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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2025–0660]

Safety Zone; Seafair Air Show Performance, Seattle, WA

AGENCY: Coast Guard, DHS.

ACTION: Notification of enforcement of regulation.

SUMMARY: The Coast Guard will enforce a safety zone on Lake Washington, Seattle, Washington for the annual Seafair Air Show Performance from 8 a.m. until 4 p.m., each day from July 31, 2025, through August 3, 2025, to provide for the safety of life on navigable waterways during this event. The regulation for this safety zone identifies the regulated area for this event on Lake Washington, Seattle, Washington. During enforcement periods no person or vessel may enter or remain within the safety zone, except those authorized by the Captain of the Port Sector Puget Sound (COTP) or their designated representative(s). Vessels and persons granted authorization to enter the safety zone shall obey all lawful orders or directions of the COTP or their designated representative(s).

DATES: The regulations in 33 CFR 165.1319 will be enforced from 8 a.m. until 4 p.m., each day from July 31, 2025 through August 3, 2025.

FOR FURTHER INFORMATION CONTACT: If you have questions about this notification of enforcement, call or email Lieutenant Anthony Pinto, U.S. Coast Guard, Sector Puget Sound, Waterways Management Division; by telephone 206–217–6051, or email *SectorPugetSoundWWM@uscg.mil.*

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the safety zone in 33 CFR 165.1319 for the annual Seafair Air Show Performance from 8 a.m. until 4 p.m. each day from July 31, 2025 through August 3, 2025. This action is being taken to provide for the safety of life on navigable waterways during this event. The regulation for this safety zone, 33 CFR 165.1319(b), specifies the location of this safety zone for the annual Seafair Air Show Performance which encompasses a portion of Lake Washington, Seattle, Washington. During the enforcement periods, as reflected in § 165.1319(c), no person may enter or remain in the zone except support vessels and support personnel, vessels registered with the event organizer, or other vessels authorized by the COTP or their designated representative(s). Vessels and persons granted authorization to enter the safety zone must obey all lawful orders or directions of the COTP or their designated representative(s).

The COTP may be assisted by other federal, state, and local law enforcement agencies in enforcing this regulation.

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

Dated: July 23, 2025.

Mark A. McDonnell,

Captain, U.S. Coast Guard, Captain of the Port, Sector Puget Sound.

[FR Doc. 2025–14537 Filed 7–30–25; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 21

RIN 2900–AS30

The 81-Month Rule for Dependents' Education Assistance

AGENCY: Department of Veterans Affairs.

ACTION: Final rule.

SUMMARY: The Department of Veterans Affairs (VA) is issuing this final rule to update its regulation governing a beneficiary's receipt of education assistance from two or more programs. This action is necessary to implement a statutory amendment enacted in August 2012, which authorized an 81-month aggregate period for use of Survivors' and Dependents' Educational Assistance (Chapter 35) benefits in combination with other programs listed in the statute. This rulemaking amends the regulation to align it with the current statutory text.

DATES: This rule is effective July 31, 2025.

FOR FURTHER INFORMATION CONTACT: Thomas Alphonso, Veterans Benefits Administration, (202) 461–9800.

SUPPLEMENTARY INFORMATION: In August 2012, Congress enacted Public Law 112–154, Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012 (the Act). Section 401 of the Act amended 38 U.S.C. 3695 by increasing the aggregate limit of a beneficiary's educational assistance under Chapter 35 and one or more programs listed in 38 U.S.C. 3695(a) from 48 months to 81 months. To implement this change, VA is amending 38 CFR 21.4020 to align it with the current statute.

VA is amending § 21.4020 by removing the reference to 38 U.S.C. chapter 35 in paragraph (a)(4), so that a beneficiary entitled to benefits under Chapter 35 and one or more programs listed in paragraph (a) is not limited to 48 months of aggregate entitlement. VA is also adding new paragraph (c) to provide that ''[t]he aggregate period for which any person may receive assistance under 38 U.S.C. chapter 35 in combination with any of the provisions of law referred to in paragraph (a) may not exceed 81 months (or the part-time equivalent thereof).''

VA is also updating § 21.4020(a)(5) by removing the reference to 10 U.S.C. chapter 106a and adding references to 10 U.S.C. chapters 107 and 1611 to align that provision with 38 U.S.C. 3695(a)(5).

These changes will update the regulation to make it consistent with 38 U.S.C. 3695.

Administrative Procedure Act

The Secretary of Veterans Affairs finds that there is good cause under the Administrative Procedure Act (APA) to publish this rule without prior opportunity for public comment and with an immediate effective date. Pursuant to 5 U.S.C. 553(b)(B), general notice and opportunity for public comment are not required with respect to a rulemaking when an ''agency for good cause finds (and incorporates the finding and a brief statement of reasons therefor in the rules issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary

to the public interest.'' *See Nat. Res. Def. Council* v. *Nat'l Highway Traffic Safety Admin.,* 894 F.3d 95, 114 (2nd Cir. 2018) (noting that an agency may invoke the good-cause exception when notice and comment are ''unnecessary'' in ''those situations in which the administrative rule is a routine determination, insignificant in nature and impact, and inconsequential to the industry [ ] and to the public'').

By statute, Congress has authorized an aggregate period of 81 months of assistance to individuals who use Chapter 35 benefits combined with benefits from other programs listed in section 3695(a). VA's authority is limited to implementing the statutes as enacted by Congress. Therefore, additional public comment would be superfluous and unnecessary.

The APA also requires a 30-day delayed effective date, except for ''(1) a substantive rule which grants or recognizes an exemption or relieves a restriction; (2) interpretative rules and statements of policy; or (3) as otherwise provided by the agency for good cause found and published with the rule.'' 5 U.S.C. 553(d). For the reasons stated above, the Secretary finds that there is also good cause for this rule to be effective immediately upon publication. Any delay in implementation would be unnecessary for purposes of 5 U.S.C. 553(d)(3).

Executive Orders 12866, 13563, and 14192

VA examined the impact of this rulemaking as required by Executive Orders 12866 (Sept. 30, 1993) and 13563 (Jan. 18, 2011), which direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. The Office of Information and Regulatory Affairs has determined that this rulemaking is not a significant regulatory action under Executive Order 12866, as supplemented by Executive Order 13563. This final rule is a deregulatory action under Executive Order 14192. The Regulatory Impact Analysis associated with this rulemaking can be found as a supporting document at *www.regulations.gov.*

Regulatory Flexibility Act

The Regulatory Flexibility Act, 5 U.S.C. 601–612, is not applicable to this rulemaking because notice of proposed rulemaking is not required. 5 U.S.C. 601(2), 603(a), 604(a).

Unfunded Mandates

The Unfunded Mandates Reform Act of 1995 requires, at 2 U.S.C. 1532, that agencies prepare an assessment of anticipated costs and benefits before issuing any rule that may result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of $100 million or more (adjusted annually for inflation) in any one year. This final rule will have no such effect on State, local, and tribal governments, or on the private sector.

Paperwork Reduction Act

This final rule contains no provisions constituting a collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521).

Congressional Review Act

Pursuant to the Congressional Review Act (5 U.S.C. 801 *et seq.*), the Office of Information and Regulatory Affairs has designated this rule as not a major rule, as defined by 5 U.S.C. 804(2).

List of Subjects in 38 CFR Part 21

Administrative practice and procedure, Armed forces, Civil rights, Claims, Colleges and universities, Conflict of interests, Defense Department, Education, Employment, Grant programs—education, Grant programs—veterans, Health care, Loan programs—education, Loan programs—veterans, Manpower training programs, Reporting and recordkeeping requirements, Schools, Travel and transportation expenses, Veterans, Vocational education, Veteran readiness.

Signing Authority

Douglas A. Collins, Secretary of Veterans Affairs, approved this document on July 24, 2025, and authorized the undersigned to sign and submit the document to the Office of the Federal Register for publication electronically as an official document of the Department of Veterans Affairs.

Taylor N. Mattson,

Alternate Federal Register Liaison Officer, Department of Veterans Affairs.

For the reasons stated in the preamble, VA amends 38 CFR part 21 as set forth below:

PART 21—VETERAN READINESS AND EMPLOYMENT AND EDUCATION

Subpart D—Administration of Educational Assistance Programs

■ 1. The authority citation for part 21, subpart D continues to read as follows:

Authority: 10 U.S.C. 2141 note, ch. 1606; 38 U.S.C. 501(a), chs. 30, 32, 33, 34, 35, 36, and as noted in specific sections.

■ 2. Amend § 21.4020 by:
■ a. In paragraph (a)(4), by removing ''35,'';
■ b. Revising paragraph (a)(5);
■ c. Removing the authority citation following paragraph (a)(8); and
■ d. Adding paragraph (c) before the authority citation at the end of the section.

The revisions and addition read as follows:

§ 21.4020 Two or more programs.

(a) * * *

(5) 10 U.S.C. chapters 107, 1606, 1607, and 1611;

* * * * *

(c) *Limit of Aggregate Assistance.* The aggregate period for which any person may receive assistance under 38 U.S.C. chapter 35 in combination with any of the provisions of law referred to in paragraph (a) of this section may not exceed 81 months (or the part-time equivalent thereof).

* * * * *

[FR Doc. 2025–14486 Filed 7–30–25; 8:45 am]

BILLING CODE 8320–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 60

[EPA–HQ–OAR–2025–0162; FRL–12675–01–OAR]

RIN 2060–AW61

Extension of Deadlines in Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review Final Rule

AGENCY: Environmental Protection Agency (EPA).

ACTION: Interim final rule; request for comments.

SUMMARY: The U.S. Environmental Protection Agency (EPA) is taking interim final action to extend certain deadlines within the final rule titled ''Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review,'' 89 FR 16820 (March 8, 2024) (hereafter ''2024 final rule''). Specifically, the EPA is extending deadlines for certain provisions related to control devices, equipment leaks, storage vessels, process controllers, and covers/closed vent systems in ''Subpart

OOOOb—Standards of Performance for Crude Oil and Natural Gas Facilities for Which Construction, Modification or Reconstruction Commenced After December 6, 2022'' (NSPS OOOOb). The EPA also is extending the date for future implementation of the SuperEmitter Program. Finally, the EPA is extending the state plan submittal deadline in ''Subpart OOOOc—Emissions Guidelines (EG) for Greenhouse Gas Emissions From Existing Crude Oil and Natural Gas Facilities'' (EG OOOOc). The EPA is requesting comments on all aspects of this interim final rule and will consider all comments received in determining whether amendments to this rule are appropriate after the conclusion of the comment period.

DATES: This interim final rule is effective on July 31, 2025. Comments on this interim final rule must be received on or before September 2, 2025.

ADDRESSES: You may send comments, identified by Docket ID No. EPA–HQ–OAR–2025–0162, by any of the following methods:

- *Federal eRulemaking Portal: https://www.regulations.gov* (our preferred method). Follow the online instructions for submitting comments.
- *Email: a-and-r-docket@epa.gov.* Include Docket ID No. EPA–HQ–OAR–2025–0162 in the subject line of the message.
- *Mail:* U.S. Environmental Protection Agency, EPA Docket Center, Docket ID No. EPAHQ–OAR–2025–0162, Mail Code 28221T, 1200 Pennsylvania Avenue NW, Washington, DC 20460.
- *Hand/Courier Delivery:* EPA Docket Center, WJC West Building, Room 3334, 1301 Constitution Avenue NW, Washington, DC 20004. The Docket Center's hours of operation are 8:30 a.m.–4:30 p.m., Monday–Friday (except Federal Holidays). Comments received may be posted without change to *https://www.regulations.gov,* including any personal information provided. For detailed instructions on sending comments, see the ''Public Participation'' heading of the General Information section of this document.

FOR FURTHER INFORMATION CONTACT: Amy Hambrick, Sector Policies and Programs Division (E143–05), 109 T.W. Alexander Drive, P.O. Box 12055, Office of Air Quality Planning and Standards, United States Environmental Protection Agency, Research Triangle Park, North Carolina 27711; telephone number: (919) 541–0964; and email address: *hambrick.amy@epa.gov.* Individuals who are deaf or hard of hearing, as well as individuals who have speech or communication disabilities may use a relay service. To learn more about how to make an accessible telephone call to any of the numbers shown in this document, visit the web page for the relay service of the Federal Communications Commission. Additional questions may be directed to the following email address: *O&GMethaneRule@epa.gov.*

SUPPLEMENTARY INFORMATION:

Preamble acronyms and abbreviations. Throughout this document the use of ''we,'' ''us,'' or ''our'' is intended to refer to the EPA. We use multiple acronyms and terms in this preamble. While this list may not be exhaustive, to ease the reading of this preamble and for reference purposes, the EPA defines the following terms and acronyms here:

APA Administrative Procedure Act
AVO audible, visual, and olfactory
CAA Clean Air Act
CBI Confidential Business Information
CFR Code of Federal Regulations
CRA Congressional Review Act
CVS closed vent systems
ECD enclosed combustion device
EG emissions guidelines
EPA Environmental Protection Agency
FR Federal Register
GC gas chromatograph
GHG greenhouse gas
LPE legally and practicably enforceable
Mcf thousand cubic feet
MS mass spectrometer
NAICS North American Industry Classification System
NIE no identifiable emissions
NHV net heating value
NHV_{cz} combustion zone net heating value
NHV_{dil} dilution parameter net heating value
NSPS new source performance standards
OGI optical gas imaging
OMB Office of Management and Budget
ppmv parts per million by volume
PRA Paperwork Reduction Act
RFA Regulatory Flexibility Act
RULOF remaining useful life and other factors
SEP super emitter program
SIP state implementation plan
TOC total organic compounds
tpy tons per year
UMRA Unfunded Mandates Reform Act
U.S.C. United States Code
VOC volatile organic compound(s)

Organization of this document. The information in this preamble is organized as follows:

I. General Information

A. Public Participation

Submit your written comments, identified by Docket ID No. EPA–HQ–OAR–2025–0162, at *https://www.regulations.gov* (our preferred method), or by the other methods identified in the **ADDRESSES** section. Once submitted, comments cannot be edited or removed from the docket. The EPA may publish any comment received to its public docket. Do not submit to the EPA's docket at *https://www.regulations.gov* any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. This type of information should be submitted as discussed in the *Submitting CBI* section of this document. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud, or other file sharing system). Please visit *https://www.epa.gov/dockets/commenting-epa-dockets* for additional submission methods; the full EPA public comment policy; information about CBI or multimedia submissions; and general guidance on making effective comments.

Submitting CBI. Do not submit information containing CBI to the EPA through *https://www.regulations.gov.* Clearly mark the part or all the information that you claim to be CBI. For CBI on any digital storage media

that you mail to the EPA, note the docket ID, mark the outside of the digital storage media as CBI, and identify electronically within the digital storage media the specific information that is claimed as CBI. In addition to one complete version of the comments that includes information claimed as CBI, you must submit a copy of the comments that does not contain the information claimed as CBI directly to the public docket through the procedures outlined in the Public Participation section of this document. If you submit any digital storage media that does not contain CBI, mark the outside of the digital storage media clearly that it does not contain CBI and note the docket ID. Information not marked as CBI will be included in the public docket and the EPA's electronic public docket without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 Code of Federal Regulations (CFR) part 2.

Our preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol (FTP), or other online file sharing services (*e.g.,* Dropbox, OneDrive, Google Drive). Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address *oaqps_cbi@epa.gov,* and as described above, should include clear CBI markings, and note the docket ID. If assistance is needed with submitting large electronic files that exceed the file size limit for email attachments, and if you do not have your own file sharing service, please email *oaqps_cbi@epa.gov* to request a file transfer link. If sending CBI information through the postal service, please send it to the following address: OAQPS Document Control Officer (C404–02), OAQPS, U.S. Environmental Protection Agency, 109 T.W. Alexander Drive, P.O. Box 12055, Research Triangle Park, North Carolina 27711, Attention Docket ID No. EPA–HQ–OAR–2025–0162. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope.

B. Potentially Affected Entities

The source category that is the subject of this action is the Crude Oil and Natural Gas source category, regulated under Clean Air Act (CAA) section 111. The North American Industry Classification System (NAICS) codes for the industrial source categories affected by the new source performance standards (NSPS) portion of this action are summarized in table 1.

TABLE 1—INDUSTRIAL SOURCE CATEGORIES AFFECTED BY THE NSPS

Category	NAICS code [1]	Examples of regulated entities
Industry	211120	Crude Petroleum Extraction.
	211130	Natural Gas Extraction.
	221210	Natural Gas Distribution.
	486110	Pipeline Distribution of Crude Oil.
	486210	Pipeline Transportation of Natural Gas.
Federal Government		Not affected.
State and Local Government		Not affected.
Tribal Government	921150	American Indian and Alaska Native Tribal Governments.

[1] North American Industry Classification System (NAICS).

This table is not intended to be exhaustive, but rather to provide a guide for readers regarding entities likely to be affected by the deadline extensions. Other types of entities not listed in the table could also be affected by this action. To determine whether your entity is affected by any of the deadline extensions in this action, you should carefully examine the applicability criteria found in NSPS OOOOb. If you have questions regarding the applicability of this action to a particular entity, consult the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

The deadline extensions in EG OOOOc does not impose binding requirements directly on existing sources. The EG codified in 40 CFR part 60, subpart OOOOc, applies to states in the development, submittal, and implementation of state plans to establish performance standards to reduce emissions of greenhouse gases (GHG) from designated facilities that are existing sources on or before December 6, 2022. Under the Tribal Authority Rule (TAR), eligible tribes may seek approval to implement a plan under CAA section 111(d) in a manner similar to a state. See 40 CFR part 49, subpart A. Tribes may, but are not required to, seek approval for treatment in a manner similar to a state for purposes of developing a tribal implementation plan (TIP) implementing the EG codified in 40 CFR part 60, subpart OOOOc. The TAR authorizes tribes to develop and implement their own air quality programs, or portions thereof, under the CAA. However, it does not require tribes to develop a CAA program. Tribes may implement programs that are most relevant to their air quality needs. If a tribe does not seek and obtain the authority from the EPA to establish a TIP, the EPA has the authority to establish a Federal CAA section 111(d) plan for designated facilities that are located in areas of Indian country.[1] A Federal plan would apply to all designated facilities located in the areas of Indian country covered by the Federal plan unless and until the EPA approves a TIP applicable to those facilities.

C. Statutory Authority

Statutory authority to issue the amendments finalized in this action is provided by the same CAA provisions that provided authority to issue the regulations being amended: CAA section 111(b)(1)(B) (requirement to review, and if appropriate, revise, standards of performance for new sources at least every 8 years) and CAA section 111(d) (requirement to issue EG for existing sources for certain pollutants to which a NSPS would apply if such existing source were a new source). These statutory provisions, along with administrative agencies' authority to reconsider prior regulations, provide the EPA's statutory authority for the targeted amendments to compliance deadlines finalized in this action.[2]

[1] See the EPA's website, *https://www.epa.gov/tribal/tribes-approved-treatment-state-tas,* for information on those tribes that have treatment as a state for specific environmental regulatory programs, administrative functions, and grant programs.

[2] *See FDA* v. *Wages & White Lion Invs., LLC,* 145 S. Ct. 898 (2025); *FCC* v. *Fox TV Stations, Inc.,* 556 U.S. 502 (2009); *Motor Vehicle Mfrs. Ass'n* v. *State Farm Mut. Auto. Ins. Co.,* 463 U.S. 29 (1983).

Statutory authority for the rulemaking procedures followed in this action is provided by Administrative Procedure Act (APA) section 553(b)(B), 5 United States Code (U.S.C.) 553(b)(B) (good cause exception to notice-and-comment rulemaking), and statutory authority for making this action, which meets the criteria under 5 U.S.C. 804(2), effectively immediately is provided by 5 U.S.C. 808(2). As explained in section III of this preamble, the EPA finds good cause to forego prior notice and comment because such procedures are unnecessary and impracticable under the circumstances detailed in section II of this preamble.

D. Judicial Review and Administrative Review

Under CAA section 307(b)(1), judicial review of this final action is available only by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit by September 29, 2025. Under CAA section 307(b)(2), the requirements established by this final action may not be challenged separately in any civil or criminal proceedings brought by the EPA to enforce the requirements.

II. Regulatory Revisions

A. Background and Summary

On November 15, 2021, the EPA published a proposed rule (''November 2021 Proposal'') to reduce GHG and volatile organic compound (VOC) emissions from the oil and natural gas industry,[3] specifically the Crude Oil and Natural Gas source category.[4] [5] In the November 2021 Proposal, the EPA proposed revised standards of performance under CAA section 111(b) for GHG and VOC emissions from new, modified, and reconstructed sources in this source category, as well as changes to standards of performance already codified at 40 CFR part 60, subparts OOOO and OOOOa. The EPA also proposed EG under CAA section 111(d) for GHG emissions from existing sources.[6] The EPA also updated the NSPS OOOO and NSPS OOOOa provisions in the Code of Federal Regulations (CFR) in response to Congress' disapproval of the EPA's final rule titled, ''Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources Review,'' September 14, 2020 (''2020 Policy Rule''), under the CRA. Lastly, the EPA proposed a protocol under the NSPS general provisions for optical gas imaging (OGI).

On December 6, 2022, the EPA published a supplemental proposed rule (''December 2022 Supplemental Proposal'') that was composed of two main additions.[7] First, the EPA proposed to update, tighten, and expand the NSPS OOOOb standards proposed in November 2021 under CAA section 111(b) for GHG and VOC emissions from new, modified, and reconstructed sources. Second, the EPA proposed to update, tighten, and expand the EG OOOOc presumptive standards proposed in November 2021 under CAA section 111(d) for GHG emissions from existing sources. For purposes of EG OOOOc, the EPA also proposed implementation requirements for state plans.

On March 8, 2024, the EPA published a final rule for the Crude Oil and Natural Gas source category under CAA section 111(b) and (d). First, the EPA finalized NSPS OOOOb for GHG and VOC emissions from new, modified, and reconstructed sources in this source category. Second, the EPA finalized EG OOOOc for GHG emissions from existing sources in this source category. Third, the EPA finalized various amendments in response to Congress' disapproval of the 2020 Policy Rule. The 2024 final rule became effective on May 7, 2024.

After publication of the 2024 final rule, the EPA received multiple petitions for reconsideration and has now determined, through ongoing and recent communications with stakeholders and review of the relevant regulatory language, that certain discrete provisions in the final rule present immediate problems related to compliance. The issues raised in petitions for reconsideration that are relevant to this interim final rule are described in individual sections below. In this action, the EPA is amending certain compliance deadlines and timeframes for implementation in response to information received after promulgation of the 2024 final rule to address legitimate concerns, raised by stakeholders, that certain regulatory provisions are not currently workable or contain problematic regulatory language that frustrates compliance.

The 2024 final rule is extensive, covering many individual emissions sources of different types at thousands of facilities in the oil and natural gas source category across the country. As explained in more detail in the sections below, the 2024 rule included several provisions that subsequent developments have shown to be untenable from a compliance perspective on the original timeframes set out in the 2024 rule. These timing difficulties were not anticipated in or intended by the 2024 rule, and it is in the public interest and consistent with the purposes of the CAA to provide regulated entities sufficient time to achieve the emissions reductions envisioned by the 2024 rule. Based on information received in petitions for reconsideration and from ongoing conversations with regulated entities, the EPA finds that the targeted revisions to compliance deadlines set forth below are necessary, appropriate, and consistent with the purposes of the 2024 rule and the CAA.

Each regulatory change included in this final action is severable from the other. First, each of the deadlines amended in this action is functionally independent from the others—*i.e.,* may operate in practice independently of the other requirements being amended here, such that the amendment of a deadline in one set of requirements does not turn on the amendment of a deadline in any other set of requirements. For example, amendments to individual compliance deadlines in NSPS OOOOb function separately from amendments to the state plan submittal deadline in EG OOOOc. Similarly, amendments to the implementation deadline for the Super-Emitter Program and amendments to timing for EPA action on methane detection technology for use in the Super-Emitter Program function separately from amendments to individual compliance deadlines to other aspects of the 2024 final rule. Second, as explained in section II.B of this preamble, the reasoning for each regulatory change is distinct and independent from the others. For

[3] The EPA characterizes the oil and natural gas industry operations as being generally composed of 4 segments: (1) Extraction and production of crude oil and natural gas (''oil and natural gas production''), (2) natural gas processing, (3) natural gas transmission and storage, and (4) natural gas distribution.

[4] ''*Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review.*'' Proposed rule. 86 FR 63110 (November 15, 2021).

[5] The EPA defines the Crude Oil and Natural Gas source category to mean: (1) crude oil production, which includes the well and extends to the point of custody transfer to the crude oil transmission pipeline or any other forms of transportation; and (2) natural gas production, processing, transmission, and storage, which include the well and extend to, but do not include, the local distribution company custody transfer station, commonly referred to as the ''city-gate.''

[6] The term ''designated facility'' means ''any existing facility which emits a designated pollutant and which would be subject to a standard of performance for that pollutant if the existing facility were an affected facility.'' See 40 CFR 60.21a(b).

[7] ''*Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review.*'' Supplemental notice of proposed rulemaking. 87 FR 74702 (December 6, 2022).

example, amendments to individual compliance deadlines in NSPS OOOOb are separately justified, based on the recent information received by the Agency, from the amendments made to the state plan submittal deadline in EG OOOOc based on recent information gathered by the Agency on a distinct set of issues related to OOOOc. Similarly, amendments to individual implementation deadlines for the SEP are separately justified, based on information received by the Agency, from amendments made in response to information received on distinct compliance issues under the other provisions of the 2024 final rule.

The EPA continues to review other issues related to the 2024 final rule that have been brought to the Agency's attention but are not substantively addressed in this action.[8] [9] Thus, this action does not reopen the substance of the 2024 final rule or address the substantive amendments requested in various petitions for reconsideration. As noted in section IV of this preamble, the EPA seeks comment on the compliance deadline amendments at issue in this action and will consider appropriate revisions in reviewing comments. However, the EPA does not seek comment on the substance of the 2024 final rule and will seek and respond to comments on further amendments to the substance of the 2024 final rule at an appropriate time in future rulemaking.

B. Deadline Extensions for NSPS OOOOb [10]

1. Control Devices

In the 2024 final rule, the EPA finalized monitoring requirements for control devices that included vent gas net heating value (NHV) continuous monitoring requirements and an alternative performance test (sampling demonstration) option for flares and enclosed combustion devices (ECDs). In the 2024 final rule, with exceptions for catalytic vapor incinerators, boilers and process heaters, and enclosed combustors where temperature is an indicator of destruction efficiency, all flares and enclosed combustors must maintain the NHV of the gas sent to the device above a minimum NHV if the combustion device is pressure-assisted or uses no assist gas. If an owner or operator uses a steam- or air-assisted flare or ECD, the owner or operator must maintain the combustion zone NHV (NHV_{cz}) above a minimum level. If the owner or operator uses an air-assisted enclosed flare or ECD, the owner or operator must maintain the NHV dilution parameter (NHV_{dil}) above a minimum level. The NHV_{cz} and NHV_{dil} parameter terms account for the reduction in heating value caused by the introduction of air or steam. These terms ensure that the assist gas does not overwhelm the heating value provided by the vent gas to the point where proper combustion is no longer occurring. Owners or operators also have the option to apply to use an alternative test method that either demonstrates continuous compliance with the combustion efficiency limit or directly demonstrates continuous compliance with the NHV_{cz} operating limit and, if applicable, the NHV_{dil} operating limit.

For each flare or ECD used to control gases other than associated gas from a well site affected facility, the owner or operator must conduct continuous monitoring using a calorimeter, gas chromatograph (GC), or mass spectrometer (MS) in order to determine the NHV of the vent stream. As an alternative to continuous monitoring of NHV, the owner or operator may conduct a performance test to demonstrate the NHV of the vent stream consistently exceeds the applicable NHV operating limit in one of two ways: (1) Continuous sampling for 14 consecutive days plus ongoing (3 samples every 5 years) sampling, or (2) manual sampling (twice daily for 14 consecutive days) plus ongoing (3 samples every 5 years) sampling. The minimum collection time for each individual, manually collected sample must be at least 1 hour. If inlet gas flow is intermittent such that collecting 28 samples in 14 days is infeasible, an owner or operator must continue to collect samples beyond 14 days in order to collect a minimum of 28 samples. Owners or operators also have the option to use an alternative test method [11] [12] that demonstrates continuous compliance with the combustion efficiency limit. If there are no values of the combustion efficiency measured by the alternative test method over the 14-day period that are less than 95 percent, the gas stream is considered to consistently exceed the applicable NHV operating limit, and the owner or operator is not required to continuously monitor or conduct sampling of the NHV of the inlet gas to the flare or ECD. Owners or operators of steam-assisted and air-assisted enclosed combustors and flares also must monitor the vent gas and assist gas flow rates and calculate NHV_{cz} and NHV_{dil} in accordance with the provisions in 40 CFR 63.670 (*i.e.,* the refinery maximum achievable control technology rule, or Refinery MACT). Alternatively, owners or operators of air-assisted flares may provide a one-time demonstration based on maximum air assist rates, minimum waste gas flow rates (based on back pressure regulator setting), and minimum NHV from the most recent sampling rather than continuously monitor vent gas and assist gas flow rates.

Multiple petitions for reconsideration and communications with stakeholders after promulgation of the 2024 final rule raised concerns regarding the availability of equipment and personnel necessary [13] to comply with the NHV provisions in the 2024 final rule. Due to the thousands of control devices immediately subject to the OOOOb NHV requirements, number of samples required to be taken, and existing supply chain constraints for monitoring equipment and sampling vendors,[14] petitioners have credibly asserted that

[8] See 90 FR 3734. On January 15, 2025, the EPA proposed amendments to NSPS OOOOb and EG OOOOc in response to petitions for reconsideration. The January 2025 proposal includes discrete technical changes to two aspects of the 2024 final rule. The two issues addressed in the January 2025 proposal are temporary flaring provisions for associated gas in certain situations and vent gas NHV continuous monitoring requirements and alternative performance test (sampling demonstration) option for flares and ECDs.

[9] In a press release dated March 12, 2025, the EPA Administrator announced various reconsideration efforts including NSPS OOOOb and EG OOOOc. *https://www.epa.gov/newsreleases/trump-epa-announces-oooo-bc-reconsideration-biden-harris-rules-strangling-american.*

[10] Changes made to the SEP discussed in section II.B.6 of this preamble also apply to 40 CFR part 60, subparts OOOO and OOOOa.

[11] Under the provisions outlined in 40 CFR 60.5412b(d) and 60.5415b(f)(1)(xi), sources can request to use an ''equivalent method'' pursuant to 40 CFR 60.8(b)(2), or ''an alternative method the results of which [the Administrator] has determined to be adequate for indicating whether a specific source is in compliance'' pursuant to 40 CFR 60.8(b)(3). The EPA is currently accepting and reviewing applications for alternative (ALT) test methods for NHV monitoring in the oil and natural gas sector. See *https://www.epa.gov/emc/oil-andgas-alternative-test-methods#:~:text=The%20application%20portal%20can%20be,Air%20Emission%20Measurement%20Center%20web page.* Since the rule's publication date of March 8, 2024, two alternative test method requests have been approved by the EPA for use under NSPS subpart OOOOb: (1) ALT–156 Alternative Test Method to monitor the NHV of the flare combustion zone at facilities Subject to NSPS OOOOb and (2) ALT–157 Alternative Test Method for determining NHV from gas sent to an ECD or Flare subject to NSPS OOOOb. A list of the EPA's approved alternative test methods can be found at *https://www.epa.gov/emc/broadlyapplicable-approved-alternative-test-methods.*

[12] Per 40 CFR 60.8(b)(5), the EPA has more general authority to approve alternative test methods involving ''shorter sampling times and smaller sample volumes when necessitated by process variables or other factors.''

[13] See EPA–HQ–OAR–2024–0358–0023 attachment 1 at page 9.

[14] See EPA–HQ–OAR–2024–0358–0016 at page 6.

compliance would be very challenging to achieve within the compliance timeline.[15] Moreover, petitioners credibly asserted that even if the samples could be taken within the prescribed period, there is also insufficient analytical laboratory capacity to conduct the necessary analyses for each sample in a timely manner. One of the petitioners stated that vent gas flow from midstream sources to control devices tends to be sporadic and at low pressure and this is particularly true for storage vessels that either have low flows generally or have pressure control valves that only release short bursts of gas to control devices.[16] Other stakeholders added that even if continuous monitoring was technically feasible, there is a lack of available monitoring equipment,[17] and that it will take owners and operators several months to procure continuous monitoring equipment and installation will take additional time. Furthermore, stakeholders have credibly asserted that discussions with vendors indicated that calorimeters would take between 8 to 12 weeks for delivery and continuous monitoring devices will take up to 26 weeks [18] with installation requiring an additional 2 to 3 weeks.[19]

Additionally, one of the petitioners credibly asserted that the 2024 final rule does not provide an adequate period of time to perform the alternative testing procedures under 40 CFR 60.5412b(d) and does not provide any time for testing at all, putting owners and operators at risk of being deemed out of compliance for operating a modified source before and during testing. The petitioner added that the alternative testing protocol (40 CFR 60.5312b(d)(1)–(5)) requires the combustion device to already be operating in order to determine destruction efficiency and inspect for visible emissions, unlike continuous monitoring, which can be installed prior to the startup of a new source. Therefore, petitioners stated that full compliance with the current deadlines across the industry is not feasible. These concerns have been reiterated [20] in public comments submitted by industry groups on the EPA's proposed reconsideration related to NHV monitoring.[21] Commenters have pointed out that testing equipment requires significant lead times, often multiple months in advance.[22]

In the 2024 final rule, in addition to the NHV requirements described in this section, the EPA also finalized performance testing requirements for ECDs applicable to well, centrifugal compressor, reciprocating compressor, storage vessel, process controller, pump, or process unit equipment affected facilities. These performance test requirements consist of a minimum of 3 test runs at least 1 hour long at the inlet of the first control device and at the outlet of the final control device to determine compliance with a total organic compound (TOC) percent reduction requirement of 95.0 percent by weight or greater, or reduce the concentration of TOC in the exhaust gases at the outlet to the control device to a level equal to or less than 275 ppmv as propane on a wet basis corrected to 3 percent oxygen.

According to reconsideration petitioners, the performance testing provisions for ECDs are currently untenable for NSPS OOOOb control devices. Due to the sheer volume of ECDs that require testing under NSPS OOOOb, coupled with the limited number of specialized source testing firms that are available to perform these tests, the petitioners stated that additional time is needed to conduct performance testing for ECDs at affected facilities constructed, modified, or reconstructed since December 6, 2022. The petitioners also expressed concerns over the workload and backlog for the EPA or delegated state and local authorities to process alternative performance testing requests for potentially hundreds of ECD test programs. The petitioners credibly asserted that relying on delegated authorities to address performance testing issues provides no solution on most tribal lands, where the EPA is often the sole agency responsible for implementing NSPS OOOOb.[23] Petitioners stated that while owners and operators utilizing ECDs to comply with standards in a state or Federal plan under EG OOOOc will likely have years to address these challenges, these performance testing issues present an immediate and untenable scenario for NSPS OOOOb control devices.

The petitioners expressed additional concerns over the amount of time required (*i.e.,* minimum test run duration) and the need for supplemental gas to conduct three 1-hour test runs on sources that have intermittent flow (*e.g.,* storage vessels). A testing crew is typically able to conduct up to two performance tests per day where vapor flow is sufficient. Where vapor flow is low and/or intermittent, as can be the case for many storage vessels, it may take multiple days of waiting to find a window with sufficient flow to accommodate a 1-hour test run, and in many cases, there will never be sufficient vapor flow to accommodate a 1-hour test run under normal operating conditions. Therefore, petitioners stated, performing these tests as prescribed in the 2024 final rule is not always feasible.

Additionally, petitioners stated the installation of monitoring equipment or sampling ports on existing ECDs requires specialized ''hot tap'' work. A ''hot tap'' requires specialized vendors and a site shutdown to perform this work. This work exacerbates the already challenging compliance timeline given the existing supply chain constraints, which will prevent most affected facilities from obtaining the necessary monitoring equipment, and the large number of needed retrofits.[24] Therefore, petitioners said this work cannot be accomplished across the industry prior to the deadline for compliance demonstrations.

In this action, the EPA is extending the compliance dates related to NHV monitoring of flares and ECDs found in 40 CFR 60.5417b(d)(8)(i) through (iv) and (vi) by 120 days from publication of this interim final rule to address the supply chain, personnel, and laboratory limitations identified by petitioners which make compliance with the requirements promulgated in the 2024 final rule infeasible. On January 15, 2025, the EPA proposed amendments to the NSPS and EG related to NHV requirements based on reconsideration petitions. The Agency is working towards finalizing those amendments and expects a final rule to be issued soon. Because a separate rulemaking action will address the substantive problems raised with the NHV provisions in the 2024 final rule, we have determined that an extension to November 28, 2025 is sufficient for present purposes. The EPA solicits comments on this extension of 120 days.

[15] See EPA–HQ–OAR–2024–0358–0009 at page 1.

[16] See EPA–HQ–OAR–2024–0358–0016 at page 6.

[17] See EPA–HQ–OAR–2024–0358–0020 attachment 3 at page 5.

[18] See EPA–HQ–OAR–2024–0358–0020 attachment 3 at page 13.

[19] See EPA–HQ–OAR–2024–0358–0013 at pages 2–3.

[20] See EPA–HQ–OAR–2024–0358–0083 at page 16, submitted to the EPA on March 4, 2025.

[21] On January 15, 2025, the EPA proposed amendments to the 2024 final rule based on reconsideration of two discrete issues related to NHV monitoring and temporary flaring. See 90 FR 3734 for the January 2025 reconsideration proposal. See Docket ID No. EPA–HQ–OAR–2024–0358 for public comments submitted on the January 2025 reconsideration proposal.

[22] See EPA–HQ–OAR–2024–0358–0046 at page 8.

[23] See EPA–HQ–OAR–2024–0358–0009 at page 5.

[24] See EPA–HQ–OAR–2024–0358–0009 at page 2 and attachment 1 to the petition.

If, based on comments or otherwise, additional adjustment to the compliance timeline for the NHV requirements is needed, the EPA may address that issue via additional amendments following this action, including potentially in the separate reconsideration action.

Additionally, the EPA is extending the requirement to conduct performance tests on ECDs in 40 CFR 60.5413b(b) until January 22, 2027 to provide affected facilities sufficient lead time to retrofit sources and to plan and execute the performance tests required by the final rule. The EPA notes that even though the Agency is extending the deadline to complete the prescribed NHV monitoring on these source types, the visible emission observation requirements of 40 CFR 60.5417b(d)(8)(v) will continue to apply in order for sources to demonstrate compliance with the prescribed emission standards as of the 2024 final rule effective date of May 7, 2024, or 180 days after startup, whichever is later, as required in 40 CFR 60.5370b(a)(9)(ii).

2. Covers and Closed Vent Systems

As in NSPS OOOO and OOOOa, NSPS OOOOb contains requirements for closed vent systems (CVS) and covers.[25] CVS route emissions from well (*i.e.,* oil wells when routing associated gas to a control device), centrifugal compressor, reciprocating compressor, process controller, pump, storage vessel and process unit affected facilities to a control device or to a process. Pursuant to the 2024 final rule, each CVS used for compliance with an NSPS OOOOb standard must be designed and operated to capture and route all gases, vapors, and fumes to a process or to a control device with ''no identifiable emissions'' (NIE) and these systems must be inspected within 30 days of startup of the affected facility and annually thereafter to verify NIE. Covers must form a continuous impermeable barrier over the entire surface area of the liquid in the storage vessel, over the centrifugal compressor wet seal fluid degassing system, or over the reciprocating compressor rod packing emissions collection system. Each cover opening shall be secured in a closed, sealed position (*e.g.,* covered by a gasketed lid or cap) whenever material is in the unit on which the cover is installed, except during those times when it is necessary to use an opening, such as to inspect equipment or to remove material from the equipment.

Under the final 2024 rule, initial and continuous compliance of the NIE requirement can be demonstrated through OGI, EPA Method 21, or audio, visual and olfactory inspections (AVO) inspections conducted at the same frequency as the fugitive emissions monitoring for the type of site where the cover and CVS are located. Alternatively, an owner or operator could demonstrate ongoing compliance with the NIE requirement for covers and CVS using the periodic screening or continuous monitoring requirements for advanced methane detection technologies in 40 CFR 60.5398b. Where AVO inspections are required, the CVS and cover are determined to operate with NIE if no emissions are detected by AVO means. Where OGI monitoring is conducted, the CVS and cover are determined to operate with NIE if no emissions are imaged by the OGI camera. Where EPA Method 21 monitoring is conducted, the CVS and covers are determined to operate with NIE if the readings obtained using EPA Method 21 are less than 500 parts per million by volume (ppmv) above background. Emissions detected by AVO, OGI, or EPA Method 21 constitute a deviation of the NIE requirement until a subsequent inspection determines that the CVS and cover operate with NIE. Where monitoring is conducted using advanced methane detection technologies, covers and CVS are determined to operate with NIE if no emissions are detected by the periodic screening survey or, where continuous monitoring is conducted, the site remains under the action levels. If emissions are detected from the site during a periodic screening survey or the site exceeds an action level, the cover and CVS are still determined to operate with NIE unless a follow-up inspection with EPA Method 21, OGI, or AVO indicates that the cover and CVS do not operate with NIE.

Each CVS must be inspected to ensure that the CVS operates with NIE initially within 30 calendar days after startup of the affected facility routing emissions through the CVS. Specifically, for the well sites and centralized production facilities where a CVS is present, quarterly OGI or EPA Method 21 and bimonthly AVO would be required; for compressor stations, quarterly OGI or EPA Method 21 and monthly AVO would be required. For CVS and covers located at onshore natural gas processing plants, AVO inspections are required annually and instrument monitoring for NIE must be conducted either bimonthly with OGI following the procedures in appendix K or quarterly in accordance with EPA Method 21. For CVS joints, seams, and connections that are permanently or semi-permanently sealed, owners and operators are not required to conduct periodic instrument monitoring with OGI or EPA Method 21, but the owner or operator must still conduct initial instrument monitoring and periodic AVO monitoring. Additionally, annual visual inspections must be conducted for all CVS to check for defects, such as cracks, holes, or gaps. If the CVS is equipped with a bypass, the bypass must include a flow monitor and sound an alarm to alert personnel or send a notification via remote alarm to the nearest field office that a bypass is being diverted to the atmosphere, or it must be equipped with a car-seal or lock-and-key configuration to ensure the valve remains in a non-diverting position. To ensure proper design, an assessment of the CVS must be conducted and certified by a qualified professional engineer or inhouse engineer.

