of Application for Registration as a National Securities Exchange Under Section 6 of the Securities Exchange Act of 1934

February 25, 2025.

On February 14, 2025, Dream Exchange Holdings, Inc. ("Dream") filed with the Securities and Exchange Commission ("Commission") a Form 1 application under the Securities Exchange Act of 1934 ("Exchange Act"), seeking registration as a national securities exchange under Section 6 of the Exchange Act. Dream's Form 1 application, provides detailed information on how it proposes to satisfy the requirements of the Exchange Act.

The Commission is publishing this notice to solicit comments on Dream's Form 1 application. The Commission will take any comments it receives into consideration in making its determination about whether to grant Dream's request to register as a national securities exchange. The Commission will grant the registration if it finds that the requirements of the Exchange Act and the rules and regulations thereunder with respect to Dream are satisfied.¹

With respect to governance, Dream would be a subsidiary of its parent companies: DX Capital Partners, LLC, which will own 50.1% of the common stock of Dream; Dream Exchange LLC, which will own 49.9% of the common stock of Dream; and Dream Exchange Preferred Holdings LLC, which will own 100% of the preferred stock of Dream. The governing documents for Dream can be found in Exhibit A to Dream's Form 1 application, and a listing of the officers and directors of Dream can be found in Exhibit J. The governing documents for Dream's parent companies can be found in Exhibit C to Dream's Form 1 application.

With respect to its trading system, the Form 1 application provides that Dream

would operate a fully automated electronic trading platform for the trading of NMS stocks with a continuous automated matching function. Dream would not maintain a physical trading floor. Liquidity would be derived from orders to buy and orders to sell submitted to Dream electronically by its registered broker-dealer members from remote locations. Dream would have one class of membership open to registered broker-dealers and also would allow members to register under Dream rules as market makers on Dream and be subject to certain specified requirements and obligations set forth in Dream's proposed rules.

A more detailed description of the manner of operation of Dream's proposed system can be found in Exhibit E to Dream's Form 1 application. The proposed rulebook for the proposed exchange can be found in Exhibit B to Dream's Form 1 application. A complete set of forms concerning membership and access can be found in Exhibit F to Dream's Form 1 application.

Dream's Form 1 application, including all of the Exhibits referenced above, is available online at www.sec.gov/rules/other.shtml as well as in the Commission's Public Reference Room. Interested persons are invited to submit written data, views, and arguments concerning Dream's Form 1, including whether the application is consistent with the Exchange Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<https://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include file number 010-00248 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 010-00248. 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/other.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to Dream's Form 1 filed with the Commission, and all written

¹ 15 U.S.C. 78s(a).

communications relating to the application 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 010-00248 and should be submitted on or before April 17, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.²

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2025-03335 Filed 2-28-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-102483; File No. SR-CBOE-2025-009]

Self-Regulatory Organizations; Cboe Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Its Fees Schedule To Adopt a Global Trading Hours ("GTH") Surcharge Fee Applicable to Certain Market-Maker Transactions in Mini-SPX Index ("XSP") Options and To Amend Certain Lead Market-Maker ("LMM") Incentive Programs

February 25, 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 12, 2025, Cboe Exchange, Inc. ("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

Cboe Exchange, Inc. (the "Exchange" or "Cboe Options") proposes to amend its Fees Schedule to adopt a Global Trading Hours ("GTH") Surcharge fee applicable to certain Market-Maker transactions in Mini-SPX Index ("XSP") options and to amend certain Lead Market-Maker ("LMM") Incentive Programs by decreasing series requirements, increasing or decreasing quote width and size requirements, increasing or decreasing rebate amounts, and restructuring expiry and VIX Index value categories, as applicable. The text of the proposed rule change is provided in Exhibit 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 (<http://www.cboe.com/AboutCBOE/CBOELegalRegulatoryHome.aspx>), and on the Commission's website at (https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-CBOE-2025-009).

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.⁵ Comments may be submitted electronically by using the

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 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 SRO.

Commission's internet comment form (https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking/national-securities-exchanges?file_number=SR-CBOE-2025-009) or by sending an email to rule-comments@sec.gov. Please include file number SR-CBOE-2025-009 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-CBOE-2025-009. 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-CBOE-2025-009.) Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-CBOE-2025-009 and should be submitted on or before March 24, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁶

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2025-03334 Filed 2-28-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-102486; File No. S7-23-22]

Order Granting Temporary Exemptive Relief, Pursuant to Sections 17A and 36(a) of the Securities Exchange Act of 1934, From Certain Aspects of Rule 17ad-22(e)(6)(i) and Section 19(g)(1) of the Securities Exchange Act of 1934

I. Introduction

On December 13, 2023, the Securities and Exchange Commission ("Commission" or "SEC") adopted, among other things, the amendments to Rule 17ad-22(e)(6)(i) (the "Margin Separation Requirement") under the Securities Exchange Act of 1934 ("Exchange Act"). The Margin Separation Requirement requires that a covered clearing agency providing

⁶ 17 CFR 200.30-3(a)(12).

² 17 CFR 200.30-3(a)(71)(i).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

central counterparty services for U.S. Treasury securities (“U.S. Treasury securities CCA”) establish, implement, maintain and enforce written policies and procedures reasonably designed to calculate, collect, and hold margin amounts from a direct participant for its proprietary positions in U.S. Treasury securities separately and independently from margin calculated and collected from that direct participant in connection with U.S. Treasury securities transactions by an indirect participant that relies on the services provided by the direct participant to access the U.S. Treasury securities CCA’s payment, clearing, or settlement facilities. The Adopting Release established March 31, 2025, as the date by which proposed rule changes regarding Rule 17ad–22(e)(6)(i) must be effective.¹

II. Discussion and Exemptive Relief

Since the Margin Separation Requirement was adopted, Commission staff has been working with market participants, including the current U.S. Treasury securities CCA and applicants to become U.S. Treasury securities CCAs, to address certain operational questions relating to implementation of these rules. As part of these efforts, Commission staff has become aware, through telephonic meetings and letters, that certain market participants believe that certain relief regarding implementation of the Margin Separation Requirement would be appropriate.

In this regard, a group of trade associations representing different types of market participants submitted a letter requesting that the Commission, with

respect to the March 31, 2025 deadline related to Rule 17ad–22(e)(6)(i), allow FICC to proceed with implementing the changes set forth in the proposed rule changes that the Commission has approved, but that the Commission should also permit FICC in its capacity as a self-regulatory organization to forgo for enforcing those requirements for any of its members until March 31, 2026.²

The Associations stated that such an approach would acknowledge that not all market participants currently clearing indirect participant activity at FICC are now ready to be able to make the necessary, legal, operational, and risk management changes in time for complying with FICC’s new rules and procedures by March 31, 2025, but that some market participants are expected to be ready and able to start using FICC’s new services and risk management capabilities on or sometime around March 31, 2025, and that population will continue to grow.³ The Associations stated that this approach would help both maintain progress on achieving orderly implementation of the Treasury clearing rules, while also preserving momentum for achieving critical related initiatives.⁴

After considering this request, the Commission is providing a temporary exemption to Rule 17ad–22(e)(6)(i), pursuant to Sections 17A(b)(1) and 36(a) of the Exchange Act, until September 30, 2025, to avoid market disruption and ensure that direct participants of the covered clearing agency currently clearing for indirect participants are ready to make the legal, operational, and risk management changes to meet that requirement. Under Section 17A(b)(1) of the Exchange Act, the Commission, by rule or order, upon its own motion or upon application, may conditionally or unconditionally exempt any clearing agency or security or any class of clearing agencies or securities from any provisions of this section or the rules or regulations thereunder, if the

Commission finds that such exemption is consistent with the public interest, the protection of investors, and the purposes of this section, including the prompt and accurate clearance and settlement of securities transactions and the safeguarding of securities and funds.⁵ In addition, Section 36(a) of the Exchange Act authorizes the Commission, by rule, regulation or order, to exempt, either conditionally or unconditionally, any person, security or transaction, or any class or classes of persons, securities, or transactions, from any provision or provisions of the Exchange Act or any rule or regulation thereunder, to the extent that such exemption is necessary or appropriate in the public interest, and is consistent with the protection of investors.⁶

The Commission is using its authority under Section 17A and Section 36 of the Exchange Act to provide a temporary exemption to U.S. Treasury securities CCAs from enforcement of any written policies or procedures regarding Rule 17ad–22(e)(6)(i) for six months, until September 30, 2025.⁷ This temporary exemption would also apply to a U.S. Treasury securities CCA’s obligations under Section 19(g)(1)(C) of the Exchange Act, solely regarding the enforcement of any rules regarding Rule 17ad–22(e)(6)(i).⁸ Pursuant to this temporary exemption, a U.S. Treasury securities CCA is not required to enforce its policies and procedures regarding the Margin Separation Requirement for six months. However, this temporary exemption does not affect the requirement for a U.S. Treasury securities CCA to establish, implement, and maintain such policies and procedures for its direct participants to comply with, for those participants who are prepared to do so.

The Commission finds such exemption to be in the public interest and consistent with the protection of investors and the purpose of Sections 17A and 36 of the Exchange Act, including the prompt and accurate clearance and settlement of securities transactions and the safeguarding of

¹ Exchange Act Release No. 34–99149 (Dec. 13, 2023), 89 FR 2714, 2771 (Jan. 16, 2024) (“Adopting Release”). The Commission approved such proposed rule changes by the Fixed Income Clearing Corporation (“FICC”) in November 2024. See Self-Regulatory Organizations; Fixed Income Clearing Corporation; Order Approving a Proposed Rule Change, as Modified by Partial Amendment No. 1, to Modify the GSD Rules to Facilitate Access to Clearance and Settlement of All Eligible Secondary Market Transactions in U.S. Treasury Securities, Exchange Act Release No. 34–101694 (Nov. 21, 2024), 89 FR 93784 (Nov. 27, 2024) (SR–FICC–2024–005); Self-Regulatory Organizations; Fixed Income Clearing Corporation; Order Approving Proposed Rule Change to Amend the Clearing Agency Risk Management Framework, Exchange Act Release No. 34–101685 (Nov. 21, 2024), 83 FR 93689 (Nov. 27, 2024) (SR–FICC–2024–006); Self-Regulatory Organizations; Fixed Income Clearing Corporation; Order Approving Proposed Rule Change, as Modified by Partial Amendment No. 1, to Modify the GSD Rules (i) Regarding the Separate Calculation, Collection and Holding of Margin for Proprietary Transactions and That for Indirect Participant Transactions, and (ii) to Address the Conditions of Note H to Rule 15c3–3a, Exchange Act Release No. 34–101695 (Nov. 21, 2024), 89 FR 93763 (Nov. 27, 2024) (SR–FICC–2024–007).

² See Letter from the Securities Industry and Financial Markets Association (“SIFMA”), SIFMA’s Asset Management Group, Managed Funds Association, Futures Industry Association (“FIA”), FIA Principal Traders Group, International Swaps and Derivatives Association, Alternative Investment Management Association, and The Institute of International Bankers (collectively, the “Associations”), dated Jan. 24, 2025, at 5 (“Associations’ Letter”), available at, e.g., <https://www.sifma.org/wp-content/uploads/2025/01/SIFMA-Extension-Request-US-Treasury-Clearing-Mandate-FINAL-Clean.pdf>; see also Letter from the Investment Company Institute, dated Feb. 21, 2025, at 1 (incorporating the Associations’ Letter and the recommendations therein by reference). See also *supra* note 1.

³ See Associations’ Letter, *supra* note 2, at 5.

⁴ See *id.*

⁵ 15 U.S.C. 78q–1(b)(1).

⁶ 15 U.S.C. 78mm.

⁷ The Commission is also issuing a final rule extending the compliance dates applicable to the requirements of Rule 17ad–22(e)(18)(iv)(A) and (B). See Extension of Compliance Dates for Standards for Covered Clearing Agencies for U.S. Treasury Securities and Application of the Broker-Dealer Customer Protection Rule With Respect to U.S. Treasury Securities, Exchange Act Release No. 34–102487 (Feb. 25, 2025).

⁸ Section 19(g)(1)(C) of the Exchange Act requires, among other things, that a registered clearing agency, which includes a U.S. Treasury securities CCA, enforce compliance with its own rules by its participants. 15 U.S.C. 78s(g)(1)(C).

securities and funds because it will allow U.S. Treasury securities CCAs to implement the separation of house and customer margin. Separation of house and customer margin should reduce the risks presented to a U.S. Treasury securities CCA, ensuring that it has sufficient margin to cover its exposures to its participants, which should, in turn, reduce the potential risk to the U.S. Treasury securities CCA from such transactions, while still providing additional time for any direct participants who require more time to facilitate that separation.⁹

Finally, the Commission is not issuing any temporary exemptions for Rule 17ad-22(e)(18)(iv)(C) (regarding access) and Rule 15c3-3 (regarding the broker-dealer customer protection rule). Although these rules also have a March 31, 2025, compliance date, no market participant is obligated to use a particular access model or to segregate its margin. If a direct participant of a U.S. Treasury securities CCA determines to offer certain access models or segregated margin accounts, the CCA would be obligated to enforce those rules regarding such models or accounts against the relevant participant, and the direct participant must comply with those rules.¹⁰

III. Conclusion

Accordingly, *it is ordered*, pursuant to Sections 17A and 36 of the Exchange Act, that the Commission grants the temporary exemptive relief, as set forth in this Order, to U.S. Treasury securities CCAs from enforcing their written policies and procedures related to Rule 17ad-22(e)(6)(i), and also from the provisions of Section 19(g)(1)(C) of the Exchange Act solely regarding the enforcement of any rules regarding Rule 17ad-22(e)(6)(i), for a period of six months, until September 30, 2025.

By the Commission.

Dated: February 25, 2025.

Vanessa A. Countryman,
Secretary.

[FR Doc. 2025-03350 Filed 2-28-25; 8:45 am]

BILLING CODE 8011-01-P

⁹ See Adopting Release, *supra* note 1, 89 FR at 2753.

¹⁰ For example, the rule amendments in the Adopting Release permit broker-dealers to include a debit in the customer reserve formula equal to the amount of margin required and on deposit at a U.S. Treasury securities CCA, subject to the conditions in Note H to Rule 15c3-3a. Each of the conditions in Note H must be met for a broker-dealer to include the debit in the formula. These conditions include the requirement that the U.S. Treasury securities CCA adopts rules designed to protect and segregate the margin, and the U.S. Treasury securities CCA and broker-dealer are in compliance with those rules. See 17 CFR 240.15c3-3a, Note H and Adopting Release, *supra* note 1, 89 FR at 2760-68.

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meetings

TIME AND DATE: Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Public Law 94-409, that the Securities and Exchange Commission Investor Advisory Committee will hold a public meeting on Thursday, March 6, 2025. The meeting will begin at 10:00 a.m. (ET) and will be open to the public.

PLACE: The meeting will be conducted in-person at 100 F Street NE, Washington, DC 20549 in the Multipurpose Room, and by remote means. Members of the public may attend in-person or watch the webcast of the meeting on the Commission's website at www.sec.gov.

STATUS: This Sunshine Act notice is being issued because a majority of the Commission may attend the meeting.

Public Comment: The public is invited to submit written statements to the Committee. Written statements should be received on or before March 5, 2025.

Written statements may be submitted by any of the following methods:

Electronic Statements

- Use the Commission's internet submission form (<http://www.sec.gov/rules/other.shtml>); or
- Send an email message to rules-comments@sec.gov. Please include File No. 265-28 on the subject line; or

Paper Statements

- Send paper statements to Vanessa A. Countryman, Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090. All submissions should refer to File No. 265-28. This file number should be included on the subject line if email is used. To help us process and review your statement more efficiently, please use only one method.

The Commission will post all statements on the Commission's website. Statements also will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Room 1503, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Operating conditions may limit access to the Commission's Public Reference Room. Do not include personal 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.

MATTERS TO BE CONSIDERED: The agenda for the meeting includes: welcome and opening remarks; approval of previous meeting minutes; a panel discussion regarding disclosure of artificial intelligence's impact on operations; a panel discussion regarding retail investor fraud in America; a discussion of a recommendation regarding investors' ability to bring claims under Section 11 of the Securities Act of 1933; subcommittee reports; and a non-public administrative session.

CONTACT PERSON FOR MORE INFORMATION: For further information, please contact Vanessa A. Countryman from the Office of the Secretary at (202) 551-5400.

Authority: 5 U.S.C. 552b.

Dated: February 26, 2025.

Vanessa A. Countryman,
Secretary.

[FR Doc. 2025-03424 Filed 2-27-25; 11:15 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-102485; File No. SR-NYSEARCA-2025-13]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Filing of Proposed Rule Change To Amend the Grayscale Ethereum Trust ETF and Grayscale Ethereum Mini Trust ETF To Permit Staking of the Ether Held by the Trusts

February 25, 2025.

Pursuant to Section 19(b)(1)¹ of the Securities Exchange Act of 1934 ("Act")² and Rule 19b-4 thereunder,³ notice is hereby given that, on February 14, 2025, NYSE Arca, Inc. ("NYSE Arca" or the "Exchange") filed with the Securities and Exchange Commission (the "Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the Grayscale Ethereum Trust ETF (the "Trust") and Grayscale Ethereum Mini Trust ETF (the "Mini Trust" and, together with the Trust, the "Trusts"),

¹ 15 U.S.C. 78s(b)(1).

² 15 U.S.C. 78a.

³ 17 CFR 240.19b-4.

shares of which have been approved by the Commission to list and trade on the Exchange pursuant to Rule 8.201–E (Commodity-Based Trust Shares), to permit staking of the ether held by the Trusts. The proposed rule change is available on the Exchange’s website at <http://www.nyse.com>, at the principal office of the Exchange, and at the Commission’s Public Reference Room.

II. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization’s Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend the Trusts, shares of which have been approved by the Commission to list and trade on the Exchange pursuant to Rule 8.201–E (Commodity-Based Trust Shares), to permit staking of the ether held by each of the Trusts.