Any emissions or defects detected during an inspection of a cover or CVS is subject to repair, with a first attempt at repair within 5 days after detecting the emissions or defect and final repair within 30 days after detecting the emissions or defect. While awaiting final repair, covers must have a gasket-compatible grease applied to improve the seal. Delay of repair is allowed where the repair is infeasible without a shutdown, or it is determined that immediate repair would result in emissions greater than delaying repair. In all instances, repairs must be completed by the end of the next shutdown. Owners and operators may designate parts of the CVS as unsafe to inspect or difficult to inspect but must have a written plan of the inspection of this equipment. Equipment that is unsafe to inspect would expose inspecting personnel to an imminent potential danger; this equipment must be inspected as frequently as practicable, during safe to inspect times. Equipment that is difficult to inspect would require elevating inspecting personnel more than 2 meters above a support surface; this equipment must be inspected at least once every 5 years.

As to this set of issues, the reconsideration petitioners have credibly asserted that it is not technically achievable over the long-term to maintain NIE compliance with these systems.[26] They state that fugitive emissions will occur over time due to normal wear and tear during typical operation of the equipment and leak

[25] Also, as in NSPS OOOOa, CVS and covers that are not associated with an affected facility are fugitive emissions components.

[26] See EPA–HQ–OAR–2024–0358–0009 at page 7.

detection and repair (LDAR) programs are typically designed to allow operators to address them promptly and responsibly.[27] The petitioners state that affected facilities will not be able to prevent inevitable minor fugitive emissions from covers and CVS, and thus the requirement to achieve and maintain NIE is untenable. According to the petitioners, this unrealistic requirement will inevitably yield widespread non-compliance with the NIE requirements in the 2024 final rule due to normal operation of these affected sources because detected leaks are treated as deviations without first allowing for repair.[28] These concerns related to compliance with a requirement viewed as unworkable have been reiterated by stakeholders in subsequent meetings with the EPA.[29] [30]

In this action, the EPA is extending the compliance date for NIE requirements until January 22, 2027. Based on information received since promulgation of the 2024 final rule, the EPA has serious concerns regarding the ability of owners/operators to meet the NIE inspection requirements in the 2024 rule on the existing compliance schedule and finds it necessary, appropriate, and in the public interest to extend the compliance deadline given credible workability concerns. We note that other compliance requirements for affected facilities that would otherwise be subject to NIE requirements continue to apply consistent with the substantive requirements and goals of the 2024 final rule. In other words, owners and operators still must design and install a CVS and perform initial and ongoing inspections to ensure that the system has no leaks consistent with the requirements of the 2024 final rule and repair any leaks that are found within 30 days. The only requirements that are being delayed are the inspections to confirm that systems operate with NIE during which identifying a leak would be considered a deviation of the standard.

3. Equipment Leaks

In the 2024 final rule, the EPA promulgated requirements for equipment leaks that included provisions for repairs when equipment leaks are detected. For each valve where a leak is detected, regulated entities must comply by repacking the existing valve with a low emitting (low-E) packing, replacing the existing valve with a low-E valve; or performing a drill and tap repair with a low-E injectable packing.[31] An owner or operator is not required to utilize a low-E valve or low-E packing to replace or repack a valve if the owner or operator demonstrates that a low-E valve or low-E packing is not technically feasible. Low-E valve or low-E packing that is not suitable for its intended use is considered to be technically infeasible. Factors that may be considered in determining technical infeasibility include the following: retrofit requirements for installation (*e.g.,* re-piping or space limitation), commercial unavailability for valve type, or certain instrumentation assemblies.

Reconsideration petitioners have credibly asserted that requiring replacement of leaking valves with low-E valves without first providing an opportunity for an attempt at repair of the existing valve is technically and economically infeasible, did not follow proper notice and comment requirements, and creates confusion regarding when replacement is considered feasible in an enforcement proceeding.[32] Based on cost estimates provided in the petitions for reconsideration, petitioners claim that such equipment (low-E valves and packing) is not commercially available at costs that make widespread replacement of valves with low-E equipment viable across the industry.

The EPA acknowledges that regulatory language in the 2024 final rule introduced unintended compliance difficulties related to equipment leak repair requirements. As currently written, the regulatory language in 40 CFR 60.5400b(h)(2)(ii)(A) appears to require a source to repack an existing valve with low-E packing, and then the language is unclear as to whether a source must also comply with paragraph (B) or (C), which require that they either replace the valve with a low-e valve or perform a drill and tap repair with a low-E injectable packing, respectively. It was not the EPA's intention to require that a source repack an existing valve and replace that valve during the same repair. Furthermore, the CFR erroneously includes two versions of paragraph 60.5401b(i). The EPA discovered since promulgation of the 2024 final rule that these two copies of the repair requirements paragraph differ and create confusion for affected facilities. The first of the two copies included in the CFR is correct while the second contains similar errors to those present in 40 CFR 60.5400b(h)(2)(ii). In order to alleviate the compliance confusion created by the conflicting regulatory language, and to provide potentially affected sources additional time to undertake planning to obtain needed low-e equipment given the cost and widespread need for such equipment, the EPA is extending the compliance date for equipment leak repair requirements contained in 40 CFR 60.5400b(h)(2)(ii) and 60.5401b(i)(2)(ii) until January 22, 2027 or 180 days after startup of the affected source, whichever is later.

4. Process Controllers

Process controllers are automated instruments used for maintaining a process condition, such as liquid level, pressure, pressure difference, or temperature. Historically, in the oil and gas industry, many process controllers were powered by pressurized natural gas and therefore would emit natural gas to the atmosphere. However, process controllers may also be powered by electricity or compressed air, and these types of controllers do not use or emit natural gas. In the December 2022 Supplemental Proposal, the EPA proposed a ''zero emissions'' VOC and methane standard for most process controllers in NSPS OOOOb and a ''zero emissions'' methane presumptive standard for most process controllers in EG OOOOc. This standard can be achieved by using a process controller that is not powered by natural gas, by capturing the emissions from the natural gas-driven controllers and routing them to a process, or by using self-contained controllers. The 2024 final rule includes the ''zero emissions'' VOC standard proposed in December 2022 along with different standards for process controllers in Alaska at locations where access to electrical power from the power grid is not available. The requirements for these sources in Alaska are to use lower emitting natural gas-driven process controllers and to perform inspections to ensure that they are operating properly.

[27] See EPA–HQ–OAR–2024–0358–0012 at page 1.

[28] See EPA–HQ–OAR–2024–0358–0013 at page 14.

[29] See EPA–HQ–OAR–2024–0358–0046 at page 16.

[30] See EPA–HQ–OAR–2024–0358–0023 at page 16.

[31] The 2024 final rule includes the following definitions: *Low-e valve* means a valve (including its specific packing assembly) for which the manufacturer has issued a written warranty or performance guarantee that it will not emit fugitives at greater than 100 ppm in the first five years. A valve may qualify as a low-e valve if it is as an extension of another valve that has qualified as a low-e valve. *Low-e packing* means a valve packing product for which the manufacturer has issued a written warranty or performance guarantee that it will not emit fugitives at greater than 100 ppm in the first five years. Low-e injectable packing is a type of low-e packing product for which the manufacturer has also issued a written warranty or performance guarantee and that can be injected into a valve during a ''drill-and-tap'' repair of the valve.

[32] See EPA–HQ–OAR–2024–0358–0013 at pages 7–11.

The process controller standards apply to the collection of new, modified, and reconstructed natural gas-driven process controllers at a site (*i.e.,* a well site, centralized production facility, onshore natural gas processing plant, or compressor station). Process controllers that are emergency shutdown devices (ESD) or that are not natural gas-driven are not included in the affected facility definition.

The standards that apply differ depending on the location of the site and whether access to electrical power is available at the site, which are sites that have commercial line power onsite. For any site outside of Alaska, the standard for all process controllers is zero emissions of VOC and methane. Zero emissions of VOC and methane may be achieved by using process controllers that are not driven by natural gas (and thus not affected facilities), by routing natural gas-driven process controller vapors through a CVS to a process, by using self-contained natural gas-driven process controllers, or by another means that achieves the numerical standard of zero emissions of methane and VOC. For sites in Alaska with access to electrical power the standard for all process controllers at the site is also zero emissions of VOC and methane. For sites in Alaska without access to electrical power, owners/operators must use natural gas-driven process controllers with low natural gas emission rates. These process controllers include continuous bleed controllers with an emissions rate (or bleed rate) of less than or equal to 6 standard cubic feet per hour (scfh) and intermittent vent controllers, which are process controllers that only emit natural gas when they actuate, rather than emitting continuously. Intermittent vent controllers are subject to monitoring requirements. Further, as an alternative, sites in Alaska without access to electrical power may route emissions from natural gas-driven process controllers to a control device achieving a 95 percent emissions reduction. Table 12 of the March 2024 final rule preamble (89 FR 16882) summarizes the emissions standards for process controllers.

Based on comments the EPA received in 2022 and 2023 expressing concerns about new sources' ability to obtain the equipment necessary to demonstrate compliance with the final standard of zero emissions immediately upon the effective date of the final rule, the EPA finalized a NSPS compliance deadline for process controllers that allows up to 1 year from the effective date of the final rule to come into full compliance with the final standard of zero emissions. Until that final date of compliance, owners and operators must demonstrate compliance with an interim standard which mirrors the requirements for sites in Alaska that do not have access to electrical power. See 89 FR 16929–30.

According to reconsideration petitioners, in the 2024 final rule, existing sites that trigger the OOOOb modification provisions, and thus become subject to the NSPS, have to convert all process controllers in a process controller affected facility to comply with the zero-emission standard by May 7, 2025, or upon modification, whichever is later. Reconsideration petitioners have credibly asserted that this will place a significant demand on the equipment, supplies, and service vendors during the compliance time frame and add more strain to a supply chain that currently requires 12–18 months to deliver certain types of components necessary for the conversion of large natural gas driven controllers to an air driven system.[33] According to petitioners, if an operator is unable to complete the conversion due to reasons beyond its control, the operator will have to make a decision whether to continue operating, potentially in a non-compliant state; or shut down that compressor station, thereby reducing its ability to move gas during peak demand periods, pursuant to their Federal Energy Regulatory Commission approved tariffs.[34] Petitioners also state that the EPA's regulatory language is ambiguous and creates confusion regarding the types of processes potentially subject to the standards. Specifically, petitioners have credibly asserted that the 2024 final rule is unclear with respect to whether certain high-pressure applications are included in the scope of the regulations.[35] Therefore, even more sources may require the equipment necessary to achieve the zero emissions standard which puts even more demand on a limited supply, resulting in further compliance delays that EPA did not intend to create in promulgating the 2024 final rule.

In this final action, the EPA is extending the second phase of the phased-in compliance deadline for the zero emission standards applicable to process controllers to January 22, 2027 to address the supply chain and logistical issues raised by petitioners. The EPA has determined that the additional compliance time is needed to ensure that sufficient equipment can be sourced, obtained, and installed in timelines that are achievable by affected sources. In the meantime, consistent with the substantive provisions and goals of the 2024 final rule, the interim standard continues to apply to process controller affected facilities (*i.e.,* the same standard applicable to sites in Alaska without access to electricity).

5. Storage Vessels

In the 2024 final rule, the EPA promulgated requirements that defined a storage vessel affected facility as a tank battery that has the potential for VOC emissions equal to or greater than 6 tons per year (tpy) or methane emissions equal to or greater than 20 tpy. A storage vessel is a tank or other vessel that contains an accumulation of crude oil, condensate, intermediate hydrocarbon liquids, or produced water, and that is constructed primarily of non-earthen materials. A tank battery is a group of all storage vessels that are manifolded together for liquid transfer. For purposes of this rule, a tank battery may consist of a single storage vessel if only one storage vessel is present. The 2024 final rule includes language in 40 CFR 60.5365b(e)(ii) that describes how a source should determine the potential emissions from storage vessels. Specifically, the final rule states that potential for VOC and methane emissions must be calculated using a generally accepted model or calculation methodology that accounts for flashing, working, and breathing losses, based on the maximum average daily throughput to the tank battery determined for a 30-day period of production.

Storage vessel affected facilities must reduce emissions of VOC and methane by 95 percent. The standard reflects the degree of emission limitation achievable through application of a combustion control device or vapor recovery unit (VRU). For storage vessel affected facilities not at a well site or centralized production site, and without potential for flashing emissions, owners and operators may choose to comply by using an internal or external floating roof to reduce emissions in accordance with 40 CFR part 60, subpart Kb (NSPS for Volatile Organic Liquid Storage Vessels). The rule allows removal of a control device from a storage vessel affected facility if the owner or operator maintains the uncontrolled actual VOC emissions at less than 4 tpy and the actual methane emissions at less than 14 tpy as determined monthly for 12 consecutive months.

Storage vessel affected facilities which use a control device to reduce emissions must equip each storage

[33] See EPA–HQ–OAR–2024–0358–0014 at page 10.

[34] See EPA–HQ–OAR–2024–0358–0014 at page 10.

[35] See EPA–HQ–OAR–2024–0358–0043 attachment 2 at page 4.

vessel in the tank battery with a cover and must equip the tank battery with one or more CVS which route all emissions to a process or one or more control devices. Owners and operators of flares and other control devices must conduct monitoring, recordkeeping, and reporting to ensure that the control device is continuously achieving the required 95 percent reduction. More information on the flare and other control device monitoring and compliance provisions is provided in section X.H of the March 2024 final rule preamble (89 FR 16963) and information regarding covers and CVS may be found in section X.K of the March 2024 final rule preamble (89 FR 16984).

The EPA finalized an affected facility-specific definition of ''modification'' for storage vessels to include specific physical changes that trigger the modification requirements. Those changes include adding an additional storage vessel, replacing existing storage vessel(s) that result in an increased capacity of the tank battery, receiving additional throughput from production well(s) at tank batteries at well sites or centralized production facilities, or receiving additional fluids which cumulatively exceed the throughput used in the most recent determination of the potential for VOC or methane emissions not located at a well site or centralized production facility, including each tank battery at compressors stations or onshore natural gas processing plants that also result in exceeding the applicability threshold for either VOC or methane. The EPA defined ''reconstruction'' for OOOOb storage vessels to mean at least half of the storage vessels are replaced in the existing tank battery that consists of more than one storage vessel, or the provisions of 40 CFR 60.15 are met for the existing tank battery and the resulting emissions exceed the applicability threshold for either VOC or methane.

Further, in the 2024 final rule, the EPA finalized criteria that must be met for a permit limit or other requirement to qualify as a legally and practicably enforceable (LPE) limit for purposes of determining whether a tank battery is an affected or designated facility under NSPS OOOOb or EG OOOOc, respectively. The 2024 final rule established that a LPE limit must include a quantitative production limit and quantitative operational limit(s) for the equipment, or quantitative operational limits for the equipment; an averaging time period for the production limit, if a production-based limit is used, that is equal to or less than 30 days; established parametric limits for the production and/or operational limit(s), and where a control device is used to achieve an operational limit, an initial compliance demonstration (*i.e.,* performance test) for the control device that establishes the parametric limits; ongoing monitoring of the parametric limits that demonstrates continuous compliance with the production and/or operational limit(s); recordkeeping by the owner or operator that demonstrates continuous compliance with the limit(s) in; and periodic reporting that demonstrates continuous compliance.

Reconsideration petitioners have raised concerns with provisions related to how sources determine potential emissions,[36] the triggers for modification, and the specific criteria for limits on potential to emit to be considered LPE.[37] Some reconsideration petitioners credibly asserted that the applicability determination language in 40 CFR 60.5365b(e)(2)(ii) is ambiguous for tanks that commenced construction, modification, or reconstruction after the date of the supplemental proposal (December 6, 2022) and prior to the OOOOb effective date (''pre-effective date tanks''), May 7, 2024.[38] The petitioners also stated that it is unclear what ''30-day period of production'' operators must use to determine the maximum average daily throughput to calculate the potential for VOC and methane emissions for pre-effective date tanks.[39] Without clarification, operators may not know with certainty the scope of affected storage vessels that must comply with OOOOb by the compliance deadline. The petitioners also credibly asserted that requiring a determination earlier than the OOOOb effective date imposes compliance obligations before they are effective. Additionally, the petitioners stated this is compounded by defining a ''legally and practicably enforceable limit,'' which effectively eliminated the ability to rely on permit limits for applicability determinations under OOOOb. Stakeholders have continued to reiterate these concerns in further discussions with the EPA.[40] Petitioners further stated that the LPE requirements apply to storage vessels for which states do not have the authority or mechanisms to apply such limits in permits.[41]

According to petitioners, the expansive storage vessel modification provisions will immediately and automatically trigger new source requirements for tens of thousands of tanks and tank batteries (far more than the EPA predicted when formulating those provisions). The EPA agrees that the modification provisions finalized in 2024 contain a degree of vagueness such that it is possible that far more midstream storage vessels could trigger modification than the EPA estimated in the 2024 final rule. We did not anticipate that these provisions would affect the large number of sources cited by petitioners and agree that additional compliance time is needed for the large number of potentially affected sources.

The petitioners also stated the EPA should allow more time than afforded in the 2024 final rule to allow state, local, and tribal agencies to adopt and implement conformant LPE limits. The EPA is extending the date for the specific provisions required for a limit to be considered LPE limits in 40 CFR 60.5365b(e)(2)(i)(A)–(F) until January 22, 2027. This action will ensure there is enough time for sources to work with delegated authorities to establish limits that are LPE without foreclosing the use of LPE limits already established that may or may not contain the same level of specificity as the requirements in NSPS OOOOb during that time. Additionally, the EPA is extending the date at which the throughput-based modification triggers become effective by 18 months in order to provide time for the potentially large number of sources that would trigger those provisions to make any needed adjustments to facility planning, equipment procurement, and process changes needed to comply with the requirements. Finally, the EPA is extending the date by which sources must calculate potential emissions using the 30-day period of production by 18 months to allow facilities to obtain additional information and make the requisite decisions related to their facilities that may be subject to these requirements. We note that until the provisions that we are extending come into effect, there are still provisions in place that establish what other activities constitute a modification, *i.e.,* sources that add an additional vessel or replace a vessel with one that has increased capacity still trigger modification. Sources are still required to determine the potential emissions from storage vessels. The only change to these provisions is that, in the interim period, sources need not use the (confusing) 30-day period of production calculation

[36] See EPA–HQ–OAR–2024–0358–0043 at page 17.

[37] See EPA–HQ–OAR–2024–0358–0016 at pages 2–4.

[38] See EPA–HQ–OAR–2024–0358–0009 at page 7.

[39] See EPA–HQ–OAR–2024–0358–0010 at page 5.

[40] See EPA–HQ–OAR–2024–0358–0046 at page 15.

[41] See EPA–HQ–OAR–2024–0358–0043 attachment 2 at page 5.

and limits on potential emissions can be considered LPE with or without the specific criteria included in the 2024 final rule. Any sources that do trigger modification provisions will still be subject to the standards in the 2024 final rule and this action does not change those standards.

6. Super Emitter Program

The EPA included the Super Emitter Program (SEP) in the 2024 final rule, previously proposed as the Super Emitter Response Program in the December 2022 Supplemental Proposal. For purposes of the 2024 final rule, a ''super emitter event'' is defined as any emissions event that is located at or near an oil and natural gas facility and that is detected using remote detection methods and has a quantified emission rate of 100 kg/hr of methane or greater.

As described in the preamble to the 2024 final rule, this program was designed to provide a mechanism by which the EPA would provide owners and operators with timely notifications of super-emitter emissions data collected by EPA-certified third parties using EPA-approved remote sensing technologies. See 89 FR 16877. Where such an event is attributable to an oil or natural gas source regulated under CAA section 111 (NSPS OOOO, OOOOa, or OOOOb, or a state or Federal plan implementing EG OOOOc), the responsible owner or operator would take action in response to such notifications in accordance with the applicable regulation. *Id.* Section X.C of the 2024 final rule preamble describes the SEP in detail. See 89 FR 16876.

In implementing this novel program, the EPA has experienced unanticipated difficulties and concerns that require additional time for effective and lawful administration of various program procedures.[42] For example, while the rule requires a third-party notifier to provide a significant amount of information regarding a super emitter event as part of submitting a notification of the event to the EPA, the attribution of who owns or operates a site is not a required element. While the EPA has developed tools to aid certified third parties in the attribution of identified events, in limited practice, the certified third parties that have submitted information to date have chosen not to include an owner/operator attribution in the submitted notification. In the absence of this information, to meet the program's goals of providing the submitted information about these events to the owners or operators of the appropriate facilities, the EPA must itself determine and then confirm the owner/operator attribution. This process has proven time- and labor-intensive and generated unanticipated concerns about improper attribution and related consequences for enforcement and compliance efforts more generally.

Though the super-emitter program has thus far received relatively few submittals of notifications of super-emitter events from a certified third party, we expect that the number of submittals would grow extensively if more cost-effective technologies were approved (*e.g.,* satellite sensors). With the potential increase in the number of submitted notifications, the EPA's ability to provide timely notification of these events to the facility owner or operator would be hampered given the existing challenges identified in determination attribution for each owner or operator. Similarly, if the number of notifications that the EPA receives based on the currently approved remote-sensing technology were to substantially increase, the EPA's ability to timely provide the notification to the appropriate owner and operator would be constrained by the EPA's ability to make and confirm the owner or operator attribution. These limitations would lead to delays in providing notifications to the appropriate owner or operator that are inconsistent with the program's design and intended function. A central element of the program's design is to provide information about these emissions events in a timely fashion to the appropriate owners and operators, so that they can quickly conduct the investigations into the event required under the rule and take any necessary corrective action if the source is subject to the rule. Delays in providing the notifications to owners and operators would result in the information being stale when received, or superseded by intervening events, limiting both the value of information that could be discovered through the required investigation and the opportunity to take corrective action.

Additionally, implementation of the program to date indicates that application of this program has been broader than the EPA anticipated in promulgating the 2024 final rule. For instance, part of the definition of a super-emitter event under 40 CFR 60.5371b is that the event be located at or near an oil and natural gas facility. In limited practice, this definition has resulted in the EPA receiving notifications of an event at a downstream production site not subject to any upstream oil and gas regulation. Specifically, a notification was provided to a renewable fuel refinery in Bakersfield, California on January 21, 2025. Though this facility is within an oil and gas production basin and an emission was detected from the site, it does not appear to be the type of oil and gas facility that the EPA intended to cover in the SEP. This distinction is important since these types of emissions are likely tied to short-term process conditions which are typical at downstream production sites. While the program requires the EPA to review the submitted notifications of super-emitter events for completeness and accuracy, it does not allow the EPA the discretion to not post or provide a notification to an owner or operator identified in the notification for other reasons, such as the EPA's judgment on the appropriateness of a notification. In the absence of such discretion, the EPA is required to provide a notification to an owner or operator of who is identified in the notification, so long as the EPA had reviewed the notification and determined that it is complete and does not contain information that the EPA finds to be inaccurate to a reasonable degree of certainty, even if other reasons might counsel against providing the notification, such as when that site has already received a notification of a particular emissions event, or if the EPA has determined that a notification relates to an emissions event that is not regulated or prohibited under the EPA's oil and gas rules.

For these reasons, the EPA is extending the date for future implementation of the super-emitter program until January 22, 2027. This extension also impacts the timing for EPA action on methane detection technology under 40 CFR 60.5398b(d)(1)(iii) for use in the SEP. Because the EPA is extending the date for future implementation of the SEP, there is no need for the EPA to act on submissions of remote-detection technology for use in the program in the intervening period. Therefore, the EPA is extending the provisions that include conditional approval of methane detection technology for use in the SEP that occurs if the EPA does not act on submissions of those technologies by the timelines prescribed by the rule until January 22, 2027.

7. Flare Pilot Flame and Alarm Requirements

In the 2024 final rule, the EPA finalized requirements that all enclosed combustion devices, other than boilers and process heaters, that introduce the vent stream with the primary fuel into the flame zone or use the vent stream as the primary fuel, as well as all catalytic

[42] See EPA–HQ–OAR–2024–0358–0010 at 27–32.

incinerators, that operate above a minimum flow rate established by the manufacturer must install and operate a continuous burning pilot or combustion flame. Additionally, the combustion devices must have a way to alert the nearest control room whenever the pilot or combustion flame is unlit.

The 2024 final rule also requires that all flares (*e.g.,* unassisted, pressure-assisted, and steam-assisted) have a continuous burning pilot or combustion flame and have a system that provides an alert to the nearest control room whenever the pilot or combustion flame is unlit. Additionally, the flow rate to a flare must be maintained at a level that ensures compliance with the flare tip velocity limits in the 40 CFR part 60 General Provisions, and the flow rate to an enclosed combustion device must be below a maximum flow rate established during the performance test or by the manufacturer, if the initial performance test is performed by the manufacturer.

Flares and enclosed combustion devices that use pressure-assisted tips to promote mixing at the burner tip are not subject to this maximum flow rate limit because these units are designed to operate at high flow rates. All flares and all enclosed combustion devices used to comply with the standards must also operate with a continuous burning pilot flame and with no visible emissions, except for periods not to exceed a total of 1 minute during any 15-minute period. Compliance with the visible emissions requirement can be confirmed either through monthly testing using EPA Method 22 or through continuous use of a video surveillance camera. The 2024 final rule requires that if owners and operators use certain flares and enclosed combustion devices to comply with the standards, they must install a system to send an alarm to the nearest control room if an unlit pilot flame is detected on a flare or enclosed combustion device. Additionally, during each fugitive emissions inspection conducted using an OGI camera, including those conducted in response to periodic screening events using alternative technologies, owners and operators must observe each enclosed combustion device and flare to determine if it is operating properly, including ensuring that a flame is present and that there is no indication of uncontrolled emissions. During each fugitive emissions inspection conducted using AVO, owners and operators must observe each enclosed combustion device and flare to determine if it is operating properly, visually confirming that the pilot flame is lit and operating properly.

Owners and operators also have the option to request an alternative test method to demonstrate continuous 95.0 percent control of emissions. Using this option, the owner or operator would demonstrate that the combustion device continuously achieves 95.0 percent combustion efficiency or that the combustion device continuously complies with the combustion zone NHV and NHV dilution parameter requirements. The alternative test method, if approved by the EPA, would be used in lieu of the other monitoring required for combustion device (*e.g.,* vent gas NHV, flow rate).

In addition to information that must be reported, owners and operators must keep records of continuous compliance with the monitoring requirements, including information about the pilot flame being lit, CPMS limits, CPMS hourly and average values, and results of visible emissions observations or surveillance camera feed.

Petitioners have raised concerns that the 2024 final rule requirements for continuous pilot flames pose significant logistical challenges. These challenges relate to providing supplemental fuel to maintain a continuous pilot flame at intermittently operating processes for affected facilities that are located far from reliable sources of such fuel.[43] Petitioners have also described challenges in obtaining and installing communications equipment capable of reliably transmitting an alarm to the nearest control room.[44] Due to the large number and remote geographic location of many flares and enclosed combustion devices used to achieve compliance with the EPA's standards, industry requires additional time to prepare and install needed equipment to maintain continuous pilot flames that alarm in the nearest control room when the pilot is unlit. Therefore, in this action, we are extending the date by which owners and operators who utilize these flares and enclosed combustion devices must: (1) ensure that flares and enclosed combustion devices operate with a continuous pilot flame, and (2) install and operate a system to send an alarm to the nearest control room when a pilot flame is unlit to 18 months from publication of this interim final rule. The emission reduction requirements for flares and enclosed combustion devices and the other monitoring of such devices described above are not affected by this extension. Put another way, during this extension owners and operators are still required to ensure that emissions being routed to a flare or enclosed combustion devise are reduced by 95.0 percent, and there are still other applicable requirements in the 2024 final rule to ensure compliance.

C. Deadline Extensions for EG OOOOc

1. State Plan Submittal Deadline

In the 2024 final rule, the EPA finalized a state plan submittal deadline of 24 months after publication of the final EG OOOOc (March 9, 2026).[45] While the EPA did not receive any petitions for reconsideration on this deadline, since the rule was finalized, the EPA has regularly engaged with various states regarding their concerns. For example, one state has informally asked their respective EPA Region for an extension of the state plan submittal deadline; other states have been inquiring as to the consequences of late state plan submissions. These compliance assistance efforts from the EPA to the states prompted the EPA to assess the status of the state plan submittals. This assessment has led the EPA to determine that states planning to submit state plans need additional time to develop their plans to achieve the emissions-reduction goals of the 2024 final rule in an effective and efficient manner.

The EPA expects approximately 21 states to submit state plans. Since publication of the 2024 final rule, states should now be approximately halfway completed with the plan development process because state plans are due on March 9, 2026; in other words, we are over 1 year into the 2-year time allowance. For those states relying entirely or mostly on the EPA's model rule included in the final EG without modification, the EPA would expect states to have completed, or be near completing, at least some of the following development milestones: (1) Conduct and document meaningful engagement with pertinent stakeholders pursuant to 40 CFR 60.5363c(a)(6) and 60.23a(i); (2) identify the types of designated facilities within the state that will be covered by the state plan; (3) produce a draft of major portions of the state plan, including standards of performance, compliance schedules, increments of progress, and compliance assurance measures, incorporating relevant sections of the model rule in EG OOOOc; (4) determine and/or draft enforceable regulatory mechanisms to implement the state plan (*e.g.,* general permits, state regulations, etc.); and (5)

[43] See EPA–HQ–OAR–2024–0358–0010 at page 13.

[44] See EPA–HQ–OAR–2024–0358–0010 at page 13–14.

[45] See 89 FR 17010.

notice the draft state plan for public comment in accordance with state laws.

Further, for those states not relying predominantly on the model rule but which are instead leveraging pre-existing state programs and/or invoking remaining useful life and other factors (RULOF) to apply less stringent standards than the presumptive standards in EG OOOOc, the EPA would expect states to have completed, or be near completing, at least some of the following milestones: (1) Conduct and document meaningful engagement with pertinent stakeholders; (2) identify the types of designated facilities within the state that will be covered by the state plan; (3) compile and compare all relevant pre-existing state regulations (or statutes, permits, or other legal authorities) to corresponding coverage of EG OOOOc and determine which state regulations to leverage for purposes of satisfying state plan obligations; (4) determine changes necessary, if any, to harmonize pre-existing state regulations with state plan requirements of EG OOOOc (*e.g.,* changes to designated facilities, designated pollutants, types of standards, etc.); (5) conduct and document analyses to demonstrate equivalency between pre-existing state regulations and EG OOOOc in terms of emissions reductions; (6) begin state rulemaking process to make changes to existing state regulations, if any are necessary; (7) collect and document information to support RULOF demonstrations, if any, for less stringent standards (or longer compliance schedules) than those in EG OOOOc; (8) determine alternative standards to apply in any case where invoking RULOF; and (9) draft other portions of the state plan (those not leveraging pre-existing state regulations and/or invoking RULOF).

The EPA, however, has identified twelve states that have yet to identify how they plan to implement EG OOOOc. Several of these states are still seeking to identify all the potentially impacted facilities within their borders before deciding whether to develop a state plan. The EPA has also identified that 18 of 21 states intending to submit a state plan have yet to share significant portions of those plans with the EPA for feedback. The EPA expects approximately nine states to leverage at least some pre-existing state regulations to satisfy state plan obligations. While at least four states have identified some revisions necessary to harmonize their pre-existing programs with EG OOOOc, the EPA is aware of no state that has begun its rulemaking process to undertake those revisions. Additionally, while the EPA has received numerous questions from states concerning demonstrating equivalency between pre-existing state regulations and EG OOOOc in terms emissions reductions, the EPA has not received any draft analyses for such demonstrations for review. Similarly, while the EPA currently expects approximately five states to invoke RULOF to apply less stringent standards to certain designated facilities, and while the EPA has received numerous questions from states concerning RULOF demonstrations, the EPA has yet to receive any draft RULOF demonstrations for review. The EPA outlines this information in table 2 below. This demonstrates that many states are struggling to develop their plans on the schedule that the 2024 final rule requires.

TABLE 2—STATUS OF STATE AND TERRITORY PLANS

Status	States
I. EPA-Approved State Plans	None.
II. Anticipated Negative Declarations to be Submitted to the EPA.	Hawaii, American Samoa, Guam.
III. Negative Declaration Submitted/EPA Approved.	Vermont (submitted), Puerto Rico (submitted), District of Columbia (submitted).
IV. Anticipated State Plans to be Submitted to the EPA.	Maine, New York, Delaware, Maryland, Pennsylvania, Virginia, West Virginia, Georgia, South Carolina, Tennessee, Arkansas, New Mexico, Oklahoma, Texas, Colorado, Montana, North Dakota, Utah, Wyoming, Arizona, California.
V. Anticipated State Plans Leveraging Pre-Existing State Programs to be Submitted to the EPA.	New York, Maryland, New Mexico, Colorado, Montana, North Dakota, Utah, Wyoming, California.
VI. Anticipated State Plans Invoking RULOF to be Submitted to the EPA.	Tennessee, Arkansas, Oklahoma, Texas, California.
VII. Final State Plans Submitted to the EPA.	None.
VIII. Draft State Plans Submitted to the EPA.	Pennsylvania (partial), West Virginia (partial), Montana (partial).
IX. EPA Has Not Received a Draft or Final State Plan or Negative Declaration.	Maine, New York, Delaware, Maryland, Virginia, Alabama, Florida, Kentucky, Mississippi, North Carolina, Georgia, South Carolina, Tennessee, Illinois, Indiana, Michigan, Minnesota, Ohio, Arkansas, Louisiana, New Mexico, Oklahoma, Texas, Missouri, Colorado, Montana, North Dakota, Utah, Wyoming, Arizona, California, Hawaii, American Samoa, Guam.
X. Anticipated Federal Plan Promulgation.	Connecticut, Massachusetts, New Hampshire, Rhode Island, New Jersey, Wisconsin, Iowa, Kansas, Nebraska, South Dakota, Nevada, Alaska, Idaho, Oregon, Washington.

The EPA acknowledges this delay in meeting expected informal state plan development milestones could be because of various factors, including several that the EPA acknowledged in the 2024 final rule. However, the EPA has determined that the practical reality of states identifying impacted sources and pertinent stakeholders, conducting meaningful engagement, comparing pre-existing state programs to EG OOOOc, and producing RULOF demonstrations has proven to be more time-consuming than we expected because of various challenges faced by states. These challenges stem from both the relatively large and complex nature of the source category, the corresponding complexity associated with applying EG OOOOc to designated facilities, and states' lack of familiarity with the newly revised general implementing regulations.[46]

[46] EG OOOOc represents the first time states will be implementing the requirements promulgated in

States are understandably taking more time than the EPA initially expected as they navigate these multiple challenges, including through iterative questions for and discussions with the Agency.

Moreover, implementing some of these requirements in the context of EG OOOOc in particular is proving to be more complex than originally anticipated. For example, the new requirement to submit documentation of meaningful engagement pursuant to 40 CFR 60.23a(i) has proven time consuming due to the large number of geographically dispersed designated facilities in some states, covering multiple industry segments. States have faced challenges determining the appropriate scope, form, and number of engagement activities, as well as identifying pertinent stakeholders and owners and operators. States have also communicated to the EPA that the relatively complicated technical nature of EG OOOOc has presented obstacles to fostering public participation at engagement activities.

Similarly, states are needing more time than anticipated to invoke RULOF to apply less stringent standards (or longer compliance schedules).[47] For example, due to the large number of EG OOOOc designated facilities, some states have undertaken the task of attempting to segment designated facility types into classes for purposes of RULOF. Given the number and diverse circumstances of designated facilities in the source category, collecting enough information on facility operations necessary to determine appropriate classes and associated standards has proven difficult and time-consuming. For similar reasons, states have confronted difficulties with quickly collecting the full complement of relevant data on emissions and costs to demonstrate fundamental differences between the information specific to those facilities (for which the states are invoking RULOF) and the information the EPA considered in determining the presumptive standards in EG OOOOc.

While the EPA provided flexibility to states with pre-existing regulatory programs for the oil and natural gas industry to leverage those programs for the purposes of state plan submission, the scope and stringency of those programs varies considerably, each posing unique issues regarding demonstrating equivalency or harmonizing with EG OOOOc. Analyses to compare the stringency of pre-existing standards and their associated compliance assurance measures to EG OOOOc have proven to be complicated and time-consuming, especially for those presumptive standards that are expressed in a non-numerical format in EG OOOOc. Administrative complexities have also arisen for several states attempting to concurrently revise associated state rules for Reasonably Available Control Technology in their State Implementation Plans (SIP) for CAA sections 182 and/or 184, in order to maintain a single set of requirements for the oil and natural gas sources in those states.

These challenges have increased the time needed to develop state plans beyond the EPA's expectations. The EPA has worked to provide assistance to states along the way. The EPA has made information publicly available in efforts to helps states including a document summarizing requirements for state plans [48] and answers to frequently asked questions about the 2024 final rule.[49] Additionally, the EPA notes that states have returned multiple times to their Regional offices and the EPA's Office of Air Quality Planning and Standards for numerous meetings to get dozens of complex implementation questions answered, many of which require the coordinated weeks-long effort of multiple EPA staff members to respond to.

Based on the information the EPA currently has, the EPA anticipates the vast majority of states intending to submit state plans will be unable to meet the current state plan submittal deadline of March 9, 2026. If a state does not submit a state plan within the prescribed time, the EPA is obligated to promulgate a Federal plan within twelve months of the submittal deadline.[50] The EPA does not find it appropriate to maintain a state plan submittal deadline that we now have reason to believe is untenable for most states intending to submit state plans. The EPA does not wish to set these states up to fail, especially when they have been diligently working to try to meet the submittal deadline. Extending the submittal deadline will enable states to devote suitable time and resources to developing approvable plans that meet all applicable requirements and achieve the objectives of the states and their stakeholders. In contrast, pressing forward on the existing deadline could needlessly embroil states and the EPA in disputes over untimely or insufficient submissions, thereby triggering administrative processes and litigation that detract from implementation of the emission guidelines and could be avoided with a targeted extension.

In this action we are extending the deadline for state plan submittal until January 22, 2027 for the reasons discussed in this section. This gives states additional time from their current deadline in March 2026.

III. Rulemaking Procedures

As noted in section I.C. of this preamble, the EPA's authority for the rulemaking procedures followed in this action is provided by APA section 553(b)(B), which allows an agency to forgo notice-and comment requirements ''when the Agency for good cause finds (and incorporates the finding and a brief statement of reasons, therefore, in the rule issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest.'' [51] The EPA finds good cause to forego prior notice and comment because that rulemaking procedure is impracticable and unnecessary under the circumstances.

The EPA finds that prior notice and comment is unnecessary because the EPA is making only targeted changes to certain compliance or implementation dates in response to immediate concerns raised by stakeholders, including owners and operators subject to the rule's requirements. For the reasons described in more detail in section II of this preamble, certain regulatory provisions have created unintended compliance difficulties unrelated to the actual emissions standards and other requirements of the underlying regulations. This targeted action provides subject facilities the additional time needed to resolve these specific compliance and implementation problems without disrupting the sequencing of the compliance deadlines in the final rule or risking interim noncompliance proceedings. The EPA believes the targeted deadline revisions in this action do not interfere with, or unreasonably frustrate, the ultimate emission reduction requirements of the rule. To the extent interested parties

the revisions to 40 CFR part 60, subpart Ba (subpart Ba), the implementing regulations for the adoption and submission of state plans. 88 FR 80480.

[47] See 40 CFR 60.24a(e)–(h); 88 FR 80508–80528.

[48] *https://www.epa.gov/system/files/documents/2024-08/ooooc-summary-of-requirements-for-state-plans-final-8-23-2024.pdf.*

[49] *https://www.epa.gov/controlling-air-pollution-oil-and-natural-gas-operations/frequently-asked-questions-about-epas.*

[50] 40 CFR 60.27a(c). The EPA's obligation to promulgate a Federal plan is removed if the state submits, and the EPA approves, a state plan before the EPA issues a Federal plan.

[51] Although the procedural requirements of CAA section 307(d) apply to the EPA's promulgation or revision of any standard of performance under CAA section 111, these procedural requirements do not apply ''in the case of any rule or circumstance referred to in subparagraphs (A) or (B) of [APA section 553(b)].'' 42 U.S.C. 7607(d)(1).

raise concerns about this action or any particular deadline amendment made therein, the EPA will carefully review any comments submitted on this action and consider whether changes are appropriate after close of the comment period.

In addition, the EPA finds that prior notice and comment would be impracticable given the applicable compliance deadlines and the timeline involved in completing such procedures. The EPA has determined through ongoing communications with stakeholders and review of the relevant regulatory language that there are legitimate barriers to compliance and/or questions as to whether the regulatory provisions for which we are extending compliance deadlines are practically and logistically achievable as promulgated in the timeframes allowed by the 2024 final rule. As a result, the EPA is making only targeted changes to certain compliance dates in this action to provide the immediate relief necessary to avoid unnecessary and problematic situations of owners and operators expending time and resources attempting to comply in short amounts of time with untenable regulatory provisions. Prior notice and comment would be impracticable given the purpose of these targeted amendments, which is to provide the immediate extension required to address the problems identified above.

The EPA has determined that this rule may take effect immediately upon publication because, in extending certain deadlines within the 2024 rule it ''relieves a restriction.'' 5 U.S.C. 553(d)(1). Further, for the reasons described above, there exists ''good cause'' for an immediate effective date. 5 U.S.C. 553(d)(3); 5 U.S.C. 808(2).