Background

The Commission approved the listing and trading of shares of the Trust (the “Trust Shares”) on the Exchange under Rule 8.201–E on May 23, 2024⁴ and the listing and trading of shares of the Mini Trust (the “Mini Trust Shares”) on the Exchange under Rule 8.201–E on July 17, 2024.⁵

Rule 8.201–E governs the listing and trading of Commodity-Based Trust Shares. Commodity-Based Trust Shares are securities issued by a trust that

represents investors’ discrete identifiable and undivided beneficial ownership interest in the commodities deposited into the trust. The Trust Shares are issued by the Trust, and the Mini Trust Shares are issued by the Mini Trust. Each of the Trusts is a Delaware statutory trust.

Proposed Rule Change

The Exchange proposes to amend Amendment No. 2 to the Trust Shares filing⁶ (the “Trust Shares Filing”) and Amendment No. 3 to the Mini Trust Shares filing⁷ (the “Mini Trust Shares Filing”) as described below to allow the staking of the ether held by each of the Trusts. Specifically, the Exchange proposes to add the following “Staking” section following the “Custody of the Trust’s Ether” section in the Trust Shares Filing and in the Mini Trust Shares Filing:

Staking

The Sponsor may, from time to time, stake a portion of the Trust’s ether on behalf of the Trust through one or more trusted staking providers, which may include the Custodian or an affiliate of the Custodian (“Staking Providers”). However, the Sponsor will not utilize any Staking Providers that are affiliates of the Sponsor. In consideration for any staking activity in which the Trust may engage, the Trust would receive certain staking rewards of ether tokens, which may be treated as income to the Trust.

The Staking Process

As described in “Proof-of-Stake Process” above, the Merge amended the Ethereum Network’s consensus mechanism to a process known as proof-of-stake. Proof-of-stake was intended to address the perceived shortcomings of the proof-of-work consensus mechanism in terms of labor intensity and duplicative computational effort expended by validators (known under proof-of-work as “miners”). In a proof-of-work consensus mechanism, miners effectively compete to be the first in time to solve the cryptographic puzzle that would allow them to be the only validator permitted to validate the block and thus be the only ones to receive the resulting block reward. Miners who are

not first in time (and thus are not permitted to be validators) will have effectively expended significant labor and computing power for no gain. In a proof-of-stake mechanism, by contrast, a single validator is randomly selected to solve the cryptographic puzzle needed to validate a block, which it proposes to a committee of other validators, who vote for whether to include the block (or not). This proof-of-stake system reduces the computational work performed—and energy expended—to validate each block compared to proof-of-work.

New ether is created as a result of the staking of ether by validators. Validators are required to stake ether in order to be selected to perform validation activities and then once selected, as a reward, they earn newly created ether. Validation activities include verifying transactions, storing data, and adding to the Ethereum blockchain. To operate a node on the Ethereum blockchain, a validator must acquire and lock 32 ether by sending a special transaction to the staking contract. This transaction associates the staked ether with a withdrawal address (to unlock the ether and receive any staking rewards) and a validator address (to designate the validator node performing transaction verification).

Staking by the Sponsor on Behalf of the Trust

The Sponsor may, from time to time, stake a portion of the Trust’s ether on behalf of the Trust through one or more Staking Providers. The Sponsor expects to maintain sufficient liquidity in the Trust to satisfy redemptions. The ether staked by the Sponsor on behalf of the Trust will consist exclusively of ether owned by the Trust. The Sponsor’s staking activities on behalf of the Trust will not constitute “delegated staking” and will not form part of a “staking as a service” offering. As further discussed below, the Sponsor believes its activities in relation to staking the ether held by the Trust on behalf of the Trust are materially different from the delegated staking and “staking as a service” activities that the SEC has alleged to involve securities offerings in violation of Section 5 of the Securities Act of 1933.⁸

First, the Sponsor will only stake the ether held by the Trust. The Sponsor

⁴ See Securities Exchange Act Release No. 100224 (May 23, 2024), 89 FR 46937 (May 30, 2024) (SR–NYSEARCA–2023–70; SR–NYSEARCA–2024–31; SR–NASDAQ–2023–045; SR–CboeBZX–2023–069; SR–CboeBZX–2023–070; SR–CboeBZX–2023–087; SR–CboeBZX–2023–095; SR–CboeBZX–2024–018) (Order Granting Accelerated Approval of Proposed Rule Changes, as Modified by Amendments Thereto, to List and Trade Shares of Ether-Based Exchange-Traded Products).

⁵ See Securities Exchange Act Release No. 100541 (July 17, 2024), 89 FR 59786 (July 23, 2024) (SR–NYSEARCA–2024–44; SR–NYSEARCA–2024–53) (Order Granting Approval of Proposed Rule Changes To List and Trade Shares of the Grayscale Ethereum Mini Trust and ProShares Ethereum ETF).

⁶ See Securities Exchange Act Release No. 100217 (May 22, 2024), 89 FR 46441 (May 29, 2024) (SR–NYSEARCA–2023–70) (Notice of Filing of Amendment No. 2 to a Proposed Rule Change To List and Trade Shares of the Grayscale Ethereum Trust).

⁷ See Securities Exchange Act Release No. 100233 (May 28, 2024), 89 FR 47618 (June 3, 2024) (SR–NYSEARCA–2024–44) (Notice of Filing of Proposed Rule Change, as Modified by Amendment No. 3, To List and Trade Shares of the Grayscale Ethereum Mini Trust).

⁸ See, e.g., *SEC v. Payward Ventures, Inc. and Payward Trading, Ltd.* (filed February 9, 2023), available at <https://www.sec.gov/files/litigation/complaints/2023/comp-pr2023-25.pdf>; *SEC v. Binance Holdings Limited, et al.* (filed June 5, 2023), available at <https://www.sec.gov/files/litigation/complaints/2023/comp-pr2023-101.pdf>; *SEC v. Coinbase, Inc. and Coinbase Global* (filed June 6, 2023), available at <https://www.sec.gov/files/litigation/complaints/2023/comp-pr2023-102.pdf>.

will not seek to pool the ether held by the Trust with ether held by other entities (although such pooling may occur at the level of a Staking Provider). Second, the Sponsor will not advertise itself as providing any staking services generally, or promise any specific level of return from staking, or solicit delegated stakes from entities other than the Trust. Third, the Sponsor has stated that it is staking the Trust's ether solely in order to maximize the Trust's revenue generation opportunities, and to generate returns for the Trust's shareholders. Fourth, the Sponsor will not bear or subsidize the risk of slashing on behalf of the Trust. Staking by the Sponsor will not result in the ether held by the Trust moving out of the custody of the Custodian. In order to stake the Trust's ether, Sponsor will use an interface through which an entity can initiate staking by selecting the ether assets to be staked. This process does not involve the staked ether leaving the wallet at which it is held, and accordingly reduces the risk of loss of ether through theft at the node while the asset is staked (although this process will not reduce the risk of loss of the ether through slashing).

Except for the changes described above, all other representations in the Trust Shares Filing and the Mini Trust Shares Filing remain unchanged and will continue to constitute continued listing requirements. In addition, the Trusts will continue to comply with the terms of the Trust Shares Filing and Mini Trust Shares Filing, as applicable, and the requirements in Rule 8.201–E.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Act and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b)⁹ of the Act. Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)¹⁰ requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

The Exchange believes the proposed rule change is designed to remove impediments to and perfect the mechanism of a free and open market and, in general, to protect investors and the public interest because it would allow the Trusts to stake ether on behalf of their investors. The Ethereum Network allows for staking of its native asset, ether tokens, and permits validators who successfully stake ether to receive rewards in the form of more ether tokens. The net beneficiaries are not only validators, or those on behalf of whom they stake ether, but also the Ethereum Blockchain itself, which grows and is progressively made more secure through the validation of transactions. Staking permits validators to contribute to the Ethereum Network by staking their tokens to secure the Ethereum Blockchain, facilitating the creation of blocks, and helping process transactions. Validators are compensated for fulfilling this important role through transaction fees and consensus rewards paid by the blockchain itself.

Staking through mechanisms such as “point-and-click” staking would also permit the earning of rewards without certain additional risks to the tokens held by the Trusts' respective Custodians on behalf of each of the Trusts. Allowing the Trusts to stake their ether would benefit investors by permitting the Trusts to exercise their rights to free additional ether and help the Trusts better track the returns associated with holding ether. Permitting the Trusts to engage in staking would improve the creation and redemption process for both Authorized Participants and the Trusts, increase efficiency, and ultimately benefit the end investors in the Trusts.

As noted above, except for the proposed change to allow the Trusts to engage in staking of ether, all other representations in the Trust Shares Filing and the Mini Trust Shares Filing remain unchanged and will continue to constitute continued listing requirements. In addition, the Trusts will continue to comply with the terms of the Trust Shares Filing and the Mini Trust Shares Filing, as applicable, and the requirements in Rule 8.201–E.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purpose of the Act. As discussed above, the proposed change is intended to benefit investors and allow the Trusts

to better track the returns associated with holding ether.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period up to 90 days (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

- (A) by order approve or disapprove the proposed rule change, or
- (B) institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<https://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include file number SR–NYSEARCA–2025–13 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–NYSEARCA–2025–13. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<https://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the

⁹ 15 U.S.C. 78f(b)(5).

¹⁰ 15 U.S.C. 78f(b)(5).

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-NYSEARCA-2025-13 and should be submitted on or before March 24, 2025

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹¹

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025-03336 Filed 2-28-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235-0658]

Submission for OMB Review; Comment Request; Extension: Rule 22e-3

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549-2736

Notice is hereby given that, under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520), the Securities and Exchange Commission (the "Commission") has submitted to the Office of Management and Budget a request for extension of the previously approved collection of information discussed below.

Section 22(e) of the Investment Company Act of 1940, as amended [15 U.S.C. 80a-22(e)] ("Act") generally prohibits funds, including money market funds, from suspending the right of redemption, and from postponing the payment or satisfaction upon redemption of any redeemable security for more than seven days. The provision was designed to prevent funds and their investment advisers from interfering with the redemption rights of

shareholders for improper purposes, such as the preservation of management fees. Although section 22(e) permits funds to postpone the date of payment or satisfaction upon redemption for up to seven days, it does not permit funds to suspend the right of redemption for any longer amount of time, absent certain specified circumstances or a Commission order.

Rule 22e-3 under the Act [17 CFR 270.22e-3] exempts money market funds from section 22(e) to permit them to suspend redemptions in order to facilitate an orderly liquidation of the fund. Specifically, rule 22e-3 permits a money market fund to suspend redemptions and postpone the payment of proceeds pending board-approved liquidation proceedings if: (i) the fund, at the end of a business day, has invested less than ten percent of its total assets in weekly liquid assets or, in the case of a fund that is a government money market fund or a retail money market fund, the fund's price per share as computed for the purpose of distribution, redemption and repurchase, rounded to the nearest one percent, has deviated from the stable price established by the board of directors or the fund's board of directors, including a majority of directors who are not interested persons of the fund, determines that such a deviation is likely to occur; (ii) the fund's board of directors, including a majority of disinterested directors, irrevocably has approved the liquidation of the fund; and (iii) the fund, prior to suspending redemptions, notifies the Commission of its decision to liquidate and suspend redemptions. Rule 22e-3 also provides an exemption from section 22(e) for registered investment companies that own shares of a money market fund pursuant to section 12(d)(1)(E) of the Act ("conduit funds"), if the underlying money market fund has suspended redemptions pursuant to the rule. A conduit fund that suspends redemptions in reliance on the exemption provided by rule 22e-3 is required to provide prompt notice of the suspension of redemptions to the Commission. Notices required by the rule must be provided by electronic mail, directed to the attention of the Director of the Division of Investment Management or the Director's designee.¹ Compliance with the notification requirement is mandatory for money market funds and conduit funds that rely on rule 22e-3 to suspend redemptions and postpone payment of

proceeds pending a liquidation, and are not kept confidential.

Commission staff estimates that, on average, one fund would be required to make the required notice every year.² Commission staff further estimates that a money market fund or conduit fund would spend approximately one hour of an in-house attorney's time to prepare and submit the notice required by the rule. Given these estimates, the total annual burden of the notification requirement of rule 22e-3 for all money market funds and conduit funds would be approximately one hour at a cost of \$511. The estimated total annual burden hours associated with rule 22e-3 is 1 hour and external costs increased from \$0 to \$584. This change in external costs reflects revised estimates.

The estimate of average burden hours is made solely for the purposes of the Paperwork Reduction Act, and is not derived from a comprehensive or even a representative survey or study of the costs of Commission rules.

Compliance with the collection of information requirements of the rule is necessary to obtain the benefit of relying on the rule.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

Written comments are invited on: (a) whether this collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden imposed by the collection of information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

The public may view and comment on this information collection request at: https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202412-3235-008 or send an email comment to MBX.OMB.OIRA.SEC_desk_officer@omb.eop.gov within 30 days of the day after publication of this notice by April 3, 2025.

Dated: February 25, 2025.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025-03338 Filed 2-28-25; 8:45 am]

BILLING CODE 8011-01-P

² The Commission has not received any notices invoking rule 22e-3 to halt redemptions. However, for administrative purposes, we are reporting one respondent and one annual response.

¹¹ 17 CFR 200.30-3(a)(12).

¹ See rule 22e-3(a)(3) and 22e-3(b).

**SECURITIES AND EXCHANGE
COMMISSION****Sunshine Act Meetings**

TIME AND DATE: 2:00 p.m. on Thursday, March 6, 2025.

PLACE: The meeting will be held via remote means and/or at the Commission's headquarters, 100 F Street NE, Washington, DC 20549.

STATUS: This meeting will be closed to the public.

MATTERS TO BE CONSIDERED:

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the closed meeting. Certain staff members who have an interest in the matters also may be present.

In the event that the time, date, or location of this meeting changes, an announcement of the change, along with the new time, date, and/or place of the meeting will be posted on the Commission's website at <https://www.sec.gov>.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(3), (5), (6), (7), (8), 9(B) and (10) and 17 CFR 200.402(a)(3), (a)(5), (a)(6), (a)(7), (a)(8), (a)(9)(ii) and (a)(10), permit consideration of the scheduled matters at the closed meeting.

The subject matter of the closed meeting will consist of the following topics:

Institution and settlement of injunctive actions;

Institution and settlement of administrative proceedings;

Resolution of litigation claims; and

Other matters relating to examinations and enforcement proceedings.

At times, changes in Commission priorities require alterations in the scheduling of meeting agenda items that may consist of adjudicatory, examination, litigation, or regulatory matters.

CONTACT PERSON FOR MORE INFORMATION:

For further information, please contact Vanessa A. Countryman from the Office of the Secretary at (202) 551-5400.

Authority: 5 U.S.C. 552b.

Dated: February 27, 2025.

Vanessa A. Countryman,
Secretary.

[FR Doc. 2025-03473 Filed 2-27-25; 4:15 pm]

BILLING CODE 8011-01-P

SMALL BUSINESS ADMINISTRATION**Reporting and Recordkeeping
Requirements Under OMB Review**

AGENCY: Small Business Administration.
ACTION: 30-Day notice.

SUMMARY: The Small Business Administration (SBA) is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act and OMB procedures, SBA is publishing this notice to allow all interested member of the public an additional 30 days to provide comments on the proposed collection of information.

DATES: Submit comments on or before April 2, 2025.

ADDRESSES: Written comments and recommendations for this information collection request should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular information collection request by selecting "Small Business Administration"; "Currently Under Review," then select the "Only Show ICR for Public Comment" checkbox. This information collection can be identified by title and/or OMB Control Number.

FOR FURTHER INFORMATION CONTACT: You may obtain a copy of the information collection and supporting documents from the Agency Clearance Office at Curtis.Rich@sba.gov; (202) 205-7030, or from www.reginfo.gov/public/do/PRAMain.

SUPPLEMENTARY INFORMATION: The 504 Loan Program was authorized under Title V of the Small Business Investment Act of 1958 to foster economic development by providing long-term financing for small business concerns. A Certified Development Company (CDC) is an entity authorized by SBA to deliver 504 financing to small businesses. 13 CFR 120.830 requires CDC's to submit certain reports to SBA, collectively referred to as the "Annual Report" which is utilized by SBA to monitor CDC adherence to CFR and SBA Loan Program Requirements.

Solicitation of Public Comments

Comments may be submitted on (a) whether the collection of information is necessary for the agency to properly perform its functions; (b) whether the burden estimates are accurate; (c) whether there are ways to minimize the burden, including through the use of automated techniques or other forms of information technology; and (d) whether

there are ways to enhance the quality, utility, and clarity of the information.

OMB Control Number: 3245-0074.

Title: Certified Development

Company (CDC) Annual Report Guide.
Description of Respondents: Certified Development Company.

SBA Form Number: SBA Form 1253.

Estimated Number of Respondents: 195.

Estimated Annual Responses: 195.

Estimated Annual Hour Burden: 5,460.

Curtis Rich,

Agency Clearance Officer.

[FR Doc. 2025-03370 Filed 2-28-25; 8:45 am]

BILLING CODE 8026-09-P

SMALL BUSINESS ADMINISTRATION

**[Disaster Declaration #20977 and #20978;
KENTUCKY Disaster Number KY-20013]**

**Presidential Declaration of a Major
Disaster for the Commonwealth of
Kentucky**

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a Notice of the Presidential declaration of a major disaster for the Commonwealth of Kentucky (FEMA-4860-DR), dated February 24, 2025.

Incident: Severe Storms, Straight-line Winds, Flooding, Landslides, and Mudslides.

DATES: Issued on February 24, 2025.

Incident Period: February 14, 2025 and continuing.

Physical Loan Application Deadline Date: April 25, 2025.

Economic Injury (EIDL) Loan Application Deadline Date: November 24, 2025.

ADDRESSES: Visit the MySBA Loan Portal at <https://lending.sba.gov> to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Alan Escobar, Office of Disaster Recovery & Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205-6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the President's major disaster declaration on February 24, 2025, applications for disaster loans may be submitted online using the MySBA Loan Portal <https://lending.sba.gov> or other locally announced locations. Please contact the SBA disaster assistance customer service center by email at disastercustomerservice@sba.gov or by

phone at 1-800-659-2955 for further assistance.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties (Physical Damage and Economic Injury Loans): Breathitt, Clay, Harlan, Knott, Lee, Letcher, Martin, Owsley, Perry, Pike.