IV. Request for Comment

As explained in section III of this document, the EPA finds good cause to issue this interim final rule without prior notice or opportunity for public comment. However, the EPA is providing an opportunity for the public to comment on the deadlines being extended in the regulatory text changes being made by this action and, thus, requests comment on the revisions described herein. The EPA is not reopening for comment any provisions of the March 2024 final rule other than the specific changes made in this interim final rule. The EPA will review comments received and consider whether this action should be revised, if appropriate, in response to comments received.

V. Statutory and Executive Order Reviews

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

A. Executive Order 12866: Regulatory Planning and Review and Executive Order 13563: Improving Regulation and Regulatory Review

This action is a significant regulatory action as defined under section 3(f)(1) of Executive Order (E.O.) 12866. Accordingly, it was submitted to the Office of Management and Budget (OMB) for review. Any changes made in response to E.O. 12866 review have been documented in the docket. The EPA prepared an analysis of the potential costs and benefits associated with this action. This analysis, *Economic Impact Analysis for the Extension of Deadlines in the NSPS OOOOb and EG OOOOc,* is available in the docket.

In the analysis, we present the estimated present values (PV) and equivalent annualized values (EAV) of the estimated cost savings of delaying compliance with the EG OOOOc (via extending the state plan submittal deadline) in 2024 dollars over the 2028 to 2039 period, discounted to 2025. Those quantitative results can be found in the next section. We acknowledge, but do not quantify, the cost savings to states resulting from having an additional year to develop state plans to implement the EG OOOOc.

Under the IFR, we anticipate disbenefits associated with additional emissions and lost value of captured natural gas because of delayed compliance with EG OOOOc. Specifically, we estimate climate damages from increasing methane emissions by 1,300,000 short tons, lost value of $PM_{2.5}$ and ozone-related health benefits from increasing VOC emissions by 350,000 short tons, and lost value of benefits from increasing HAP emissions by 13,000 short tons. In addition, we estimate present values of the lost value of natural gas of $170 million using a 3 percent discount rate and $280 million using a 7 percent discount rate.

B. Executive Order 14192: Unleashing Prosperity Through Deregulation

This action is considered an Executive Order 14192 deregulatory action. Details on the estimated cost savings of this final rule can be found in the EPA's analysis of the potential costs and benefits associated with this action. Table 3 presents the estimates of the compliance cost savings of this action. The analysis horizon over which the present value (PV) and equivalent annualized value (EAV) are estimated is 2028 to 2039. We estimate the PV and EAV under 3 and 7 percent discount rates discounted back to 2025 in 2024 dollars.

TABLE 3—PRESENT VALUE (PV) AND EQUIVALENT ANNUALIZED VALUE (EAV) OF THE COMPLIANCE COST SAVINGS

[Billion 2024$, discounted to 2025]

3 Percent discount rate		7 Percent discount rate	
PV	EAV	PV	EAV
0.75	0.08	1.38	0.18

C. Paperwork Reduction Act (PRA)

This action does not impose any new information collection burden under the PRA. On June 28, 2024, the information collection activities for NSPS OOOOb and EG OOOOc were approved by OMB under the PRA.[52] The ICR document that the EPA prepared has been assigned OMB Control No. 2060–0721 and EPA ICR number 2523.07. You can find a copy of the previously submitted ICR in EPA–HQ–OAR–2021–0317.

This action does not change the information collection requirements.

D. Regulatory Flexibility Act (RFA)

This action is not subject to the RFA. The RFA applies only to rules subject to notice and comment rulemaking requirements under the APA, 5 U.S.C. 553, or any other statute. This rule is not

[52] *https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202405-2060-001.*

subject to notice and comment requirements because the Agency has invoked the APA ''good cause'' exemption under 5 U.S.C. 553(b).

E. Unfunded Mandates Reform Act of 1995 (UMRA)

This action does not contain an unfunded mandate of $100 million or more as described in UMRA, 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments. This action imposes no enforceable duty on any state, local or tribal governments or the private sector. This action extends certain deadlines in the March 2024 final rule.

F. Executive Order 13132: Federalism

This action does not have federalism implications. It will not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government. This action extends the deadline for state plan submittals, which will allow additional time for states to develop plans. However, this action does not alter the substantive requirements related to the content of state plans.

G. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

This action does not have tribal implications as specified in Executive Order 13175. This action will implement extension of certain deadlines in the March 2024 final rule. Thus, Executive Order 13175 does not apply to this action.

H. Executive Order 13045: Protection of Children From Environmental Health Risks and Safety Risks

This action is not subject to Executive Order 13045 because the EPA does not believe the environmental health risks or safety risks addressed by this action present a disproportionate risk to children. The EPA contends that the environmental health risks or safety risks addressed by this action do not present a disproportionate risk to children because other regulations are sufficiently protective of children's health. This action does not affect the level of public health and environmental protection already being provided by existing NAAQS and other mechanisms in the CAA. Nor does this action result in any changes to the control of air pollutants. This action does not affect applicable local, state, or Federal permitting or air quality management programs that will continue to address areas with degraded air quality and maintain the air quality in areas meeting current standards. Areas that need to reduce criteria air pollution to meet the NAAQS will still need to rely on control strategies to reduce emissions. The EPA does not believe this decrease in emission reductions projected from this action will have a disproportionate adverse effect on children's health.

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

This action is not a ''significant energy action'' because it is not likely to have a significant adverse effect on the supply, distribution or use of energy. In the Regulatory Impact Analysis (RIA) accompanying the 2024 final rule, the EPA used a set of supply and demand price elasticities to estimate the impacts of the rule on the United States energy system (see section 4.1.4 of that document). The EPA estimated maximum production reductions of about 41.4 million barrels of crude oil (1.05 percent of projected baseline production) and 272.5 million Mcf (thousand cubic feet) per year (0.75 percent). This final rule is estimated to result in a decrease in total compliance costs, with the reduction in costs affecting the affected entities under EG subpart OOOOc, which the EPA expects will attenuate the impacts estimated for the 2024 final rule RIA.

J. National Technology Transfer and Advancement Act (NTTAA) and 1 CFR Part 51

This action does not involve technical standards; therefore, the NTTAA does not apply.

K. Congressional Review Act (CRA)

This action meets the criteria described at 5 U.S.C. 804(2), and the EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. The CRA allows the issuing agency to make a rule effective sooner than otherwise provided by the CRA if the agency makes a good cause finding that notice and comment rulemaking procedures are impracticable, unnecessary, or contrary to the public interest (5 U.S.C. 808(2)). The EPA has made a good cause finding for this action as discussed in section III of this document, including the basis for that finding.

List of Subjects in 40 CFR Part 60

Environmental protection, Administrative practices and procedures, Air pollution control, Intergovernmental relations, Reporting and recordkeeping requirements.

Lee Zeldin,

Administrator.

For the reasons stated in the preamble, the Environmental Protection Agency amends part 60 of title 40, chapter I, of the Code of Federal Regulations as follows:

PART 60—STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES

■ 1. The authority citation for part 60 continues to read as follows:

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

Subpart OOOO—Standards of Performance for Crude Oil and Natural Gas Facilities for Which Construction, Modification, or Reconstruction Commenced After August 23, 2011, and On or Before September 18, 2015

■ 2. Amend § 60.5371 by adding two sentences before the first sentence of the introductory text to read as follows:

§ 60.5371 What standards apply to super-emitter events?

The provisions of this section will not apply between July 31, 2025, and January 22, 2027. The provisions of this section will apply after January 22, 2027. * * *

* * * * *

Subpart OOOOa—Standards of Performance for Crude Oil and Natural Gas Facilities for Which Construction, Modification or Reconstruction Commenced After September 18, 2015 and On or Before December 6, 2022

■ 3. Amend § 60.5371a by adding two sentences before the first sentence of the introductory text to read as follows:

§ 60.5371a What standards apply to super-emitter events?

The provisions of this section will not apply between July 31, 2025, and January 22, 2027. The provisions of this section will apply after January 22, 2027. * * *

* * * * *

Subpart OOOOb—Standards of Performance for Crude Oil and Natural Gas Facilities for Which Construction, Modification or Reconstruction Commenced After December 6, 2022

■ 4. Amend § 60.5365b by revising paragraph (e)(2)(i) introductory text and paragraphs (e)(2)(ii) and (e)(3)(ii)(C) and (D) to read as follows:

§ 60.5365b Am I subject to this subpart?

* * * * *

(e) * * *

(2) * * *

(i) Beginning January 22, 2027, or upon startup, whichever is later, for purposes of determining the applicability of a storage vessel tank battery as an affected facility, a legally and practicably enforceable limit must include the elements provided in paragraphs (e)(2)(i)(A) through (F) of this section.

* * * * *

(ii) For each tank battery located at a well site or centralized production facility, you must determine the potential for VOC and methane emissions within 30 days after startup of production, or within 30 days after an action specified in paragraphs (e)(3)(i) and (ii) of this section, except as provided in paragraph (e)(5)(iv) of this section. Beginning January 22, 2027, the potential for VOC and methane emissions must be calculated using a generally accepted model or calculation methodology that accounts for flashing, working, and breathing losses, based on the maximum average daily throughput to the tank battery determined for a 30-day period of production.

* * * * *

(3) * * *

(ii) * * *

(C) Beginning January 22, 2027, or upon startup, whichever is later, for tank batteries at well sites or centralized production facilities, an existing tank battery receives additional crude oil, condensate, intermediate hydrocarbons, or produced water throughput from actions, including but not limited to, the addition of operations or a production well, or changes to operations or a production well (including hydraulic fracturing or refracturing of the well).

(D) Beginning January 22, 2027, or upon startup, whichever is later, for tank batteries not located at a well site or centralized production facility, including each tank battery at compressor stations or onshore natural gas processing plants, an existing tank battery receives additional fluids which cumulatively exceed the throughput used in the most recent (*i.e.,* prior to an action in paragraph (e)(3)(ii)(A), (B), or (D) of this section) determination of the potential for VOC or methane emissions.

* * * * *

■ 5. Amend § 60.5370b by revising paragraph (a) introductory text and paragraphs (a)(4) and (5) and adding paragraphs (a)(8) and (9) to read as follows:

§ 60.5370b When must I comply with this subpart?

(a) You must be in compliance with the standards of this subpart no later than May 7, 2024, or upon initial startup, whichever date is later, except as specified in paragraph (a)(1) of this section for reciprocating compressor affected facilities, paragraphs (a)(2) and (3) of this section for storage vessel affected facilities, paragraph (a)(4) of this section for process unit equipment affected facilities at onshore natural gas processing plants, paragraph (a)(5) of this section for process controllers, paragraph (a)(6) of this section for pumps, paragraph (a)(7) of this section for centrifugal compressor affected facilities, paragraph (a)(8) of this section for enclosed combustion devices, paragraph (a)(9) of this section for enclosed combustion devices or flares, and paragraphs § 60.5377b(b) or (c) for associated gas wells.

* * * * *

(4) Except as specified in paragraph (a)(4)(i) and (ii) of this section, you must comply with the requirements of § 60.5400b or as an alternative, the requirements in § 60.5401b, for all process unit equipment affected facilities at a natural gas processing plant, as soon as practicable but no later than 180 days after the initial startup of the process unit.

(i) If complying with § 60.5400b, beginning January 22, 2027, or 180 days after startup, whichever is later, you must comply with the requirements of § 60.5400b(h)(2)(ii).

(ii) If complying with § 60.5401b, beginning January 22, 2027, or 180 days after startup, whichever is later, you must comply with the requirements of § 60.5401b(i)(2)(ii).

(5) For process controller affected facilities, you must comply with the requirements of paragraph (a)(5)(i) or (ii) of this section, as applicable.

(i) Any process controller affected facilities may comply with § 60.5390b(b)(1) and (2) or (3) as an alternative to compliance with § 60.5390b(a) until January 22, 2027.

(ii) On or after January 22, 2027, process controller affected facilities must comply with § 60.5390b(a) or (b), as specified in those paragraphs.

* * * * *

(8) For an enclosed combustion device, you must comply with the requirements of paragraph (a)(8)(i) of this section, as applicable.

(i) Beginning January 22, 2027, or 180 days after startup, whichever is later, you must comply with the performance testing procedures of § 60.5413b(b).

(ii) [Reserved]

(9) For an enclosed combustion device or for a flare, you must comply with the requirements of paragraph (a)(9)(i), (ii), or (iii) of this section, as applicable.

(i) Beginning November 28, 2025, or 180 days after startup, whichever is later, you must comply with the continuous monitoring systems requirements of § 60.5417b(d)(8)(i) through (iv).

(ii) Beginning May 7, 2024 or 180 days after startup, whichever is later, you must comply with the visible emission observation requirements of § 60.5417b(d)(8)(v).

(iii) Beginning November 28, 2025, or 180 days after startup, whichever is later, you must comply with the continuous monitoring systems requirements of § 60.5417b(d)(8)(vi) for enclosed combustion devices or flares that are air-assisted or steam-assisted.

* * * * *

■ 6. Amend § 60.5371b by adding two sentences before the first sentence of the introductory text to read as follows:

§ 60.5371b What GHG and VOC standards apply to super-emitter events?

The provisions of this section will not apply between July 31, 2025, and January 22, 2027. The provisions of this section will apply after January 22, 2027. * * *

* * * * *

■ 7. Amend § 60.5375b by revising paragraphs (a)(2) and (f)(3)(i) and (ii) to read as follows:

§ 60.5375b What GHG and VOC standards apply to well completions at well affected facilities?

(a) * * *

(2) If it is technically infeasible to route the recovered gas as required in paragraph (a)(1)(ii) of this section, then you must capture and direct recovered gas to a completion combustion device, except in conditions that may result in a fire hazard or explosion, or where high heat emissions from a completion combustion device may negatively impact tundra, permafrost or waterways. After January 22, 2027, completion combustion devices must be equipped with a reliable continuous pilot flame.

* * * * *

(f) * * *

(3) * * *

(i) Route all flowback to a completion combustion device, except in conditions that may result in a fire hazard or explosion, or where high heat emissions from a completion combustion device may negatively impact tundra, permafrost or waterways. After January 22, 2027, completion combustion

devices must be equipped with a reliable continuous pilot flame.

(ii) Route all flowback into one or more well completion vessels and commence operation of a separator unless it is technically infeasible for a separator to function. You must have the separator onsite or otherwise available for use at the wildcat well, delineation well, or low pressure well. The separator must be available and ready for use to comply with paragraph (f)(3)(ii) of this section during the entirety of the flowback period. Any gas present in the flowback before the separator can function is not subject to control under this section. Capture and direct recovered gas to a completion combustion device, except in conditions that may result in a fire hazard or explosion, or where high heat emissions from a completion combustion device may negatively impact tundra, permafrost, or waterways. After January 22, 2027, completion combustion devices must be equipped with a reliable continuous pilot flame.

* * * * *

■ 8. Amend § 60.5390b by revising paragraph (a) introductory text to read as follows:

§ 60.5390b What GHG and VOC standards apply to process controller affected facilities?

* * * * *

(a) Beginning January 22, 2027, or upon startup, whichever is later, you must design and operate each process controller affected facility with zero methane and VOC emissions to the atmosphere, except as provided in paragraph (b) of this section.

* * * * *

■ 9. Amend § 60.5398b by revising paragraph (d)(1)(iii) to read as follows:

§ 60.5398b What alternative GHG and VOC standards apply to fugitive emissions components affected facilities and what inspection and monitoring requirements apply to covers and closed vent systems when using an alternative technology?

* * * * *

(d) * * *

(1) * * *

(iii) Within 270 days of receipt of an alternative test method request that was determined to be complete, the Administrator will determine whether the requested alternative test method is adequate for indicating compliance with the requirements for monitoring fugitive emissions components affected facilities in § 60.5397b and continuous inspection and monitoring of covers and closed vent systems in § 60.5416b and/or for identifying super-emitter events in § 60.5371b, except that the Administrator is not required to make determinations on such requests for methods for identifying super emitter events in § 60.5371b before January 22, 2027. The Administrator will issue either an approval or disapproval in writing to the submitter. Approvals may be considered site-specific or more broadly applicable. Broadly applicable alternative test methods and approval letters will be posted at *https://www.epa.gov/emc/oil-and-gas-approved-alternative-test-methods-approvals.* If the Administrator fails to provide the submitter a decision on approval or disapproval within 270 days, the alternative test method will be given conditional approval status and posted on this same web page, except that conditional approval will not be given for purposes of identifying super-emitter events in § 60.5371b before January 22, 2027. If the Administrator finds any deficiencies in the request and disapproves the request in writing, the owner or operator may choose to revise the information and submit a new request for an alternative test method.

* * * * *

■ 10. Amend § 60.5411b by revising paragraphs (a)(3) and (b)(4) to read as follows:

§ 60.5411b What additional requirements must I meet to determine initial compliance for my covers and closed vent systems?

* * * * *

(a) * * *

(3) Beginning January 22, 2027, or upon startup, whichever is later, you must design and operate the closed vent system with no identifiable emissions as demonstrated by § 60.5416b(a) and (b).

* * * * *

(b) * * *

(4) Beginning January 22, 2027 or upon startup, whichever is later, you must design and operate the cover with no identifiable emissions as demonstrated by § 60.5416b(a) and (b), except when operated as provided in paragraphs (b)(2)(i) through (iv) of this section.

* * * * *

■ 11. Amend § 60.5412b by revising paragraphs (a)(1)(viii), (a)(3)(viii), and (d)(5) to read as follows:

§ 60.5412b What additional requirements must I meet for determining initial compliance of my control devices?

* * * * *

(a) * * *

(1) * * *

(viii) After January 22, 2027, you must install and operate a continuous burning pilot or combustion flame. After January 22, 2027, an alert must be sent to the nearest control room whenever the pilot or combustion flame is unlit.

* * * * *

(3) * * *

(viii) After January 22, 2027, you must install and operate a continuous burning pilot or combustion flame. After January 22, 2027, an alert must be sent to the nearest control room whenever the pilot or combustion flame is unlit.

* * * * *

(d) * * *

(5) If the alternative test method demonstrates compliance with the metrics specified in paragraphs (d)(1)(i) and (ii) of this section instead of demonstrating continuous compliance with 95.0 percent or greater combustion efficiency, after January 22, 2027, you must still install the pilot or combustion flame monitoring system required by § 60.5417b(d)(8)(i). If the alternative test method demonstrates continuous compliance with a combustion efficiency of 95.0 percent or greater, the requirement in § 60.5417b(d)(8)(i) no longer applies.

■ 12. Amend § 60.5413b by revising paragraph (e)(2) to read as follows:

§ 60.5413b What are the performance testing procedures for control devices?

* * * * *

(e) * * *

(2) After January 22, 2027, a pilot or combustion flame must be present at all times of operation. After January 22, 2027, an alert must be sent to the nearest control room whenever the pilot or combustion flame is unlit.

* * * * *

■ 13. Amend § 60.5415b by revising paragraph (f)(1)(vii)(A)(*1*) and paragraph (h)(1) introductory text to read as follows:

§ 60.5415b How do I demonstrate continuous compliance with the standards for each of my affected facilities?

* * * * *

(f) * * *

(1) * * *

(vii) * * *

(A) * * *

(*1*) After January 22, 2027, a pilot or combustion flame must be present at all times of operation. After January 22, 2027, an alert must be sent to the nearest control room whenever the pilot or combustion flame is unlit.

* * * * *

(h) * * *

(1) Beginning January 22, 2027, or upon startup, whichever is later, you must demonstrate that your process controller affected facility does not emit any VOC or methane to the atmosphere

by meeting the requirements of paragraph (h)(1)(i) or (ii) of this section.

* * * * *

■ 14. Amend § 60.5416b by revising paragraphs (a)(1) and (2) and (a)(3)(i) and paragraph (b) introductory text to read as follows:

§ 60.5416b What are the initial and continuous cover and closed vent system inspection and monitoring requirements?

* * * * *

(a) * * *

(1) For each closed vent system joint, seam, or other connection that is permanently or semi-permanently sealed (*e.g.,* a welded joint between two sections of hard piping or a bolted and gasketed ducting flange), you must meet the requirements specified in paragraphs (a)(1)(i) through (iii) of this section.

(i) Within the first 30 calendar days after January 22, 2027, or upon startup of the affected facility routing emissions through the closed vent system, whichever is later, conduct an initial inspection according to the test methods and procedures specified in paragraph (b) of this section to demonstrate that the closed vent system operates with no identifiable emissions.

(ii) Conduct annual visual inspections for defects that could result in air emissions. Defects include, but are not limited to, visible cracks, holes, or gaps in piping; loose connections; liquid leaks; or broken or missing caps or other closure devices. Beginning on the first annual inspection after January 22, 2027, and for all annual inspections thereafter, you must monitor a component or connection using the test methods and procedures in paragraph (b) of this section to demonstrate that it operates with no identifiable emissions following any time the component is repaired or replaced or the connection is unsealed.

(iii) Conduct AVO inspections in accordance with and at the same frequency as specified for fugitive emissions components affected facilities located at the same type of site as specified in § 60.5397b(g). Process unit equipment affected facilities must conduct annual AVO inspections concurrent with the inspections required by paragraph (a)(1)(ii) of this section.

(2) For closed vent system components other than those specified in paragraph (a)(1) of this section, you must meet the requirements of paragraphs (a)(2)(i) through (iv) of this section.

(i) Conduct an initial inspection according to the test methods and procedures specified in paragraph (b) of this section within the first 30 calendars days after startup of the affected facility routing emissions through the closed vent system or January 22, 2027, whichever is later, to demonstrate that the closed vent system operates with no identifiable emissions.

(ii) Beginning January 22, 2027, conduct inspections according to the test methods, procedures, and frequencies specified in paragraph (b) of this section to demonstrate that the components or connections operate with no identifiable emissions.

(iii) Conduct annual visual inspections for defects that could result in air emissions. Defects include, but are not limited to, visible cracks, holes, or gaps in ductwork; loose connections; liquid leaks; or broken or missing caps or other closure devices. Beginning January 22, 2027, you must monitor a component or connection using the test methods and procedures in paragraph (b) of this section to demonstrate that it operates with no identifiable emissions following any time the component is repaired or replaced or the connection is unsealed.

(iv) Conduct AVO inspections in accordance with and at the same frequency as specified for fugitive emissions components affected facilities located at the same type of site, as specified in § 60.5397b(g). Process unit equipment affected facilities must conduct annual AVO inspections concurrent with the inspections required by paragraph (a)(2)(iii) of this section.

(3) * * *

(i) Beginning January 22, 2027, conduct the inspections specified in paragraphs (a)(3)(ii) through (iv) of this section to identify defects that could result in air emissions and to ensure the cover operates with no identifiable emissions. Defects include, but are not limited to, visible cracks, holes, or gaps in the cover, or between the cover and the separator wall; broken, cracked, or otherwise damaged seals or gaskets on closure devices; and broken or missing hatches, access covers, caps, or other closure devices. In the case where the storage vessel is buried partially or entirely underground, you must inspect only those portions of the cover that extend to or above the ground surface, and those connections that are on such portions of the cover (*e.g.,* fill ports, access hatches, gauge wells, etc.) and can be opened to the atmosphere.

* * * * *

(b) *No identifiable emissions test methods and procedures.* If you are required to conduct an inspection of a closed vent system and cover as specified in paragraph (a)(1), (2), or (3) of this section or § 60.5398b(b), you must meet the requirements of paragraphs (b)(1) through (9) of this section after January 22, 2027. You must meet the requirements of paragraphs (b)(1), (2), (4), and (9) of this section for each self-contained process controller at your process controller affected facility as specified at § 60.5390b(a)(2).

* * * * *

■ 15. Amend § 60.5417b by revising paragraphs (d)(8)(i) and (i)(6)(v) to read as follows:

§ 60.5417b What are the continuous monitoring requirements for my control devices?

* * * * *

(d) * * *

(8) * * *

(i) After January 22, 2027, continuously monitor at least once every five minutes for the presence of a pilot flame or combustion flame using a device (including, but not limited to, a thermocouple, ultraviolet beam sensor, or infrared sensor) capable of detecting that the pilot or combustion flame is present at all times. After January 22, 2027, an alert must be sent to the nearest control room whenever the pilot or combustion flame is unlit. Continuous monitoring systems used for the presence of a pilot flame or combustion flame are not subject to a minimum accuracy requirement beyond being able to detect the presence or absence of a flame and are exempt from the calibration requirements of this section.

* * * * *

(i) * * *

(6) * * *

(v) After January 22, 2027, if required by paragraph (i)(5) of this section to install a pilot or combustion flame monitoring system, a deviation occurs when there is no indication of the presence of a pilot or combustion flame for any 5-minute period.

* * * * *

Subpart OOOOc—Emissions Guidelines for Greenhouse Gas Emissions From Existing Crude Oil and Natural Gas Facilities

■ 16. Amend § 60.5362c by revising paragraph (c) to read as follows:

§ 60.5362c Am I affected by this subpart?

* * * * *

(c) You must submit the state or Tribal plan or negative declaration letter to EPA by January 22, 2027.

■ 17. Revise § 60.5368c to read as follows:

§ 60.5368c What if my state or Tribal plan is not approvable?

If you do not submit a state or Tribal plan (or a negative declaration letter) by January 22, 2027, or if EPA disapproves your state plan, EPA will develop a Federal plan according to § 60.27a(c) through (f) to implement the emission guidelines contained in this subpart.

■ 18. Amend § 60.5374c by revising paragraph (b) to read as follows:

§ 60.5374c Does this subpart directly affect designated facility owners and operators in my state?

* * * * *

(b) If you do not submit a plan to implement and enforce the guidelines contained in this subpart by the date specified in § 60.5352c, or if EPA disapproves your plan, the EPA will implement and enforce a Federal plan, as provided in § 60.5368c, to ensure that each designated facility within your state that commenced construction, modification or reconstruction on or before December 6, 2022, reaches compliance with all the provisions of this subpart by the dates specified in § 60.5360c.

[FR Doc. 2025–14531 Filed 7–30–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 81

[EPA–R02–OAR–2025–0004; FRL–12573–01–R2]

Finding of Failure To Attain and Reclassification of Area in New York as Serious for the 2015 Ozone National Ambient Air Quality Standards—Shinnecock Indian Nation

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final determination.

SUMMARY: The Environmental Protection Agency (EPA) is determining that Indian country under the jurisdiction of the Shinnecock Indian Nation located within the New York-Northern New Jersey-Long Island nonattainment area (Shinnecock Indian Nation area) failed to attain the 2015 ozone National Ambient Air Quality Standards (NAAQS) by the applicable attainment date. The effect of failing to attain by the applicable attainment date is that the area will be reclassified by operation of law to ''Serious'' nonattainment for the 2015 ozone NAAQS on September 2, 2025, the effective date of this final rule. This action fulfills the EPA's obligation under the Clean Air Act (CAA) to determine whether ozone nonattainment areas attained the NAAQS by the attainment date and to publish a document in the **Federal Register** identifying each area that is determined as having failed to attain and identifying the reclassification.

DATES: This final rule is effective on September 2, 2025.

ADDRESSES: The EPA has established a docket for this action under Docket ID Number EPA–R02–OAR–2025–0004 at *https://www.regulations.gov.* All documents in the docket are listed on the *https://www.regulations.gov* website. Although listed in the index, some information is not publicly available, *e.g.,* Controlled Unclassified Information (CUI) (formally referred to as Confidential Business Information (CBI)) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available electronically through *https://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Fausto Taveras, Environmental Protection Agency, 290 Broadway, New York, New York 10007–1866, at (212) 637–3378, or by email at *Taveras.Fausto@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document whenever ''we,'' ''us,'' or ''our'' is used, we mean EPA.

Table of Contents

I. Overview of Action

The EPA is required to determine whether areas designated nonattainment for an ozone NAAQS attained the standard by the applicable attainment date, and to take certain steps for areas that failed to attain (*see* CAA section 181(b)(2)). The EPA's determination of attainment for the 2015 ozone NAAQS is based on a nonattainment area's design value (DV) as of the attainment date.[1]

The 2015 ozone NAAQS is met at an EPA regulatory monitoring site when the DV does not exceed 0.070 parts per million (ppm). For the Moderate nonattainment area for the 2015 ozone NAAQS addressed in this action, the attainment date was August 3, 2024. Because the DV is based on the three most recent, complete calendar years of data, attainment must occur no later than December 31 of the year prior to the attainment date (*i.e.,* December 31, 2023, in the case of Moderate nonattainment areas for the 2015 ozone NAAQS). As such, the EPA's determinations for each area are based upon the complete, quality-assured, and certified ozone monitoring data from calendar years 2021, 2022, and 2023.

In 2024, New Jersey, New York, and Connecticut each submitted a request that EPA reclassify the New York-Northern New Jersey-Long Island ozone nonattainment area from Moderate to Serious nonattainment for the 2015 ozone NAAQS.[2] EPA finalized the reclassification in a July 25, 2024 **Federal Register** notice, 89 FR 60314, in which we made clear that since the Shinnecock Indian Nation, which is located adjacent to Southampton, New York, had not requested reclassification of the Shinnecock Indian Nation area of the New York-Northern New Jersey-Long Island nonattainment area for the 2015 ozone NAAQS, it would retain the Moderate classification. This action addresses the Shinnecock Indian Nation area in New York that remains classified as Moderate for the 2015 ozone NAAQS Table 1 provides a summary of the DVs and the EPA's air quality-based determinations for the Shinnecock Indian Nation area addressed in this action.[3]

[1] A DV is a statistic used to compare data collected at an ambient air quality monitoring site to the applicable NAAQS to determine compliance with the standard. The data handling conventions for calculating DVs for the 2015 ozone NAAQS are specified in appendix U to 40 CFR part 50. The DV for the 2015 ozone NAAQS is the 3-year average of the annual fourth highest daily maximum 8-hour average ozone concentration. The DV is calculated for each air quality monitor in an area, and the DV for an area is the highest DV among the individual monitoring sites located in the area.

[2] Connecticut requested reclassification from moderate to Severe or, in the alternative, to Serious if the States of both New York and Connecticut did not both submit requests to reclassify the area to Severe but did submit requests to reclassify the area to Serious. See 89 FR 60314 (July 25, 2024).

[3] Since the Shinnecock Nation is located within the geographic boundaries of the New York-Northern New Jersey-Long Island nonattainment area, that nonattainment area's design value and the EPA's air-quality based determination will be used as a basis to determine if the Shinnecock Indian Nation attained the August 3, 2024, 2015 ozone NAAQS Moderate attainment date.

TABLE 1—SUMMARY OF NONATTAINMENT AREAS IN NEW YORK CLASSIFIED AS MODERATE FOR THE 2015 OZONE NAAQS

Nonattainment area	2021–2023 design value (DV) (ppm)	Attainment by the attainment date
New York–N New Jersey–Long Island nonattainment area (including the Shinnecock Indian Nation).	0.082	Failed to attain.

The EPA is finding that the Shinnecock Indian Nation area did not attain the 2015 Ozone NAAQS by the August 3, 2024, Moderate area attainment date, because the area's 2021–2023 DV is greater than 0.070 ppm. If the EPA determines that a nonattainment area classified as Moderate failed to attain by the attainment date, CAA section 181(b)(2)(B) requires the EPA to publish a notice in the **Federal Register**, no later than 6 months following the attainment date, identifying each such area and identifying the applicable reclassification.

Under CAA section 181(b)(2)(A), the effect of this determination is that the Shinnecock Indian Nation area will be reclassified by operation of law as Serious on the effective date of this final rule. The reclassified areas will then be subject to the Serious area requirement to attain the 2015 ozone NAAQS as expeditiously as practicable, but not later than August 3, 2027.

Under the CAA and the Tribal Authority Rule (TAR), tribes may, but are not required to, submit implementation plans to the EPA for approval (*see* CAA section 301(d) and 40 CFR part 49). Accordingly, the Shinnecock Indian Nation will not be required to submit any Tribal Implementation Plan (TIP) revisions applicable to Serious areas established in CAA section 182(c) and in the 2015 Ozone NAAQS SIP Requirements Rule (*see* 83 FR 62998, December 6, 2018). Tribes that are part of multi-jurisdictional nonattainment areas are also not required to submit implementation plan revisions applicable to Serious areas.

The EPA has conducted outreach with the Shinnecock Indian Nation in regard to this final action. Specifically, on November 25, 2024, the EPA sent a consultation letter to the Shinnecock Indian Nation notifying the Nation of the EPA's intent to reclassify the area to Serious nonattainment. This consultation letter offered a 30-day period in which the Shinnecock Indian Nation could request government-to-government consultation with the EPA during development of this rulemaking. A copy of this signed consultation letter is provided in the docket of this rulemaking.

Finally, on January 17, 2025, the EPA published a final rule to streamline state planning and air quality protection requirements under the current and future ozone NAAQS. This separate final rule establishes universal deadlines for submitting SIP revisions and for implementation of relevant control requirements that will apply for reclassified Moderate, Serious, and Severe nonattainment areas. *See* 90 FR 5651.[4]

II. What is the background for this action?

On October 26, 2015, the EPA issued its final action to revise the NAAQS for ozone to establish a new 8-hour standard (*see* 80 FR 65452, October 26, 2015). In that action, the EPA promulgated more stringent identical primary and secondary ozone standards designed to protect public health and welfare that specified an 8-hour ozone level of 0.070 ppm. Specifically, the standards require that the 3-year average of the annual fourth highest daily maximum 8-hour average ozone concentration may not exceed 0.070 ppm.

Effective on August 3, 2018, the EPA designated 52 areas throughout the country as nonattainment for the 2015 ozone NAAQS (*see* 83 FR 25776, June 4, 2018). In a separate action, the EPA assigned classification thresholds and attainment dates based on the severity of an area's ozone problem, determined by the area's DV (*see* 83 FR 10376, May 8, 2018). The EPA established the attainment date for Marginal, Moderate, and Serious nonattainment areas as 3 years, 6 years, and 9 years, respectively, from the effective date of the final designations. Thus, the attainment date for Marginal nonattainment areas for the 2015 ozone NAAQS was August 3, 2021, the attainment date for Moderate areas was August 3, 2024, and the attainment date for Serious areas is August 3, 2027. Effective August 3, 2018, the EPA classified the New York-Northern New Jersey-Long Island area, including the Shinnecock Indian Nation, under the CAA as Moderate for the 2015 8-hour ozone NAAQS. *See* 83 FR 25776 (June 4, 2018).

III. What is the statutory authority for this action?

The statutory authority for these determinations is provided by the CAA, as amended (42 U.S.C. 7401 *et seq.*). Relevant portions of the CAA include, but are not necessarily limited to, sections 181 and 182.

CAA section 107(d) provides that when the EPA establishes or revises a NAAQS, the agency must designate areas of the country as nonattainment, attainment, or unclassifiable based on whether an area is not meeting (or is contributing to air quality in a nearby area that is not meeting) the NAAQS, meeting the NAAQS, or cannot be classified as meeting or not meeting the NAAQS, respectively. Subpart 2 of part D of title I of the CAA governs the classification, state planning, and emissions control requirements for any areas designated as nonattainment for a revised primary ozone NAAQS. CAA section 181(a)(1) requires each area designated as nonattainment for a revised ozone NAAQS to be classified at the same time as the area is designated based on the extent of the ozone problem in the area (as determined based on the area's DV). Classifications for ozone nonattainment areas are ''Marginal,'' ''Moderate,'' ''Serious,'' ''Severe,'' and ''Extreme,'' in order of stringency. CAA section 182 provides the specific attainment planning and additional requirements that apply to each ozone nonattainment area based on its classification.

Section 181(b)(2)(A) of the CAA requires that within 6 months following the applicable attainment date, the EPA shall determine whether an ozone nonattainment area attained the ozone

[4] On June 3, 2025, the EPA announced its reconsideration of the 2025 State Implementation Plan Submittal Deadlines and Implementation Requirements for Reclassified Nonattainment Areas Under the Ozone National Ambient Air Quality Standards. The EPA will issue a proposal in the **Federal Register** in the coming months, soliciting public comments. *See https://www.epa.gov/ground-level-ozone-pollution/ozone-implementation-regulatory-actions.*

standard based on the area's DV as of that date. Under CAA section 181(a)(5) as interpreted by the EPA in 40 CFR 51.1307, upon application by any state, the EPA may grant a 1-year extension to the attainment date when certain criteria are met. One criterion for a first attainment date extension is that an area's fourth highest daily maximum 8-hour value for the attainment year must not exceed the level of the standard.

In the event an area fails to attain the ozone NAAQS by the applicable attainment date and is not granted a 1-year attainment date extension, CAA section 181(b)(2)(A) requires the EPA to make the determination that an ozone nonattainment area failed to attain the ozone standard by the applicable attainment date, and requires the area to be reclassified by operation of law to the higher of: (1) The next higher classification for the area, or (2) the classification applicable to the area's DV as of the determination of failure to attain.[5] Section 181(b)(2)(B) of the CAA requires the EPA to publish the determination of failure to attain and accompanying reclassification in the **Federal Register** no later than 6 months after the attainment date, which in the case of the Moderate nonattainment areas considered in this determination was February 3, 2025.

Once an area is reclassified, each state that contains a reclassified area is required to submit certain SIP revisions in accordance with its more stringent classification. The SIP revisions are intended to, among other things, demonstrate how the area will attain the NAAQS as expeditiously as practicable, but no later than August 3, 2027, the Serious area attainment date for the 2015 ozone NAAQS. Per CAA section 182(i), a state with a reclassified ozone nonattainment area must submit the applicable attainment plan requirements ''according to the schedules prescribed in connection with such requirements'' in CAA section 182(c) for Serious areas, but the EPA ''may adjust applicable deadlines (other than attainment dates) to the extent such adjustment is necessary or appropriate to assure consistency among the required submissions.'' The EPA has addressed the SIP revision and implementation deadlines for newly reclassified Serious areas, as well as the continued applicability of Moderate area requirements that these areas may not yet have met, in a separate rulemaking.

[5] All nonattainment areas named in this action that failed to attain by the attainment date would be classified to the next higher classification, Serious. None of the affected areas has a DV that would otherwise place an area in a higher classification.

As described earlier, under the CAA and the TAR, tribes may, but are not required to, submit implementation plans to the EPA for approval. Accordingly, for the Shinnecock Indian Nation nonattainment area, the Indian Nation would not be required to submit any Tribal Implementation Plan (TIP) revisions applicable to Serious areas established in CAA section 182(c) and in the 2015 Ozone NAAQS SIP Requirements Rule (see 83 FR 62998, December 6, 2018).

IV. How does EPA determine whether an area has attained the standard?

The level of the 2015 ozone NAAQS is 0.070 ppm.[6] Under the EPA regulations at 40 CFR part 50, appendix U, the 2015 ozone NAAQS is attained at a site when the 3-year average of the annual fourth highest daily maximum 8-hour average ambient ozone concentration (*i.e.,* DV) does not exceed 0.070 ppm. When the DV does not exceed 0.070 ppm at each ambient air quality monitoring site within the area, the area is deemed to be attaining the ozone NAAQS. Each area's DV is determined by the highest DV among monitors with valid DVs.[7] The data handling convention in appendix U dictates that concentrations shall be reported in ''ppm'' to the third decimal place, with additional digits to the right being truncated. Thus, a computed 3-year average ozone concentration of 0.071 ppm is greater than 0.070 ppm and would exceed the standard, but a computed 3-year average ozone concentration of 0.0709 ppm is truncated to 0.070 ppm and attains the 2015 ozone NAAQS.

The EPA's determination of attainment is based upon hourly ozone concentration data for calendar years 2021, 2022 and 2023 that have been collected and quality-assured in accordance with 40 CFR part 58 and reported to the EPA's Air Quality System (AQS) database.[8]

[6] See 40 CFR 50.19.

[7] According to appendix U to 40 CFR part 50, ambient monitoring sites with a DV of 0.070 ppm or less must meet minimum data completeness requirements in order to be considered valid. These requirements are met for a 3-year period at a site if daily maximum 8-hour average ozone concentrations are available for at least 90% of the days within the ozone monitoring season, on average, for the 3-year period, with a minimum of at least 75% of the days within the ozone monitoring season in any one year. Ozone monitoring seasons are defined for each state in appendix D to 40 CFR part 58. DVs greater than 0.070 ppm are considered to be valid regardless of the data completeness.

[8] The EPA maintains the AQS, a database that contains ambient air pollution data collected by the EPA, state, local, and Tribal air pollution control agencies. The AQS also contains meteorological data, descriptive information about each monitoring station (including its geographic location and its operator) and data quality assurance/quality control information. The AQS data is used to (1) assess air quality, (2) assist in attainment/non-attainment designations, (3) evaluate SIPs for non-attainment areas, (4) perform modeling for permit review analysis, and (5) prepare reports for Congress as mandated by the CAA. Access is through the website at *https://www.epa.gov/aqs.*

State and local monitoring network plans are subject to approval by the EPA on an annual basis and any interim modifications to those plans must also be approved by the EPA.[9] The annual monitoring network plan process is provided in 40 CFR 58.10 and the requirements governing system modifications and monitor discontinuations are laid out in 40 CFR 58.14. Where state or local agencies seek to modify the ambient air quality monitoring networks by discontinuing a monitor station, the EPA may approve such modifications subject to the criteria established in 40 CFR 58.14(c). The EPA may not approve such discontinuation if doing so would compromise data collection needed for implementation of a NAAQS. If a monitor has been discontinued subject to 40 CFR 58.14 such that the discontinuation results in insufficient data to calculate a valid DV according to appendix U to 40 CFR part 50, EPA will determine the applicable area's attainment status based on the remaining monitors in the area.

V. What is EPA's determination for the areas?

The EPA is determining that the one Moderate nonattainment area addressed in this action failed to attain the 2015 ozone NAAQS by the attainment date of August 3, 2024. The one area is the Shinnecock Indian Nation located in New York State. As shown in Table 2, at least one monitor in the area had a 2021–2023 DV greater than 0.070 ppm. The EPA has further determined that this area did not meet the requirement under section 181(a)(5)(B) and 40 CFR 51.1307 necessary to grant a 1-year extension of the attainment date, because at least one monitor in the area had a 2023 fourth highest daily maximum 8-hour average that was greater than 0.070 ppm. Table 2 shows the annual fourth highest daily maximum 8-hour average ozone concentration and the 2021–2023 DV for each monitor in the one area.