Contiguous Counties (Economic Injury Loans Only):

Kentucky: Bell, Estill, Floyd, Jackson, Johnson, Knox, Laurel, Lawrence, Leslie, Magoffin, Powell, Wolfe.
Virginia: Buchanan, Dickenson, Lee, Wise.

West Virginia: Mingo, Wayne.

The Interest Rates are:

	Percent
<i>For Physical Damage:</i>	
Homeowners with Credit Available Elsewhere	5.125
Homeowners without Credit Available Elsewhere	2.563
Businesses with Credit Available Elsewhere	8.000
Businesses without Credit Available Elsewhere	4.000
Non-Profit Organizations with Credit Available Elsewhere ...	3.625
Non-Profit Organizations without Credit Available Elsewhere	3.625
<i>For Economic Injury:</i>	
Business and Small Agricultural Cooperatives without Credit Available Elsewhere	4.000
Non-Profit Organizations without Credit Available Elsewhere	3.625

The number assigned to this disaster for physical damage is 209776 and for economic injury is 209780.

(Catalog of Federal Domestic Assistance Number 59008)

James Stallings,

Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2025-03332 Filed 2-28-25; 8:45 am]

BILLING CODE 8026-09-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA-2007-27287]

Notice of Petition for Extension of Waiver of Compliance

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice.

SUMMARY: This document provides the public notice that by letter dated

October 25, 2024, BNSF Railway (BNSF) petitioned FRA for an extension of relief from certain 2-year periodic testing requirements for its solid-state microprocessor-based equipment.

DATES: FRA must receive comments on the petition by May 2, 2025. FRA will consider comments received after that date to the extent practicable.

ADDRESSES:

Comments: Comments related to this docket may be submitted by going to <https://www.regulations.gov> and following the online instructions for submitting comments.

Instructions: All submissions must include the agency name and docket number. All comments received will be posted without change to <https://www.regulations.gov>; this includes any personal information. Please see the Privacy Act heading in the **SUPPLEMENTARY INFORMATION** section of this document for Privacy Act information related to any submitted comments or materials.

Docket: For access to the docket to read background documents or comments received, go to <https://www.regulations.gov> and follow the online instructions for accessing the docket.

FOR FURTHER INFORMATION CONTACT: Scott Johnson, Railroad Safety Specialist, FRA Signal, Train Control, and Crossings Division, telephone: 406-210-3608, email: scott.j.johnson@dot.gov.

SUPPLEMENTARY INFORMATION: Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that by letter dated October 25, 2024, BNSF petitioned FRA for an extension of a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 236, Rules, Standards, and Instructions Governing the Installation, Inspection, Maintenance, and Repair of Signal and Train Control Systems, Devices, and Appliances. The relevant Docket Number is FRA-2007-27287.

Specifically, BNSF seeks an extension of relief from the 2-year periodic testing requirements in §§ 236.377, *Approach locking*; 236.378, *Time locking*; 236.379, *Route locking*; 236.380, *Indication locking*; and 236.381, *Traffic locking*, for its solid-state microprocessor-based equipment. The existing waiver in this docket extends the testing requirements to at least once every four years.

In support of its request, BNSF states that “[s]ince this waiver has been active, microprocessor-based signal systems have proven to be safer and more

reliable than traditional relay-based signal systems due to the significant reduction in possible points of failure.” BNSF contends that the regulation’s 2-year requirement “provides no safety benefit over testing on a four-year interval given that BNSF’s microprocessor-based equipment operates using programmed logic that, once installed, does not change.” In its petition, BNSF further explains that conducting periodic testing less frequently improves safety by “reducing the amount of disruption to signal circuits and train operations, as well as reducing potential employee exposures by spending less time foul of track.” Since 2009, when the waiver in this docket was initially granted, BNSF reports zero false proceed signal incidents due to microprocessor-based equipment controlling the locking.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at www.regulations.gov.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment and a public hearing, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

Communications received by May 2, 2025 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable.

Privacy Act

Anyone can search the electronic form of any written communications and comments received into any of FRA’s dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), DOT solicits comments from the public to inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to www.regulations.gov, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <https://www.transportation.gov/privacy>. See also <https://www.regulations.gov/privacy-notice> for the privacy notice of www.regulations.gov.

Issued in Washington, DC.

John Karl Alexy,

*Associate Administrator for Railroad Safety,
Chief Safety Officer.*

[FR Doc. 2025-03361 Filed 2-28-25; 8:45 am]

BILLING CODE 4910-06-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA-2010-0034]

Port Authority Trans-Hudson's Request To Amend Its Positive Train Control Safety Plan and Positive Train Control System

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice of availability and request for comments.

SUMMARY: This document provides the public with notice that, on February 10, 2025, Port Authority Trans-Hudson (PATH) submitted a request for amendment (RFA) to its FRA-approved Positive Train Control Safety Plan (PTCSP) to request approval to install an updated software version V3.5.121, which includes Zone Controller (ZC) software, a ZC database, Automatic Train Supervision (ATS) software, and a Carborne Controller (CC) software update. As this RFA involves a request for FRA's approval of proposed material modifications to an FRA-certified positive train control (PTC) system, FRA is publishing this notice and inviting public comment on PATH's RFA to its PTCSP.

DATES: FRA will consider comments received by March 24, 2025. FRA may consider comments received after that date to the extent practicable and without delaying implementation of valuable or necessary modifications to a PTC system.

ADDRESSES:

Comments: Comments may be submitted by going to <https://www.regulations.gov> and following the online instructions for submitting comments.

Instructions: All submissions must include the agency name and the applicable docket number. The relevant PTC docket number for this host railroad is Docket No. FRA-2010-0034. For convenience, all active PTC dockets are hyperlinked on FRA's website at <https://railroads.dot.gov/research-development/program-areas/train-control/ptc/railroads-ptc-dockets>. All comments received will be posted without change to <https://>

www.regulations.gov; this includes any personal information.

FOR FURTHER INFORMATION CONTACT:

Gabe Neal, Staff Director, Signal, Train Control, and Crossings Division, telephone: 816-516-7168, email: Gabe.Neal@dot.gov.

SUPPLEMENTARY INFORMATION: In general, title 49 United States Code (U.S.C.) section 20157(h) requires FRA to certify that a host railroad's PTC system complies with title 49 Code of Federal Regulations (CFR) part 236, subpart I, before the technology may be operated in revenue service. Before making certain changes to an FRA-certified PTC system or the associated FRA-approved PTCSP, a host railroad must submit, and obtain FRA's approval of, an RFA to its PTCSP under 49 CFR 236.1021.

Under 49 CFR 236.1021(e), FRA's regulations provide that FRA will publish a notice in the **Federal Register** and invite public comment in accordance with 49 CFR part 211, if an RFA includes a request for approval of a material modification of a signal or train control system. Accordingly, this notice informs the public that, on February 10, 2025, PATH submitted an RFA to its PTCSP for its Communication Based Train Control (CBTC), which seeks FRA's approval for an updated software version V3.5.121, which includes ZC software, a ZC database, ATS software, and a CC software update. That RFA is available in Docket No. FRA-2010-0034.

Interested parties are invited to comment on PATH's RFA to its PTCSP by submitting written comments or data. During FRA's review of PATH's RFA, FRA will consider any comments or data submitted within the timeline specified in this notice and to the extent practicable, without delaying implementation of valuable or necessary modifications to a PTC system. *See* 49 CFR 236.1021; *see also* 49 CFR 236.1011(e). Under 49 CFR 236.1021, FRA maintains the authority to approve, approve with conditions, or deny a railroad's RFA to its PTCSP at FRA's sole discretion.

Privacy Act Notice

In accordance with 49 CFR 211.3, FRA solicits comments from the public to inform its decisions. DOT posts these comments, without edit, including any personal information the commenter provides, to <https://www.regulations.gov>, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <https://www.transportation.gov/privacy>. *See* <https://www.regulations.gov/privacy-notice> for the privacy notice of

www.regulations.gov. To facilitate comment tracking, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. If you wish to provide comments containing proprietary or confidential information, please contact FRA for alternate submission instructions.

Issued in Washington, DC.

Carolyn R. Hayward-Williams,

Director, Office of Railroad Systems and Technology.

[FR Doc. 2025-03330 Filed 2-28-25; 8:45 am]

BILLING CODE 4910-06-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA-2008-0045]

Notice of Petition for Extension of Waiver of Compliance

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice.

SUMMARY: This document provides the public notice that by letter dated January 14, 2025, Long Island Rail Road (LIRR) petitioned FRA for an extension of relief from certain regulations concerning locomotive horns.

DATES: FRA must receive comments on the petition by April 2, 2025. FRA will consider comments received after that date to the extent practicable.

ADDRESSES:

Comments: Comments related to this docket may be submitted by going to <https://www.regulations.gov> and following the online instructions for submitting comments.

Instructions: All submissions must include the agency name and docket number. All comments received will be posted without change to <https://www.regulations.gov>; this includes any personal information. Please see the Privacy Act heading in the **SUPPLEMENTARY INFORMATION** section of this document for Privacy Act information related to any submitted comments or materials.

Docket: For access to the docket to read background documents or comments received, go to <https://www.regulations.gov> and follow the online instructions for accessing the docket.

FOR FURTHER INFORMATION CONTACT:

Brian Gilleran, Railroad Safety Specialist, FRA Grade Crossing & Trespasser Outreach Division,

telephone: 202-493-6276, email: brian.gillera@dot.gov.

SUPPLEMENTARY INFORMATION: Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that by letter dated January 14, 2025, LIRR petitioned FRA for an extension of a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 222, Use of Locomotive Horns at Public Highway-Rail Grade Crossings. The relevant Docket Number is FRA-2008-0045.

Specifically, LIRR seeks an extension of relief from § 222.21(a), *When must a locomotive horn be used?*, which requires that a railroad sound its locomotive horn in a specific manner (two long, one short, and one long blast) as it approaches and enters public highway-rail grade crossings. LIRR seeks to continue sounding one short blast when departing from 22 train stations.¹ In its petition, LIRR states that “there have been no material changed circumstances” since the inception of the waiver.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at www.regulations.gov.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment and a public hearing, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

Communications received by April 2, 2025 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable.

Privacy Act

Anyone can search the electronic form of any written communications and comments received into any of FRA's dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), DOT solicits comments from the public to inform its processes. DOT posts these

comments, without edit, including any personal information the commenter provides, to www.regulations.gov, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <https://www.transportation.gov/privacy>. See also <https://www.regulations.gov/privacy-notice> for the privacy notice of www.regulations.gov.

Issued in Washington, DC.

John Karl Alexy,
Associate Administrator for Railroad Safety,
Chief Safety Officer.

[FR Doc. 2025-03362 Filed 2-28-25; 8:45 am]

BILLING CODE 4910-06-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA-2010-0039]

South Florida Regional Transportation Authority's Request To Amend Its Positive Train Control System

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice of availability and request for comments.

SUMMARY: This document provides the public with notice that, on February 3, 2025, South Florida Regional Transportation Authority (SFRTA) submitted a request for amendment (RFA) to its FRA-certified positive train control (PTC) system. FRA is publishing this notice and inviting public comment on the railroad's RFA to its PTC system.

DATES: FRA will consider comments received by March 24, 2025. FRA may consider comments received after that date to the extent practicable and without delaying implementation of valuable or necessary modifications to a PTC system.

ADDRESSES:

Comments: Comments may be submitted by going to <https://www.regulations.gov> and following the online instructions for submitting comments.

Instructions: All submissions must include the agency name and the applicable docket number. The relevant PTC docket number for this host railroad is Docket No. FRA-2010-0039. For convenience, all active PTC dockets are hyperlinked on FRA's website at <https://railroads.dot.gov/research-development/program-areas/train-control/ptc/railroads-ptc-dockets>. All comments received will be posted without change to <https://www.regulations.gov>;

this includes any personal information.

FOR FURTHER INFORMATION CONTACT: Gabe Neal, Staff Director, Train Control, and Crossings Division, telephone: 816-516-7168, email: Gabe.Neal@dot.gov.

SUPPLEMENTARY INFORMATION: In general, title 49 United States Code (U.S.C.) section 20157(h) requires FRA to certify that a host railroad's PTC system complies with title 49 Code of Federal Regulations (CFR) part 236, subpart I, before the technology may be operated in revenue service. Before making certain changes to an FRA-certified PTC system or the associated FRA-approved PTC Safety Plan (PTCSP), a host railroad must submit, and obtain FRA's approval of, an RFA under 49 CFR 236.1021(m).

Under 49 CFR 236.1021(e), FRA's regulations provide that FRA will publish a notice in the **Federal Register** and invite public comment in accordance with 49 CFR part 211, if an RFA includes a request for approval of a material modification of a signal or train control system. Accordingly, this notice informs the public that, on February 3, 2025, SFRTA submitted an RFA to its Interoperable Electronic Train Management System (I-ETMS), which seeks FRA's approval for SFRTA to disable its PTC system temporarily while it performs a wayside signal cutover of Control Point Tompkins, enabling SFRTA to upgrade end-of-life wayside signal operating equipment. That RFA is available in Docket No. FRA-2010-0039.

Interested parties are invited to comment on SFRTA's RFA by submitting written comments or data. During FRA's review of this railroad's RFA, FRA will consider any comments or data submitted within the timeline specified in this notice and to the extent practicable, without delaying implementation of valuable or necessary modifications to a PTC system. See 49 CFR 236.1021; see also 49 CFR 236.1011(e). Under 49 CFR 236.1021, FRA maintains the authority to approve, approve with conditions, or deny a railroad's RFA at FRA's sole discretion.

Privacy Act Notice

In accordance with 49 CFR 211.3, FRA solicits comments from the public to better inform its decisions. DOT posts these comments, without edit, including any personal information the commenter provides, to <https://www.regulations.gov>, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <https://www.transportation.gov/privacy>. See <https://www.regulations.gov>;

¹ In its initial February 6, 2008, petition, LIRR sought a waiver for 24 stations (FRA-2008-0045-0001). FRA granted the waiver for 23 of those stations (FRA-2008-0045-0004). Because one of those 23 stations was later included in a designated quiet zone, FRA's February 19, 2020, letter, extended the waiver for 22 stations.

privacy-notice for the privacy notice of *regulations.gov*. To facilitate comment tracking, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. If you wish to provide comments containing proprietary or confidential information, please contact FRA for alternate submission instructions.

Issued in Washington, DC.

Carolyn R. Hayward-Williams,

Director, Office of Railroad Systems and Technology.

[FR Doc. 2025-03331 Filed 2-28-25; 8:45 am]

BILLING CODE 4910-06-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA-2013-0077]

Notice of Petition for Extension of Waiver of Compliance

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice.

SUMMARY: This document provides the public notice that by letter dated December 26, 2024, the Association of American Railroads (AAR) petitioned FRA for an extension of relief from certain regulations concerning rail cars equipped with end of car cushioning units.

DATES: FRA must receive comments on the petition by April 2, 2025. FRA will consider comments received after that date to the extent practicable.

ADDRESSES:

Comments related to this docket may be submitted by going to <https://www.regulations.gov> and following the online instructions for submitting comments.

Instructions: All submissions must include the agency name and docket number. All comments received will be posted without change to <https://www.regulations.gov>; this includes any personal information. Please see the Privacy Act heading in the **SUPPLEMENTARY INFORMATION** section of this document for Privacy Act information related to any submitted comments or materials.

Docket: For access to the docket to read background documents or comments received, go to <https://www.regulations.gov> and follow the online instructions for accessing the docket.

FOR FURTHER INFORMATION CONTACT: Leith Al-Nazer, Railroad Safety

Specialist, FRA Motive Power & Equipment Division, telephone: 202-493-6128, email: leith.al-nazer@dot.gov.

SUPPLEMENTARY INFORMATION: Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that by letter dated December 26, 2024, AAR petitioned FRA for an extension of a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 215, Railroad Freight Car Safety Standards. The relevant Docket Number is FRA-2013-0077.

Specifically, AAR seeks an extension of relief from § 215.127(c)(1), *Defective draft arrangement*, which specifies that a railroad may not place or continue in service a car if an end of car cushioning unit is leaking clearly formed droplets. AAR proposes to keep a car in service “if the unit is equipped with a [unit condition indicator] that indicates that the cushioning unit is functioning.”

In support of its request, AAR states that the waiver has protected railroad employees “from needless exposure to switching hazards related to jacking freight cars and removing and replacing heavy cushion units because railroads have been able to leave fully functioning cushioning units in place.” Further, AAR notes that the relief has “allowed the industry to avoid unnecessary repairs” due to the current regulatory requirements. The petition also included data from AAR’s performance assessments of units identified as defective by a unit condition indicator.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at www.regulations.gov.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment and a public hearing, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

Communications received by April 2, 2025 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable.

Privacy Act

Anyone can search the electronic form of any written communications and comments received into any of FRA’s dockets by the name of the individual submitting the comment (or

signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), DOT solicits comments from the public to inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to www.regulations.gov, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <https://www.transportation.gov/privacy>. See also <https://www.regulations.gov/privacy-notice> for the privacy notice of *regulations.gov*.

Issued in Washington, DC.

John Karl Alexy,

Associate Administrator for Railroad Safety, Chief Safety Officer.

[FR Doc. 2025-03363 Filed 2-28-25; 8:45 am]

BILLING CODE 4910-06-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2020-0010; Notice 2]

Mercedes-Benz USA, LLC, Grant of Petition for Decision of Inconsequential Noncompliance

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Grant of petition.

SUMMARY: Mercedes-Benz AG (MBAG) and Mercedes-Benz USA, LLC (MBUSA) (collectively, “Mercedes-Benz”) has determined that certain model year (MY) 2019–2020 Mercedes-Benz CLA-Class, A-Class, GLA-Class, and GLB-Class motor vehicles do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 135, *Light Vehicle Brake Systems*. Mercedes-Benz filed a noncompliance report dated January 27, 2020, and subsequently petitioned NHTSA on February 10, 2020, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety. This notice announces the grant of Mercedes-Benz’s petition.