[9] Annual monitoring network plans for each state are available at *https://www.epa.gov/amtic/state-monitoring-agency-annual-air-monitoring-plans-and-network-assessments.*

TABLE 2—2021–2023 FOURTH HIGHEST DAILY MAXIMUM 8-HOUR AVERAGE OZONE CONCENTRATIONS AND DESIGN VALUES AT ALL MONITORS IN THE NEW YORK-N NEW JERSEY-LONG ISLAND AREA

AQS site ID	County	State	Fourth highest daily maximum 8-hour average ozone concentration (ppm)			2021–2023 design value (DV) (ppm)
			2021	2022	2023	
090010017	Fairfield	Connecticut	0.078	0.077	0.082	0.079
090011123	Fairfield	Connecticut	0.071	0.075	0.075	0.073
090013007	Fairfield	Connecticut	0.086	0.081	0.081	0.082
090019003	Fairfield	Connecticut	0.086	0.081	0.079	0.082
090079007	Middlesex	Connecticut	0.078	0.073	0.075	0.075
090090027	New Haven	Connecticut	0.071	0.072	0.069	0.070
090099002	New Haven	Connecticut	0.083	0.076	0.078	0.079
340030006	Bergen	New Jersey	0.076	0.063	0.071	0.070
340130003	Essex	New Jersey	0.066	*NV	*NV	*NV
340170006	Hudson	New Jersey	0.070	0.065	0.068	0.067
340190001	Hunterdon	New Jersey	0.066	0.063	0.073	0.067
340230011	Middlesex	New Jersey	0.070	0.068	0.075	0.071
340250005	Monmouth	New Jersey	0.071	0.069	0.070	0.070
340273001	Morris	New Jersey	0.064	0.062	0.071	0.065
340315001	Passaic	New Jersey	0.062	0.058	0.071	0.063
340410007	Warren	New Jersey	0.062	0.060	0.054	0.058
360050110	Bronx	New York	0.070	0.064	0.069	0.067
360050133	Bronx	New York	0.074	0.065	0.072	0.070
360610135	New York	New York	0.076	0.065	0.073	0.071
360810124	Queens	New York	0.074	0.070	0.074	0.072
360850111	Richmond	New York	0.074	0.063	0.070	0.069
360870005	Rockland	New York	0.064	0.062	0.072	0.066
361030002	Suffolk	New York	0.079	0.074	0.074	0.075
361030004	Suffolk	New York	0.070	0.066	0.070	0.068
361030009	Suffolk	New York	0.069	0.069	NV	NV
361030044	Suffolk	New York	0.075	0.070	0.076	0.073
361192004	Westchester	New York	0.071	0.066	0.072	0.069

NV = Not valid due to incomplete ozone data.
*Newark Firehouse in Essex County (AQS ID 34–013–0003) closed on 09/26/2022.

VI. What action is EPA taking?

Pursuant to CAA section 181(b)(2), the EPA is determining that the Shinnecock Indian Nation area failed to attain the 2015 ozone NAAQS by the applicable attainment date of August 3, 2024. Therefore, upon the effective date of this final action, this area will be reclassified, by operation of law, to Serious for the 2015 ozone NAAQS. Once reclassified as Serious, this area will be required to attain the standard ''as expeditiously as practicable'' but no later than 9 years after the initial designation as nonattainment, which in this case would be no later than August 3, 2027.

Section 553 of the Administrative Procedure Act, 5 U.S.C. 553(b)(B), provides that, when an agency for good cause finds that notice and public procedures are impracticable, unnecessary or contrary to the public interest, the agency may issue a rule without providing notice and an opportunity for public comment. The EPA has determined that there is good cause for making this final agency action without prior proposal and opportunity for comment because our action to determine whether this area has attained the NAAQS by the attainment date is governed, per CAA section 181(b)(2)(A), solely by area design values as of that date. The area design values relied upon in this notice are calculations based on the certified air quality monitoring data governed by EPA's regulations and involve no judgment or discretion. Thus, notice and public procedures are unnecessary to take this action. The EPA finds that this constitutes good cause under 5 U.S.C. 553(b)(B).

VII. Statutory and Executive Order Reviews

A. Executive Order 12866: Regulatory Planning and Review

This action is not a significant regulatory action and was therefore not submitted to the Office of Management and Budget (OMB) for review.

B. Executive Order 14192: Unleashing Prosperity Through Deregulation

This action is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because determinations of attainment by the attainment date under the CAA are exempt from review under Executive Order 12866;

C. Paperwork Reduction Act (PRA)

This rule does not impose an information collection burden under the provisions of the PRA of 1995 (44 U.S.C. 3501 *et seq.*). This action does not contain any information collection activities and serves only to make final determinations that the Shinnecock Indian Nation nonattainment area failed to attain the 2015 ozone standards by the August 3, 2024, attainment date where such areas will be reclassified as Serious nonattainment for the 2015 ozone standards by operation of law upon the effective date of the final reclassification action.

D. Regulatory Flexibility Act (RFA)

I certify that this action will not have a significant economic impact on a substantial number of small entities under the RFA (5 U.S.C. 601 *et seq.*). This action will not impose any requirements on small entities. The determination of failure to attain the 2015 ozone standards (and resulting reclassifications), do not in and of themselves create any new requirements beyond what is mandated by the CAA. This final action would require the state to adopt and submit SIP revisions to

satisfy CAA requirements and would not itself directly regulate any small entities.

E. Unfunded Mandates Reform Act (UMRA)

This action does not contain any unfunded mandate as described in UMRA, 2 U.S.C. 1531–1538 and does not significantly or uniquely affect small governments. The action imposes no enforceable duty on any state, local or Tribal governments or the private sector.

F. Executive Order 13132: Federalism

This action does not have federalism implications. It will not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government. The division of responsibility between the Federal government and the states for purposes of implementing the NAAQS is established under the CAA.

G. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

This action has Tribal implications. However, it will neither impose substantial direct compliance costs on federally recognized Tribal governments, nor preempt Tribal law.

The EPA has identified that the Shinnecock Indian Nation that is located within the New York-Northern New Jersey-Long Island nonattainment area, that would be potentially affected by this rulemaking. The EPA has addressed the remaining portions of the New York-Northern New Jersey-Long Island nonattainment area in a separate rulemaking.

The EPA has concluded that the final rule may have Tribal implication for the Shinnecock Indian Nation for the purposes of Executive Order 13175 but would not impose substantial direct costs upon the Nation, nor would it preempt Tribal law. As noted previously, a tribe that is part of an area that is reclassified from Moderate to Serious nonattainment is not required to submit a TIP revision to address new Serious area requirements. However, since the EPA intends to finalize the determinations of failure to attain in this action, the NNSR major source threshold and offset requirements would change for stationary sources seeking preconstruction permits in any nonattainment area newly reclassified as Serious, including on Tribal lands within these nonattainment areas. Areas that are already classified Serious for a previous ozone NAAQS, which is the case for the Shinnecock Indian Nation, are already subject to these higher offset ratios and lower thresholds, so a reclassification to Serious for the 2015 ozone NAAQS would have no effect on NNSR permitting requirements for Tribal lands in those areas. The EPA has communicated with the Shinnecock Indian Nation located within the boundaries of the nonattainment area addressed in this final rule to inform them of this action.

H. Executive Order 13045: Protection of Children From Environmental Health and Safety Risks

EPA interprets Executive Order 13045 (62 FR 19885, April 23, 1997) as applying to those regulatory actions that concern environmental health or safety risks that EPA has reason to believe may disproportionately affect children, per the definition of ''covered regulatory action'' in section 2–202 of the Executive Order. This action is not subject to Executive Order 13045 because it does not establish an environmental standard intended to mitigate health or safety risks.

I. Executive Order 13211: Actions That Significantly Affect Energy Supply, Distribution, or Use

This action is not subject to Executive Order 13211 (66 FR 28355, May 22, 2001) because it is not a significant regulatory action under Executive Order 12866.

J. National Technology Transfer and Advancement Act (NTTAA)

This rulemaking does not involve technical standards. Therefore, EPA is not considering the use of any voluntary consensus standards.

K. Congressional Review Act (CRA)

This rule is exempt from the CRA because it is a rule of particular applicability. The rule makes factual determinations for an identified entity (Shinnecock Indian Nation area), based on facts and circumstances specific to that entity. The determinations of attainment and failure to attain the 2015 ozone NAAQS do not in themselves create any new requirements beyond what is mandated by the CAA.

L. Judicial Review

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by September 29, 2025. Filing a petition for reconsideration by the Administrator of this action does not affect the finality of this action for the purposes of judicial review, nor does it extend the time within which a petition for judicial review may be filed or postpone the effectiveness of this action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 81

Environmental protection, Air pollution control, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Michael Martucci,

Regional Administrator, EPA Region 2.

For the reasons stated in the preamble, title 40 CFR part 81 is amended as follows:

PART 81—DESIGNATION OF AREAS FOR AIR QUALITY PLANNING PURPOSES

■ 1. The authority citation for part 81 continues to read as follows:

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

■ 2. Section 81.333 is amended in the table for ''New York—2015 8-Hour Ozone NAAQS [Primary and Secondary]'' by revising the entry for ''Shinnecock Indian Nation'' to read as follows:

§ 81.333 New York.

* * * * *

NEW YORK—2015 8-HOUR OZONE NAAQS

[Primary and Secondary]

Designated area [1]	Designation		Classification	
	Date [2]	Type	Date	Type
* * *	*	*	*	*
Shinnecock Indian Nation	.....	Nonattainment	9/2/2025	Serious.

[1] Includes any Indian country in each county or area, unless otherwise specified. EPA is not determining the boundaries of any area of Indian country in this table, including any area of Indian country located in the larger designation area. The inclusion of any Indian country in the designation area is not a determination that the State has regulatory authority under the Clean Air Act for such Indian country.

[2] This date is August 3, 2018, unless otherwise noted.

* * * * *

[FR Doc. 2025–14472 Filed 7–30–25; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 25

[IB Docket No. 21–456; FCC 23–29 and FCC 24–117; FR ID 306277]

Revising Spectrum Sharing Rules for Non-Geostationary Orbit, Fixed-Satellite Service Systems

AGENCY: Federal Communications Commission.

ACTION: Final rule; announcement of effective date.

SUMMARY: In this document, the Federal Communications Commission (Commission) announces that the Office of Management and Budget has approved new information collection requirements under OMB Control Number 3060–0678, as adopted in the Commission's Report and Order, FCC 23–29, and revised in the Commission's Second Report and Order, FCC 24–117.

DATES: Amendatory instruction 3 (47 CFR 25.261), published at 90 FR 7651 on January 22, 2025, is effective July 31, 2025.

FOR FURTHER INFORMATION CONTACT: Cathy Williams, Office of the Managing Director, Federal Communications Commission, at (202) 418–2918 or *Cathy.Williams@fcc.gov.*

SUPPLEMENTARY INFORMATION: This document announces that the Office of Management and Budget (OMB) approved the information collection requirements in 47 CFR 25.261 on July 17, 2025. The Commission publishes this document as an announcement of the effective date for this amended rule.

Synopsis

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the Commission is notifying the public that it received final OMB approval on July 17, 2025, for the information collection requirements contained in 47 CFR 25.261. Under 5 CFR part 1320, an agency may not conduct or sponsor a collection of information unless it displays a current, valid OMB Control Number.

No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act that does not display a current, valid OMB Control Number. The OMB Control Number for the information collection that includes the requirements in 47 CFR 25.261 is 3060–0678.

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

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

OMB Control Number: 3060–0678.

Title: Part 25 of the Federal Communications Commission's Rules Governing the Licensing of, and Spectrum Usage by, Commercial Earth Stations and Space Stations.

OMB Approval Date: July 17, 2025.

OMB Expiration Date: July 31, 2028.

Form Numbers: FCC Form 312, FCC Form 312–EZ, FCC Form 312–R and Schedules A, B and S.

Respondents: Business or other for-profit entities and not-for-profit institutions.

Number of Respondents and Responses: 3,539 respondents; 3,591 responses.

Estimated Hours per Response: 0.5–80 hours per response.

Frequency of Response: On occasion, one time, and annual reporting requirements; third-party disclosure requirements; recordkeeping requirement.

Total Annual Burden: 27,748 hours.

Total Annual Cost: $4,154,267.

Obligation to Respond: Required to obtain or retain benefits. The Commission has statutory authority for the information collection requirements under 47 U.S.C. 154, 301, 302, 303, 307, 309, 310, 319, 332, 605, and 721.

Needs and Uses: On April 21, 2023, the Commission released a Report and Order, FCC 23–29, IB Docket No. 21–456, titled ''Revising Spectrum Sharing Rules for Non-Geostationary Orbit, Fixed-Satellite Service Systems.'' In this Report and Ordrghrer, the Commission revised its rules governing spectrum sharing among a new generation of broadband satellite constellations to promote market entry, regulatory certainty, and spectrum efficiency through good-faith coordination. As relevant to this information collection, the Commission adopted rules clarifying protection obligations between non-geostationary satellite orbit, fixed-satellite service (NGSO FSS) systems authorized through different processing rounds by using a degraded throughput methodology. Specifically, the Commission required that, prior to commencing operations, an NGSO FSS licensee or market access recipient must either certify that it has completed a coordination agreement with any operational NGSO FSS system licensed or granted U.S. market access in an earlier processing round, or submit for Commission approval a compatibility showing which demonstrates by use of a degraded throughput methodology that it will not cause harmful interference to any such system with which coordination has not been completed. If an earlier-round system becomes operational after a later-round system has commenced operations, the later-round licensee or market access recipient must submit a certification of coordination or a compatibility showing with respect to the earlier-round system no later than 60 days after the earlier-round system commences operations.

Further, on November 15, 2024, the Commission released a Second Report and Order in the same rulemaking proceeding, FCC 24–117, IB Docket No. 21–456, titled ''Revising Spectrum Sharing Rules for Non-Geostationary Orbit, Fixed-Satellite Service Systems.'' In this Second Report and Order, the Commission revised the NGSO FSS sharing rules to clarify certain details of

the degraded throughput methodology that, in the absence of a coordination agreement, must be used in compatibility analyses by NGSO FSS system grantees authorized through later processing rounds to show they can operate compatibly with, and protect, NGSO FSS systems authorized through earlier processing rounds. The Commission adopted a 3% time-weighted average throughput degradation as a long-term interference protection criterion and a 0.4% absolute increase in link unavailability as a short-term interference protection criterion.

The relevant rule for purposes of this revised information collection is 47 CFR 25.261(d).

The new information collection requirements in this collection are needed to determine the technical qualifications of licensees and market access grantees to operate an NGSO FSS space station and to determine whether operations under an NGSO FSS authorization serve the public interest, convenience and necessity. Without such information, the Commission could not determine whether to permit respondents to provide communications services in the United States because it could not assure that incumbent NGSO FSS licensees and market access grantees are adequately protected from radiofrequency interference that could be caused by NGSO FSS satellite systems authorized through a later processing round. Therefore, the Commission would not be able to fulfill its statutory responsibilities in accordance with the Communications Act of 1934, as amended, and the obligations imposed on parties to the World Trade Organization Basic Telecommunications Agreement.

Federal Communications Commission.

Marlene Dortch,

Secretary.

[FR Doc. 2025–14506 Filed 7–30–25; 8:45 am]

BILLING CODE 6712–01–P

Proposed Rules

Federal Register
Vol. 90, No. 145
Thursday, July 31, 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 71

[Docket No. FAA–2025–2049; Airspace Docket No. 25–ANM–150]

RIN 2120–AA66

Establishment of Helena Very High Frequency Omnidirectional Range/ Tactical Air Navigation (VORTAC) as a Domestic Low Altitude Reporting Point in the State of Montana

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes establishing the Helena (HLN), MT, Very High Frequency Omnidirectional Range/Tactical Air Navigation (VORTAC) as a Domestic Low Altitude Reporting Point in the state of Montana.

DATES: Comments must be received on or before September 15, 2025.

ADDRESSES: Send comments identified by FAA Docket No. FAA–2025–2049 and Airspace Docket No. 25–ANM–150 using any of the following methods:

* *Federal eRulemaking Portal:* Go to *www.regulations.gov* and follow the online instructions for sending your comments electronically.

* *Mail:* Send comments to Docket Operations, M–30; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.

* *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

* *Fax:* Fax comments to Docket Operations at (202) 493–2251.

Docket: Background documents or comments received may be read at *www.regulations.gov* at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FAA Order JO 7400.11J, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *www.faa.gov/air_traffic/publications/.* You may also contact the Rules and Regulations Group, Policy Directorate, Federal Aviation Administration, 600 Independence Avenue SW, Washington, DC 20597; telephone: (202) 267–8783.

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

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would amend the airway structure as necessary to preserve the safe and efficient flow of air traffic within the National Airspace System.

Comments Invited

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

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

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

Availability of Rulemaking Documents

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

You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Operations office (see **ADDRESSES** section for address, phone number, and hours of operations). An informal docket may also be examined during normal business hours at the office of the Western Service Center, Federal Aviation Administration, 2200 South 216th St., Des Moines, WA 98198.

Incorporation by Reference

Domestic Low Altitude Reporting Points are published in paragraph 7001 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document proposes to amend the current version of that order, FAA Order JO 7400.11J, dated July 31, 2024, and

effective September 15, 2024. These updates would be published in the next update to FAA Order JO 7400.11. FAA Order JO 7400.11J, which lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points, is publicly available as listed in the **ADDRESSES** section of this document.

Background

Helena Approach Control is a non-radar approach control facility. Without radar, the controllers rely upon pilots reporting their positions relative to navigational aids within the non-radar airspace. Consequently, controllers regularly request pilots to report over the Helena (HLN), MT, VORTAC while under their control. Making HLN a charted low altitude reporting point will advise pilots in advance of the requirement to report their position over the VORTAC.

The Proposal

The FAA is proposing an amendment to 14 CFR part 71 to establish Helena VORTAC as a Domestic Low Altitude Reporting Point in the state of Montana. The reporting point will be located at ''lat. 46°36′24.557″ N, long. 111°57′12.511″ W.''

Regulatory Notices and Analyses

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

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1G, ''FAA National Environmental Policy Act Implementing Procedures'' prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

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

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

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

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

§ 71.1 [Amended]

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

Paragraph 7001 Domestic Low Altitude Reporting Points.

* * * * *

Helena, MT

* * * * *

Issued in Washington, DC, on July 23, 2025.

Brian Eric Konie,

Manager (A), Rules and Regulations Group.

[FR Doc. 2025–14488 Filed 7–30–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 21

RIN 2900–AS36

Waiver or Recovery of Overpayments

AGENCY: Department of Veterans Affairs.

ACTION: Proposed rule.

SUMMARY: The Department of Veterans Affairs (VA) proposes to amend the Veteran Readiness and Employment and Education regulations to implement section 1019 of the Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020 (Isakson Roe Act), which was effective January 5, 2021. These proposed amendments would update regulations governing the waiver or recovery of overpayments to address the assignment of financial responsibility for benefits paid directly to an educational institution on behalf of the student.

DATES: Comments must be received on or before September 29, 2025.

ADDRESSES: You may submit comments through *www.regulations.gov* under RIN 2900–AS36. That website includes a plain-language summary of this rulemaking. Instructions for accessing agency documents, submitting comments, and viewing the rulemaking docket are available on *www.regulations.gov* under ''FAQ.''

FOR FURTHER INFORMATION CONTACT: Cheryl Amitay, Veterans Benefits Administration, (202) 461–9800.

SUPPLEMENTARY INFORMATION: When an educational institution (also referred to as a school) voluntarily applies and is approved to participate in GI Bill programs, that institution assumes responsibility to provide accurate and timely enrollment information to VA for benefit processing. See 38 U.S.C. 3684(a). Prior to the enactment of section 1019 of the Isakson Roe Act (Pub. L. 116–315) on January 5, 2021, 38 U.S.C. 3685(a) and (b) technically indicated that, in cases in which an overpayment is made to a veteran or eligible person but is a result of willful or negligent conduct by the school, the overpayment could be considered a liability of both the school and the veteran or eligible person. In 38 CFR 21.9695(b)(3), VA interpreted 38 U.S.C. 3685(b) as referring to both an overpayment made to a veteran or eligible person and an overpayment made to a school on behalf of a veteran or eligible person. When a school failed to provide accurate and timely information regarding a student's enrollment, VA's implementing regulations provided for, and continue to provide for, an administrative review at the regional office level of the circumstances surrounding any overpayment (known as the School Liability Process) to determine if the school was liable for such overpayment, *i.e.,* to determine if the overpayment resulted from the school's own willful or negligent failure to report accurate or timely enrollment information or from willful or negligent false certifications. 38 CFR 21.9695(b)(3), 21.4009. When VA determined school liability existed, the amount of the school liability equaled the amount of debt that resulted from the school's willful or negligent reporting failure or false certification. Further, pursuant to § 21.4009(h), the school had the right to appeal findings of school liability to a dedicated School Liability Appeals Board located in VA's Central Office. Additionally, § 21.9695(b)(2) states that an overpayment made to the school would be a liability of the school in cases where the student never attended the school term. Section 21.9695 of Title 38 U.S.C., however, does not clearly state

whether the student would be liable for the debt as well.

With the enactment of section 1019 of Public Law 116–315 and new 38 U.S.C. 3685(b)(2), schools can be held liable for benefits paid directly to them for tuition and fees, Yellow Ribbon program matching contributions, and other advance payments of educational assistance to veteran students, without consideration of whether the overpayment was the result of willful or negligent conduct. Amended section 3685(b)(2) states simply that payments made to a school on behalf of an eligible veteran pursuant to specified provisions (38 U.S.C. 3313(h), 3317, 3680(d), 3320(d)) shall constitute a liability of the school. The statute does not require any VA findings, specifically findings of willful or negligent conduct, before considering the listed payments (tuition and fees, Yellow Ribbon program matching contributions, other advance payments) as liabilities of the school.

To be consistent with 38 U.S.C. 3685(b)(2), VA proposes to remove the current regulatory provision in 38 CFR 21.9695(b)(3) that requires VA to provide the School Liability Process under § 21.4009 to determine whether an overpayment is the result of willful or negligent conduct before holding a school liable for an overpayment *paid directly to the school* on behalf of an eligible individual. We also propose to add language in revised § 21.9695(b)(2) to make clear that a school would be held liable, without going through the School Liability Process, for certain chapter 33 benefits *paid directly to the school* on behalf of an eligible individual. We would accordingly remove the language in current § 21.9695(b)(2) indicating that a school is liable for an overpayment made for a term, quarter, or semester if a student never attended that term, quarter, or semester because such scenario would be covered under revised § 21.9695(b)(2). In addition, we propose adding language in revised § 21.9695(b)(2) to make clear that VA would apply the procedures in 38 CFR 1.911a when collecting overpayments of chapter 33 benefits that were paid to the school on behalf of the eligible individual, which would be consistent with 38 U.S.C. 3685(c). VA also proposes to amend 38 U.S.C. 21.9695(b)(1) to be consistent with 38 U.S.C. 3685(b)(1) and make it clear that a school would be held liable for overpayments *paid to an eligible individual* if VA determines through the School Liability Process that the school engaged in willful or negligent conduct.

Furthermore, even after the enactment of section 1019 of Public Law 116–315, 38 U.S.C. 3685(a) and (b)(1) technically indicates that an overpayment made to a veteran that was the result of willful or negligent conduct by a school could be considered a liability of both the veteran and the school. While we can arguably hold both the school and the veteran liable under current 38 CFR 21.9695(b)(1) and (3) for an overpayment made to a veteran if we find it is the result of willful or negligent conduct by the school, we have never held the veteran liable in this circumstance. Consistent with our interpretation of current 38 U.S.C. 3685(a) and (b)(1) and our historical practice, and because we presume Congress did not intend to allow for potential double recovery of an overpayment, we are proposing to make it clear in our regulation at 38 CFR 21.9695(b)(1)(iii) that, if we determine that an overpayment made to a veteran is the result of a school's willful or negligent conduct, we would hold only the school and not the veteran liable for the overpayment.

Additionally, VA proposes to amend 38 CFR 21.4009(a)(2) to make clear that a school would be held liable for overpayments paid to an eligible veteran or person only if VA determines in the School Liability Process set out in this section that the school engaged in willful or negligent conduct. VA also proposes to amend § 21.4009(a)(1) to clarify that paragraph (a)(1) is subject to paragraph (a)(2) and amend § 21.4009(a)(2) to clarify that VA would make negligence determinations pursuant to the procedures in this section. Implementing these amendments would align VA's regulations governing school liability with current statutory requirements.

Finally, we would apply the changes proposed in this rulemaking to all debts established on or after January 5, 2021. As stated, these changes implement the statutory amendments in Public Law 116–315, sec. 1019, which added new subsection (b)(2) to 38 U.S.C. 3685, specifying scenarios that result in automatic school liability without requiring the School Liability Process. Congress enacted Public Law 116–315 on January 5, 2021, and set no separate effective date or applicability date for section 1019. Accordingly, the amendment took effect on the date of enactment of the law, and we propose to apply the regulatory changes to all debts established on or after the effective date of the authorizing law.

Executive Orders 12866, 13563, and 14192

VA examined the impact of this rulemaking as required by Executive Orders 12866 (Sept. 30, 1993) and 13563 (Jan. 18, 2011), which direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. The Office of Information and Regulatory Affairs has determined that this rulemaking is not a significant regulatory action under Executive Order 12866, as supplemented by Executive Order 13563. The Office of Information and Regulatory Affairs has determined that this rulemaking is not a significant regulatory action under Executive Order 12866. This proposed rule is expected to be a deregulatory action under Executive Order 14192. The Regulatory Impact Analysis associated with this rulemaking can be found as a supporting document at *www.regulations.gov.*

Regulatory Flexibility Act

The Secretary hereby certifies that this proposed rule would not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act (RFA) (5 U.S.C. 601–612). This rulemaking would update existing regulations to include the requirement in 38 U.S.C. 3685(b)(2) that schools are liable for overpayments of benefits (tuition and fees, Yellow Ribbon program matching contributions, and other advance payments of educational assistance) paid directly to the schools on behalf of veteran students, without consideration of whether the overpayment was the result of the school's willful or negligent conduct. The rulemaking would also remove as inconsistent with statute the current regulatory requirement in 38 CFR 21.9695(b)(3) that VA go through the School Liability Process (SLP) to determine whether a school should be held liable for overpayments of benefits paid directly to the school if the overpayments were the result of the school's willful or negligent conduct. The proposed revised regulations would, for the most part, simply explain the requirements of 38 U.S.C. 3685 and remind parties of their legal rights and responsibilities as set forth in statute, but they would also clarify the requirement in section 3685(c) that overpayments ''may be recovered . . . in the same manner as any other debt due the United States'' by specifying the procedures under 38 CFR 1.911a that VA uses to collect debts. The small entities 38 U.S.C. 3685(c) regulates are educational institutions that are approved for GI Bill benefits.

Although there are many educational institutions approved for GI Bill benefits

that may be considered small entities under the RFA to which this rule would apply, this rule would not have an impact on a substantial number of these small entities. This rule would affect only institutions of higher learning (IHL) and non-college degree granting programs (NCD) (including vocational flight schools) that do not provide accurate and timely enrollment information or that provide false certifications to VA, resulting in an overpayment in the school's account. Prior to the enactment of Public Law 116–315, VA regulations provided for the SLP to determine if a school was liable for any overpayment created when a school failed to provide accurate and timely information regarding a student's enrollment or when it provided false certifications. During the three years prior to the enactment of Public Law 116–315, of the approximately 13,000 IHLs and NCDs that are approved for GI Bill benefits each year, only 17 schools in total, or less than six schools per year, were referred to the SLP for adjudication.

Using a standard based on an educational institution's enrollment, the Department of Education (ED) recently determined that 61 percent of institutions of higher education (IHE) subject to regulations they proposed in July 2024 governing participation in the student financial assistance programs authorized under title IV of the Higher Education Act of 1965, as amended (HEA), are small entities for purposes of an RFA analysis. Program Integrity and Institutional Quality: Distance Education, Return of Title IV, HEA Funds, and Federal TRIO Programs, 89 FR 60256, 60280 (July 24, 2024). While IHLs and IHEs are each defined to include similar entities, there are likely to be IHLs that participate in GI Bill programs that do not fall within ED's definition of IHEs, and there may be some IHEs that participate in ED's programs that do not fall within VA's definition of IHLs. *Compare* 38 U.S.C. 3452(f) (defining IHLs to include institutions offering post-secondary education, whether public, nonprofit, or private) *with* 20 U.S.C. 1001(a) (defining IHEs to include institutions offering post-secondary education, but only public or nonprofit institutions). Nonetheless, we believe IHLs and IHEs are sufficiently similar, and we can reasonably use ED's calculation of small entities for VA's purposes. And even though not all of the schools that are approved for GI Bill benefits are IHLs, with just over half being NCDs, we believe ED's standard for determining the percentage of schools that are small entities for its purposes can reasonably be applied here because it is likely there would be a similar or greater percentage of NCDs that would be considered small entities.

Comparing IHEs subject to ED's July 2024 proposed rule to educational institutions that would be subject to the regulations regarding school liability and the SLP that VA is proposing to amend in this rulemaking (*i.e.,* all educational institutions approved for GI Bill benefits), we believe it is reasonable to estimate that approximately 61 percent of educational institutions subject to these VA regulations would be considered small entities. Sixty-one percent of the estimated 13,000 total schools that would be subject to these proposed VA regulations in a given year is 7,930 small entities. Thus, the estimated average of six schools that went through the SLP per year, even assuming they were all small entities, is only 0.08 percent (6/7930) of the small entities that would be subject to the regulations. In other words, less than 1 percent of the small entities subject to the regulations would be impacted by this rulemaking. And regardless of the actual percentage of NCDs that may be considered small entities for GI Bill purposes, the number of small entities impacted by this rulemaking would remain insubstantial. Therefore, pursuant to 5 U.S.C. 603(a), the initial and final regulatory flexibility analysis requirements of 5 U.S.C. 603 and 604 do not apply.

Unfunded Mandates

The Unfunded Mandates Reform Act of 1995 requires, at 2 U.S.C. 1532, that agencies prepare an assessment of anticipated costs and benefits before issuing any rule that may result in the expenditure by state, local, and tribal governments, in the aggregate, or by the private sector, of $100 million or more (adjusted annually for inflation) in any one year. This proposed rule would have no such effect on state, local, and tribal governments, or on the private sector.

Paperwork Reduction Act (PRA)

This proposed rule contains no provisions constituting a collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521).

Assistance Listing

The Assistance Listing numbers and titles for the programs affected by this document are 64.027, Post 9/11 Veterans Educational Assistance; 64.028, Post-9/11 Veterans Educational Assistance; 64.032, Montgomery GI Bill Selected Reserve; Reserve Educational Assistance Program; 64.117, Survivors and Dependents Educational Assistance; 64.120, Post-Vietnam Era Veterans' Educational Assistance; 64.124, All-Volunteer Force Educational Assistance.

List of Subjects in 38 CFR Part 21

Administrative practice and procedure, Armed Forces, Claims, Colleges and universities, Education, Employment, Reporting and recordkeeping requirements, Schools, Veterans, Vocational education, Vocational rehabilitation.

Signing Authority

Douglas A. Collins, Secretary of Veterans Affairs, approved this document on July 24, 2025, and authorized the undersigned to sign and submit the document to the Office of the Federal Register for publication electronically as an official document of the Department of Veterans Affairs.

Taylor N. Mattson,

Alternate Federal Register Liaison Officer, Department of Veterans Affairs.

For the reasons stated in the preamble, the Department of Veterans Affairs proposes to amend 38 CFR part 21 as set forth below:

PART 21—VETERAN READINESS AND EMPLOYMENT AND EDUCATION

Subpart D—Administration of Educational Assistance Programs

■ 1. The authority citation for part 21, subpart D, continues to read as follows:

Authority : 10 U.S.C. 2141 note, ch. 1606; 38 U.S.C. 501(a), chs. 30, 32, 33, 34, 35, 36, and as noted in specific sections.

■ 2. Amend § 21.4009 by:
■ a. Revising paragraphs (a)(1) and ((2); and
■ b. Adding an authority citation at the end of paragraph (a)(6).

The revisions and addition read as follows:

§ 21.4009 Waiver or recovery of overpayments.

* * * * *

(a) * * *

(1) Subject to paragraph (2), the amount of the overpayment of educational assistance allowance or special training allowance paid to a veteran or eligible person constitutes a liability of that veteran or eligible person.

(2) The amount of the overpayment of educational assistance allowance or special training allowance paid to a veteran or eligible person constitutes a liability of the educational institution if

the Department of Veterans Affairs determines, pursuant to procedures in this section, that the overpayment was made as the result of willful or negligent:

* * * * *

(Authority: 10 U.S.C. 16136(b); 38 U.S.C. 512(a), 3034(a), 3241(a), 3323(a), 3685)

Subpart P—Post-9/11 GI Bill

■ 3. The authority citation for part 21, subpart P, continues to read as follows:

Authority: 38 U.S.C. 501(a), 512, chs. 33, 36 and as noted in specific sections.

■ 4. Amend § 21.9695 by:

■ a. Revising paragraphs (b)(1) and (b)(2);

■ b. Removing paragraph (b)(3); and

■ c. Redesignating paragraph (b)(4) as paragraph (b)(3).

The revisions read as follows:

§ 21.9695 Overpayments.

* * * * *

(b) Liability for overpayments.

(1) An overpayment of educational assistance paid to an eligible individual constitutes a liability of that individual unless—

(i) The overpayment was waived as provided in §§ 1.957 and 1.962 of this chapter,

(ii) The overpayment results from an administrative error or an error in judgment (see § 21.9635(r)), or

(iii) VA determines that the overpayment is the result of willful or negligent—

(A) False certification by the educational institution; or

(B) Failure to certify excessive absences from a course, discontinuance of a course, or interruption of a course by the eligible individual.

(iv) In determining whether an overpayment resulting from the actions listed in paragraphs (b)(1)(iii)(A) and (B) of this section should be recovered from an educational institution, VA will apply the provisions of § 21.4009 (except paragraph (a)(1)) to overpayments of educational assistance under 38 U.S.C. chapter 33.

(2) An overpayment of educational assistance paid to the educational institution on behalf of an eligible individual pursuant to the following authorities constitutes a liability of the educational institution and will be collected pursuant to the procedures in § 1.911a of this title:

(i) 38 U.S.C. 3313(h);

(ii) 38 U.S.C. 3317;

(iii) 38 U.S.C. 3680(d); or

(iv) 38 U.S.C. 3320(d).

(Authority: 38 U.S.C. 3034(a), 3323(a), 3685)

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R02–OAR–2024–0288; FRL–12047–01–R2]

Air Plan Approval; New Jersey; Northern New Jersey and Southern New Jersey Counties' Second 10-Year Limited Maintenance Plan for the 2006 24-Hour $PM_{2.5}$ Standard

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve, under the Clean Air Act (CAA), the limited maintenance plan (LMP) for the 2006 $PM_{2.5}$ national ambient air quality standard (NAAQS) for the New Jersey portion of both of New Jersey's multi-state maintenance areas: the Northern New Jersey portion of the New York-Northern New Jersey-Long Island, NY-NJ-CT (Northern New Jersey) maintenance area and the New Jersey portion of the Philadelphia-Wilmington, PA-NJ-DE (Southern New Jersey) maintenance area. This LMP was submitted on July 6, 2023, and supplemented on June 6, 2024, by the New Jersey Department of Environmental Protection (NJDEP). The plan addresses the second 10-year maintenance period for particulate matter with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers, known as $PM_{2.5}$. The EPA is proposing approval of New Jersey's LMP submission because it provides for the maintenance of the 2006 24-hour $PM_{2.5}$ NAAQS through the end of the second 10-year portion of the maintenance period. In addition, the EPA completed the adequacy review process of this New Jersey $PM_{2.5}$ LMP for transportation conformity purposes on June 7, 2024.

DATES: Written comments must be received on or before September 2, 2025.

ADDRESSES: Submit your comments, identified by Docket ID Number EPA–R02–OAR–2024–0288 at *https://www.regulations.gov*. Although listed in the index, some information is not publicly available, *e.g.,* Controlled Unclassified Information (CUI) (formerly referred to as Confidential Business Information (CBI)) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available electronically through *https://www.regulations.gov*. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be CUI or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CUI or multimedia submissions, and general guidance on making effective comments, please visit *https://www.epa.gov/dockets/commenting-epa-dockets*.

FOR FURTHER INFORMATION CONTACT: Ysabel Banon, Environmental Protection Agency, Air Programs Branch, Region 2, 290 Broadway, New York, New York 10007–1866, at (212) 637–3782, or by email at *banon.ysabel@epa.gov*.

SUPPLEMENTARY INFORMATION:

I. Background and Purpose

A. The $PM_{2.5}$ NAAQS

The EPA has established NAAQS for particulate matter with an aerodynamic diameter less than or equal to 2.5 micrometers, known as $PM_{2.5}$, to protect

human health and the environment. In 1997, the EPA established the first $PM_{2.5}$ standards based on significant scientific evidence and health studies demonstrating the serious health effects associated with exposure to $PM_{2.5}$. The EPA set an annual standard of 15.0 micrograms per cubic meter ($\mu g/m^3$) and a 24-hour (daily) standard of 65 $\mu g/m^3$. In 2006, the EPA strengthened the 24-hour $PM_{2.5}$ NAAQS by revising it to 35 $\mu g/m^3$ and retained the level of the annual $PM_{2.5}$ standard at 15.0 $\mu g/m^3$. Subsequently, in 2012, the EPA established an annual primary $PM_{2.5}$ NAAQS at 12.0 $\mu g/m^3$ and retained the 2006 24-hour $PM_{2.5}$ NAAQS at 35 $\mu g/m^3$. In early 2024, the EPA strengthened the level of the annual primary $PM_{2.5}$ standard to 9.0 $\mu g/m^3$ and retained the 2006 24-hour $PM_{2.5}$ NAAQS at 35 $\mu g/m^3$.

B. Regulatory Actions in Northern New Jersey and Southern New Jersey Counties

Hereafter, ''Northern New Jersey'' means the New Jersey portion of the New York-Northern New Jersey-Long Island, NY-NJ-CT maintenance area (for the 2006 24-hour $PM_{2.5}$ NAAQS), which is comprised of Bergen, Essex, Hudson, Mercer, Middlesex, Monmouth, Morris, Passaic, Somerset, and Union Counties, and ''Southern New Jersey'' means the New Jersey portion of Philadelphia-Wilmington, PA-NJ-DE maintenance area (for the 2006 24-hour $PM_{2.5}$ NAAQS), which is comprised of Burlington, Camden, and Gloucester Counties. The EPA promulgated the designations for Northern New Jersey and Southern New Jersey as $PM_{2.5}$ nonattainment areas for the 1997 annual $PM_{2.5}$ NAAQS on January 5, 2005 (70 FR 944, January 5, 2025) and the 2006 24-hour $PM_{2.5}$ NAAQS on November 13, 2009 (74 FR 58688, November 13, 2009), due to measured violations of the standards. These designations became effective on April 5, 2005, and December 14, 2009, respectively. On December 26, 2012, the NJDEP submitted a request to the EPA to redesignate the Northern New Jersey and Southern New Jersey nonattainment areas to attainment for both the 1997 annual and 2006 24-hour $PM_{2.5}$ NAAQS. This submittal included a maintenance plan to provide for maintenance of both of the $PM_{2.5}$ NAAQS in the areas for 10 years. The EPA redesignated Northern New Jersey and Southern New Jersey to attainment for the 1997 and 2006 $PM_{2.5}$ NAAQS on September 4, 2013 (78 FR 54396, September 4, 2013) and approved the associated maintenance plan into the New Jersey State Implementation Plan (SIP). The purpose of the NJDEP's July 6, 2023 (supplemented on June 6, 2024) LMP submission is to fulfill the second 10-year planning requirement of CAA section 175A(b), thus ensuring $PM_{2.5}$ NAAQS compliance through the end of the maintenance period.

In the LMP submittal, the NJDEP indicates that it seeks approval of the LMP for both the 2006 24-hour standard as well as the 1997 annual standard. However, as explained in the $PM_{2.5}$ SIP Requirements Rule (81 FR 58009, October 24, 2016), a second 10-year maintenance plan for the revoked 1997 annual $PM_{2.5}$ NAAQS is not required. Therefore, the EPA will only proceed with proposing approval of the LMP for the 2006 24-hour $PM_{2.5}$ NAAQS.

II. The Limited Maintenance Plan Option

A. Demonstration of Maintenance Using the Limited Maintenance Plan Option

Section 175A of the CAA, 42 U.S.C. 7505a, sets forth the elements of a maintenance plan. Under section 175A, a state must submit a revision to the SIP that provides for maintenance of the applicable NAAQS for at least 10 years after an area is redesignated to attainment. Section 175A also requires that eight years into the first maintenance period, the state must submit a second maintenance plan demonstrating that the area will continue to attain for the following 10-year period.

The EPA has published long-standing guidance for states on developing maintenance plans.[1] The Calcagni Memo provides that states may generally demonstrate maintenance by either performing air quality modeling to show that the future mix of sources and emission rates will not cause a violation of the NAAQS or by showing that future emissions of a pollutant and its precursors will not exceed the level of emissions during a year when the area was attaining the NAAQS (*i.e.,* attainment year inventory). The EPA clarified in subsequent limited maintenance plan guidance memoranda that certain nonattainment areas could meet the CAA section 175A, 42 U.S.C. 7505a, requirement to provide for maintenance by demonstrating that an area's design value is well below the NAAQS and that the historical stability of the area's air quality levels shows that the area is unlikely to violate the NAAQS in the future.[2] The EPA refers to this streamlined demonstration of maintenance as an LMP.