FOR FURTHER INFORMATION CONTACT: Vince Williams, Office of Vehicle Safety Compliance, the National Highway Traffic Safety Administration (NHTSA), telephone (202) 366-2319.

SUPPLEMENTARY INFORMATION:

I. Overview: Mercedes-Benz has determined that certain MY 2019–2020 Mercedes-Benz CLA-Class, A-Class, GLA-Class, and GLB-Class motor vehicles do not fully comply with the requirements of paragraph S5.5.5 of

FMVSS No. 135, *Light Vehicle Brake Systems* (49 CFR 571.135). Mercedes-Benz filed a noncompliance report dated January 27, 2020, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports*, and subsequently petitioned NHTSA on February 10, 2020, for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential as it relates to motor vehicle safety, pursuant to 49 U.S.C. 30118(d) and 30120(h) and 49 CFR part 556, *Exemption for Inconsequential Defect or Noncompliance*.

Notice of receipt of Mercedes-Benz's petition was published with a 30-day public comment period, on May 6, 2020, in the **Federal Register** (85 FR 27024). NHTSA received one comment from the general public. To view the petition and all supporting documents, log onto the Federal Docket Management System (FDMS) website at <https://www.regulations.gov/>. Then follow the online search instructions to locate docket number "NHTSA-2020-0010."

II. Vehicles Involved: Approximately 27,375 of the following MY 2019-2020 Mercedes-Benz CLA-Class, A-Class, GLA-Class, and GLB-Class motor vehicles manufactured between August 20, 2018, and January 16, 2020, are potentially involved:

- Mercedes-Benz A220
- Mercedes-Benz A220 4MATIC
- Mercedes-Benz A35 AMG 4MATIC
- Mercedes-Benz CLA250
- Mercedes-Benz CLA250 4MATIC
- Mercedes-Benz CLA35 AMG 4MATIC
- Mercedes-Benz CLA45 AMG 4MATIC
- Mercedes-Benz GLA250 4MATIC
- Mercedes-Benz GLB250
- Mercedes-Benz GLB250 4MATIC

III. Noncompliance: Mercedes-Benz explains that the noncompliance is that the instrument panel in the subject vehicles displays the braking telltales in a slightly smaller size than required by paragraph S5.5.5 of FMVSS No. 135. Specifically, the size of the text for the brake telltales in the subject vehicles ranges between 2.92 mm to 3.17 mm when the minimum required is 3.2 mm.

IV. Rule Requirements: Paragraph S5.5.5 of FMVSS No. 135, includes the requirements relevant to this petition. Each visual indicator shall display a word or words in accordance with the requirements of FMVSS No. 101 and S5.5 of FMVSS 135, which shall be legible to the driver under all daytime and nighttime conditions when activated. Unless otherwise specified, the words shall have letters not less than 3.2 mm (1/8 inch) high.

V. Summary of Mercedes-Benz's Petition: The following views and arguments presented in this section, "V. Summary of Mercedes-Benz's Petition," are the views and arguments provided by Mercedes-Benz and do not reflect the views of the Agency. In its petition, Mercedes-Benz describes the subject noncompliance and contends that the noncompliance is inconsequential as it relates to motor vehicle safety.

In support of its petition, Mercedes-Benz offers the following reasoning:

1. Mercedes-Benz believes that the letter height of the braking telltales, which in this instance is slightly smaller than the requirement, does not expose an occupant to any greater risk of injury than an occupant in a vehicle with slightly larger font size.

2. Mercedes-Benz alleges that the purpose of the standardized size requirement for the brake system warning telltales is to ensure they are visually perceptible to drivers under all operating conditions. Mercedes-Benz says that the Agency has a long and consistent history of granting petitions for inconsequentiality for discrepancies involving a letter height requirement where the text appeared somewhat smaller than required. Mercedes-Benz says that NHTSA has granted petitions where the telltales displayed included lettering that was as much as a full millimeter less than the minimum size. See 47 FR 31347 (July 19, 1982) (granting a petition of Subaru of America, Inc., where the brake system indicator lettering was only 2.2 mm high, but the ISO symbol telltales were located within the driver's line of sight and continued to be "easily identifiable and very readable").

3. Mercedes-Benz asserts that in addressing similar noncompliances in the past, the Agency has determined that "it is very unlikely that a vehicle user would either fail to see or fail to understand the meaning of the brake . . . warning light" where the "information presented by the telltales is correct." See 81 FR 92963 (December 20, 2016) (granting General Motors' petition of over 46,000 vehicles where the "Park" indicator displayed at 2.44 mm). In the General Motors decision, the Agency found the discrepancy "pose[d] little, if any, risk to motor vehicle safety" where all other braking indicator requirements were met and the telltales were located in the instrument cluster, adjacent to the speedometer and in direct view of the driver); 69 FR 41568 (July 9, 2004) (granting a petition of Hyundai Motor Company involving more than 237,000 vehicles, where the FMVSS No. 105

braking system indicator letter height varied from 2.5 mm to 3.1 mm).

4. In subject noncompliance, the letter height for the braking telltales are only slightly smaller than the 3.2 mm minimum. Depending on the particular indicator, the text size can be smaller by a range of 0.03 mm up to a maximum of .28 mm. The electronic instrument cluster is located within the driver's direct field of vision, and the braking telltales are located adjacent to the speedometer and, therefore, remain within the driver's direct line of sight. Mercedes-Benz claims that this slight difference in size is not visually perceptible and does not affect the driver's ability to read or understand the telltales. Mercedes-Benz further asserts that the telltales are clearly illuminated and remain visible under all driving conditions.

5. Mercedes-Benz states that all the telltales at issue here are accurately depicted and are displayed in the correct colors, consistent with FMVSS No. 101, Table 1. Thus, there should not be any confusion about the meaning of the telltales, and the standard symbol that is displayed continues to convey the intended meaning of the indicator. Further, although the lettering that appears below the ISO symbols is slightly smaller than 3.2 mm minimum height, the overall height of the ABS and Parking Brake symbols is more than 3.2 mm and exceeds the height requirement of the standard. Finally, the functionality of the brake telltales themselves is not affected by the software issue. The telltales properly display during both the instrument cluster warning lamp operation check and in the event a brake malfunction was to occur.

6. Mercedes-Benz says that it has not received any reports related to the performance of the telltales included on the 10.25-inch displays in the subject vehicles. Nor has it received any reports related to customers' inability to read or decipher the brake telltales.

Mercedes-Benz concludes that the subject noncompliance is inconsequential as it relates to motor vehicle safety and that its petition to be exempted from providing notification of the noncompliance, as required by 49 U.S.C. 30118, and a remedy for the noncompliance, as required by 49 U.S.C. 30120, should be granted.

Mercedes-Benz's complete petition and all supporting documents are available by logging onto the Federal Docket Management System (FDMS) website at https://www.regulations.gov and by following the online search instructions to locate the docket number as listed in the title of this notice.

VI. *Public Comment*: NHTSA received one comment from the general public. While the Agency takes great interest in the public's concerns and appreciates the commenter's feedback, the comment does not address the purpose of this particular petition.

VI. *NHTSA's Analysis*: In determining inconsequentiality of a noncompliance, NHTSA focuses on the safety risk to individuals who experience the type of event against which a recall would otherwise protect.¹ In general, NHTSA does not consider the absence of complaints or injuries when determining if a noncompliance is inconsequential to safety. The absence of complaints does not mean vehicle occupants have not experienced a safety issue, nor does it mean that there will not be safety issues in the future.² Further, because each inconsequential noncompliance petition must be evaluated on its own facts and determinations are highly fact-dependent, NHTSA does not consider prior determinations as binding

¹ See *Gen. Motors, LLC; Grant of Petition for Decision of Inconsequential Noncompliance*, 78 FR 35355 (June 12, 2013) (finding noncompliance had no effect on occupant safety because it had no effect on the proper operation of the occupant classification system and the correct deployment of an air bag); *Osram Sylvania Prods. Inc.; Grant of Petition for Decision of Inconsequential Noncompliance*, 78 FR 46000 (July 30, 2013) (finding occupant using noncompliant light source would not be exposed to significantly greater risk than occupant using similar compliant light source).

² See *Morgan 3 Wheeler Limited; Denial of Petition for Decision of Inconsequential Noncompliance*, 81 FR 21663, 21666 (Apr. 12, 2016); see also *United States v. Gen. Motors Corp.*, 565 F.2d 754, 759 (D.C. Cir. 1977) (finding defect poses an unreasonable risk when it "results in hazards as potentially dangerous as sudden engine fire, and where there is no dispute that at least some such hazards, in this case fires, can definitely be expected to occur in the future").

precedent. Petitioners are reminded that they have the burden of persuading NHTSA that the noncompliance is inconsequential to safety.

While reviewing the facts of the case, OVSC reached out to Mercedes to find out if there were additional warnings messages that triggered along with the brake indicator. Mercedes provided several screenshots that show supplemental warning messages that activate along with brake indicator and help convey the required brake warnings to the driver. Taking into consideration all of the information provided and the oversized height of the additional information, the Agency agrees with Mercedes-Benz that this noncompliance will not have an adverse effect on vehicle safety. Despite the letter height of the braking telltales being slightly smaller than the 3.2 mm requirement, the overall height of the adjacent ABS and Parking Brake ISO symbols is more than 3.2 mm and exceeds the height requirement of the standard. Additionally, the instrument cluster's braking telltales are adjacent to the speedometer and directly within the driver's direct field of view. The aforementioned facts support a conclusion that it would be unlikely for a driver to fail to perceive and understand the meaning of the illuminated telltale and symbols. As the symbols are accurately depicted and are displayed in the correct colors, consistent with FMVSS No. 101, Table 1, there should not be any confusion about the meaning of the telltales; and the standard symbol that is displayed continues to convey the intended meaning of the indicator. The information presented by the telltales is correct.

VII. *NHTSA's Decision*: In consideration of the foregoing, NHTSA finds that Mercedes-Benz has met its burden of persuasion that the subject FMVSS No. 135 noncompliance in the affected vehicles is inconsequential to motor vehicle safety. Accordingly, Mercedes-Benz's petition is hereby granted, and Mercedes-Benz is consequently exempted from the obligation of providing notification of, and a free remedy for that noncompliance under 49 U.S.C. 30118 and 30120.

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in section 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, this decision only applies to the subject vehicles that Mercedes-Benz no longer controlled at the time it determined that the noncompliance existed. However, the granting of this petition does not relieve vehicle distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant vehicles under their control after Mercedes-Benz notified them that the subject noncompliance existed.

(Authority: 49 U.S.C. 30118, 30120; delegations of authority at 49 CFR 1.95 and 501.8)

Otto G. Matheke III,
Director, Office of Vehicle Safety Compliance.

[FR Doc. 2025-03387 Filed 2-28-25; 8:45 am]

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FEDERAL REGISTER

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Monday,

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March 3, 2025

Part II

The President

Executive Order 14222—Implementing the President's "Department of Government Efficiency" Cost Efficiency Initiative

Presidential Documents

Title 3—**Executive Order 14222 of February 26, 2025****The President****Implementing the President’s “Department of Government Efficiency” Cost Efficiency Initiative**

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. This order commences a transformation in Federal spending on contracts, grants, and loans to ensure Government spending is transparent and Government employees are accountable to the American public.

Sec. 2. Definitions. As used in this order:

(a) “Administrator” means the Administrator of the United States DOGE Service, as defined in Executive Order 14158 of January 20, 2025 (Establishing and Implementing the President’s “Department of Government Efficiency”).

(b) “Agency” has the meaning given to that term in section 3502 of title 44, United States Code, except that such term does not include the Executive Office of the President or any components thereof.

(c) “Agency Head” means the highest-ranking official of an agency, such as the Secretary, Administrator, Chairman, or Director. Agency Heads may select designees within their agencies to carry out the responsibilities specified in this order.

(d) “Covered contracts and grants” means discretionary spending through Federal contracts, grants, loans, and related instruments, but excludes direct assistance to individuals; expenditures related to immigration enforcement, law enforcement, the military, public safety, and the intelligence community; and other critical, acute, or emergency spending, as determined by the relevant Agency Head. Notification shall be made to the agency’s DOGE Team Lead.

(e) “DOGE Team Lead” means the leader of the DOGE Team at each agency, as defined in Executive Order 14158.

Sec. 3. Cutting Costs to Save Taxpayers Money. (a) *Contract and Grant Justification.* Each Agency Head shall, with assistance as requested from the agency’s DOGE Team Lead, build a centralized technological system within the agency to seamlessly record every payment issued by the agency pursuant to each of the agency’s covered contracts and grants, along with a brief, written justification for each payment submitted by the agency employee who approved the payment. This system shall include a mechanism for the Agency Head to pause and rapidly review any payment for which the approving employee has not submitted a brief, written justification within the technological system.

(i) Once the system described in subsection (a) of this section is in place, the Agency Head shall issue guidance, in consultation with the agency’s DOGE Team Lead, to require that the relevant agency employee promptly submit a brief, written justification prior to that employee’s approval of a payment under covered contracts and grants, subject to any exceptions the Agency Head deems appropriate.

(ii) To the maximum extent permitted by law, and to the maximum extent deemed practicable by the Agency Head, the payment justifications described in subsection (a)(i) of this section shall be posted publicly.

(b) *Review of Covered Contracts and Grants.* Each Agency Head, in consultation with the agency’s DOGE Team Lead, shall review all existing

covered contracts and grants and, where appropriate and consistent with applicable law, terminate or modify (including through renegotiation) such covered contracts and grants to reduce overall Federal spending or reallocate spending to promote efficiency and advance the policies of my Administration. This process shall commence immediately and shall prioritize the review of funds disbursed under covered contracts and grants to educational institutions and foreign entities for waste, fraud, and abuse. Each Agency Head shall complete this review within 30 days of the date of this order.

(c) *Contract and Grant Process Review.* Each Agency Head, in consultation with the agency's DOGE Team Lead, shall conduct a comprehensive review of each agency's contracting policies, procedures, and personnel. Each Agency Head shall complete this process within 30 days of the date of this order and shall not issue or approve new contracting officer warrants during the review period, unless the Agency Head determines such approval is necessary.

(d) *Covered Contract and Grant Approval.*

(i) Following the review specified in subsection (c) of this section, and prior to entering into new contracts, each Agency Head shall, in consultation with the agency's DOGE Team Lead, issue guidance on signing new contracts or modifying existing contracts to promote Government efficiency and the policies of my Administration. The Agency Head may approve new contracts prior to the issuance of such guidance on a case-by-case basis.

(ii) Each DOGE Team Lead shall provide the Administrator with a monthly informational report on contracting activities. As soon as an agency's contract and grant justification process described in subsection (a) of this section is established, this report shall include all payment justifications provided pursuant to that process, to the extent consistent with law.

(e) *Non-Essential Travel Justification.* Each Agency Head shall, with assistance from the agency's DOGE Team Lead, build a technological system within each agency that centrally records approval for federally funded travel for conferences and other non-essential purposes. Once an agency's system is in place, the Agency Head shall prohibit agency employees from engaging in federally funded travel for conferences or other non-essential purposes unless the travel-approving official has submitted a brief, written justification for the federally funded travel within such system. Each DOGE Team Lead shall, to the extent consistent with law, provide the Administrator with a monthly informational report listing each agency's justifications for non-essential travel. Such justifications shall be posted publicly unless prohibited by law or unless the Agency Head grants an exemption from this requirement.

(f) *Credit Card Freeze.* To the maximum extent permitted by law, all credit cards held by agency employees shall be treated as frozen for 30 days from the date of this order, except for any credit cards held by employees engaged in, or charges related to employees utilizing such credit cards for, disaster relief or natural disaster response benefits or operations or other critical services as determined by the Agency Head, and subject to such additional individualized or categorical exceptions as the Agency Head, in consultation with the agency's DOGE Team Lead, deems appropriate.

(g) *Real Property Disposition.* Agencies shall take the following actions:

(i) *Real Property Report.* Within 7 days of the date of this order, each Agency Head shall confirm to the Administrator of General Services or his designee that the Agency Head has submitted updates to the Federal Real Property Profile Management System to ensure the system reflects a complete and accurate inventory of real property subject to the agency's administration.

(ii) *Real Property Leases.* Within 30 days of the date of this order, each Agency Head shall promptly identify all termination rights the Agency Head may have under existing leases of Government-owned real property

and, in consultation with agency's DOGE Team Lead and the Administrator of General Services or his designee, determine whether to exercise such rights.

(iii) *Real Property Disposition*. Within 60 days of the date of this order, the Administrator of General Services shall submit a plan to the Director of the Office of Management and Budget (OMB) for the disposition of Government-owned real property which has been deemed by the agency as no longer needed.

Sec. 4. General Exclusions. This order does not apply to:

(a) Law enforcement officers, as defined in 5 U.S.C. 5541(3) and 5 CFR 550.103, or covered contracts and grants directly related to the enforcement of Federal criminal or immigration law;

(b) U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement in the Department of Homeland Security;

(c) the Uniformed Services, as defined in 20 CFR 404.1330;

(d) any other covered grant or contract, agency component, or real property that the relevant Agency Head exempts in writing from all or part of this order, in consultation with the agency's DOGE Team Lead and the Director of OMB; or

(e) classified information or classified information systems.

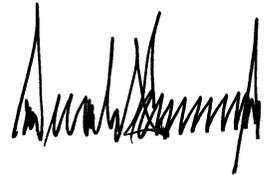
Sec. 5. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

(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.



THE WHITE HOUSE,
February 26, 2025.

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Federal Register

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LIST OF PUBLIC LAWS

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TABLE OF EFFECTIVE DATES AND TIME PERIODS—MARCH 2025

This table is used by the Office of the Federal Register to compute certain dates, such as effective dates and comment deadlines, which appear in agency documents. In computing these

dates, the day after publication is counted as the first day.

When a date falls on a weekend or holiday, the next Federal business day is used. (See 1 CFR 18.17)

A new table will be published in the first issue of each month.

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