Most recently, in October 2022, the EPA released guidance extending this streamlined option for demonstrating maintenance under CAA section 175A to certain $PM_{2.5}$ areas, titled, ''Guidance on Limited Maintenance Plan Option for Moderate $PM_{2.5}$ Nonattainment Areas and $PM_{2.5}$ Maintenance Areas'' (''$PM_{2.5}$ LMP Guidance'').[3] CAA section 175A declares that maintenance plan revisions must ''provide for the maintenance'' of the relevant NAAQS, but does not specify how states must do so. The EPA has therefore interpreted that the LMP is an appropriate way for states to meet the requirements of providing for maintenance under limited circumstances. As noted in the $PM_{2.5}$ LMP Guidance, states seeking an LMP should still submit the other maintenance plan elements outlined in the Calcagni Memo, including: an attainment emissions inventory, provisions for the continued operation of the ambient air quality monitoring network, verification of continued attainment, and a contingency plan in the event of a future violation of the NAAQS. Moreover, states seeking an LMP must still submit their CAA section 175A maintenance plan as a revision to their SIP, with all attendant notice and comment procedures.

[1] *See* John Calcagni, Director, Air Quality Management Division, the EPA Office of Air Quality Planning and Standards (''OAQPS''), ''Procedures for Processing Requests to Redesignate Areas to Attainment,'' September 4, 1992 (the ''Calcagni Memo''). A copy of this memorandum can be found in the docket for this proposed rulemaking.

[2] *See* Joseph Paisie, OAQPS, ''Limited Maintenance Plan Option for Nonclassifiable CO Nonattainment Areas,'' dated October 6, 1995; and Lydia Wegman, OAQPS, ''Limited Maintenance Plan Option for Moderate PM_{10} Nonattainment Areas'' (''PM_{10} LMP Guidance''), dated August 9, 2001. Copies of these guidance memoranda can be found in the docket for this proposed rulemaking.

[3] *See* the guidance document developed by the Office of Air Quality Planning and Standards, the Office of Transportation and Air Quality, and the Office of Air and Radiation, titled, ''Guidance on the Limited Maintenance Plan Option for Moderate $PM_{2.5}$ Nonattainment Areas and $PM_{2.5}$ Maintenance Areas.'' A copy of this guidance can be found in the docket for this proposed rulemaking.

The $PM_{2.5}$ LMP Guidance, like the PM_{10} LMP Guidance, allows states to demonstrate that certain areas qualify for an LMP by showing that, based on their recent measured air quality, they are unlikely to violate the NAAQS in the future. Specifically, the $PM_{2.5}$ LMP Guidance relies on the critical design value (CDV) concept, which is used to assess the probability of future violations. This guidance directs states to calculate a site-specific CDV for the monitoring site in an area with the highest design value, and for all other active monitoring sites in the area with complete data. The $PM_{2.5}$ LMP Guidance states that areas should show that the average design value (ADV) for each monitoring site in the area (*i.e.,* the average of at least the most recent consecutive five-years of $PM_{2.5}$ design values) does not exceed each site's associated CDV.[4] The probability of a future exceedance, based on the area's historical air quality and variability, is under 10 percent if the ADV for each monitoring site in the area is less than its CDV. The CDV calculation for a monitoring site involves the following parameters: (1) the level of the relevant NAAQS; (2) the co-efficient of variation of recent design values measured at that site; and (3) a statistical parameter corresponding to a 10-percent probability of exceedance, such that sites with historically high variability in design values result in a lower (or more stringent) CDV. The eligibility calculation equations for the CDV demonstration are shown in Table 1.

Table 1—The Critical Design Value Calculation

Standard Deviation (σ)	$\sigma = \sqrt{\frac{\sum(x_i - ADV)^2}{n-1}}$
Coefficient of Variation (CV)	CV = σ/ADV
Critical Design Value (CDV)	CDV = NAAQS/(1+(t_c* CV))

ADV= Average of three-year design values.
DV= Design Value.
NAAQS = Applicable standard (PM2.5 is 35 $\mu g/m^3$).
t_c= Critical t-value (based on the one-tail student's t-distribution at a significance level of 0.10).
x_i= a given three-year period design value for the area.
n=the total number of design values evaluated.
σ= Standard deviation of design values.

B. Transportation Conformity Under Limited Maintenance Plan Option

Transportation conformity is required by section 176(c) of the CAA, 42 U.S.C. 7506(c). Under that provision, conformity to a SIP means that transportation activities will not cause or contribute to new air quality violations, worsen existing violations, or delay timely attainment of the NAAQS or any required interim emission reductions or other milestones in any area. *See* CAA 176(c)(1)(A) and (B), 42 U.S.C. 7506(c)(1)(A) and (B). The EPA's transportation conformity rule at 40 CFR part 93 subpart A establishes the criteria and procedures to determine whether metropolitan transportation plans, transportation improvement programs, and federally supported highway and transit projects conform to the purpose of the SIP. Transportation conformity applies for transportation-related criteria pollutants in nonattainment areas and redesignated attainment areas with a CAA section 175A maintenance plan (*i.e.,* maintenance areas).[5]

While qualification for the LMP option does not exempt an area from the need to determine conformity, an area with an adequate[6] or approved LMP may show transportation conformity to a transportation plan or a transportation improvement program without a regional emissions analysis for the relevant NAAQS and pollutant (40 CFR 93.109(e)). However, such areas are still required to have transportation plan and transportation improvement program conformity determinations that meet applicable requirements (*see* Table 1 in 40 CFR 93.109), including a regional emissions analysis for other NAAQS for which the areas are nonattainment or maintenance (*e.g.,* the 2015 and 2008 ozone NAAQS).

For the 2006 $PM_{2.5}$ NAAQS, the areas also remain subject to the other transportation conformity requirements of 40 CFR part 93, subpart A, including fulfilling project-level conformity analyses requirements and consultation requirements. In addition, an LMP must demonstrate that it is unreasonable to expect that the qualifying area would experience enough growth in on-road emissions during the maintenance period such that a violation of the relevant NAAQS would occur (40 CFR 93.109(e)). Furthermore, consistent with the $PM_{2.5}$ LMP Guidance, if re-entrained road dust has been found to be significant for $PM_{2.5}$ transportation conformity purposes under 40 CFR 93.102(b)(3), the plan should include an on-road $PM_{2.5}$ emissions analysis consistent with the methodology provided in attachment B of the PM_{10} LMP Guidance. The EPA discusses the NJDEP's submittal in section III.A of this document. Moreover, the NJDEP's submittal in section 3.2 of its LMP explains that the on-road direct $PM_{2.5}$ and NO_X emission inventories[7] have steadily decreased (bolded in table 5 of this document).

Along with this proposed action, the EPA has completed an adequacy review

[4] The EPA recommends that the ADV be calculated using at least five years of design values, each representing a three-year period, because this approach would rely on a more robust dataset. However, we acknowledge that an alternative interpretation may be acceptable, where these variables could be calculated using three years of design values, collectively representing five years of air quality data.

[5] In addition to $PM_{2.5}$, the criteria pollutants for which transportation conformity applies include ozone, carbon monoxide, particulate matter with an aerodynamic diameter less than or equal to 10 micrometers, and nitrogen dioxide. *See* 40 CFR 93.102(b).

[6] The EPA's adequacy process is described in 40 CFR 93.118(e) and (f) with the EPA's adequacy website at: *https://www.epa.gov/state-and-local-transportation/adequacy-review-state-implementation-plan-sip-submissions-conformity.*

[7] For reference, the 2007 onroad direct $PM_{2.5}$ was 3,677 tpy, which decreased to 1.397 tpy for 2017 in the Northern New Jersey area.

process [8] for the Northern New Jersey and Southern New Jersey LMP. *See* 40 CFR 93.118(e)(4) and 93.118(f). The EPA's adequacy review assessed whether the demonstration required by 40 CFR 93.109(e) is met. The EPA Region 2 sent a letter to the NJDEP on March 18, 2024, stating that the LMP for the Northern New Jersey and Southern New Jersey maintenance areas is adequate for transportation conformity purposes for the 2006 $PM_{2.5}$ NAAQS and published our finding in the **Federal Register** on June 7, 2024.[9] An adequacy review is separate from the EPA's final decision on a SIP submission and should not be used to prejudge the EPA's final action for the SIP. Even if the EPA finds a limited maintenance plan adequate for transportation conformity purposes, the SIP could later be disapproved.

C. General Conformity Under Limited Maintenance Plan Option

The general conformity rule of November 30, 1993 (58 FR 63214, November 30, 1993), applies to nonattainment areas and redesignated attainment areas operating under maintenance plans (*i.e.,* maintenance areas). General conformity requires that these areas comply with the purposes of a SIP; this means that Federal activities (that are not related to transportation plans, programs, and projects) will not cause or contribute to any new violation of any standard in any area, increase the frequency or severity of any existing violation, or delay timely attainment of any standard (or any required interim emission reductions or other milestones) in any area (CAA section 176(c)(1)(A) and (B), 42 U.S.C. 7506(c)(1)(A) and (B)). As noted in the $PM_{2.5}$ LMP Guidance, the EPA's general conformity regulations do not distinguish between maintenance areas with an approved ''full maintenance plan'' and those with an approved LMP. Thus, maintenance areas with an approved LMP are subject to the same general conformity requirements under 40 CFR part 93 subpart B, as those covered by a ''full maintenance plan.'' Full compliance with the general conformity program is required within an LMP.

III. The EPA's Analysis of the State's Submittal

A. Demonstration of Qualification for the Limited Maintenance Plan Option

The EPA redesignated Northern New Jersey and Southern New Jersey to attainment of the 2006 $PM_{2.5}$ NAAQS on September 4, 2013 (78 FR 54396, September 4, 2013). Table 2 of this document below shows historical design values for the New York-Northern New Jersey-Long Island, NY-NJ-CT and Philadelphia-Wilmington, PA-NJ-DE maintenance areas since the area was redesignated in 2013.[10] Table 3 [11] shows the historical design values for each monitoring site within the Northern New Jersey and Southern New Jersey maintenance areas since 2013.[12] The 2006 24-hour $PM_{2.5}$ NAAQS is attained when the three-year average of the 98th percentile of 24-hour $PM_{2.5}$ concentrations is equal to or less than 35 $\mu g/m^3$, and as shown in Tables 2 and 3 of this document, the areas have been measuring air quality well below the 2006 $PM_{2.5}$ NAAQS and $PM_{2.5}$ concentrations have been trending downward over time. These design values from the individual monitoring sites within the maintenance areas demonstrate the stability of ambient $PM_{2.5}$ concentrations over time.

TABLE 2—DESIGN VALUES (DV) ($\mu g/m^3$) HISTORY FOR THE 2006 24-HR $PM_{2.5}$ NAAQS IN THE NEW YORK-NORTHERN NEW JERSEY-LONG ISLAND, NY-NJ-CT AND PHILADELPHIA-WILMINGTON, PA-NJ-DE AREAS SINCE REDESIGNATION TO ATTAINMENT

[2013–2024]

Design value period	New York-Northern New Jersey-Long Island, NY-NJ-CT $PM_{2.5}$ design value	Philadelphia-Wilmington, PA-NJ-DE $PM_{2.5}$ design value
2011–2013	30	30
2012–2014	27	29
2013–2015	28	29
2014–2016	24	27
2015–2017	23	25
2016–2018	23	24
2017–2019	23	26
2018–2020	22	26
2019–2021	22	24
2020–2022	21	22
2021–2023	27	26
2022–2024	23	27

Data provided by the EPA's Air Quality System (AQS).

[8] *See* 89 FR 45658 (May 23, 2024).

[9] Letter from the EPA to the NJDEP identifying that its Limited Maintenance Plan was found to be adequate. *See https://www.epa.gov/system/files/documents/2024-08/nj-ny-ct-pa-de-sip-ltr-2024-03-11.pdf.*

[10] *See https://www.epa.gov/air-trends/air-qualitydesign-values.*

[11] Monitors located in Fort Lee Library (AQS ID 34003003), Newark-Willis Center (AQS ID 340130015), Lexington & E. Ferris Sts. Newark (ASQ ID 340130016), Union City (AQS ID 340172002), Washington Crossing State Park (AQS ID 340218001), New Brunswick (AQS ID 340230006), Morristown Amb. Squad (AQS ID 340270004), Elizabeth Mitchell Building (AQS ID 340390006), and Gibbston (AQS ID 340150004) were not included in the analysis due to site closure. Monitors located at Clarksboro (AQS ID 340150002), and Union City High School (AQS ID 340170008) were not included in the analysis due to having invalid data for most years.

[12] *See* n. 9.

TABLE 3—DV FOR THE 2006 $PM_{2.5}$ 24-HR NAAQS AT MONITORING SITES IN THE NORTHERN NEW JERSEY AND SOUTHERN NEW JERSEY AREAS IN $\mu g/m^3$

[2013–2024]

AQS site ID	Site name	County	2013–2015	2014–2016	2015–2017	2016–2018	2017–2019	2018–2020	2019–2021	2020–2022 [b]	2021–2023 [b]	2022–2024 [b]
Northern New Jersey												
340030010	Fort Lee Near Road	Bergen	[a] 27	[a] 24	22	22	23	[a] 25	[a] 24	[a] 21	24	21
340130003	Newark-Firehouse	Essex	25	24	20	19	20	21	21	[a] 20	[a] 19	[a] 17
340171003	Jersey City Firehouse	Hudson	27	23	21	19	20	[a] 22	[a] 22	[a] 20	21	20
340210005	Rider University	Mercer	ND	[a] 17	[a] 17	17	17	17	18	17	[a] 21	19
340210008	Trenton	Mercer	24	22	20	17	19	[a] 19	[a] 19	[a] 18	[a] 21	19
340230011	Rutgers University	Middlesex	ND	[a] 18	[a] 19	19	18	19	19	19	21	19
340273001	Chester	Morris	18	17	16	14	14	[a] 15	[a] 17	[a] 16	20	18
340310005	Paterson	Passaic	25	22	19	18	19	[a] 18	[a] 18	[a] 16	[a] 22	[a] 20
340390004	Elizabeth Lab	Union	28	24	23	21	22	22	22	21	22	20
340392003	Rahway	Union	25	24	20	18	19	[a] 20	[a] 20	[a] 18	21	20
Southern New Jersey												
340070010	South Camden [c]	Camden	26	24	25	24	25	22	23	20	22	19
340071007	Pennsauken	Camden	22	21	19	17	19	[a] 18	[a] 21	[a] 18	19	16

[a] Invalid data. This data was excluded from the ADV calculation.
[b] Although the 2020–2022, 2021–2023, and 2022–2024 design values were not included in the NJDEP's LMP submission to the EPA, they are provided here to reflect the latest available air quality data.
[c] The NJDEP combined the Spruce Street (ID: 340070002) monitoring station data with the new South Camden monitoring station, due to the lease ending at the Spruce Street monitoring station.[13]
ND = No data available.

The EPA proposes to find that the Northern New Jersey and Southern New Jersey areas meet the critical design value demonstration for an LMP. As noted above, the parameters of the CDV calculation include the level of the relevant NAAQS, the co-efficient of variation of recent design values, and a statistical parameter corresponding to a 10-percent probability of future violation. The CDV demonstration is designed such that if a site's ADV is lower than the site's CDV, the probability of a future violation of the NAAQS is less than 10 percent.[14] Section 3.1 of the NJDEP's LMP submittal demonstrates the likelihood of continued attainment. The EPA reviewed the data and methodology provided by the state and we find that each monitor's five-year ADV is well below the corresponding site-specific CDV, as shown in Table 4.

TABLE 4—RESULTS OF CALCULATION OF CDVS AT THE NORTHERN NEW JERSEY AND SOUTHERN NEW JERSEY MONITORS FOR THE 24-HOUR $PM_{2.5}$ NAAQS

Site name	Monitor	ADV (2013–2024) [a]	CDV (2013–2024)	Qualify for LMP?
Northern New Jersey				
Fort Lee Near Road	340030010	[b] 22.33	33.37	Yes.
Newark—Firehouse	340130003	20.60	29.40	Yes.
Jersey City Firehouse	340171003	22.00	28.68	Yes.
Rider University	340210005	17.20	33.66	Yes.
Trenton	340210008	20.40	29.09	Yes.
Rutgers	340230011	19.40	32.69	Yes.
Chester	340273001	15.80	29.82	Yes.
Paterson	340310005	20.60	28.82	Yes.
Elizabeth Lab	340390004	23.60	29.77	Yes.
Rahway	340392003	21.20	28.57	Yes.
Southern New Jersey				
South Camden	340070002	24.80	33.28	Yes.
Pennsauken	340071007	19.60	30.37	Yes.

[a] The design values averaged for the ADV span seven consecutive years of data between 2013–2023.
[b] Only three years of design values (five years of data) were used for the 'Fort Lee Near Road' monitor due to invalid data.

The EPA also proposes to find that the NJDEP LMP submittal satisfies transportation conformity regulations under the LMP option. New Jersey holds annual transportation conformity interagency consultation meetings, which include Federal, State, and local agencies. Additionally, the LMP SIP submittal for Northern New Jersey and Southern New Jersey was developed in accordance with interagency consultation between Federal, State, and

[13] *See* attached request from the NJDEP seeking to combine the data from these two monitoring stations, and the EPA's response letter, which can be found in the docket for this proposed rulemaking.

[14] *See* the ''*Example Site Calculation,*'' at page 7 of the October 2022 $PM_{2.5}$ LMP guidance, found in the docket for this rulemaking.

local partners. This transportation conformity regulation requires that an LMP would have to demonstrate that it would be unreasonable to expect that a maintenance area would experience enough motor vehicle emissions growth for a NAAQS violation to occur (40 CFR 93.109(e)).

In the 2022 $PM_{2.5}$ LMP Guidance, the EPA clarified that an area submitting the second 10-year maintenance plan may be eligible for the LMP option as long as monitored air quality data and its historical and projected vehicle miles traveled (VMT) support the LMP option. The state included both air quality data and the VMT trend data of the maintenance areas to satisfy transportation conformity regulations under an LMP option. As discussed above, Table 3 of this document shows that the areas have been measuring air quality well below the 2006 $PM_{2.5}$ NAAQS and $PM_{2.5}$ concentrations have been trending downward over time. The design values from the individual monitoring sites within the maintenance areas demonstrate the stability of ambient $PM_{2.5}$ concentrations over time. The latest draft DV for 2022–2024 is approximately 22 percent below the 24-hour 35 μg/m^3 standard in the Northern New Jersey area and approximately 34 percent below the standard in the Southern New Jersey area. Based on yearly statewide data,[15] VMT increased approximately 2.23% in 2022 and 3.87% in 2023, after a steady annual VMT increase of about 0.8 percent between 2013 and 2019.The VMT projections considered by the NJDEP were based on transportation models provided by the Metropolitan Planning Organizations (MPOs).[16] The MPOs provided historical and future modeled VMT from 2017 to 2050 to determine the VMT growth trends for 2033.[17] The Northern New Jersey $PM_{2.5}$ maintenance area has a projected VMT growth of about 0.27 percent per year between 2023 and 2033. The Southern New Jersey $PM_{2.5}$ maintenance area has a projected VMT growth of about 0.18 percent per year between 2023 to 2033.

Due to air quality and VMT trends, the EPA proposes to find that the Northern New Jersey and the Southern New Jersey areas meet the qualification criteria set forth in the $PM_{2.5}$ LMP Guidance. The EPA also proposes that, based on the same data, it would be unreasonable to expect that either area will experience growth in motor vehicle emissions sufficient to cause a violation of the 2006 24-hour $PM_{2.5}$ NAAQS over the second maintenance period.

B. Attainment Emission Inventory

As noted previously, states that qualify for an LMP must still meet the other elements of a maintenance plan, as articulated in the Calcagni Memo. This includes an attainment year emissions inventory. The NJDEP's Northern New Jersey and Southern New Jersey LMP submission includes an emissions inventory, with a base year of 2007, and a periodic emission inventory for 2017.[18] This inventory was prepared as part of the 2017 National Emissions Inventory 9, Version 2, under the EPA's Air Emissions Reporting Rule (73 FR 76539, December 17, 2008). The 2017 emission inventory used the nonroad model included in Motor Vehicle Simulator (MOVES)14b,[19] which was used to generate emission factors for on-road vehicle emission estimates. The 2017 periodic emission inventory represents the most recent emissions inventory data available at the time the state prepared the submission. The 2017 periodic emission inventory is also representative of the level of emissions during a period during which the area shows monitored attainment of the NAAQS and is consistent with the data used to determine applicability of the LMP option (*i.e.,* having no violations of the NAAQS during the five-year period used to calculate the design value). Table 5 of this document shows the total $PM_{2.5}$ and NO_X emissions by sector for 2007 and 2017 in Northern New Jersey and Southern New Jersey in tons per year, included in the state's submission. Table 5 represents a 29 percent direct decrease in $PM_{2.5}$ emissions, and a 46 percent decrease in NO_X emissions, for the Northern New Jersey area; and a 31 percent direct decrease in $PM_{2.5}$ emissions, and a 54 percent decrease in NO_X emissions, for the Southern New Jersey area. Table 6 of this document shows the total 2017 emissions in Northern and Southern New Jersey in tons per year, included in the state's submission.

TABLE 5—$PM_{2.5}$ AND NO_X EMISSIONS BY SECTOR FOR 2007 AND 2017 (TONS/YEAR) FOR THE NORTHERN NEW JERSEY AND SOUTHERN NEW JERSEY MAINTENANCE AREAS

Sector	$PM_{2.5}$		NO_X	
	2007	2017	2007	2017
Northern New Jersey Maintenance Area (tons/year)				
Point	4,937	1,086	15,827	5,779
Area Other	4,432	6,781	16,611	16,167
Fugitive Road Dust	1,001	559	.....	.....
Onroad	3,677	1,397	93,385	38,932
Nonroad	2,497	1,706	39,457	27,377
Event[a]	66	233	152	126
Total	16,610	11,762	164,792	88,293
Percent Change	.....	−29%	.....	−46%
Southern New Jersey Maintenance Area (tons/year)				
Point	799	532	4,453	2,226
Area Other	2,172	1,798	3,331	3,179
Fugitive Road Dust	239	160	.....	.....

[15] *See https://www.nj.gov/transportation/refdata/roadway/pdf/hpms2023/prmvmt_23.pdf.*

[16] The MPO for the Northern New Jersey area is the North Jersey Transportation Planning Authority, and for the Southern New Jersey area, the MPO is the Delaware Valley Regional Planning Commission.

[17] A copy of the MPOs' VMT projections are found at the docket of this rulemaking.

[18] *See* 88 FR 55576 (August 16, 2023).

[19] See *https://www.epa.gov/moves/information-running-moves2014b.*

TABLE 5—$PM_{2.5}$ AND NO_X EMISSIONS BY SECTOR FOR 2007 AND 2017 (TONS/YEAR) FOR THE NORTHERN NEW JERSEY AND SOUTHERN NEW JERSEY MAINTENANCE AREAS—Continued

Sector	$PM_{2.5}$		NO_X	
	2007	2017	2007	2017
Onroad	1,055	307	26,992	9,529
Nonroad	560	310	6,790	4,270
Event[a]	685	690	152	126
Total	5,510	3,796	41,718	19,330
Percent Change	.....	−31%	.....	−54%

Note: Transportation fractions have been applied to the $PM_{2.5}$ fugitive dust.
[a] Includes prescribed forest fire, and forest wildfire emissions.

TABLE 6—2017 EMISSIONS (TONS/YEAR) FOR THE NORTHERN NEW JERSEY AND SOUTHERN NEW JERSEY MAINTENANCE AREAS

Pollutant	Northern New Jersey maintenance areas (tons/year)	Southern New Jersey maintenance areas (tons/year)
$PM_{2.5}$	11,762	3,797
Ammonia (NH3)	3,381	1,177
Nitrogen Oxides (NO_X)	88,293	19,330
Sulfur dioxide (SO_2)	1,694	984
Volatile organic compounds (VOCs)	89,305	24,644

C. Air Quality Monitoring Network

Once an area is redesignated, the state must continue to operate an appropriate air monitoring network in accordance with 40 CFR part 58 to verify the attainment status of the area. The NJDEP continues to operate a $PM_{2.5}$ monitoring network sited and maintained in accordance with Federal siting and design criteria in 40 CFR part 58, and in consultation with the EPA, Region 2. The NJDEP submitted its 2023 Annual Monitoring Network Plan on August 16, 2023,[20] which the EPA approved on December 4, 2023.[21] In the LMP submittal, the NJDEP commits to continued operation of its $PM_{2.5}$ monitors within Northern New Jersey and Southern New Jersey, consistent with the EPA-approved NJDEP annual network plan. Currently, there are ten $PM_{2.5}$ monitors in the Northern New Jersey maintenance area and three $PM_{2.5}$ monitors in the Southern New Jersey maintenance area.

D. Verification of Continued Attainment

The level of the 2006 24-hour $PM_{2.5}$ NAAQS is 35 μg/m^3 (40 CFR 50.13). The NAAQS is attained when the three-year average of the 98th percentile of $PM_{2.5}$ concentrations is equal to or less than the NAAQS, as demonstrated in the NJDEP's LMP submittal. As stated previously, the NJDEP commits to verifying continued attainment of the $PM_{2.5}$ standards through the maintenance plan period with the operation of an appropriate $PM_{2.5}$ monitoring network. In developing the second 10-year maintenance plan, the NJDEP evaluated the prior nine years of complete, quality-assured data for Northern New Jersey and Southern New Jersey at the time of the submittal (*i.e.,* 2013 through 2021) to verify continued attainment of the standard. Certified air quality data from 2023, as shown in Table 3 of this document, confirms continued attainment of the standard.[22]

E. Contingency Provisions

CAA section 175A(d), 42 U.S.C. 7505a(d), states that a maintenance plan must include contingency provisions, as necessary, to ensure prompt correction of any violation of the relevant NAAQS, which may occur after redesignation of the area to attainment. As explained in the Calcagni Memo, these contingency provisions are an enforceable part of the federally approved SIP. The maintenance plan should clearly identify the events that would ''trigger'' the adoption and implementation of a contingency provision, the contingency provision(s) that would be adopted and implemented, and the schedule indicating the time frame by which the state would adopt and implement the provision(s). The Calcagni Memo states that the EPA will determine the adequacy of a contingency plan on a case-by-case basis. At a minimum, the plan must require that the state implement all measures contained in the CAA part D nonattainment plan for the area prior to redesignation.

According to the state's submittal, the NJDEP will continue to adhere to the contingency plan that it submitted with its first maintenance plan, which includes the required contingency provisions to ensure the state will promptly correct any violation of the 2006 $PM_{2.5}$ NAAQS in the areas. New Jersey's contingency measures will use the following indicators to determine the cause of elevated levels, and implement contingency measures, as necessary, in accordance with the described schedule:

1. If monitored $PM_{2.5}$ concentrations in any year exceed the level of the NAAQS from the 2006 24-hour $PM_{2.5}$ standard of 35 μg/m^3, the NJDEP will perform a data assessment to determine the cause of the violation. This assessment will be performed when the 98th percentile of the 24-hour average daily concentrations exceeds 35 μg/m^3 at any New Jersey air monitoring site. The NJDEP will perform this evaluation within six months of the data certification. New Jersey will work with the other states in its shared multi-state nonattainment areas as necessary.

2. If 24-hour $PM_{2.5}$ design values exceed 35 μg/m^3, the NJDEP will

[20] *See* the NJDEP's 2023 Annual Air Monitoring Network Plan, found in the docket for this proposed rulemaking.

[21] *See* the EPA's approval Letter for the NJDEP's 2023 Annual Air Monitoring Network Plan, found in the docket for this proposed rulemaking.

[22] *See* n. 9.

evaluate all appropriate data to determine the cause using the same analyses discussed in the preceding paragraph. The NJDEP will perform this evaluation within six months of the determination of a violation.

3. Based on any findings, New Jersey will make a judgment on whether the violation was caused by an exceptional event or a violation of an existing rule or permit. The State will rely on one or more of the following contingency measures for any other violation:

- Onroad Vehicle Fleet Turnover
- Nonroad Vehicle and Equipment Fleet Turnover
- Heavy Duty Diesel Inspection and Maintenance Program, New Jersey Administrative Code (N.J.A.C.) 7:27–14, 15; and N.J.A.C. 7:27B–5. B–5.

If necessary, the NJDEP will evaluate the feasibility and applicability of additional measures, how they relate to the cause and location of the violation, and if these additional measures would correct the violation.

The NJDEP will perform this evaluation within six months of the determination of a violation. If it is determined that a new rule is required or appropriate to correct a violation of the NAAQS, the NJDEP will propose a new rule within 18 months, and take final action within 30 months, of the determination of a violation.

The NJDEP is relying on existing measures, which are already implemented, or have been adopted with future implementation dates, to promptly correct any violation of the NAAQS. The State has also included a commitment to further evaluate additional measures, if necessary and appropriate. *See* 78 FR 38648. The EPA proposes to find that the contingency provisions in the $PM_{2.5}$ LMP for the Northern New Jersey and Southern New Jersey 2006 $PM_{2.5}$ maintenance areas meet the requirements of CAA section 175A(d). 42 U.S.C. 7505a(d).

IV. Proposed Action

The EPA is proposing to approve the second 10-year $PM_{2.5}$ LMP for the Northern New Jersey and Southern New Jersey 2006 24-hour $PM_{2.5}$ maintenance areas, submitted on July 6, 2023, and supplemented on June 6, 2024. The EPA's review of the air quality data for the maintenance areas indicates that the areas continue to show attainment and are well below the level of the 2006 24-hour $PM_{2.5}$ NAAQS and meet all the LMP's qualifying criteria, as described in this action. If finalized, the EPA's approval of this LMP will satisfy the CAA section 175A, 42 U.S.C. 7505a, requirements for the second 10-year maintenance period. As discussed previously in section II of this document, the EPA determined that the LMP is adequate for transportation conformity purposes. The EPA made this determination in a final action [23] through a separate process provided for in the transportation conformity regulations. *See* 40 CFR 93.118(f). The EPA is soliciting public comments only on the issues discussed in this document. These comments will be considered before taking final action. Interested parties may participate in the Federal rulemaking procedure by submitting written comments to this proposed rulemaking by following the instructions listed in the **ADDRESSES** section of this **Federal Register**.

V. Statutory and Executive Order Reviews

Under the CAA section 110(k), the Administrator is required to approve a SIP submission that complies with the provisions of the CAA and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this proposed action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by State law. For that reason, this proposed action:

- Is not a ''significant regulatory action'' subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993);
- Is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because SIP actions are exempt from review under Executive Order 12866;
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a state program;
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and
- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act.

In addition, the SIP is not proposing to apply on any Indian reservation land or in any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications and it will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Particulate matter, Reporting and recordkeeping requirements.

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

Michael Martucci,

Regional Administrator, Region 2.

[FR Doc. 2025–14470 Filed 7–30–25; 8:45 am]

BILLING CODE 6560–50–P

[23] See footnote 6.

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2025–0199; FRL–12749–01–R9]

Air Plan Approval; California; South Coast Air Quality Management District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve a revision to the South Coast Air Quality Management District (SCAQMD) portion of the California State Implementation Plan (SIP) concerning a rule submitted to address section 185 of the Clean Air Act (CAA or ''Act'') with respect to the 1997 and 2008 8-hour ozone National Ambient Air Quality Standards (NAAQS or ''standard''). We are taking comments on this proposal and plan to follow with a final action.

DATES: Comments must be received on or before September 2, 2025.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R09–OAR–2025–0199 at *https://www.regulations.gov.* For comments submitted at *Regulations.gov*, follow the

online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *https://www.epa.gov/dockets/commenting-epa-dockets.* If you need assistance in a language other than English or if you are a person with a disability who needs a reasonable accommodation at no cost to you, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: Kira Wiesinger, EPA Region IX, 75 Hawthorne St., San Francisco, CA 94105; telephone number: (415) 972–3827; email address: *wiesinger.kira@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document, ''we,'' ''us,'' and ''our'' refer to the EPA.

Table of Contents

I. The State's Submittal

A. What rule did the State submit?

Table 1 lists the rule addressed by this proposal with the date that it was adopted by the local air agency and submitted by the California Air Resources Board (CARB).

TABLE 1—SUBMITTED RULE

Local agency	Rule No.	Rule title	Adopted	Submitted
SCAQMD	317.1	Clean Air Act Nonattainment Fees For 8-Hour Ozone Standards.	06/07/24	08/13/24

On February 13, 2025, the submittal for SCAQMD Rule 317.1 was deemed by operation of law to meet the completeness criteria in 40 CFR part 51 Appendix V.

B. Are there other versions of this rule?

There are no previous versions of Rule 317.1 in the SIP.

C. What is the purpose of the submitted rule?

Under sections 182(d)(3), (e), (f) and 185 of the Act, states with ozone nonattainment areas classified as ''Severe'' or ''Extreme'' are required to submit a SIP revision that would require major stationary sources of volatile organic compounds (VOC) or oxides of nitrogen (NO_X) to pay a fee for each ton of VOC or NO_X emitted in excess of 80% of baseline emissions. Under section 185(a) of the Act, the SIP revision must provide that the fees be paid if the area to which the SIP revision applies fails to attain the primary NAAQS by the applicable attainment date. A source's baseline emissions are the lower of its actual emissions during the applicable attainment year or the emissions allowed under the permit applicable to the source. The fee rate is $5,000 per ton in 1990 dollars, which must be adjusted for inflation based on the Consumer Price Index (CPI). The required SIP revision must provide for annual payment of the fees, computed in accordance with CAA section 185(b). More information on CAA section 185 is provided in our technical support document (TSD).

The South Coast Air Basin and the Riverside County portion of the Salton Sea Air Basin (Coachella Valley) are classified as ''Extreme'' nonattainment areas for the 1997 8-hour ozone standard and the 2008 8-hour ozone standard. Therefore these areas are subject to the CAA section 182(d)(3) requirement to submit a plan revision that includes the provisions required under section 185 of the Act. The SCAQMD regulates these areas and must therefore adopt a section 185 program for these NAAQS for inclusion in the portion of the California SIP that applies to these areas. The SCAQMD submitted Rule 317.1 to satisfy the requirement to submit a CAA section 185 fee program for the 1997 and 2008 ozone NAAQS. The EPA's TSD has more information about this rule.

II. The EPA's Evaluation and Action

A. How is the EPA evaluating the rule?

Rules in the SIP must be enforceable (see CAA section 110(a)(2)) and must not interfere with applicable requirements concerning attainment and reasonable further progress or other CAA requirements (see CAA section 110(l)). The EPA is also evaluating the rule for consistency with the statutory requirements of CAA section 185.

Guidance and policy documents that we used to evaluate enforceability, revision/relaxation, and rule stringency requirements for the applicable criteria pollutants include the following:

1. ''State Implementation Plans; General Preamble for the Implementation of Title I of the Clean Air Act Amendments of 1990,'' 57 FR 13498 (April 16, 1992); 57 FR 18070 (April 28, 1992).
2. ''Issues Relating to VOC Regulation Cutpoints, Deficiencies, and Deviations,'' EPA, May 25, 1988 (the Bluebook, revised January 11, 1990).
3. ''Guidance Document for Correcting Common VOC & Other Rule Deficiencies,'' EPA Region 9, August 21, 2001 (the Little Bluebook).

B. Does the rule meet the evaluation criteria?

Rule 317.1 specifies how fees are calculated, payment due dates, and reporting requirements. It also includes a provision for a facility owner or operator to challenge the applicability of the rule to their particular facility, as well as a provision to challenge the assigned baseline emissions used in fee calculation.

Consistent with CAA section 185, Rule 317.1 specifies that the fee is calculated for each major stationary source whose actual emissions of VOC or NO_X exceed 80% of its baseline

emissions. A source's baseline emissions are generally associated with its emissions during the attainment year for a particular ozone NAAQS. The baseline emissions and the fee obligation are calculated separately for each ozone NAAQS. The fee rate is $5,000 per ton in 1990 dollars, adjusted for inflation based on the Consumer Price Index (CPI), and sources are to pay this fee annually for each ton emitted over the source's baseline in that year. Facility owners or operators are to report emissions annually.

This rule meets CAA requirements and is consistent with relevant guidance regarding enforceability and SIP revisions. The TSD has more information on our evaluation.

C. Proposed Action and Public Comment

As authorized in section 110(k)(3) of the Act, the EPA proposes to approve submitted Rule 317.1 because it fulfills all relevant requirements. We will accept comments from the public on this proposal until September 2, 2025. If we take final action to approve the submitted rule, our final action will incorporate this rule into the federally enforceable SIP.

III. Incorporation by Reference

In this rule, the EPA is proposing to include in a final EPA rule regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is proposing to incorporate by reference SCAQMD Rule 317.1, Clean Air Act Nonattainment Fees for 8-Hour Ozone Standards, adopted on June 7, 2024, which addresses CAA section 185 fee program requirements. The EPA has made, and will continue to make, these materials available through *https://www.regulations.gov* and at the EPA Region IX Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

IV. Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this proposed action merely proposes to approve state law as meeting federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this proposed action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because SIP actions are exempt from review under Executive Order 12866;
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L.104–4);
- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it proposes to approve a state program;
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In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where the EPA or an Indian Tribe has demonstrated that a Tribe has jurisdiction. In those areas of Indian country, the rule does not have Tribal implications and will not impose substantial direct costs on Tribal governments or preempt Tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

List of Subjects in 40 CFR Part 52

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

Dated: July 17, 2025.

Joshua F.W. Cook,

Regional Administrator, Region IX.

[FR Doc. 2025–14528 Filed 7–30–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R04–OAR–2022–0367; FRL–10406–01–R4]

Air Plan Approval; South Carolina; Second Planning Period Regional Haze Plan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve a regional haze State Implementation Plan (SIP) revision submitted by the South Carolina Department of Health and Environmental Control (DHEC) dated March 3, 2022, as satisfying the applicable requirements under the Clean Air Act (CAA or Act) and EPA's Regional Haze Rule (RHR) for the program's second planning period. South Carolina's SIP submission addresses the requirement that states must periodically revise their long-term strategies for making reasonable progress toward the national goal of preventing any future, and remedying any existing, anthropogenic impairment of visibility, including regional haze, in mandatory Class I Federal areas. The SIP submission also addresses other applicable requirements for the second planning period of the regional haze program. EPA is proposing this action pursuant to sections 110 and 169A of the Act.

DATES: Written comments must be received on or before September 29, 2025.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R04–OAR–2022–0367, at *https://www.regulations.gov.* Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov.* EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud, or other file sharing system). For additional submission methods, the full

EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *http://www.epa.gov/dockets/commenting-epa-dockets.*

FOR FURTHER INFORMATION CONTACT: Matthew Bloemer, Multi-Air Pollutant Coordination Section, Air Planning and Implementation Branch, Air and Radiation Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW, Atlanta, Georgia 30303–8960. Mr. Bloemer can be reached via telephone at (404) 562–9653 or electronic mail at *Bloemer.Matthew@epa.gov.*

SUPPLEMENTARY INFORMATION:

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I. What action is EPA proposing?

On March 3, 2022, South Carolina DHEC [1] submitted a revision to its SIP to address regional haze for the second planning period (Haze Plan). South Carolina DHEC made the SIP submission to satisfy the requirements of the CAA's regional haze program pursuant to CAA sections 169A and 169B and 40 CFR 51.308. EPA is proposing to approve South Carolina's Haze Plan as satisfying applicable statutory and regulatory requirements.[2]

II. Background and Requirements for Regional Haze Plans

A detailed history and background of the regional haze program is provided in prior EPA proposal actions.[3] For additional background on the 2017 RHR revisions, please refer to Section III. Overview of Visibility Protection Statutory Authority, Regulation, and Implementation of ''Protection of Visibility: Amendments to Requirements for State Plans'' of the 2017 RHR.[4] The following is an abbreviated history and background of the regional haze program and 2017 RHR as it applies to the current proposed action.

A. Regional Haze Background

In the 1977 CAA Amendments, Congress created a program for protecting visibility in the nation's mandatory Class I Federal areas, which include certain national parks and wilderness areas.[5] *See* CAA section 169A. The CAA establishes as a national goal the ''prevention of any future, and the remedying of any existing, impairment of visibility in mandatory Class I Federal areas which impairment results from manmade air pollution.'' *See* CAA section 169A(a)(1).

Regional haze is visibility impairment that is produced by a multitude of anthropogenic sources and activities which are located across a broad geographic area and that emit pollutants that impair visibility. Visibility impairing pollutants include fine and coarse particulate matter (PM) (*e.g.,* sulfates, nitrates, organic carbon, elemental carbon, and soil dust) and their precursors (*e.g.,* sulfur dioxide (SO_2), nitrogen oxides (NO_X), and, in some cases, volatile organic compounds (VOC) and ammonia (NH_3)). Fine particle precursors react in the atmosphere to form fine particulate matter (particles less than or equal to 2.5 micrometers (μm) in diameter, $PM_{2.5}$), which impairs visibility by scattering and absorbing light. Visibility impairment reduces the perception of clarity and color, as well as visible distance.[6]

To address regional haze visibility impairment, the 1999 RHR established an iterative planning process that requires both states in which Class I areas are located and states ''the emissions from which may reasonably be anticipated to cause or contribute to any impairment of visibility'' in a Class I area to periodically submit SIP revisions to address such impairment. *See* CAA section 169A(b)(2);[7] *see also* 40 CFR 51.308(b), (f) (establishing submission dates for iterative regional haze SIP revisions); 64 FR at 35768 (July 1, 1999).

On January 10, 2017, EPA promulgated revisions to the RHR (82 FR 3078) that apply for the second and subsequent planning periods. The reasonable progress requirements as revised in the 2017 rulemaking (referred to here as the 2017 RHR Revisions) are codified at 40 CFR 51.308(f).

B. Roles of Agencies in Addressing Regional Haze

Because the air pollutants and pollution affecting visibility in Class I areas can be transported over long distances, successful implementation of the regional haze program requires long-term, regional coordination among multiple jurisdictions and agencies that have responsibility for Class I areas and

[1] On July 1, 2024, DHEC was restructured into a health agency, the Department of Public Health, and an environmental agency, the Department of Environmental Services (DES). In a letter dated June 20, 2024, South Carolina represented to EPA that all the functions, powers, and duties of the environmental divisions, offices, and programs of DHEC, including the authority to administer and enforce state implementation plans, are retained and continued in full force and effect under DES. The letter is in the docket for this proposed rulemaking. The state agency will simply be referred to as the State or South Carolina for the remainder of this document.

[2] In a letter dated August 15, 2022, EPA found that South Carolina's Haze Plan meets the completeness criteria outlined in 40 CFR part 51, Appendix V. A completeness determination does not constitute a finding on the merits of the submission or whether it meets the relevant criteria for SIP approval. The August 15, 2022, letter is included in the docket for this rulemaking.

[3] *See* 90 FR 13516 (March 24, 2025).

[4] *See* 82 FR 3078 (January 10, 2017), located at *www.federalregister.gov/documents/2017/01/10/2017-00268/protection-of-visibility-amendments-to-requirements-for-State-plans#h-16.*

[5] Areas statutorily designated as mandatory Class I Federal areas consist of national parks exceeding 6,000 acres, wilderness areas and national memorial parks exceeding 5,000 acres, and all international parks that were in existence on August 7, 1977. *See* CAA section 162(a). There are 156 mandatory Class I areas. The list of areas to which the requirements of the visibility protection program apply is in 40 CFR part 81, subpart D.

[6] There are several ways to measure the amount of visibility impairment, *i.e.,* haze. One such measurement is the deciview, which is the principal metric defined and used by the RHR. Under many circumstances, a change in one deciview will be perceived by the human eye to be the same on both clear and hazy days. The deciview is unitless. It is proportional to the logarithm of the atmospheric extinction of light, which is the perceived dimming of light due to its being scattered and absorbed as it passes through the atmosphere. Atmospheric light extinction (b^{ext}) is a metric used for expressing visibility and is measured in inverse megameters (Mm^{-1}). The formula for the deciview is 10 ln (b^{ext})/10 Mm^{-1}). *See* 40 CFR 51.301.

[7] The RHR expresses the statutory requirement for states to submit plans addressing out-of-state Class I areas by providing that states must address visibility impairment ''in each mandatory Class I Federal area located outside the State that may be affected by emissions from within the State.'' *See* 40 CFR 51.308(d), (f).

the emissions that impact visibility in those areas. To address regional haze, states need to develop strategies in coordination with one another, considering the effect of emissions from one jurisdiction on the air quality in another. Five regional planning organizations (RPOs),[8] which include representation from state and Tribal governments, EPA, and FLMs, were developed in the lead-up to the first planning period to address regional haze. RPOs evaluate technical information to better understand how emissions from state and Tribal land impact Class I areas across the country, pursue the development of regional strategies to reduce emissions of PM and other pollutants leading to regional haze, and help states meet the consultation requirements of the RHR.

The Southeastern States Air Resource Managers, Inc. (SESARM), one of the five RPOs described above, is a collaborative effort of state and local agencies and Tribal governments established to initiate and coordinate activities associated with the management of regional haze, visibility, and other air quality issues in the Southeast. SESARM's coalition to conduct regional haze work is referred to as Visibility Improvement State and Tribal Association of the Southeast (VISTAS).[9] The member states, local air agencies, and Tribal governments of VISTAS are Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia; the local air agencies, represented by the President of Metro 4 or designee; [10] and the Tribes located within the VISTAS region, represented by the Eastern Band of the Cherokee Indians. The Federal partner members of VISTAS are EPA, the U.S. National Park Service (NPS), the U.S. Fish and Wildlife Service (FWS), and the U.S. Forest Service (USFS).[11]

III. Requirements for Regional Haze Plans for the Second Planning Period

Under the CAA and EPA's regulations, all 50 states, the District of Columbia, and the U.S. Virgin Islands are required to submit regional haze SIPs satisfying the applicable requirements for the second planning period of the regional haze program by July 31, 2021. Each state's SIP must contain a long-term strategy (LTS) for making reasonable progress toward meeting the national goal of remedying any existing and preventing any future anthropogenic visibility impairment in Class I areas. *See* CAA section 169A(b)(2)(B). To this end, 40 CFR 51.308(f) lays out the process by which states determine what constitutes their LTSs, with the order of the requirements in 40 CFR 51.308(f)(1) through (f)(3) generally mirroring the order of the steps in the reasonable progress analysis [12] and (f)(4) through (f)(6) containing additional related requirements.

Broadly speaking, a state first must identify the Class I areas within the state and determine the Class I areas outside the state in which visibility may be affected by emissions from the state. These are the Class I areas that must be addressed in the state's LTS. *See* 40 CFR 51.308(f), (f)(2). For each Class I area within its borders, a state must then calculate the baseline (five-year average period of 2000–2004, current), and natural visibility conditions (*i.e.,* visibility conditions without anthropogenic visibility impairment) for that area, as well as the visibility improvement made to date and the ''uniform rate of progress'' (URP). The URP is the linear rate of progress needed to attain natural visibility conditions, assuming a starting point of baseline visibility conditions in 2004 and ending with natural conditions in 2064. This linear interpolation is used as a tracking metric to help states assess the amount of progress they are making towards the national visibility goal over time in each Class I area. *See* 40 CFR 51.308(f)(1). Each state having a Class I area and/or emissions that may affect visibility in a Class I area must then develop an LTS that includes the enforceable emission limitations, compliance schedules, and other measures that are necessary to make reasonable progress in such areas. A reasonable progress determination is based on applying the four factors in CAA section 169A(g)(1) to sources of visibility impairing pollutants that the state has selected to assess for controls for the second planning period.

Additionally, as further explained below, the RHR at 40 CFR 51.3108(f)(2)(iv) separately provides five ''additional factors'' [13] that states must consider in developing their long-term strategies. *See* 40 CFR 51.308(f)(2). A state evaluates potential emission reduction measures for those selected sources and determines which are necessary to make reasonable progress. Those measures are then incorporated into the state's LTS. After a state has developed its LTS, it then establishes RPGs for each Class I area within its borders by modeling the visibility impacts of all reasonable progress controls at the end of the second planning period, *i.e.,* in 2028, as well as the impacts of other requirements of the CAA. The RPGs include reasonable progress controls not only for sources in the state in which the Class I area is located, but also for sources in other states that contribute to visibility impairment in that area. The RPGs are then compared to the baseline visibility conditions and the URP to ensure that progress is being made towards the statutory goal of preventing any future and remedying any existing anthropogenic visibility impairment in Class I areas. *See* 40 CFR 51.308(f)(2) and (3). There are additional requirements in the rule, including FLM consultation, that apply to all visibility protection SIPs and SIP revisions. *See e.g.,* 40 CFR 51.308(i).

A. Long-Term Strategy (LTS) for Regional Haze

While states have discretion to choose any source selection methodology that is reasonable, whatever choices they make should be reasonably explained. To this end, 40 CFR 51.308(f)(2)(i) requires that a state's SIP submission include ''a description of the criteria it used to determine which sources or groups of sources it evaluated.'' The technical basis for source selection, which may include methods for quantifying potential visibility impacts such as emissions divided by distance metrics, trajectory analyses, residence time analyses, and/or photochemical modeling, must also be appropriately documented, as required by 40 CFR 51.308(f)(2)(iii).

Once a state has selected the set of sources, the next step is to determine the emissions reduction measures for those sources that are necessary to make reasonable progress for the second planning period.[14] This is accomplished

[8] RPOs are sometimes also referred to as ''multi-jurisdictional organizations,'' or MJOs.

[9] The technical analyses for the development of the Haze Plan were conducted by VISTAS under SESARM and they are available at this website: *https://www.metro4-sesarm.org/content/vistas-regional-haze-program.*

[10] Metro 4 is a Tennessee corporation which represents the local air pollution control agencies in EPA's Region 4 in the Southeast. *See https://www.metro4-sesarm.org/content/metro-4-about-us.*

[11] The NPS, FWS, and USFS are collectively referred to as the ''Federal Land Managers'' or ''FLMs'' throughout this document.

[12] EPA explained in the 2017 RHR Revisions that the Agency was adopting new regulatory language in 40 CFR 51.308(f) that, unlike the structure in 51.308(d), ''tracked the actual planning sequence.'' *See* 82 FR 3091 (January 10, 2017).

[13] The five ''additional factors'' for consideration in 40 CFR 51.308(f)(2)(iv) are distinct from the four factors listed in CAA section 169A(g)(1) and 40 CFR 51.308(f)(2)(i) that states must consider and apply to sources in determining reasonable progress.

[14] The CAA provides that, ''[i]n determining reasonable progress there shall be taken into

Continued

by considering the four factors—''the costs of compliance, the time necessary for compliance, and the energy and nonair quality environmental impacts of compliance, and the remaining useful life of any existing source subject to such requirements.'' *See* CAA section 169A(g)(1). EPA has explained that the four-factor analysis (FFA) is an assessment of potential emission reduction measures (*i.e.,* control options) for sources; ''use of the terms 'compliance' and 'subject to such requirements' in CAA section 169A(g)(1) strongly indicates that Congress intended the relevant determination to be the requirements with which sources would have to comply in order to satisfy the CAA's reasonable progress mandate.'' *See* 82 FR at 3091. Thus, for each source a state has selected for an FFA,[15] it must consider a ''meaningful set'' of technically feasible control options for reducing emissions of visibility impairing pollutants. *Id.* at 3088.

EPA has also explained that, in addition to the four statutory factors, states have flexibility under the CAA and RHR to reasonably consider visibility benefits as an additional factor alongside the four statutory factors.[16] Ultimately, while states have discretion to reasonably weigh the factors and to determine what level of control is needed, 40 CFR 51.308(f)(2)(i) provides that a state ''must include in its implementation plan a description of how the four factors were taken into consideration in selecting the measure for inclusion in its long-term strategy.''

As explained above, 40 CFR 51.308(f)(2)(i) requires states to determine the emission reduction measures for sources that are necessary to make reasonable progress by considering the four factors. Pursuant to 40 CFR 51.308(f)(2), measures that are necessary to make reasonable progress toward the national visibility goal must be included in a state's LTS and in its SIP. If the outcome of an FFA is that an emissions reduction measure is necessary to make reasonable progress towards remedying existing or preventing future anthropogenic visibility impairment, that measure must be included in the SIP.

The characterization of information on each of the factors is also subject to the documentation requirement in 40 CFR 51.308(f)(2)(iii). The reasonable progress analysis is a technically complex exercise, but also a flexible one that provides states with bounded discretion to design and implement approaches appropriate to their circumstances. Given this flexibility, 40 CFR 51.308(f)(2)(iii) plays an important function in requiring a state to document the technical basis for its decision making so that the public and EPA can comprehend and evaluate the information and analysis the state relied upon to determine what emission reduction measures must be in place to make reasonable progress. The technical documentation must include the modeling, monitoring, cost, engineering, and emissions information on which the state relied to determine the measures necessary to make reasonable progress. Additionally, the RHR at 40 CFR 51.3108(f)(2)(iv) separately provides five ''additional factors'' [17] that states must consider in developing their LTSs: (1) emission reductions due to ongoing air pollution control programs, including measures to address reasonably attributable visibility impairment; (2) measures to reduce the impacts of construction activities; (3) source retirement and replacement schedules; (4) basic smoke management practices for prescribed fire used for agricultural and wildland vegetation management purposes and smoke management programs; and (5) the anticipated net effect on visibility due to projected changes in point, area, and mobile source emissions over the period addressed by the LTS.

Because the air pollution that causes regional haze crosses state boundaries, 40 CFR 51.308(f)(2)(ii) requires a state to consult with other states that also have emissions that are reasonably anticipated to contribute to visibility impairment in a given Class I area. If a state, pursuant to consultation, agrees that certain measures (*e.g.,* a certain emission limitation) are necessary to make reasonable progress at a Class I area, it must include those measures in its SIP. *See* 40 CFR 51.308(f)(2)(ii)(A). Additionally, the RHR requires that states that contribute to visibility impairment at the same Class I area consider the emission reduction measures the other contributing states have identified as being necessary to make reasonable progress for their own sources. *See* 40 CFR 51.308(f)(2)(ii)(B). If a state has been asked to consider or adopt certain emission reduction measures, but ultimately determines those measures are not necessary to make reasonable progress, that state must document in its SIP the actions taken to resolve the disagreement. *See* 40 CFR 51.308(f)(2)(ii)(C). Under all circumstances, a state must document in its SIP submission all substantive consultations with other contributing states. *See* 40 CFR 51.308(f)(2)(ii)(C).

B. Reasonable Progress Goals (RPGs)

RPGs ''measure the progress that is projected to be achieved by the control measures states have determined are necessary to make reasonable progress based on a four-factor analysis.'' *See* 82 FR at 3091. For the second planning period, the RPGs are set for 2028. RPGs are not enforceable targets, 40 CFR 51.308(f)(3)(iii). While states are not legally obligated to achieve the visibility conditions described in their RPGs, 40 CFR 51.308(f)(3)(i) requires that ''[t]he long-term strategy and the reasonable progress goals must provide for an improvement in visibility for the most impaired days since the baseline period and ensure no degradation in visibility for the clearest days since the baseline period.''

RPGs may also serve as a metric for assessing the amount of progress a state is making toward the national visibility goal. To support this approach, the RHR requires states with Class I areas to compare the 2028 RPG for the most impaired days to the corresponding point on the URP line (representing visibility conditions in 2028 if visibility were to improve at a linear rate from conditions in the baseline period of 2000–2004 to natural visibility conditions in 2064). If the most impaired days RPG in 2028 is above the URP (*i.e.,* if visibility conditions are improving more slowly than the rate described by the URP), each state that contributes to visibility impairment in the Class I area must demonstrate, based on the FFA required under 40 CFR 51.308(f)(2)(i), that no additional emission reduction measures would be reasonable to include in its LTS. *See* 40 CFR 51.308(f)(3)(ii). To this end, 40 CFR

consideration'' the four statutory factors. *See* CAA section 169A(g)(1). However, in addition to four-factor analyses for selected sources, groups of sources, or source categories, a state may also consider additional emission reduction measures for inclusion in its LTS, *e.g.,* from other newly adopted, on-the-books, or on-the-way rules and measures for sources not selected for FFA for the second planning period.

[15] ''Each source'' or ''particular source'' is used here as shorthand. While a source-specific analysis is one way of applying the four factors, neither the statute nor the RHR requires states to evaluate individual sources. Rather, states have ''the flexibility to conduct four-factor analyses for specific sources, groups of sources or even entire source categories, depending on state policy preferences and the specific circumstances of each state.'' *See* 82 FR at 3088.

[16] *See, e.g.,* Responses to Comments on Protection of Visibility: Amendments to Requirements for State Plans; Proposed Rule (81 FR 26942, May 4, 2016) (December 2016), Docket Number EPA–HQ–OAR–2015–0531, U.S. Environmental Protection Agency at 186, available at *www.regulations.gov.*

[17] The five ''additional factors'' for consideration in section 51.308(f)(2)(iv) are distinct from the four factors listed in CAA section 169A(g)(1) and 40 CFR 51.308(f)(2)(i) that states must consider and apply to sources in determining reasonable progress.

51.308(f)(3)(ii) requires that each state contributing to visibility impairment in a Class I area that is projected to improve more slowly than the URP provide ''a robust demonstration, including documenting the criteria used to determine which sources or groups [of] sources were evaluated and how the four factors required by paragraph (f)(2)(i) were taken into consideration in selecting the measures for inclusion in its long-term strategy.''

C. Monitoring Strategy and Other State Implementation Plan Requirements

Section 51.308(f)(6) requires states to have certain strategies and elements in place for assessing and reporting on visibility. Individual requirements under this section apply either to states with Class I areas within their borders, states with no Class I areas but that are reasonably anticipated to cause or contribute to visibility impairment in any Class I area, or both. Compliance with the monitoring strategy requirement may be met through a state's participation in the Interagency Monitoring of Protected Visual Environments (IMPROVE) monitoring network, which is used to measure visibility impairment caused by air pollution at the 156 Class I areas covered by the visibility program. *See* 40 CFR 51.308(f)(6), (f)(6)(i), (f)(6)(iv).

All states' SIPs must provide for procedures by which monitoring data and other information are used to determine the contribution of emissions from within the state to regional haze visibility impairment in affected Class I areas, as well as a statewide inventory documenting such emissions. *See* 40 CFR 51.308(f)(6)(ii), (iii), (v). All states' SIPs must also provide for any other elements, including reporting, recordkeeping, and other measures, that are necessary for states to assess and report on visibility. *See* 40 CFR 51.308(f)(6)(vi).

D. Requirements for Periodic Reports Describing Progress Toward the RPGs

Section 51.308(f)(5) requires a state's regional haze SIP revision to address the requirements of paragraphs 40 CFR 51.308(g)(1) through (5) so that the plan revision due in 2021 will serve also as a progress report addressing the period since submission of the progress report for the first planning period. The regional haze progress report requirement is designed to inform the public and EPA about a state's implementation of its existing LTS and whether such implementation is in fact resulting in the expected visibility improvement. *See* 81 FR 26942, 26950 (May 4, 2016), 82 FR 3119 (January 10, 2017). To this end, every state's implementation plan revision for the second planning period is required to assess changes in visibility conditions and describe the status of implementation of all measures included in the state's LTS, including BART and reasonable progress emission reduction measures from the first planning period, and the resulting emissions reductions. *See* 40 CFR 51.308(g)(1) and (2).

E. Requirements for State and Federal Land Manager (FLM) Coordination

CAA section 169A(d) requires that before a state holds a public hearing on a proposed regional haze SIP revision, it must consult with the appropriate FLM or FLMs; pursuant to that consultation, the state must include a summary of the FLMs' conclusions and recommendations in the notice to the public. Consistent with this statutory requirement, the RHR also requires that states ''provide the [FLM] with an opportunity for consultation, in person and at a point early enough in the State's policy analyses of its long-term strategy emission reduction obligation so that information and recommendations provided by the [FLM] can meaningfully inform the State's decisions on the long-term strategy.'' *See* 40 CFR 51.308(i)(2). For EPA to evaluate whether FLM consultation meeting the requirements of the RHR has occurred, the SIP submission should include documentation of the timing and content of such consultation. The SIP revision submitted to EPA must also describe how the state addressed any comments provided by the FLMs. *See* 40 CFR 51.308(i)(3). Finally, a SIP revision must provide procedures for continuing consultation between the state and FLMs regarding the state's visibility protection program, including development and review of SIP revisions, five-year progress reports, and the implementation of other programs having the potential to contribute to impairment of visibility in Class I areas. *See* 40 CFR 51.308(i)(4).

IV. EPA's Evaluation of South Carolina's Regional Haze Submission for the Second Planning Period

On March 3, 2022, South Carolina submitted a revision to the South Carolina SIP to address the State's regional haze obligations for the second planning period, which runs through 2028, in accordance with CAA section 169A and the RHR at 40 CFR 51.308(f).[18] The following sections contain EPA's evaluation of South Carolina's Haze Plan with respect to the requirements of the CAA and RHR for the second planning period of the regional haze program.

South Carolina has one Class I area, Cape Romain National Wilderness Area (Cape Romain). The following sections describe South Carolina's Haze Plan, including analyses conducted by VISTAS and South Carolina's determinations based on those analyses, South Carolina's assessment of progress made since the first planning period in reducing emissions of visibility impairing pollutants, and the visibility improvement progress at its Class I area and nearby Class I areas. This document also contains EPA's evaluation of South Carolina's Haze Plan against the requirements of the CAA and RHR for the second planning period of the regional haze program.

A. Identification of Class I Areas

1. RHR Requirement: Section 169A(b)(2) of the CAA requires each state in which any Class I area is located or ''the emissions from which may reasonably be anticipated to cause or contribute to any impairment of visibility'' in a Class I area to have a plan for making reasonable progress toward the national visibility goal. The RHR implements this statutory requirement at 40 CFR 51.308(f), which provides that each state's plan ''must address regional haze in each mandatory Class I Federal area located within the State and in each mandatory Class I Federal area located outside the State that may be affected by emissions from within the State,'' and 40 CFR 51.308(f)(2), which requires each state's plan to include an LTS that addresses regional haze in such Class I areas. To develop a state's LTS, a state must first determine which Class I areas may be affected by its own emissions. Out-of-state Class I area visibility impacts on a statewide basis are discussed in Section IV.A.2 below and impacts on a source-

[18] On June 28, 2012, EPA finalized a limited approval of South Carolina's first planning period regional haze plan submitted to EPA dated December 17, 2007 (77 FR 38509). On June 7, 2012, EPA finalized a limited disapproval of the State's December 17, 2007, submission and promulgated a FIP to replace reliance on the Clean Air Interstate Rule (CAIR) with reliance on the Cross-State Air Pollution Rule (CSAPR) (77 FR 33642). On September 24, 2018, EPA converted the limited approval/limited disapproval of South Carolina's first period regional haze plan, as amended on September 5, 2017, to a full approval and removed the FIP for South Carolina which replaced reliance on CAIR with reliance on CSAPR (83 FR 48237). On October 12, 2017 (82 FR 47385), EPA approved South Carolina's progress report for the first planning period.

specific basis are discussed in Section IV.C.2 below.

2. State Assessment: To address 40 CFR 51.308(f), South Carolina identified Class I areas affected by South Carolina's statewide emissions of the visibility impairing pollutants [19] and then consulted with states with Class I areas affected by South Carolina statewide emissions. Specifically, South Carolina presented the results of Particulate Matter Source Apportionment Technology (PSAT) [20] modeling which VISTAS conducted to estimate the projected impact of statewide SO_2 and NO_X emissions across all emissions sectors in 2028 on total light extinction for the 20 percent most impaired days in all Class I areas in the VISTAS modeling domain.[21] In Table 10–3 of the Haze Plan, South Carolina identified the top 10 Class I areas outside of South Carolina impacted by the State's projected 2028 emissions of SO_2 and NO_X, provided South Carolina's percent contributions to each Class I area, and ranked the areas by absolute impact in in Mm^{-1}.[22] South Carolina's top three highest sulfate plus nitrate impairment impacts to out-of-state Class I areas are: Wolf Island National Wilderness Area (Wolf Island) (1.38 Mm^{-1}); Okefenokee National Wilderness Area (Okefenokee) (1.15 Mm^{-1}); and Cohutta National Wilderness Area (Cohutta) (0.59 Mm^{-1}) in Georgia.

Regarding South Carolina's consultation with the states whose Class I areas are identified in Table 10–3, South Carolina consulted with all the VISTAS states throughout the SIP development process. In addition, Georgia consulted with South Carolina regarding two facilities, Santee Cooper Cross Generating Station (Cross) and WestRock Charleston Kraft, LLC (WestRock-Charleston),[23] that potentially impact Wolf Island and Okefenokee in Georgia.

3. EPA Evaluation: EPA proposes to find that South Carolina adequately addressed the elements of 40 CFR 51.308(f) regarding identification of its statewide visibility impacts to Class I areas outside of the State and consultation with states with Class I areas which may reasonably be anticipated to cause or contribute to any impairment of visibility due to South Carolina's emissions. The State's approach of focusing on SO_2 and NO_X impacts from South Carolina is reasonable on the basis that for current visibility conditions evaluated for the 2014–2018 period, ammonium sulfate is the dominant visibility impairing pollutant at most of the VISTAS Class I areas followed by organic carbon and ammonium nitrate (depending on the area).[24] VISTAS focused on controllable emissions from point sources, and thus, initially considered impacts from sulfates and nitrates on regional haze at Class I areas affected by VISTAS states. EPA finds that South Carolina adequately identified Class I areas outside of South Carolina that may be affected by emissions from within the State and consulted with affected states because the State analyzed its statewide sulfate and nitrate contributions to total visibility impairment at out-of-state Class I areas in Table 10–3 of the Haze Plan; all of the Class I areas identified in Table 10–3 have 2028 RPGs on the 20 percent most impaired days below the URP; and the State completed consultation with VISTAS via the RPO processes and, in some cases, on a state-to-state basis and documented those consultations.

B. Calculations of Baseline, Current, and Natural Visibility Conditions; Progress to Date; and the URP

1. RHR Requirement: Section 51.308(f)(1) requires states to determine the following for ''each mandatory Class I Federal area located within the State'': baseline visibility conditions for the clearest days and most impaired days, natural visibility conditions for clearest days and most impaired days, progress to date for the clearest days and most impaired days, the differences between current visibility conditions and natural visibility conditions, and the URP. This section also provides the option for states to propose adjustments to the URP line for a Class I area to account for visibility impacts from anthropogenic sources outside the United States and/or the impacts from wildland prescribed fires that were conducted for certain, specified objectives. *See* 40 CFR 51.308(f)(1)(vi)(B).

2. State Assessment: In the Haze Plan, South Carolina presents the baseline visibility conditions (2000–2004) in Table 2–3; current visibility conditions (2014–2018) in Table 2–5; and natural visibility conditions in Table 2–2 for the 20 percent clearest days and 20 percent most impaired days in deciviews for Cape Romain, as shown in Table 1 below, and surrounding Class I areas.

TABLE 1—BASELINE, CURRENT AND NATURAL VISIBILITY CONDITIONS IN SOUTH CAROLINA'S CLASS I AREA

[dv]

Class I area	Baseline clearest 20%	Baseline most impaired 20%	Current clearest 20%	Current most impaired 20%	Natural clearest 20%	Natural most impaired 20%
Cape Romain	14.29	25.25	11.80	17.67	5.93	9.79

[19] The primary visibility impairing pollutants are SO_2, NO_X, and direct PM. Anthropogenic sources of VOC and NH_3 do not contribute significantly to regional haze in Class I areas affected by the VISTAS states, including South Carolina.

[20] PSAT is Particulate Matter Source Apportionment Technology, which is an option in the photochemical visibility impact modeling performed by VISTAS that is a methodology to track the fate of both primary and secondary PM. PSAT allows emissions to be tracked (''tagged'') for individual facilities as well as various combinations of sectors and geographic areas (*e.g.,* by state). The PSAT results provide the modeled contribution of each of the tagged sources or groups of sources to the total visibility impacts.

[21] South Carolina did not include primary PM (directly emitted) data in this analysis because the PSAT analyses performed by VISTAS tagged statewide emissions of SO_2 and NO_X and did not tag primary PM emissions in the analysis after concluding that emissions of the PM precursors SO_2 and NO_X, particularly from point sources, are projected to have the largest impact on visibility impairment in 2028 and that SO_2 and NO_X are the most significant visibility impairing pollutants from controllable anthropogenic sources.

[22] *See* Table 10–3 on p. 211 of the Haze Plan. Table 10–3 includes South Carolina's statewide impacts on the State's Class I area for comparison only. *See also* Figure 10–1 on p. 212 of the Haze Plan providing the 2028 projected relative contribution to sulfate and nitrate visibility impairment from SO_2 and NO_X emissions from all anthropogenic and natural sources for Class I areas in and outside of the VISTAS region.

[23] WestRock-Charleston was formerly known as Kapstone Charleston Kraft, LLC.

[24] *See* Figures 2–8 and 2–9 of the Haze Plan for the VISTAS Class I areas. *See* also Sections IV.C.2.a and IV.C.3.a of this document including Table 6.

South Carolina also calculated the actual progress made for Cape Romain toward natural visibility conditions since the baseline period (current minus baseline), and the additional progress needed to reach natural visibility conditions from current conditions (natural minus current), in deciviews, as shown in Table 2–6 (for the 20 percent most impaired days) and Table 2–7 (for the 20 percent clearest days) for Cape Romain. *See* Table 2, below.

TABLE 2—ACTUAL PROGRESS FOR VISIBILITY CONDITIONS IN SOUTH CAROLINA'S CLASS I AREA

[dv]

Class I area	Current minus baseline for clearest 20%	Current minus baseline for most impaired 20%	Natural minus current for clearest 20%	Natural minus current for most impaired 20%
Cape Romain	−2.49	−7.58	−5.87	−7.88

Additionally, Figure 3–1 of the Haze Plan provides the URP on the 20 percent most impaired days for Cape Romain. The URP was developed using EPA guidance [25] and used data collected from the IMPROVE monitoring network which is used to measure visibility impairment caused by air pollution at the 156 Class I areas covered by the visibility program. Cape Romain is projected to be below the 2028 URP value for the second planning period based on modeling done by VISTAS.

3. EPA Evaluation: EPA is proposing to find that South Carolina's Haze Plan meets the requirements of 40 CFR 51.308(f)(1) because the State provided for Cape Romain: baseline, current, and natural visibility conditions for the 20 percent clearest days and most impaired days; progress to date for the 20 percent clearest days and most impaired days; differences between the current visibility conditions and natural visibility conditions; and the URP.

C. LTS for Regional Haze

1. RHR Requirement: Each state having a Class I area within its borders or emissions that may affect visibility in a Class I area must develop an LTS for making reasonable progress toward the national visibility goal. *See* CAA section 169A(b)(2)(B). After considering the four statutory factors, all measures that are determined to be necessary to make reasonable progress must be in the LTS. In developing its LTS, a state must also consider the five additional factors in 40 CFR 51.308(f)(2)(iv). As part of its reasonable progress determinations, the state must describe the criteria used to determine which sources or group of sources were evaluated (*i.e.,* subjected to FFA) for the second planning period and how the four factors were taken into consideration in selecting the emission reduction measures for inclusion in the LTS. *See* 40 CFR 51.308(f)(2)(iii).

States may rely on technical information developed by the RPOs of which they are members to select sources for FFAs and to satisfy the documentation requirements under 40 CFR 51.308(f). Where an RPO has performed source selection and/or FFAs (or considered the five additional factors in 40 CFR 51.308(f)(2)(iv)) for its member states, those states may rely on the RPO's analyses for the purpose of satisfying the requirements of 40 CFR 51.308(f)(2)(i) so long as the states have a reasonable basis to do so and all state participants in the RPO process have approved the technical analyses. *See* 40 CFR 51.308(f)(2)(iii). States may also satisfy the requirement of 40 CFR 51.308(f)(2)(ii) to engage in interstate consultation with other states that have emissions that are reasonably anticipated to contribute to visibility impairment in a given Class I area under the auspices of intra- and inter-RPO engagement.

The consultation requirements of 40 CFR 51.308(f)(2)(ii) provide that states must consult with other states that are reasonably anticipated to contribute to visibility impairment in a Class I area to develop coordinated emission management strategies containing the emission reductions measures that are necessary to make reasonable progress. Sections 51.308(f)(2)(ii)(A) and (B) require states to consider the emission reduction measures identified by other states as necessary for reasonable progress and to include agreed upon measures in their SIPs, respectively. Section 51.308(f)(2)(ii)(C) speaks to what happens if states cannot agree on what measures are necessary to make reasonable progress. The documentation requirement of 40 CFR 51.308(f)(2)(iii) provides that states may meet their obligations to document the technical bases on which they are relying to determine the emission reductions measures that are necessary to make reasonable progress through an RPO, as long as the process has been ''approved by all State participants.''

Section 51.308(f)(2)(iii) also requires that the emissions information considered to determine the measures that are necessary to make reasonable progress include information on emissions for the most recent year for which the state has submitted triennial emissions data to EPA (or a more recent year), with a 12-month exemption period for newly submitted data.

2. State Assessment: To develop South Carolina's LTS, the State set criteria to identify sources to evaluate for potential controls using the four factors outlined in Section III.A, selected sources based on those criteria, considered the four factors for the selected sources, and evaluated the five additional factors at 40 CFR 51.308(f)(2)(iv).

a. Source Selection Criteria: With respect to 40 CFR 51.308(f)(2)(i), South Carolina, through VISTAS, used a two-step source selection process: (1) Area of Influence (AoI) analysis, and (2) PSAT [26] modeling. Both sulfates and nitrates were considered in the source selection process. Sources that met the State's AoI threshold [27] were tagged for PSAT modeling. Sources that met the State's PSAT threshold were then selected for an emissions control analysis.

[25] ''Technical Guidance on Tracking Visibility Progress for the Second Implementation Period of the Regional Haze Program.'' EPA Office of Air Quality Planning and Standards, Research Triangle Park (December 20, 2018), available at: *https://www.epa.gov/sites/default/files/2018-12/documents/technical_guidance_tracking_visibility_progress.pdf* and *https://www.epa.gov/sites/default/files/2020-06/documents/memo_data_for_regional_haze_technical_addendum.pdf.*

[26] PSAT modeling is a type of photochemical modeling which quantifies individual facility visibility impacts to an area. *See* footnote 20. South Carolina applied its PSAT threshold by facility whereas in the first planning period, the State applied the threshold by emissions unit at selected facilities.

[27] The AoI represents the geographical area around a Class I area in which emissions sources located in the AoI have the potential to contribute to visibility impairment at that Class I area. Emissions data from sources in the AoI is then evaluated to determine which of those sources are most likely contributing to visibility impairment at that Class I area. VISTAS used AoI analysis for all point source facilities in the VISTAS modeling domain to determine the relative visibility impairment impacts at each Class I area associated with sulfate and nitrate. The results of the facility-level AoI analyses were then used to rank and prioritize facilities for further evaluation via PSAT.

To identify sources having the most impact on visibility at Class I areas for PSAT modeling, South Carolina used an AoI threshold of greater than or equal to three percent for nitrate or greater than or equal to two percent for sulfate at Cape Romain. South Carolina also used an AoI threshold of four percent for sulfate plus nitrate for all sources outside of the State, but it did not identify any sources above this threshold.[28] Sources in South Carolina selected at the AoI screening step for PSAT modeling are listed in Table 7–15 of the Haze Plan.

South Carolina, in coordination with the other VISTAS states, set a PSAT threshold of greater than or equal to one percent for sulfate or nitrate. Sources both within and outside of South Carolina that were selected for an emissions control analysis based on the State's PSAT threshold are listed in Tables 7–16, 7–17, and 7–18 of the Haze Plan. Nine sources exceeded the PSAT threshold, five of which are located in South Carolina: Century Aluminum of South Carolina Inc. (Century), International Paper—Georgetown Mill (IP-Georgetown), Cross, Santee Cooper Winyah Generating Station (Winyah), and WestRock-Charleston.[29]

South Carolina states that the VISTAS model projections demonstrate that ammonium sulfate is expected to remain the dominant visibility impairing pollutant through 2028 at Cape Romain and other VISTAS Class I areas.[30] In Section 7.4 of the Haze Plan, South Carolina explains the VISTAS analyses relied upon to support the State's focus on SO_2 control evaluations. Additionally, Section 10.4.2 and Appendix H–1 provide the State's responses to FLM comments regarding the exclusion of NO_X control evaluations from the FFAs.

Although ammonium nitrate contributions to light extinction have increased in recent years (2016–2018), South Carolina states that sulfate is still the highest contributor to visibility impairment in the VISTAS Class I areas. The State provided light extinction data on the 20 percent most impaired and 20 percent clearest days for the VISTAS (including Cape Romain) and neighboring Class I areas for the 2009–2013 modeling base period and the 2014–2018 current conditions period and stated that ammonium sulfate continues to be the dominant visibility impairing pollutant on the 20 percent most impaired visibility days during the 2009–2013 period and 2014–2018 period.[31]

b. Consideration of the Four Factors: South Carolina considered each of the four CAA factors for Century, Cross, and IP-Georgetown and described how the four factors were taken into consideration in evaluating potential emission reduction measures. For Winyah, South Carolina determined that there are no technically feasible control measures beyond the existing measures to further reduce SO_2 emissions, and thus, no new measures were evaluated using the four factors. The following subsections summarize the State's evaluation of these facilities. WestRock-Charleston permanently shut down after South Carolina submitted its Haze Plan; therefore, the State's FFA for this source is no longer relevant.[32]

i. Century: The Century FFA evaluated technically feasible SO_2 emissions controls for the Bake Oven (Unit 01) and four Potrooms (Units 02, 03, 04, 05) at Century, as these emissions units constitute 99.95 percent of Century's permitted SO_2 emissions. The remaining emissions units at the facility were excluded from the FFA because, combined, they contribute only 0.05 percent to the facility's total SO_2 emissions. Regarding the baseline emissions used in the FFA cost calculations, Century used estimated annual SO_2 emissions in 2028 for the Bake Oven (294 tons per year (tpy)) and the four Potrooms 02, 03, 04, and 05 (864 tpy each) for a total of 3,750 tpy SO_2 for these units combined.[33]

The Century FFA evaluated wet scrubbers and dry sorbent injection (DSI) as potential SO_2 emissions controls applicable to the Bake Oven and the four Potrooms. Both control systems were considered technically feasible. As shown in Table 3 below, the cost/ton of the wet scrubber and DSI was calculated to be $7,485/ton and $10,323/ton, respectively. These control costs are based on an interest rate of five percent for the wet scrubber option and 5.5 percent for the DSI option.[34] Regarding the control efficiency assumed for each control, Century assumed a 99 percent SO_2 control efficiency for the wet scrubber option and a 90 percent SO_2 control efficiency for the DSI option.[35]

TABLE 3—CENTURY FFA CONTROL EVALUATION SUMMARY

Emissions units	Control technology (SO_2 control efficiency)	SO_2 emissions reductions (tpy)	Cost effectiveness ($/ton)
Bake Oven, Potrooms 02–05	DSI (90%)	3,379	$10,323
Bake Oven, Potrooms 02–05	Wet Scrubber (99%)	3,716	7,485

Regarding energy and non-air quality environmental impacts of compliance, the use of a wet scrubber and DSI would require electricity and consumable reagent to operate and create waste products.[36] A wet scrubber system

[28] Section 7.6.1 of the Haze Plan describes South Carolina's AoI thresholds.

[29] Century is an aluminum smelter in Goose Creek, South Carolina. IP-Georgetown and Westrock-Charleston are pulp and paper mills in Georgetown, South Carolina, and North Charleston, South Carolina, respectively. Cross and Winyah are power plants in Berkeley County, South Carolina, and Georgetown, South Carolina, respectively.

[30] *See* Figures 2–7, 2–8, 2–9, 10–2, and 10–3. Figures 2–4 through 2–3 provide 2009–2013 speciated PM data for South Carolina's and surrounding states' Class I areas showing that ammonium sulfate is the dominant visibility impairing pollutant. Figure 10–2 provides speciated PM data for Cape Romain from 2010–2018 and Figure 10–3 compares ammonium sulfate and ammonium nitrate for the 2009–2013 vs. 2015–2019 periods for the 20 percent most impaired days at VISTAS Class I areas.

[31] *See* Section 2.5.2 of the Haze Plan; *see also* Figures 2–1 through 2–3 and Figures 2–7 through 2–9.

[32] On November 14, 2024, South Carolina sent an email to EPA Region 4 containing a letter of air permit rescission dated April 15, 2024, for all permitted sources at the WestRock-Charleston facility except for the Wastewater Treatment System. The November 14, 2024, email and the April 14, 2024, permit rescission letter are in the docket for this proposed rulemaking.

[33] *See* Table 7–21 on p. 164 of the Haze Plan.

[34] Century initially calculated the control costs using an interest rate of 5.5 percent and an equipment life of 20 years; however, based on comments from the State, revised the interest rate to five percent for the wet scrubber option and used an equipment life of 30 years for the wet scrubber. *See* p. 164 of the Haze Plan.

[35] Century initially assumed a 93 percent control efficiency for the wet scrubber. Based on comments from the State requesting use of a 98 percent control efficiency, Century revised the FFA with a 99 percent control efficiency.

[36] The reference to Appendix II on p. 165 of the Haze Plan refers to Appendix II, *Cost Analysis Supporting Information,* of the FFA contained in Appendix G–2 of the 2022 Haze Plan.

increases energy usage, water usage, wastewater generation, and solid waste generation and requires chemicals. Non-air environmental impacts include solid, liquid, and hazardous waste generation. A wet scrubber system generates wastewater and sludge that must be treated and/or disposed of. A wastewater system would need to be constructed at Century to collect, convey, and treat wet scrubber blowdown wastewaters, which are a byproduct of the scrubbing process, prior to discharge to the local publicly owned treatment works. DSI generates solid waste that must be collected by PM control devices and disposed of at a landfill.

Century used an equipment life of 30 years for the wet scrubber and 20 years for DSI. The remaining useful life of the Bake Oven and Potrooms 02–05 is assumed to be longer than 30 years.

Regarding the time necessary to comply, Century states that sources are generally given between two and five years to implement changes for compliance with new regulations and provides several examples. Affected sources would require time to design, purchase, and install selected control options in addition to the time needed to obtain an air construction permit for the control equipment. Century states that a compliance timeframe of four to five years is needed to comply with any new control measures. This includes a year to obtain construction permits (both air and wastewater construction permits would be required) and three to four years to contract, design, fabricate, deliver, construct, and make operational the control equipment and ancillary wastewater treatment plant. Century also notes that this timeframe is consistent with the compliance timeframes allowed for in the majority of first planning period regional haze SIPs.[37]

For Century, South Carolina determined that the Bake Oven (Unit 1) and the four Potline Potrooms (Units 2, 3, 4, 5) are well controlled and additional controls are not needed for the purpose of remedying any existing anthropogenic visibility impairment at Cape Romain.[38]

ii. Cross: The Cross FFA evaluated switching from the use of coal with a sulfur content of 2.65 percent to coal with a one percent sulfur content for the four coal-fired electric generating units (EGUs), Units 1–4, as a technically feasible control measure where the percent sulfur in coal is decreased from 2.65 percent to one percent. Units 1–4 are equipped with wet scrubbers and subject to the limit of 0.20 pound (lb) of SO_2 per million British thermal units (MMBtu) (lb/MMBtu) in the Mercury and Air Toxics Standards (MATS) rule.[39] The wet scrubber systems on Units 1, 3, and 4 are required to achieve a 30-day rolling average removal efficiency for SO_2 of at least 95 percent.[40] The wet scrubber on Unit 2 is designed to achieve a 91 percent SO_2 removal efficiency and is required to maintain at least an 87 percent SO_2 removal efficiency.[41] Compliance is measured with a SO_2 continuous emissions monitoring system (CEMS) certified under 40 CFR part 75. Based on this information and considering that Cross is meeting the MATS 0.2 lb/MMBtu emission limit for SO_2, South Carolina stated that it is unlikely an analysis of control measures (other than a sulfur content fuel switch) for these emission units would conclude that more stringent control of SO_2 is necessary to make reasonable progress.[42]

The cost/ton of the fuel sulfur control option for Units 1–4 was calculated to be $31,451/ton with estimated emissions reductions of 2,434 tpy SO_2. Regarding the baseline emissions used in the FFA cost calculations, Cross used 2018 actual monthly SO_2 emissions (annualized by unit) equal to a total of 3,910 tpy SO_2 for Units 1–4.[43] The control effectiveness of fuel sulfur control is estimated to be 62 percent resulting in a cost effectiveness of $31,451/ton.

Regarding the other statutory factors, the State addresses the remaining useful life of Units 1–4 by stating that the units are expected to operate through at least 2039. The equipment life for a switch to lower sulfur fuels is the same as the source/unit's life. Regarding energy and non-air quality environmental impacts of compliance, the State notes that use of lower sulfur coal adds minimal power demand and has similar environmental impacts to the coal that Cross currently uses. For the time necessary to comply, the State proposes that a compliance timeframe of two years from the effective date of an EPA determination that a switch to lower sulfur coal would be required because Cross has coal contracts in place and is required to honor the timeframes for these contracts.

For Cross, the State determined that Cross Units 1–4 are well controlled and additional controls are not needed for the purpose of remedying any existing anthropogenic visibility impairment at Cape Romain.

iii. IP-Georgetown: The IP-Georgetown FFA evaluated emissions controls for the following emissions units as the primary sources of SO_2: No. 1 and 2 Power Boilers and No. 1 Recovery Boiler. Units exempted from the FFA include: (a) the No. 1 and No. 2 Lime Kilns because in 2011 they emitted 1.19 tpy SO_2 and 1.59 tpy SO_2, respectively, and (b) No. 1 and No. 2 Smelt Dissolving Tanks because they emitted 2.15 tpy SO_2 and 1.66 tpy SO_2, respectively. Regarding the baseline emissions used in the FFA cost calculations, the State requested that the facility use 2011 actual emissions in the cost analysis for all emissions units. The FFA notes that emissions reductions have occurred since 2011, and therefore, also presents 2019 emissions as more representative of actual current emissions. Thus, both 2011 and 2019 emissions were used for the cost analyses for the No. 1 and No. 2 Power Boilers for evaluating wet and dry scrubbers.[44] Only 2019 emissions were used for the No. 1 Recovery Boiler cost analysis because 2011 emissions are not considered representative for this unit. Table 4, below, provides the 2011 and 2019 actual emissions of the units evaluated.

[37] First period regional haze plans included BART measures. Each source subject to BART is required under the RHR to install and operate BART as expeditiously as practicable, but in no event later than five years after approval of the implementation plan revision. *See* 40 CFR 51.308(e)(1)(iv).

[38] The Anode Forming Equipment and various natural gas-fired fuel burning sources are inconsequential sources of SO_2 emissions at Century.

[39] 40 CFR 63, Subpart UUUUU, National Emission Standards for Hazardous Air Pollutants for Electric Generating Units, also known as MATS.

[40] *See* Haze Plan at p. 182.

[41] *Id.*

[42] *See* Table 7–26 on p. 182 of the Haze Plan. South Carolina relied on EPA's Clean Air Markets Program Data (CAMPD) from 2016–2020 to demonstrate that Cross is meeting the 0.2 lb/MMBtu emission limit for SO_2.

[43] *See* Table 2–2 on page 2–4 of the Cross FFA in Appendix G–2 of the Haze Plan.

[44] *See* Table 7–23 of the Haze Plan for the 2011, 2019, and 2028 projected SO_2 emissions for the IP-Georgetown units.

TABLE 4—IP-GEORGETOWN 2011 AND 2019 ACTUAL AND 2028 PROJECTED SO_2 EMISSIONS

[tpy]

Emissions unit	2011 Emissions	2019 Emissions	2028 Projected emissions
No. 1 Power Boiler	921.01	480.54	951.42
No. 2 Power Boiler	947.01	479.09	1137.32
No. 1 Recovery Boiler	680.05	76.56	637.96
No. 2 Recovery Boiler	68.26	65.98	32.50

Regarding the No. 1 and No. 2 Power Boilers, wet flue gas desulfurization (wet FGD or WFGD) and dry FGD (spray dryer absorber system (SDA) and DSI) were evaluated. Currently these power boilers have no add-on existing SO_2 emission controls; however, certain operational practices, namely their exclusion from South Carolina Regulation 61–62.96, *Nitrogen Oxides (NO_X) Budget Program*, limit fossil fuel use in the boilers which is kept to less than 50 percent on an annual heat input basis.[45] Additionally, wood/bark is the primary fuel used in the power boilers which also helps control SO_2 emissions while use of coal has been replaced with natural gas in recent years. In 2011, the No. 1 and 2 Power Boilers combined burned approximately 28,000 tons of coal whereas in 2019, the two boilers burned only 1,760 tons of coal. Regarding the No. 1 Recovery Boiler, South Carolina evaluated a wet scrubber (*i.e.,* WFGD) control option.[46] The FFA states that there currently is no add-on scrubber used to control SO_2 emissions from recovery boilers at paper mills and that, while the technology is technically feasible, it may not perform at an optimal control efficiency given the limitations of the processes at the facility.

IP-Georgetown used a 5.5 percent interest rate in the cost calculations in the September 23, 2020, FFA.[47] The State inquired why the bank prime interest rate (at that time in 2020) of 3.25 percent was not used in the FFA. IP-Georgetown stated that the higher interest rate is more representative of the opportunity cost of capital and returns on real estate that may be not otherwise be realized. The State concurs with IP-Georgetown's justification for the 5.5 percent interest rate. The cost analyses for the wet and dry FGD control options for the No. 1 and 2 Power Boilers and the wet FGD for the No. 1 Recovery Boiler used an interest rate of 5.5 percent, an SO_2 control efficiency of 98 percent, and an equipment life of 30 years. Table 5, below, compares the cost effectiveness values of all SO_2 control options evaluated using 2011 and 2019 emissions in the cost calculations.

TABLE 5—IP-GEORGETOWN COST EFFECTIVENESS VALUES FOR 2011 AND 2019

Emissions units	SO_2 control technology	Cost effectiveness using 2011 emissions ($/ton)	Cost effectiveness using 2019 emissions ($/ton)	Tons SO_2 removed (tpy) (2011 emissions)	Tons SO_2 removed (tpy) (2019 emissions)
No. 1, 2 Power Boilers	Wet FGD	$7,700	$14,400	1,831	941
No. 1, 2 Power Boilers	SDA (dry FGD)	7,400	13,800	1,831	941
No. 1, 2 Power Boilers	DSI (dry FGD)	5,200	7,900	1,831	941
No. 1 Recovery Boiler	Wet FGD	3,100	19,200	N/A	75.5

Regarding energy and non-air quality environmental impacts of compliance, the State noted that additional costs will be incurred to provide electricity to wet scrubbers and there is freshwater usage. Additionally, wet scrubbers will incur costs associated with wastewater disposal and dry scrubbers will require disposal of dry sorbent (*e.g.,* spent lime).

The remaining useful life for the No.1 and 2 Power Boilers is assumed to be 30 years because no retirement date has been set. Both of these boilers were commissioned in 1982 and are over 40 years old. The remaining useful life for the No. 1 Recovery Boiler is assumed to be 30 years. This boiler was installed in 1963 and is over 60 years old. The equipment life used in the cost calculations was 20 years for dry FGD and 30 years for wet FGD.

Regarding the time necessary to comply for the No. 1 and 2 Power Boilers, the FFA states that the time necessary to install a wet or dry FGD system would be at least five years after the effective date of an EPA determination that a wet or dry FGD system is required as time will be needed for design, permitting, procurement, installation, and startup of the control system. If minimal retrofit issues are encountered, a wet or dry FGD system could be installed by 2028.

Regarding the time necessary to comply for the No. 1 Recovery Boiler, the FFA estimates that if a wet FGD were required on the No. 1 Recovery Boiler, it would take approximately five years to install after the effective date of an EPA determination that a wet FGD system is required, noting that installation by 2028 could be achieved as needed.

For IP-Georgetown, South Carolina concludes that the No. 1 and No. 2 Power Boilers and No. 1 and No. 2 Recovery Boilers at IP-Georgetown are well controlled and additional controls are not needed to address any existing anthropogenic visibility impairment at Cape Romain.

iv. Winyah: The State did not perform an FFA for Winyah because it determined that Units 1–4 at the facility have existing, effective controls for SO_2 given that all four units have wet scrubbers which operate year-round, achieve over 90 percent control

[45] *See* p. 170 of the Haze Plan.

[46] No additional control analysis was conducted on No. 2 Recovery Boiler because the State determined that it is already well controlled. *See* Haze Plan at pp.168–169.

[47] *See* Haze Plan at Appendix G. The final cost analyses are contained in the Revision 1 dated March 31, 2021, located in Appendix G–2 of the Haze Plan. The State summarizes the results of these revised cost analyses in Table 7–24 of the Haze Plan.

efficiency, and are subject to and in compliance with the SO_2 limit of 0.20 lb/MMBtu under the MATS rule.[48]

c. Documentation of Technical Basis: With respect to emissions information documentation pursuant to 40 CFR 51.308(f)(2)(iii), Section 4 of the Haze Plan explains the State's use of emissions inventories to develop the plan with additional documentation provided in Appendix B. South Carolina, through VISTAS, developed a 2011 statewide base year emissions inventory in Table 4–1 which was used to project emissions out to 2028, the end of the second planning period. This 2011 statewide emissions inventory was also relied upon to satisfy 40 CFR 51.308(f)(6)(v). South Carolina also evaluated emissions data from 2017, the year of the most recent triennial emissions data available at the time of the development of the Haze Plan.[49] The State also provided annual, statewide anthropogenic SO_2 and NO_X data from 2011 through 2019 for Table 13–15 and Figures 13–6 (SO_2) and 13–7 (NO_X) of the Haze Plan. Table 7–1 of the Haze Plan contains 2011 actual and 2028 emissions projections for select sources in the VISTAS states, including South Carolina, for various pollutants, including: SO_2, NO_X, VOC, NH_3, coarse PM (PM_{10}), and $PM_{2.5}$. Tables 13–11, 13–12, and 13–13 of the Haze Plan provide statewide $PM_{2.5}$, NO_X, and SO_2 emissions data, respectively, from the 2014 National Emissions Inventory (NEI), 2017 NEI, and projected 2018 emissions inventory for South Carolina from the first period (''VISTAS 2018G4''). The 2028 emissions projections were used to develop the 2028 RPGs for Cape Romain. Table 13–14 provides South Carolina EGU SO_2 emissions data for the years 2014–2019 which show a decline in SO_2 emissions from 26,122 tpy in 2014 to 5,731 tpy in 2019.

With respect to modeling information documentation pursuant to 40 CFR 51.308(f)(2)(iii), Sections 5 and 6 of the Haze Plan describe the modeling methods used to develop the plan with additional documentation provided in Appendix E and results of the RPG modeling in Section 8 of the plan. Appendix D contains AoI analyses documentation.

With respect to cost and engineering information documentation pursuant to 40 CFR 51.308(f)(2)(iii), Section 7.8 of the Haze Plan details the State's analysis of proposed FFAs for Century, WestRock-Charleston, IP-Georgetown, and Cross. The FFAs proposed by these sources that are located in Appendix G evaluated the four factors, including the cost of compliance factor, and provided detailed cost calculations for potential new control measures assessed as part of the engineering analyses.

With respect to monitoring information documentation pursuant to 40 CFR 51.308(f)(2)(iii), the State assessed baseline (2000–2004), current (2014–2018), and natural visibility conditions for Cape Romain in Section 2 of the Haze Plan with supporting information located in Appendix C.

d. Assessment of Five Additional Factors in 40 CFR 51.308(f)(2)(iv): With respect to 40 CFR 51.308(f)(2)(iv), South Carolina considered each of the five additional factors in developing the State's LTS for the second planning period. With respect to 40 CFR 51.308(f)(2)(iv)(A), South Carolina referenced the State's emissions inventory development for the base year of 2011 as projected out to 2028 for the requirement to assess emission reductions due to ongoing air pollution control programs, including measures to address reasonably attributable visibility impairment (RAVI).

With respect to 40 CFR 51.308(f)(2)(iv)(B), South Carolina summarized the State's existing regulations that mitigate the impacts of construction activities in Section 7.10.2 of the Haze Plan. South Carolina explained that fine soils were a relatively minor contributor to visibility impairment at Cape Romain during the baseline period of 2000–2004 and continue to be only a minor contributor to visibility at Cape Romain during the most current period of monitoring data (2014–2018).

With respect to 40 CFR 51.308(f)(2)(iv)(C), South Carolina considered source retirement and replacement schedules in Section 7.2.5 (retirements accounted for in the 2028 inventory/RPGs), and in 7.2.1.2 (MATS Rule) which lists seven facilities which either retired the emissions units or switched the emissions units from coal-fired to natural gas-fired. Planned source retirements are accounted for in the 2028 projected emissions.

With respect to 40 CFR 51.308(f)(2)(iv)(D), South Carolina summarized the State's basic smoke management practices for prescribed fire used for agricultural and wildland vegetation management in Section 7.10.1 of the Haze Plan. The South Carolina Forestry Commission (''SCFC'') has developed a Smoke Management Guideline for Vegetative Debris Burning Operations, which serves to regulate vegetative debris burning for forestry, agriculture, and wildlife purposes.[50] South Carolina's Bureau of Air Quality has developed state air pollution control regulations that prohibit open burning except when meeting certain criteria. South Carolina notes that when weighed together, these documents address all sources of fire used for land management purposes within South Carolina and effectively minimize visibility impacts while recognizing the important ecological role that prescribed fires can and do play. With respect to 40 CFR 51.308(f)(2)(iv)(E), South Carolina assessed the anticipated net effect on visibility due to projected changes in point, area, and mobile source emissions over the period addressed by the LTS in development of the RPGs for Cape Romain.

e. Interstate Consultation: South Carolina consulted with states[51] and RPOs that identified South Carolina sources as impacting those states' (or states within the RPOs') Class I areas, and the State consulted with the three states (Georgia, Ohio, and Pennsylvania) with one or more sources exceeding South Carolina's PSAT threshold at Cape Romain.

i. State/RPOs Requesting Consultation with South Carolina: On November 24, 2020, Georgia requested that South Carolina perform a reasonable progress analysis (*i.e.,* FFA) for two facilities, Cross and WestRock-Charleston, to address their potential visibility impacts at Wolf Island and Okefenokee in Georgia. South Carolina honored these requests and sent an email to Georgia providing FFAs of these sources.[52] South Carolina did not find any new measures to be necessary for reasonable progress for Cross or WestRock-

[48] *See* Table 7–28 on p. 186 of the Haze Plan. South Carolina relied on EPA's CAMPD data from 2016–2020 to demonstrate that Winyah is meeting the 0.20 lb/MMBtu emission limit for SO_2.

[49] 2017 emissions data is included in the following tables and figures in the Haze Plan: Table 7–19 (SO_2) for certain sources in South Carolina; Tables 13–11 ($PM_{2.5}$), 13–12 (NO_X), and 13–13 (SO_2) for statewide emissions of these pollutants; Table 13–14 (SO_2) for units reporting to EPA's Clean Air Markets Division (CAMD); Table 13–15 (SO_2, NO_X for all RPOs); Figure 13–5 (SO_2, NO_X, VISTAS CAMD Emissions); and Figures 13–6 and 13–7 (SO_2, NO_X for all RPOs and VISTAS states).

[50] Appendix G–4 of the Haze Plan includes the SCFC Smoke Management Guideline and a memorandum of understanding between the SCFC and DHEC (so named at the time). Appendix G–4 is included for reference only and is not being proposed for adoption into the SIP.

[51] Georgia is the only state that requested consultation with South Carolina.

[52] On November 17, 2021, South Carolina sent an email to Georgia providing FFA information for Cross and WestRock-Charleston. The November 17, 2021, email is included in the docket for this proposed rulemaking.

Charleston.[53] No other states requested an FFA of South Carolina sources.

ii. South Carolina's Requests for Consultation with Other States: Table 10–1 of the Haze Plan provides a summary of the VISTAS and non-VISTAS states to which a letter was sent and identifies the total number of facilities impacting Cape Romain. Table 10–2 of the Haze Plan lists the specific out-of-state facilities which exceed the State's PSAT threshold: Georgia Power Company—Plant Bowen (Plant Bowen) and International Paper—Savannah (IP-Savannah) located in Georgia; Genon NE Mgmt Co/Keystone Station (Keystone) located in Pennsylvania; and General James M. Gavin Power Plant (Gavin Plant) located in Ohio. The documentation of these letters is summarized in Table 10–2 and Appendix F of the Haze Plan. Georgia, Ohio, and Pennsylvania provided FFAs of their respective sources to VISTAS.[54]

On November 5, 2020, South Carolina requested that Georgia provide FFAs of Plant Bowen and IP-Savannah.[55] At the time of South Carolina's final plan submission in March of 2022, Georgia was in the process of finalizing its conclusions related to these facilities and had not yet issued its proposed haze plan for public comment.[56] Georgia provided a copy of the FFAs for Plant Bowen and IP-Savannah in an email from Georgia to South Carolina dated November 18, 2021.[57]

Regarding the Keystone FFA, on June 22, 2020, VISTAS sent a letter requesting reasonable progress analyses for Pennsylvania sources impacting VISTAS class I areas. On January 11, 2021, Pennsylvania sent to VISTAS the FFA for Keystone concluding that emissions of SO_2 and NO_X from Units 1 and 2 at the Station are already well controlled by WFGD and selective catalytic reduction.

Regarding the Gavin Plant FFA, on June 22, 2020, VISTAS sent a letter requesting reasonable progress analyses for certain Ohio sources, including the Gavin Plant, impacting visibility at specific VISTAS Class I areas. Cape Romain was identified in this letter as one of the Class I areas impacted by the Gavin Plant in Ohio. On October 29, 2020, Ohio sent a letter to VISTAS which concluded that the two boilers are effectively controlled due to existing FGDs with 95 percent control efficiency.[58]

3. EPA Evaluation: EPA has reviewed South Carolina's source selection criteria, consideration of the four factors, determinations of controls necessary for reasonable progress, documentation of technical basis, interstate consultation, and consideration of the five additional factors. Based on this review, EPA proposes to find that the LTS meets the requirements of 40 CFR 51.308(f)(2)(i) through (iv).

a. Source Selection Criteria: EPA proposes to find that South Carolina has satisfied the requirements of 40 CFR 51.308(f)(2)(i) with respect to including a description of the criteria that the State used to determine which sources the State evaluated for emissions controls by providing: Appendix B which details how the State, in conjunction with VISTAS, created emissions inventories relied upon by the State for its Haze Plan; Appendix C which provides monitoring and meteorological data used to support selection of sources; and Appendix D which provides analyses supporting the AoI approach. In addition, the State summarized in the Haze Plan the specific data that South Carolina used for its source selection analyses, including the AoI and PSAT analyses and results.

EPA also proposes to find that South Carolina's selection of in-state sources for analysis under the four statutory factors has satisfied the requirements of 40 CFR 51.308(f)(2). AoI and PSAT are acceptable and well-established methods for selecting sources for a control analysis and they enable the identification of the sources that have the largest impacts on visibility at Class I areas in South Carolina and neighboring states.[59] Using an AoI threshold[60] and a one percent PSAT threshold, the State identified five South Carolina sources for a control evaluation that are projected to have the highest impact on visibility at both in-state and out-of-state Class I areas at the end of the second planning period.[61]

Specific to second planning period visibility improvement, visibility conditions at Cape Romain in 2028 are estimated to improve since the 2014–2018 period by 1.03 deciview. When considered in relation to the amount of visibility improvement needed to reach natural conditions starting from the 2014–2018 period, this projected visibility improvement expected during the second planning period represents approximately a 13.1 percent improvement in progress.[62] Based upon a comparison of the most recently available 20 percent most impaired days IMPROVE data (2018–2022)[63] to the 20 percent most impaired days data from the end of the first planning period (2014–2018),[64] in the first four years of the second planning period, Cape Romain has already achieved 15.65 percent of additional progress towards

[53] *See* Section IV.C.2.b.ii of this document regarding the FFA for Cross. WestRock-Charleston has permanently shut down.

[54] *See* Section 10.1.1 of the Haze Plan. Details of all this correspondence can be found on p. 210 of the Haze Plan.

[55] Section 10.1.1 of the Haze Plan and Appendix F–1 contain correspondence between South Carolina and Georgia regarding the FFAs for these facilities.

[56] On August 11, 2022, Georgia submitted a final regional haze plan. On June 3, 2024, EPA proposed action on the Georgia Haze Plan. *See* 89 FR 47481. The proposed rule explains that the Plant Bowen Units 1–4 have wet scrubbers and are subject to the MATS SO_2 limit of 0.20 lb/MMBtu. For Plant Bowen's Units 1–4, the State concluded that existing SO_2 measures are necessary for reasonable progress for the second planning period. Georgia determined for IP-Savannah that the removal of coal as a fuel in the No. 13 Power Boiler is a measure necessary for reasonable progress for the second planning period. EPA approved Georgia's regional haze plan on November 21, 2024 (89 FR 92038).

[57] On November 18, 2021, Georgia sent an email to South Carolina providing FFA information for Plant Bowen and IP-Savannah. The November 18, 2021, email is included in the docket for this proposed rulemaking.

[58] *See* Appendix F–2d of the Haze Plan.

[59] The State used the AoI process because it identifies the largest sources with potential visibility impacts to Class I areas and then used sophisticated photochemical source apportionment modeling to identify specific sources for control evaluations.

[60] South Carolina used an AoI threshold of greater than or equal to three percent for nitrate or greater than or equal to two percent for sulfate at Cape Romain. South Carolina also used an AoI threshold of four percent for sulfate plus nitrate for all sources outside of the State.

[61] As discussed above, WestRock—Charleston permanently ceased operations in April 2024. The additional emissions reductions from this shutdown have not been reflected in the 2028 emissions projections and 2028 RPGs. Table 7–19 of the Haze Plan identifies projected 2028 SO_2 emissions from WestRock—Charleston as 1,864 tpy and 2019 SO_2 emissions as 1,145 tpy. *See* footnote 32 regarding documentation for the shutdown of this facility.

[62] *See* visibility data for the 20 percent most impaired days data from Tables 2–6 and 8–1 of the Haze Plan. Percentage of progress toward natural conditions = [((2014–2018 IMPROVE data) − (2028 RPG))/((2014–2018 IMPROVE data) − (Natural visibility conditions))] × 100. Example calculation for Cape Romain [(17.67 − 16.64)/(17.671 − 9.78)] × 100 = 13.1 percent.

[63] The 2018–2022 IMPROVE data for the 20 percent most impaired days at Cape Romain was obtained from under the header ''Means for Impairment Metric:''. The IMPROVE data includes visibility monitoring data for each Class I area. This data was filtered for each Class I area, listed as ''ROMA1'' (Cape Romain), (in column ''A'', titled ''site''). Then data was filtered for the years 2018 through 2022 (using column ''B'' titled ''year''). These data points were then filtered for the 20 percent most impaired days, indicated by ''90'' (in column ''C'' titled ''impairment_Group''). The resulting data points for each Cape Romain within the ''haze_dv'' column ''AK'', corresponding to each of the five years, were averaged to determine the 20 percent most impaired days for the 2018–2022 five-year period which is 16.44 deciviews.

[64] The 2014–2018 IMPROVE data was provided by South Carolina in Table 2–6 of the Haze Plan.

natural conditions.[65] Also, South Carolina focused on controlling point source SO_2 emissions based on data showing that ammonium sulfate is the dominant visibility impairing pollutant at Cape Romain and other Class I areas impacted by South Carolina's sources.[66]

The 2009–2013 IMPROVE data on the 20 percent most impaired visibility days for Cape Romain are: 71 percent sulfate, five percent nitrate, and 13 percent organic carbon. EPA also evaluated 2015–2019 IMPROVE data on the 20 percent most impaired days for Cape Romain in Table 6 below and confirmed that ammonium sulfate is the dominant visibility impairing pollutant at this area during that time period. As indicated in that table, ammonium nitrate contributions to regional haze at the State's Class I area remain relatively low at eight percent of the total visibility impairment as compared to ammonium sulfate at 56 percent.

TABLE 6—2015–2019 SPECIATED IMPROVE MONITORING DATA FOR CAPE ROMAIN

[%]

	Ammonium sulfate	Ammonium nitrate	Organic carbon	Coarse mass	Elemental carbon	Fine sea salt	Fine soils
Cape Romain	56	8	19	7	5	3	1

b. Consideration of the Four CAA Factors: In this section of the document, EPA evaluates South Carolina's LTS against the requirements of the CAA and RHR for the second planning period. As detailed further below, EPA proposes to approve South Carolina's LTS under 40 CFR 51.308(f)(2).

In this proposed action, EPA notes that it is the Agency's policy, as announced in the recent proposed action for West Virginia's Regional Haze SIP for the second planning period, that, where visibility conditions for a Class I area impacted by a State are below the URP and the State has evaluated potential control measures and considered the four statutory factors, the State will have presumptively demonstrated reasonable progress for the second planning period for that area.[67] [68] EPA acknowledges that this proposed action reflects a change in policy from current guidance as to how the URP should be used in the evaluation of regional haze second planning period SIPs. EPA has the discretion and authority to change policy. In *FCC* v. *Fox Television Stations, Inc.,* the U.S. Supreme Court plainly stated that an agency is free to change a prior policy and ''need not demonstrate . . . that the reasons for the new policy are better than the reasons for the old one; it suffices that the new policy is permissible under the statute, that there are good reasons for it, and that the agency believes it to be better.'' 566 U.S. 502, 515 (2009) (referencing *Motor Vehicle Mfrs. Ass'n of United States, Inc.* v. *State Farm Mut. Auto. Ins. Co.,* 463 U.S. 29 (1983)). *See* also *Perez* v. *Mortgage Bankers Assn.,* 135 S. Ct. 1199 (2015). EPA believes that this policy aligns with the purpose of the statute and RHR, which is achieving ''reasonable'' progress, not maximal progress, toward Congress' natural visibility goal.

In developing the regulations required by CAA section 169A(b), EPA established the concept of the URP for each Class I area. As discussed above, for each Class I area, there is a regulatory requirement to compare the projected visibility impairment (represented by the RPG) at the end of each planning period to the URP (*e.g.,* in 2028 for the second planning period).[69] In the 2017 RHR Revisions, EPA addressed the role of the URP as it relates to a state's development of its second planning period SIP. *See* 82 FR 3078 (January 10, 2017). Specifically, in response to comments suggesting that the URP should be considered a ''safe harbor'' and relieve states of any obligation to consider the four statutory factors, EPA explained that the URP was not intended to be such a safe harbor. EPA summarized such comments as follows: ''Some commenters stated a desire for corresponding rule text dealing with situations where RPGs are equal to (''on'') or better than (''below'') the URP or glidepath. Several commenters stated that the URP or glidepath should be a ''safe harbor,'' opining that states should be permitted to analyze whether projected visibility conditions for the end of the implementation period will be on or below the glidepath based on on-the-books or on-the-way control measures, and that in such cases a four-factor analysis should not be required.'' [70]

Other 2017 RHR comments indicated a similar approach, such as ''a somewhat narrower entrance to a 'safe harbor,' by suggesting that if current visibility conditions are already below the end-of-planning-period point on the URP line, a four-factor analysis should not be required.'' [71] EPA was clear in its response: ''We do not agree with either of these recommendations.'' EPA explained its position as follows: ''The CAA requires that each SIP revision contain long-term strategies for making reasonable progress, and that in determining reasonable progress states must consider the four statutory factors. Treating the URP as a safe harbor would be inconsistent with the statutory requirement that states assess the potential to make further reasonable progress towards natural visibility goal in every implementation period.'' [72] In EPA's new policy, if the Class I areas impacted by a state are below the URP and the State considers the four factors, the State will have presumptively demonstrated it has made reasonable progress for the second planning period for that area. Indeed, EPA believes this policy also recognizes the considerable improvements in visibility impairment that have been made by a wide variety

[65] Percentage of progress toward natural conditions = [((2014–2018 IMPROVE data) − (2018–2022 IMPROVE data))/((2014–2018 IMPROVE data) − (Natural visibility conditions))] × 100. Example calculation for Cape Romain: [(17.67 − 16.44)/(17.67 − 9.78)] × 100 = 15.65 percent.

[66] *See* Figures 2–4 and 2–5 of the Haze Plan.

[67] *See* 90 FR 16478, 16483 (April 18, 2025).

[68] *See also* EPA's May 14, 2025 proposed action for South Dakota's Regional Haze SIP for the second planning period (90 FR 20425).

[69] EPA notes that RPGs are a regulatory construct that EPA developed to address statutory mandate in CAA section 169B(e)(1), which required our regulations to include ''criteria for measuring 'reasonable progress' toward the national goal.'' Under 40 CFR 51.308(f)(3)(ii), RPGs measure the progress that is projected to be achieved by the control measures a state has determined are necessary to make reasonable progress. Consistent with the 1999 RHR, the RPGs are unenforceable, though they create a benchmark that allows for analytical comparisons to the URP and mid-implementation-period course corrections if necessary. *See* 82 FR at 3091–3092 (January 10, 2017).

[70] 82 FR 3099 (January 10, 2017).

[71] *Id.*

[72] *Id.*

of state and federal programs in recent decades.

Applying this new policy in EPA's evaluation of South Carolina's SIP and as further detailed in the paragraphs that follow, no additional measures for South Carolina's LTS are necessary for this planning period to achieve reasonable progress towards natural visibility at Class I areas impacted by emissions from South Carolina sources.[73] [74]

i. Century: Regarding Century, South Carolina concluded that no additional SO_2 controls at Century's Bake Oven (Unit 1) and the four Potline Potrooms Units 2, 3, 4, and 5 are necessary for reasonable progress for the second planning period. The State evaluated available and technically feasible SO_2 controls that were based on, where applicable, estimated values of capital costs, annualized costs, and cost per ton of emission reductions, consistent with recommendations in EPA's ''Air Pollution Control Cost Manual'' (Cost Manual).[75] South Carolina reasonably evaluates additional controls and concludes that WFGD and DSI for the Bake Oven and the four Potrooms at a cost effectiveness of $7,485/ton (WFGD) and $10,323/ton (DSI), respectively, are not necessary to make reasonable progress. Because South Carolina considered the four statutory factors for Century and visibility conditions at all Class I areas to which South Carolina contributes are below the URP, EPA finds that South Carolina has demonstrated that it has made reasonable progress for the second planning period without any additional measures for Century.

ii. Cross: Regarding Cross, South Carolina concluded that no additional SO_2 measures at Cross' Units 1–4 are necessary for reasonable progress. The State evaluated available and technically feasible SO_2 controls that were based on, where applicable, estimated values of capital costs, annualized costs, and cost per ton of emission reductions, consistent with recommendations in EPA's Cost Manual. South Carolina's control evaluation concluded that fuel sulfur control for Units 1–4 at a cost effectiveness of $31,451/ton is not necessary for reasonable progress. These units are subject to the MATS rule alternative SO_2 emission limit of 0.2 lb/MMBtu and are equipped with WFGD that routinely achieve a high SO_2 control effectiveness (approximately 91.6 to 98.3 percent yearly average SO_2 removal efficiencies based on 2017–2023 data during times when coal is one of the fuel sources consumed), with a seven-year average (2017–2023) SO_2 removal efficiency of 97.5 percent.[76] Because South Carolina considered the four statutory factors for Cross and visibility conditions at all Class I areas to which South Carolina contributes are below the URP, EPA finds that South Carolina has demonstrated that it has made reasonable progress for the second planning period without any additional measures for Cross.

iii. IP-Georgetown: South Carolina concluded that no additional SO_2 measures at IP-Georgetown at the No. 1 and 2 Power Boilers and the No. 1 Recovery Boiler are necessary for reasonable progress. The State evaluated available and technically feasible SO_2 controls that were based on, where applicable, estimated values of capital costs, annualized costs, and cost per ton of emission reductions, consistent with recommendations in EPA's Cost Manual. South Carolina's control evaluation concluded that the cost effectiveness of WFGD at $14,400/ton, SDA at $13,800/ton, and DSI at $7,900/ton for the No.1 and 2 Power Boilers and WFGD at $19,200/ton for the No. 1 Recovery Boiler are not necessary for reasonable progress. Because South Carolina considered the four statutory factors for IP-Georgetown and visibility conditions at all Class I areas to which South Carolina contributes are below the URP, EPA finds that South Carolina has demonstrated that it has made reasonable progress for the second planning period without any additional measures for IP-Georgetown.

iv. Winyah: South Carolina concluded that Winyah's Units 1–4 are effectively controlled for SO_2 because all four units have wet scrubbers which operate year-round, achieve over 90 percent control efficiency, and are subject to and in compliance with the SO_2 limit of 0.20 lb/MMBtu under the MATS rule.[77] These WFGD routinely achieve a high SO_2 control effectiveness (approximately 94.1 to 98.3 percent yearly average SO_2 removal efficiencies during times when coal is one of the fuel sources consumed), with a seven-year average (2017–2023) SO_2 removal efficiency of 96.9 percent.[78] Therefore, EPA finds that South Carolina considered the four statutory factors and has demonstrated that Winyah has adequate existing controls and has made reasonable progress for the second planning period. Because additional measures for Winyah are not necessary, there is no need for South Carolina to conduct a full four-factor analysis of this facility.

c. Documentation of Technical Basis: With respect to 40 CFR 51.308(f)(2)(iii), South Carolina's documentation regarding cost, engineering, emissions, modeling, and monitoring information to determine the measures that are necessary to make reasonable progress is adequate for the following reasons. Regarding emissions information, as required by the RHR, the State included the required years of the most recent triennial emissions inventory (2017) and

[73] On June 4, 2025, the State requested that EPA fully approve its Haze Plan pursuant to the new policy, stating that South Carolina considered the four statutory factors, that projected 2028 visibility conditions for Class I areas impacted by emissions from South Carolina sources are all below the URP, and that therefore, under this policy, the Haze Plan meets the requirements of the CAA for demonstrating reasonable progress and no additional or existing measures need to be adopted into the SIP as part of the long-term strategy for this planning period. *See* June 4, 2025 letter from Myra C. Reese, DES to Kevin J. McOmber, EPA Region 4. The letter is in the docket for this proposed rulemaking.

[74] South Carolina's request in Section 7.9 of the Haze Plan to incorporate permit conditions into the SIP is moot under the new policy because, if the proposed approval is finalized, South Carolina will have demonstrated reasonable progress without the need for additional measures in the LTS. Furthermore, the Haze Plan lacks enforceable measures because the permit conditions in the Haze Plan identified for incorporation into the SIP for IP-Georgetown, Cross, and Winyah are in draft form and because EPA does not have permit conditions for incorporation into the SIP for Century. South Carolina withdrew the permit conditions for Century from the Haze Plan on December 12, 2024. *See* December 12, 2024, letter from Myra C. Reece, DES, to Jeaneanne Gettle, EPA Region 4. The letter is in the docket for this proposed rulemaking. The State does not intend to submit enforceable, final permit conditions to EPA for incorporation into the SIP via a subsequent regional haze SIP revision for these facilities. *See* June 4, 2025 letter from Myra C. Reese, DES to Kevin J. McOmber, EPA Region 4.

[75] EPA's Cost Manual is available at: *https://www.epa.gov/economic-and-cost-analysis-air-pollution-regulations/cost-reports-and-guidance-air-pollution.*

[76] Between 2017 to 2023, when coal is one of the fuel sources consumed, the yearly average FGD SO_2 control efficiencies for Cross Unit 1 ranged from 96.8 to 98.1 percent, Unit 2 ranged from 91.6 to 95.5 percent, Unit 3 ranged from 97.2 to 98.3 percent, and Unit 4 ranged from 97.6 to 98.3 percent. *See* South Carolina Santee Cooper scrubber efficiency data file titled ''SC EGU Scrubber Efficiency 2017–2023'' that is included in the docket for this proposed action.

[77] *See* EPA's ''Guidance on Regional Haze State Implementation Plans for the Second Implementation Period'' (August 20, 2019) at p. 23 (providing several scenarios in which EPA believes it may be reasonable for a state not to select a particular source for a full four factor analysis, including a coal-fired EGU that has add-on FGD and meets the applicable alternative SO_2 emission limit of 0.20 lb/MMBtu in the MATS rule), available at: *https://www.epa.gov/visibility/guidance-regional-haze-state-implementation-plans-second-implementation-period.*

[78] Between 2017 to 2023, the yearly average FGD SO_2 control efficiencies for Winyah Unit 1 ranged from 96.8 to 98.3 percent, Unit 2 ranged from 95.5 to 98.3 percent, Unit 3 ranged from 94.1 to 96.8 percent, and Unit 4 ranged from 96.3 to 97.9 percent. *See* South Carolina Santee Cooper scrubber efficiency data file titled ''SC EGU Scrubber Efficiency 2017–2023'' that is included in the docket for this proposed action.

the most recent annual emissions data (2019) at the time of the development of the Haze Plan pursuant to 40 CFR 51.308(f)(2)(iii). South Carolina also provided statewide actual emissions inventory data for 2011, 2014, 2016, 2017, 2018, and 2019 in its Haze Plan. Additionally, the State provided 2028 projected emissions data used in the source selection process.

Regarding cost and engineering information, the State provided the underlying cost calculations associated with the cost summaries in Section 7.8 of the plan for Century, Cross, IP-Georgetown, and WestRock-Charleston, and the proposed FFAs in Appendix G provide engineering analyses evaluating potential new control measures.

Regarding monitoring data, the State provided IMPROVE data for the modeling base period plus baseline, current (2014–2018), and natural conditions for all VISTAS Class I areas with more detailed data provided for the South Carolina Class I area (Cape Romain).

Regarding modeling information, the State documented the modeling input and outputs and assumptions in the Haze Plan and the results of the modeling related to RPGs and PSAT source impacts at Class I areas.

d. Assessment of Five Additional Factors in 40 CFR 51.308(f)(2)(iv): South Carolina satisfied the requirements of 40 CFR 51.308(f)(2)(iv) because the State has considered each of the five additional factors under 40 CFR 51.308(f)(2)(iv) in developing South Carolina's LTS, discussed the measures the State has in place to address each (or discussed why such measures are not needed), and, where relevant, explained how each factor informed VISTAS' technical analysis for the second planning period.

With respect to 40 CFR 51.308(f)(2)(iv)(A), South Carolina adequately addressed the requirement to assess emission reductions due to ongoing air pollution control programs, including measures to address RAVI, through the State's emissions inventory work for the base year of 2011 as projected out to 2028.

With respect to 40 CFR 51.308(f)(2)(iv)(B), South Carolina adequately addressed this requirement to evaluate measures to mitigate the impacts of construction activities by explaining that fine soils were a relatively minor contributor to visibility impairment at Cape Romain during the 2000–2004 baseline period as demonstrated in Figure 2–2, and that no VISTAS Class I areas experienced significant visibility impairment from soils during the baseline timeframe as demonstrated in Figure 2–3. As demonstrated by Figures 2–7, 2–8, and 2–9, soils continued to be a minor contributor to visibility impairment at Cape Romain and other VISTAS Class I areas through the 2014–2018 time period.

With respect to 40 CFR 51.308(f)(2)(iv)(C), South Carolina adequately addressed source retirement and replacement schedules by describing how the 2028 projected year emissions inventory of visibility impairing pollutants was developed from the base year 2011 by accounting for source retirement and replacements. *See* Section 7.2 of the Haze Plan. For example, in Section 7.2.1.2, South Carolina states that the following facilities either retired the units or switched the units from coal-fired to natural gas-fired: Santee Cooper Grainger, Santee Cooper Jefferies, Progress Energy Robinson, Duke Energy W.S. Lee Steam Station, SCE&G Canadys, SCE&G (now Dominion) McMeekin, and SCE&G (now Dominion) Urquhart.

With respect to 40 CFR 51.308(f)(2)(iv)(D), South Carolina adequately addressed the requirement to consider the State's basic smoke management practices for prescribed fire used for agricultural and wildland vegetation management in Section 7.10.1 of the Haze Plan. In that section, South Carolina states that the SCFC has developed a Smoke Management Guideline for Vegetative Debris Burning Operations, which serves to regulate vegetative debris burning for forestry, agriculture, and wildlife purposes [79] and that the State's Bureau of Air Quality has developed a state air pollution control regulation that prohibits open burning except when meeting certain criteria. South Carolina states that when weighed together, these two documents address all sources of fire used for land management purposes within South Carolina and effectively minimize visibility impacts while recognizing the important ecological role that prescribed fires can and do play.

With respect to 40 CFR 51.308(f)(2)(iv)(E), South Carolina adequately assessed the anticipated net effect on visibility due to projected changes in point, area, and mobile source emissions over the period addressed by the LTS in development of the 2028 RPGs for South Carolina's Class I area. The State used the 2011 base year emissions inventory to project emissions from various source sectors to 2028, the end of the second planning period. South Carolina, through VISTAS, completed CAMx modeling to estimate visibility impairment in 2028 based on projected 2028 emissions from the 2011 base year inventory and using IMPROVE monitoring data for 2009–2013.[80] For South Carolina, estimated visibility improvements by 2028 at Cape Romain are based on estimated emissions reductions associated with existing Federal and state measures implemented or expected to be implemented during the second planning period.

e. Interstate Consultation: With respect to interstate consultation pursuant to 40 CFR 51.308(f)(2)(ii), South Carolina met the requirements to consult with those states with Class I areas that South Carolina emissions impact for visibility and to consult with those states whose sources are impacting South Carolina's Class I areas.

D. RPGs

1. RHR Requirement: Section 51.308(f)(3) contains the requirements pertaining to RPGs for each Class I area. Section 51.308(f)(3)(i) requires a state in which a Class I area is located to establish RPGs—one each for the most impaired and clearest days—reflecting the visibility conditions that will be achieved at the end of the planning period as a result of the emission limitations, compliance schedules, and other measures required under paragraph (f)(2) to be in states' LTSs, as well as implementation of other CAA requirements. The LTSs, as reflected by the RPGs, must provide for an improvement in visibility on the most impaired days relative to the baseline period and ensure no degradation on the clearest days relative to the baseline period. Section 51.308(f)(3)(ii) applies in circumstances in which a Class I area's RPG for the most impaired days represents a slower rate of visibility improvement than the uniform rate of progress calculated under 40 CFR 51.308(f)(1)(vi). Under 40 CFR 51.308(f)(3)(ii)(A), if the state in which a mandatory Class I area is located establishes an RPG for the most impaired days that provides for a slower rate of visibility improvement than the URP, the state must demonstrate that

[79] Appendix G–4 of the Haze Plan includes the SCFC Smoke Management Guideline and a memorandum of understanding between the SCFC and the former South Carolina DHEC. Appendix G–4 is included for reference only and is not being proposed for adoption into the SIP.

[80] In preparing the 2028 emissions for point sources, South Carolina started with a 2011 base year inventory which includes emission reductions associated with Federal and state control programs and consent agreements for surrounding states included in the LTS for the first planning period. A summary of these agreements can be found in Section 7.2 of the Haze Plan.

there are no additional emission reduction measures for anthropogenic sources or groups of sources in the state that would be reasonable to include in its LTS. Section 51.308(f)(3)(ii)(B) requires that if a state contains sources that are reasonably anticipated to contribute to visibility impairment in a Class I area in *another* state, and the RPG for the most impaired days in that Class I area is above the URP, the upwind state must provide the same demonstration.

2. State Assessment: South Carolina identified 2028 RPGs for Cape Romain in deciviews for the 20 percent most impaired days and the 20 percent clearest days in Tables 8–1 and 8–2, respectively, of the Haze Plan, which are all below the URP. Table 7 summarizes the 2028 RPGs and 2028 URP for Cape Romain.

TABLE 7—SOUTH CAROLINA'S CLASS I AREA RPGS FOR 2028 IN DECIVIEWS

[dv]

Class I area	2028 RPG for 20% clearest days	2028 RPG for 20% most impaired days	2028 URP
Cape Romain	11.42	16.64	19.06

Figures 3–1 and 7–9 of the Haze Plan show the URP for the 20 percent most impaired days for Cape Romain. In their Haze Plan, South Carolina provided the top 10 Class I areas affected by the state sources (Table 10–3) and the State further demonstrated that all of these Class I areas are currently below the URP (Figure 7–10).

3. EPA Evaluation: South Carolina provided 2028 RPGs for its Class I area for the most impaired and clearest days. The State established 2028 RPGs expressed in deciviews that reflect the visibility conditions that are projected to be achieved by the end of the second planning period as a result of implementation of the LTS and other CAA requirements. South Carolina's RPGs provide for an improvement in visibility for the 20 percent most impaired days since the baseline period (2000–2004) and demonstrate that there is no degradation in visibility for the 20 percent clearest days since the baseline period. Any additional unanticipated emissions reductions provide further assurances that the State's Class I area will achieve its 2028 RPGs. For these reasons, the 2028 RPGs for Cape Romain are reasonable. Additionally, South Carolina has adequately demonstrated that all Class I areas both in South Carolina and out-of-state Class I areas to which South Carolina may reasonably be anticipated to cause or contribute to any impairment of visibility are all below the URP. Therefore the ''robust demonstration'' provisions in 40 CFR 51.308(f)(3)(ii) are not applicable to this action. Therefore, EPA is proposing to determine that South Carolina has satisfied all applicable requirements of 40 CFR 51.308(f)(3).

E. Monitoring Strategy and Other Implementation Plan Requirements

1. RHR Requirement: Section 51.308(f)(6) specifies that each comprehensive revision of a state's regional haze SIP must contain or provide for certain elements, including monitoring strategies, emissions inventories, and any reporting, recordkeeping and other measures needed to assess and report on visibility. A main requirement of this section is for states with Class I areas to submit monitoring strategies for measuring, characterizing, and reporting on visibility impairment. Compliance with this requirement may be met through participation in the IMPROVE network.

Section 51.308(f)(6)(i) requires SIPs to provide for the establishment of any additional monitoring sites or equipment needed to assess whether RPGs to address regional haze for all mandatory Class I areas within the state are being achieved. Section 51.308(f)(6)(ii) requires SIPs to provide for procedures by which monitoring data, and other information are used in determining the contribution of emissions from within the state to regional haze visibility impairment at mandatory Class I areas both within and outside the state. Section 51.308(f)(6)(iii) applies only to states that do not have mandatory Class I areas. Section 51.308(f)(6)(iv) requires the SIP to provide for the reporting of all visibility monitoring data to the Administrator at least annually for each Class I area in the state. Section 51.308(f)(6)(v) requires SIPs to provide for a statewide inventory of emissions of pollutants that are reasonably anticipated to cause or contribute to visibility impairment, including emissions for the most recent year for which data are available and estimates of future projected emissions. It also requires a commitment to update the inventory periodically. Section 51.308(f)(6)(v) also requires states to include estimates of future projected emissions and include a commitment to update the inventory periodically. Under 40 CFR 51.308(f)(4), if EPA or the FLM of an affected Class I area has advised a state that additional monitoring is needed to assess RAVI, the state must include in its SIP revision for the second planning period an appropriate strategy for evaluating such impairment.

2. State Assessment: With respect to 40 CFR 51.308(f)(6)(i), South Carolina states that the existing IMPROVE monitor for the State's Class I area is adequate and does not believe any additional monitoring sites or equipment are needed to assess whether the RPGs for Cape Romain are being achieved. With respect to 40 CFR 51.308(f)(6)(ii), data from this IMPROVE monitor will be used for future haze plans and progress reports. 40 CFR 51.308(f)(6)(iii) does not apply to South Carolina because it has a Class I area. With respect to 40 CFR 51.308(f)(6)(iv), NPS manages and oversees the IMPROVE monitoring network and reviews, verifies, and validates IMPROVE data before its submission to EPA's Air Quality System. With respect to 40 CFR 51.308(f)(6)(v), South Carolina states in the Haze Plan that the requirements of 40 CFR 51.308(f)(6)(v) are addressed in Section 4, Section 7.2.4, and Section 13.1 of the Haze Plan. South Carolina provided a statewide baseline emissions inventory of pollutants for the year 2011 in Table 4–1 of the Haze Plan which includes the following pollutants: carbon monoxide, NH_3, NO_X, SO_2, VOC, $PM_{2.5}$, and PM_{10}. In addition, South Carolina provided in Tables 13–11, 13–12, and 13–13 statewide 2014 and 2017 NEI emissions inventory data for $PM_{2.5}$, NO_X, and SO_2, respectively, by source category. The State will periodically update its statewide emissions inventories and will continue to participate in SESARM/VISTAS efforts for projecting future emissions and continue to comply with the requirements of the AERR to periodically update emissions

inventories.[81] With respect to 40 CFR 51.308(f)(6)(vi), South Carolina affirms that there are no elements, including reporting, recordkeeping, or other measures, necessary to address and report on visibility for Cape Romain or Class I areas outside the State that are affected by sources in South Carolina. With respect to 40 CFR 51.308(f)(4), the State did not include a strategy for evaluating RAVI for any Class I areas because no Federal agency requested additional monitoring to assess RAVI.

3. EPA Evaluation: EPA proposes to determine that South Carolina has satisfied the applicable requirements of 40 CFR 51.308(f)(4) and 40 CFR 51.308(f)(6) related to RAVI, visibility monitoring, and emissions inventories. With respect to 40 CFR 51.308(f)(4), EPA proposes to find that this requirement does not apply to South Carolina at this time because neither EPA nor the FLMs requested additional monitoring to assess RAVI at Cape Romain.

EPA proposes to determine that South Carolina satisfied 40 CFR 51.308(f)(6), which is generally met by the State's continued participation in the IMPROVE monitoring network and the VISTAS RPO, for the following reasons. With respect to 40 CFR 51.308(f)(6)(i), South Carolina stated that the existing IMPROVE monitor relied upon for Cape Romain is adequate, and thus, additional monitoring sites or equipment are not needed to assess whether the RPGs for Cape Romain are being achieved. With respect to 40 CFR 51.308(f)(6)(ii), South Carolina is complying with procedures by which monitoring data and other information are used to determine the contribution of emissions from within the State to regional haze at Class I areas both within and outside the State through South Carolina's continued participation in VISTAS' regional haze work. With respect to 40 CFR 51.308(f)(6)(iii), this provision is applicable for states with no Class I areas and does not apply to South Carolina. Regarding the reporting of visibility monitoring data to EPA at least annually for each Class I area in the State pursuant to 40 CFR 51.308(f)(6)(iv), EPA proposes to find that South Carolina's participation in the IMPROVE Steering Committee and the IMPROVE monitoring network addresses this requirement. With respect to 40 CFR 51.308(f)(6)(v), EPA proposes to find that South Carolina's continued participation in VISTAS' efforts for projecting future emissions and continued compliance with the requirements of the AERR to periodically update emissions inventories satisfies the requirement to provide for an emissions inventory for the most recent year for which data are available. EPA proposes to find that South Carolina adequately documented that no further elements are necessary at this time for the State to assess and report on visibility pursuant to 40 CFR 51.308(f)(6)(vi).

F. Requirements for Periodic Reports Describing Progress Toward the RPGs

1. RHR Requirement: Section 51.308(f)(5) requires that periodic comprehensive revisions of states' regional haze plans also address the progress report requirements of 40 CFR 51.308(g)(1) through (5). The purpose of these requirements is to evaluate progress towards the applicable RPGs for each Class I area within the state and each Class I area outside the state that may be affected by emissions from within that state. Sections 51.308(g)(1) and (2) apply to all states and require a description of the status of implementation of all measures included in a state's first planning period regional haze plan and a summary of the emission reductions achieved through implementation of those measures. Section 51.308(g)(3) applies only to states with Class I areas within their borders and requires such states to assess current visibility conditions, changes in visibility relative to baseline (2000–2004) visibility conditions, and changes in visibility conditions relative to the period addressed in the first planning period progress report. Section 51.308(g)(4) applies to all states and requires an analysis tracking changes in emissions of pollutants contributing to visibility impairment from all sources and sectors since the period addressed by the first planning period progress report. This provision further specifies the year or years through which the analysis must extend depending on the type of source and the platform through which its emission information is reported. Finally, 40 CFR 51.308(g)(5), which also applies to all states, requires an assessment of any significant changes in anthropogenic emissions within or outside the state have occurred since the period addressed by the first planning period progress report, including whether such changes were anticipated and whether they have limited or impeded expected progress towards reducing emissions and improving visibility.

2. State Assessment: With respect to the progress report elements pursuant to 40 CFR 51.308(f)(5), the State addressed these elements in Section 13 of the Haze Plan for the end of the first period since 2013, with additional attention given to 2011 and 2012 due to data quality issues in 2013.[82] South Carolina outlines its approach to addressing 40 CFR 51.308(g)(1) through 40 CFR 51.308(g)(5) in Section 13.2 of the Haze Plan.

Regarding 40 CFR 51.308(g)(1) and 40 CFR 51.308(g)(2), the State describes the status of the implementation of the measures of the LTS from the first planning period in Section 13.3.1 of the Haze Plan. Tables 13–4 and 13–5 provide a summary of the emission reductions achieved by implementing those measures.

With respect to 40 CFR 51.308(g)(1), the Haze Plan identifies key Federal and state emissions control measures in Section 13.3.1 that the State relied upon for other emission reduction actions included in the LTS of South Carolina's first regional haze plan submitted on December 17, 2007 (''2007 Haze Plan''). Section 13.3.2 identifies measures that contributed to emission reductions during the first planning period but were not a part of the LTS for the first period.[83] In Section 13.3.1.1 of the Haze Plan, South Carolina summarized Federal and state programs which contributed to reductions of EGU and certain non-EGU SO_2 emissions in South Carolina and surrounding states over the 2013–2018 period. The programs examined include, but are not limited to, the 2005 Clean Air Interstate Rule, the Phase I NO_X SIP Call, and consent agreements and voluntary agreements with regional EGUs. In Section 13.3.1.2 of the Haze Plan, the State summarized state EGU control measures which contributed to reductions in SO_2 emissions in South Carolina, North Carolina, and Georgia. The programs examined included the 2002 North Carolina Clean Smokestacks Act and the 2007 Georgia Multi-Pollutant Control for Electric Utility Steam Generating Units. Lastly, in Section 13.3.1.3 of the Haze Plan, South Carolina summarized its reasonable progress and BART control measures.

With respect to 40 CFR 51.308(g)(2), South Carolina continued to focus on SO_2 emissions reductions because the State determined that ammonium sulfate was the most important contributor to visibility impairment and fine particle mass on the 20 percent best

[81] *See* Haze Plan at p. 206.

[82] South Carolina's first planning period progress report covered the period 2008–2013.

[83] For the first planning period, visibility conditions were determined for the average of the 20 percent most impaired visibility days (referred to as the ''worst'' days) and the 20 percent least impaired visibility days (referred to as the ''best'' days).

and 20 percent worst days in the first planning period. South Carolina reported on emission reductions achieved by Federal and state measures relied upon to project the 2018 RPGs for the first period haze plan, including 2007 Heavy-Duty Highway Rule, NO_X SIP Call, Tier 2 Vehicle and Gasoline Sulfur Program, the North Carolina Clean Smokestacks Act, and the Georgia Multi-Pollutant Control for Electric Utility Steam Generating Units. In addition, the State provided emission reductions for sources evaluated for controls in the first period haze plan as follows. Table 13–4 of the Haze Plan lists the facilities that had units for which a reasonable progress determination was made and the current status of emissions. Table 13–5 lists the recent emissions of sources for which a BART control determination was made.

Regarding 40 CFR 51.308(g)(3), South Carolina addressed the visibility conditions at Cape Romain and summarized these results in Tables 13–6 and 13–7. Specifically, the State identified current visibility conditions (2014–2018); the difference between current visibility conditions compared to the baseline; and the change in visibility impairment for the most and least impaired days over the period from 2014–2018. South Carolina concluded that IMPROVE monitoring data for 2014–2018 shows that Cape Romain is below the 2018 RPG for the 20 percent worst days and there is no degradation on the 20 percent best/clearest days which is illustrated in Figures 13–2 and 13–3 of the Haze Plan.

Regarding 40 CFR 51.308(g)(4), in Section 13.5 of the Haze Plan, Tables 13–11, 13–12, and 13–13 address the current status of these measures and the reductions that they have achieved. South Carolina summarized stationary point, area (non-point), non-road mobile, onroad mobile, fires, and sources of $PM_{2.5}$, NO_X, and SO_2 emissions. Between 2014–2017, statewide emissions were reduced for all three pollutants, including a $PM_{2.5}$ reduction from 70,649 tpy to 68,566 tpy (Table 13–11), a NO_X reduction from 178,086 tpy to 153,314 tpy (Table 13–12), and an SO_2 reduction of 52,794 tpy to 23,440 tpy (Table 13–13). These emissions values remained well below the projected 2018 values from the first planning period of 108,328 tpy of $PM_{2.5}$, 196,821 tpy of NO_X, and 164,444 tpy of SO_2. Additionally, in Table 13–14, South Carolina provided yearly 2014–2019 SO_2 emissions from South Carolina EGUs reporting to EPA's CAMPD which shows a general decline through the period. The State elected to compare the 2017 NEI total emissions data to the 2018 emissions projections (''VISTAS 2018G4'') from the State's first period haze plan and concluded that statewide emissions of SO_2, NO_X, and $PM_{2.5}$ are below first period haze plan 2018 projected emissions by 75, 12, and 20 percent, respectively. In addition, the State provided SO_2 emissions trends for South Carolina EGUs reporting to CAMPD for the 2014–2018 period and included the year 2019 in Table 13–14 which shows a decrease from 26,122 tpy in 2014 to 5,731 tpy in 2019, a decrease of 78 percent. The State also notes that NO_X emissions decreased from 16,567 tpy in 2014 to 10,909 tpy in 2019, a decrease of 34 percent. Regarding 40 CFR 51.308(g)(5), South Carolina reviewed anthropogenic SO_2 and NO_X emissions trends based on emissions included in the 2011, 2014, and 2017 NEIs for the VISTAS states and all of the RPOs. The data show a decline in SO_2 and NO_X emissions from 2011 through 2017 in all regions of the country as shown in Table 13–15 and Figures 13–6 (SO_2) and 13–7 (NO_X) of the Haze Plan.

3. EPA Evaluation: EPA proposes to find that South Carolina has met the requirements of 40 CFR 51.308(g)(1)–(5) because the Haze Plan adequately describes the status of the measures included in the LTS from the first planning period and the emission reductions achieved from those measures; the visibility conditions and changes at Cape Romain; an analysis tracking the changes in emissions since the first planning period progress report using emissions data for the 2014–2018 reporting period, including the 2017 NEI data which is the most recent triennial emissions inventory submission from South Carolina prior to submission of the Haze Plan; and assessed whether any significant changes in anthropogenic emissions within or outside the State that have occurred since the end of the period addressed by South Carolina's first planning period progress report, including whether these changes in anthropogenic emissions were anticipated in that most recent plan and whether they have limited or impeded progress in reducing pollutant emissions and improving visibility. Thus, EPA is proposing to find that South Carolina has met the requirements of 40 CFR 51.308(f)(5).

G. Requirements for State and FLM Coordination

1. RHR Requirement: Section 169A(d) of the CAA requires states to consult with FLMs before holding the public hearing on a proposed regional haze SIP, and to include a summary of the FLMs' conclusions and recommendations in the notice to the public. In addition, the FLM consultation provision of 40 CFR 51.308(i)(2) requires a state to provide the FLMs with an opportunity for consultation that is early enough in the state's policy analyses of its emission reduction obligation so that information and recommendations provided by FLMs can meaningfully inform the state's decisions on its LTS. If the consultation has taken place at least 120 days before a public hearing or public comment period, the opportunity for consultation will be deemed early enough. Regardless, the opportunity for consultation must be provided at least 60 days before a public hearing or public comment period at the state level. Section 51.308(i)(2) also provides two substantive topics on which FLMs must be provided an opportunity to discuss with states: assessment of visibility impairment in any Class I area and recommendations on the development and implementation of strategies to address visibility impairment. Section 51.308(i)(3) requires states, in developing their implementation plans, to include a description of how they addressed FLMs' comments. Section 40 CFR 51.308(i)(4) requires that the regional haze SIP revision provide procedures for continuing consultation between the state and FLMs regarding the state's visibility protection program.

2. State Assessment: As required by CAA section 169A(d), South Carolina consulted with the FLMs prior to opening the State public comment period on its proposed Haze Plan. The conclusions and recommendations of the FLMs on the proposed plan are included in Section 10.4 and Appendix H–1.

With respect to 40 CFR 51.308(i)(2), South Carolina offered to the three FLM agencies the opportunity to consult on the draft Haze Plan from July 27, 2021, to September 27, 2021. A summary of this consultation process is discussed and documented in Section 10.4 of the Haze Plan (responses to FLM comments) with supporting information in Appendix H–1 (FLM comments received) and Appendix F. Appendix F–3 contains VISTAS stakeholder materials which include data and analyses for South Carolina that were presented to the FLMs (and EPA). In addition, through VISTAS, South Carolina participated in a series of conference calls where the FLMs and EPA were given the opportunity review and provide feedback regarding technical analyses developed by VISTAS. South Carolina also

participated in calls hosted by VISTAS with other RPOs, FLMs, and EPA to discuss VISTAS' approaches to source selection and other related topics. *See* Appendix F of the Haze Plan.

To address 40 CFR 51.308(i)(3), South Carolina provided responses to comments received from FWS, NPS, and USFS in Section 10.4 and Appendix H of the Haze Plan.

With respect to 40 CFR 51.308(i)(4), South Carolina has established ongoing consultation procedures with the FLMs and ''formally commits to follow the FLM consultation procedures as prescribed in 40 CFR 51.308(i) in making these future implementation plan reviews and revisions.'' *See* Section 1.6 of the Haze Plan.

3. EPA Evaluation: EPA proposes to find that South Carolina addressed all FLM consultation requirements in the CAA and RHR. With respect to CAA section 169A(d), South Carolina consulted with the FLMs prior to the State's public comment period and included a summary of the conclusions and recommendations of the FLMs in the proposed plans issued for public review.[84]

South Carolina fully addressed the requirement for FLM consultation under 40 CFR 51.308(i)(2) because the State offered the draft South Carolina Haze Plan on July 27, 2021, prior to the start of the public comment period which opened on November 26, 2021, and closed on January 5, 2022. EPA proposes to find that South Carolina has met its requirements under 40 CFR 51.308(i)(2) to consult with the FLMs on its Haze Plan for the second planning period. EPA proposes to find that South Carolina satisfied 40 CFR 51.308(i)(3) by providing responses to the FLM comments in Section 10.4 of the Haze Plan.

EPA proposes to find that South Carolina satisfied 40 CFR 51.308(i)(4) by establishing in its Haze Plan continuing consultation procedures as summarized above.

[84] A description of South Carolina's response to FLM comments can be found in Section 10.4 and under the public participation section of the Haze Plan.

V. Proposed Action

EPA is proposing to approve South Carolina's March 3, 2022, SIP submission as satisfying the regional haze requirements for the second planning period contained in 40 CFR 51.308(f).

VI. Statutory and Executive Order Reviews

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

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because SIP actions are exempt from review under Executive Order 12866;
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a state program;
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and
- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA.

Because this Haze Plan merely proposes to approve state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law, this Haze Plan for the State of South Carolina does not have Tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). Therefore, this proposed action will not impose substantial direct costs on Tribal governments or preempt Tribal law. The Catawba Indian Nation (CIN) Reservation is located within the boundary of York County, South Carolina. Pursuant to the Catawba Indian Claims Settlement Act, S.C. Code Ann. 27–16–120 (Settlement Act), ''all state and local environmental laws and regulations apply to the [Catawba Indian Nation] and Reservation and are fully enforceable by all relevant state and local agencies and authorities.'' The CIN also retains authority to impose regulations applying higher environmental standards to the Reservation than those imposed by state law or local governing bodies, in accordance with the Settlement Act.

List of Subjects in 40 CFR Part 52

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

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

Dated: July 18, 2025.

Kevin McOmber,

Regional Administrator, Region 4.

[FR Doc. 2025–14476 Filed 7–30–25; 8:45 am]

BILLING CODE 6560–50–P

Notices

Federal Register
Vol. 90, No. 145
Thursday, July 31, 2025

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

DEPARTMENT OF AGRICULTURE

Forest Service

Helena-Lewis and Clark Resource Advisory Committee

AGENCY: Forest Service, Agriculture (USDA).

ACTION: Notice of meeting.

SUMMARY: The Helena-Lewis and Clark Resource Advisory Committee (RAC) will hold a public meeting according to the details shown below. The committee is authorized under the Secure Rural Schools and Community Self-Determination Act (the Act) and operates in compliance with the Federal Advisory Committee Act (FACA). The purpose of the committee is to improve collaborative relationships and to provide advice and recommendations to the Forest Service concerning projects and funding consistent with Title II of the Act as well as make recommendations on recreation fee proposals for sites on the Helena-Lewis and Clark National Forest within the counties of Broadwater, Meagher, Teton, Lewis and Clark, and Judith Basin, consistent with the Federal Lands Recreation Enhancement Act.

DATES: An in person and virtual meeting will be held on September 4, 2025, 2 p.m. to 5 p.m., Mountain Daylight Time.

Written and Oral Comments: Anyone wishing to provide in-person or virtual oral comments must pre-register by 11:59 p.m. Mountain Daylight Time on September 2, 2025. Written public comments will be accepted by 11:59 p.m. Mountain Daylight Time on September 2, 2025. Comments submitted after this date will be provided by the Forest Service to the committee, but the committee may not have adequate time to consider those comments prior to the meeting.

All RAC meetings are subject to cancellation. For status of the meeting prior to attendance, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

ADDRESSES: The meeting will be held in-person at 2880 Skyway Drive, Helena, MT 59602, and virtually via telephone and/or videoconference. Members of the public may participate in the meeting virtually by joining via videoconference at: Microsoft Teams/Meeting ID: 264 147 020 814 2, Passcode: Qm6Dk7nQ; or Dial in by phone +1 (202) 650–0123, 235 249 190# United States, Washington, Phone conference ID: 235 249 190#. Committee information and meeting details can be found at the following website *www.fs.usda.gov/r01/helena-lewisclark/committees/helena-lewis-and-clark-resource-advisory-committee,* or by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**.

Written Comments: Written comments must be sent by email to *chiara.cipriano@usda.gov* or via mail (postmarked) to Chiara Cipriano, 28800 Skyway Drive, Helena, MT 59602. The Forest Service strongly prefers comments to be submitted electronically.

Oral Comments: Persons or organizations wishing to make oral comments must pre-register by 11:59 p.m. Mountain Daylight Time, September 2, 2025, and speakers can only register for one speaking slot. Oral comments must be sent by email to *chiara.cipriano@usda.gov* or via mail (postmarked) to Chiara Cipriano, 28800 Skyway Drive, Helena, MT 59602.

FOR FURTHER INFORMATION CONTACT: Molly Ryan, Designated Federal Officer, by phone at (406) 949–9766 or email to *molly.ryan@usda.gov;* or Chiara Cipriano, RAC Coordinator, at (406) 594–6497 or *chiara.cipriano@usda.gov.*

SUPPLEMENTARY INFORMATION: The purpose of the meeting is to:

1. Hear from Title II project proponents and discuss Title II project proposals;
2. Make funding recommendations on Title II projects;
3. Approve meeting minutes; and
4. Schedule the next meeting.

Please contact the person listed under **FOR FURTHER INFORMATION CONTACT**, by or before the deadline, for all questions related to the meeting. All comments, including names and addresses when provided, are placed in the record and are available for public inspection and copying. The public may inspect comments received upon request.

Meeting Accommodations: If you are a person requiring reasonable accommodation, please make a request in advance for sign language interpreting, assistive listening devices, or other reasonable accommodation. For access to proceedings, please contact the person listed in the section titled **FOR FURTHER INFORMATION CONTACT**. All reasonable accommodation requests are managed on a case-by-case basis.

Equal opportunity practices, in accordance with USDA policies, will be followed in all membership appointments to the committee.

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Dated: July 29, 2025.

Cikena Reid,

USDA Committee Management Officer.

[FR Doc. 2025–14489 Filed 7–30–25; 8:45 am]

BILLING CODE 3411–15–P

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

National Construction Safety Team Advisory Committee Meeting

AGENCY: National Institute of Standards and Technology, Department of Commerce.

ACTION: Notice of open meeting.

SUMMARY: The National Construction Safety Team (NCST) Advisory Committee (Committee) will hold an open virtual meeting via web conference on Tuesday, September 9, 2025, and Tuesday, September 16, 2025, from 10:00 a.m. to 4:00 p.m. Eastern Time. The primary purposes of this meeting are to update the Committee on the

progress of the NCST investigation focused on the impacts of Hurricane Maria in Puerto Rico, progress of the NCST investigation focused on the Champlain Towers South partial building collapse that occurred in Surfside, Florida, and provide responses to the Committee's 2024 recommendations. The final agenda will be posted on the NIST website at *https://www.nist.gov/topics/disaster-failure-studies/national-construction-safety-team-ncst/advisory-committee-meetings.*

DATES: The NCST Advisory Committee will meet on Tuesday, September 9, 2025, from 10:00 a.m. to 4:00 p.m. and on Tuesday, September 16, 2025, from 10:00 a.m. to 4:00 p.m. Eastern Time. The meeting will be open to the public.

ADDRESSES: The meeting will be held via web conference. For instructions on how to attend and/or participate in the meeting, please see the **SUPPLEMENTARY INFORMATION** section of this notice.

FOR FURTHER INFORMATION CONTACT: Tanya Brown-Giammanco, Director of the Disaster and Failure Studies Program, and Acting Chief of the Disaster Impact Reduction Office, Engineering Laboratory, NIST. Tanya Brown-Giammanco's email address is *Tanya.Brown-Giammanco@nist.gov* and her phone number is (301) 975–2822.

SUPPLEMENTARY INFORMATION: The Committee was established pursuant to Section 11 of the NCST Act (Pub. L. 107–231, codified at 15 U.S.C. 7301 *et seq.*). The Committee is currently composed of seven members, appointed by the Director of NIST, who were selected on the basis of established records of distinguished service in their professional community and their knowledge of issues affecting the National Construction Safety Teams. The Committee advises the Director of NIST on carrying out the NCST Act; reviews the procedures developed for conducting investigations; and reviews the reports issued documenting investigations. Background information on the NCST Act and information on the NCST Advisory Committee is available at *https://www.nist.gov/topics/disaster-failure-studies/national-construction-safety-team-ncst/advisory-committee.*

Pursuant to the Federal Advisory Committee Act, as amended, 5 U.S.C. 1001 *et seq.,* notice is hereby given that the NCST Advisory Committee will meet on Tuesday, September 9, 2025 from 10:00 a.m. to 4:00 p.m. Eastern Time and on Tuesday September 16, 2025, from 10:00 a.m. to 4:00 p.m. The meeting will be open to the public and will be held via web conference. Interested members of the public will be able to participate in the meeting from remote locations. The primary purposes of this meeting are to update the Committee on the progress of the NCST investigation focused on the impacts of Hurricane Maria in Puerto Rico, progress of the NCST investigation focused on the Champlain Towers South partial building collapse that occurred in Surfside, Florida, and provide responses to the Committee's 2024 recommendations. The agenda may change to accommodate Committee business. The final agenda will be posted on the NIST website at *https://www.nist.gov/topics/disaster-failure-studies/national-construction-safety-team-ncst/advisory-committee-meetings.*

This meeting will be recorded. Individuals and representatives of organizations who would like to offer comments and suggestions related to items on the Committee's agenda for this meeting are invited to request a place on the agenda. Approximately twenty minutes will be reserved for public comments and speaking times will be assigned on a first-come, first-served basis. The amount of time per speaker will be determined by the number of requests received. Questions from the public will not be considered during this period. All those wishing to speak must do so by registering by 5:00 p.m. Eastern Time on Thursday, September 4, 2025, at the link provided below, and selecting ''yes'' to the public comment question in the registration. Any member of the public is also permitted to file a written statement with the advisory committee; speakers who wish to expand upon their oral statements, those who wish to speak but cannot be accommodated on the agenda, and those who are unable to attend are invited to submit written statements electronically by email to *disaster@nist.gov.*

Anyone wishing to attend the National Construction Safety Team Advisory Committee meeting via web conference must register by 5:00 p.m. Eastern Time on Thursday, September 4, 2025, at: *https://www.nist.gov/news-events/events/2025/09/national-construction-safety-team-advisory-committee.* Once successfully registered, attendees will receive a link to join the meetings by September 8, 2025.

Alicia Chambers,

NIST Executive Secretariat.

[FR Doc. 2025–14485 Filed 7–30–25; 8:45 am]

BILLING CODE 3510–13–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Emergency Beacon Registrations

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. We invite the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. Public comments were previously requested via the **Federal Register** on April 28, 2025 during a 60-day comment period. This notice allows for an additional 30 days for public comments.

Agency: National Oceanic and Atmospheric Administration, Commerce.

Title: Emergency Beacon Registrations.

OMB Control Number: 0648–0295.

Form Number(s): None.

Type of Request: Regular; Revision and extension of an approved collection.

Number of Respondents: 376,063.

Average Hours per Response: 15 minutes.

Total Annual Burden Hours: 94,016.

Needs and Uses: This is a request from NOAA's National Environmental Satellite, Data, and Information Service for extension and revision of an approved information collection: Emergency Beacon Registrations (OMB Control Number 0648–0295).

The United States, Canada, France, and Russia operate the Search and Rescue Satellite-Aided Tracking (COSPAS/SARSAT), a satellite system with equipment that can detect and locate ships, aircraft and individuals in distress if an emergency radio beacon is being carried. This system is used to detect digitally encoded signals in the 406.000–406.100 MHz range, coming from these emergency beacons. The 406.000–406.100 MHz beacons transmit a unique identifier, making possible the ability to combine previously collected data associated with that beacon and transmit this vital data along with the beacon's position to the appropriate rescue coordination center.

Persons buying 406.000–406.100 MHz emergency radio beacons are required to register them with NOAA prior to installation. These requirements are contained in Federal Communications Commission (FCC) regulations at 47 CFR 80.1061, 47 CFR 87.199 and 47 CFR 95.1402.

The registration data is used to facilitate a rescue and to suppress the costly consequences of false alarms, which if unsuppressed would initiate the launch of a rescue mission and thereby deplete limited resources and possibly result in the loss of lives. This is accomplished through the use of the data provided to the rescue forces from the beacon registration database maintained by the NOAA's United States Mission Control Center (USMCC) for Search and Rescue, to contact the distressed person(s) or alternate party via a phone call or radio broadcast. Other data provides rescuers with descriptive material of the element in distress. The registration information must be kept up-to-date.

Four registration forms are used: (1) The EPIRB (Emergency Position Indicating Radio Beacon) form is used for nautical beacons; (2) The ELT (Emergency Locator Transmitter) form is used for aircraft beacons; (3) The PLB (Personal Locator Beacon) form is used to register portable beacons carried by individuals; and (4) Ship Security Alerting System (SSAS) beacons are carried aboard ships, are similar to EPIRBs and are used in the event of an emergency situation such as piracy or terrorism.

The PLB form, used for both watercraft and aircraft, is being updated to allow the collection and sharing of additional data with search and rescue (SAR) forces in order to aid in a successful SAR response. If the user checks that their ''VEHICLE TYPE'' is ''Boat'', they are asked to complete the following additional fields: Vessel Name, Federal/State Registration No., Home Port Marina/Dock, City and State (ST). If the user checks that their ''VEHICLE TYPE'' is ''Aircraft'', they are asked to complete the following additional fields: Airport Code, City and State (ST). The city and state of the marina or airport is needed to help SAR forces to quickly locate the airport/marina where the aircraft/boat is stored permanently. This helps SAR forces to identify false alerts (*i.e.,* if the beacon goes off where the aircraft/boat is stored, it is likely to be a false alert). Likewise, if a distress situation is suspected, SAR forces can call the airport/marina to get more information on the owner and the owner's whereabouts.

The EPIRB and SSAS forms were updated to have separate lines for Inmarsat number and Iridium number. Inmarsat and Iridium are both global satellite communication providers, but they utilize different satellite constellations and offer varying coverage and features. Mariners may use either option for emergency communications on board vessels and listing both options allows registered owners to select the option that is applicable to them. The EPIRB and SSAS forms were updated to have two separate lines for Inmarsat number and Iridium number.

In addition, all four forms are being updated to streamline wording, update the instructions, and add the beacon registration email address (*beacon.registration@noaa.gov*).

Affected Public: Individuals or households; Business or other for-profit organizations; Not-for-profit institutions; State, Local, or Tribal government; Federal government.

Frequency: As required.

Respondent's Obligation: Mandatory.

Legal Authority: Federal Communications Commission (FCC) regulations at 47 CFR 80.1061, 47 CFR 87.199 and 47 CFR 95.1402.

This information collection request may be viewed at *www.reginfo.gov.* Follow the instructions to view the Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function and entering either the title of the collection or the OMB Control Number 0648–0295.

Sheleen Dumas,

Departmental PRA Compliance Officer, Office of the Under Secretary for Economic Affairs, Commerce Department.

[FR Doc. 2025–14471 Filed 7–30–25; 8:45 am]

BILLING CODE 3510–HR–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF060]

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to the Kingston Ferry Trestle Seismic Retrofit Project in Kingston, WA

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

ACTION: Notice; issuance of incidental harassment authorization.

SUMMARY: In accordance with regulations implementing the Marine Mammal Protection Act (MMPA) as amended, notification is hereby given that NMFS has issued an incidental harassment authorization (IHA) to Washington Department of Transportation (WSDOT) for authorization to take marine mammals incidental to harass marine mammals during construction activities associated with a Kingston Ferry Terminal project in Kingston, WA.

DATES: The IHA is effective for 1 year from the date of notification by the IHA-holder, not to exceed 1 year from the date of issuance (July 25, 2025).

ADDRESSES: Electronic copies of the application and supporting documents, as well as a list of the references cited in this document, may be obtained online at: *https://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-construction-activities.* In case of problems accessing these documents, please call the contact listed below.

FOR FURTHER INFORMATION CONTACT: Austin Demarest, Office of Protected Resources, NMFS, (301) 427–8401.

SUPPLEMENTARY INFORMATION:

MMPA Background and Determinations

The MMPA prohibits the ''take'' of marine mammals, with certain exceptions. Among the exceptions is section 101(a)(5)(D) of the MMPA (16 U.S.C. 1361 *et seq.*) which directs the Secretary of Commerce (as delegated to NMFS) to allow, upon request, the incidental, but not intentional, taking by harassment of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and the public has an

opportunity to comment on the proposed IHA.

Specifically, NMFS will issue an IHA if it finds that the taking will have a negligible impact on the species or stock(s) and will not have an unmitigable adverse impact on the availability of the species or stock(s) for taking for subsistence uses (where relevant). Further, NMFS must prescribe the permissible methods of taking and other means of effecting the least practicable adverse impact on the affected species or stocks and their habitat, paying particular attention to rookeries, mating grounds, and areas of similar significance, and on the availability of such species or stocks for taking for certain subsistence uses (referred to here as ''mitigation''). NMFS must also prescribe requirements pertaining to the monitoring and reporting of such takings. The definitions of key terms, such as ''take,'' ''harassment,'' and ''negligible impact,'' can be found in the MMPA and the NMFS' implementing regulations (see 16 U.S.C. 1362; 50 CFR 216.103).

On June 18, 2025, a notice of NMFS' proposal to issue an IHA to WSDOT for take of marine mammals incidental to the Kingston Ferry Terminal Trestle Seismic Retrofit Project in Kingston, WA was published in the **Federal Register** (90 FR 26015). In that notice, NMFS indicated the estimated numbers, type, and methods of incidental take proposed for each species or stock, as well as the mitigation, monitoring, and reporting measures that would be required should the IHA be issued. The **Federal Register** notice also included analysis to support NMFS' preliminary conclusions and determinations that the IHA, if issued, would satisfy the requirements of section 101(a)(5)(D) of the MMPA for issuance of the IHA. The **Federal Register** notice included web links to a draft IHA for review, as well as other supporting documents.

No substantive comments were received during the public comment period. There are no changes to the specified activity, the species taken, the proposed numbers, type, or methods of take, or the mitigation, monitoring, or reporting measures in the notice of the proposed IHA (90 FR 26015, June 18, 2025). No new information that would change any of the preliminary analyses, conclusions, or determinations in the proposed IHA notice has become available since that notice was published, and therefore, the preliminary analyses, conclusions, and determinations included in the proposed IHA are considered final.

National Environmental Policy Act

To comply with the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 *et seq.*) and NOAA Administrative Order (NAO) 216–6A, NMFS must review our proposed action (*i.e.,* the issuance of an IHA) with respect to potential impacts on the human environment.

This action is consistent with categories of activities identified in Categorical Exclusion B4 (IHAs with no anticipated serious injury or mortality) of the Companion Manual for NAO 216–6A, which do not individually or cumulatively have the potential for significant impacts on the quality of the human environment and for which we have not identified any extraordinary circumstances that would preclude this categorical exclusion. Accordingly, NMFS has determined that the issuance of this IHA qualifies to be categorically excluded from further NEPA review.

Endangered Species Act

Section 7(a)(2) of the Endangered Species Act of 1973 (ESA; 16 U.S.C. 1531 *et seq.*) requires that each Federal agency ensures that any action it authorizes, funds, or carries out is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of designated critical habitat. To ensure ESA compliance for the issuance of IHAs, NMFS consults internally whenever we propose to authorize take for endangered or threatened species.

No incidental take of ESA-listed is authorized or expected to result from this activity. Therefore, NMFS has determined that formal consultation under section 7 of the ESA is not required for this action.

Authorization

Accordingly, consistent with the requirements of section 101(a)(5)(D) of the MMPA, NMFS has issued an IHA to WSDOT for authorization to take marine mammals incidental to the Kingston Ferry Terminal Trestle Seismic Retrofit Project in Kingston, WA.

Dated: July 28, 2025.

Kimberly Damon-Randall,

Director, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2025–14457 Filed 7–30–25; 8:45 am]

BILLING CODE 3510–22–P

COMMODITY FUTURES TRADING COMMISSION

Agency Information Collection Activities: Notice of Intent To Extend Collection 3038–0085: Rule 50.50 End-User Notification of Non-Cleared Swap

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice.

SUMMARY: The Commodity Futures Trading Commission (''CFTC'' or ''Commission'') is announcing an opportunity for public comment on the proposed renewal of a collection of certain information by the agency. Under the Paperwork Reduction Act (''PRA''), Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, and to allow 60 days for public comment. This notice solicits comments on the renewal of the reporting requirement that is embedded in the final rule adopting the end-user exception to the Commission's swap clearing requirement.

DATES: Comments must be submitted on or before September 29, 2025.

ADDRESSES: You may submit comments, identified by ''Rule 50.50 End-User Notification of Non-Cleared Swap, OMB Control No. 3038–0085,'' by any of the following methods:

- The CFTC's website, at *http://comments.cftc.gov/.* Follow the instructions for submitting comments through the website.
- *Mail:* Christopher Kirkpatrick, Secretary of the Commission, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581.
- *Hand Delivery/Courier:* Same as Mail above.

Please submit your comments using only one method.

FOR FURTHER INFORMATION CONTACT: Eric Schmelzer, Special Counsel, (202) 836–0567, *eschmelzer@cftc.gov,* of the Division of Clearing and Risk, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581.

SUPPLEMENTARY INFORMATION: Under the PRA, 44 U.S.C. 3501 *et seq.,* Federal agencies must obtain approval from the Office of Management and Budget (''OMB'') for each collection of information they conduct or sponsor. ''Collection of Information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3

and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA, 44 U.S.C. 3506(c)(2)(A), requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, the CFTC is publishing notice of the proposed extension of the currently approved collection of information listed below. 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.[1]

Title: Rule 50.50 End-User Notification of Non-Cleared Swap (OMB Control No. 3038–0085). This is a request for an extension of a currently approved information collection.

Abstract: CFTC Rule 50.50 specifies the requirements for eligible end-users who may elect the end-user exception from the Commission's swap clearing requirement, as provided under section 2(h)(7) of the Commodity Exchange Act (''CEA''). Rule 50.50 requires the counterparties to report certain information to a swap data repository registered with the Commission, or to the Commission directly, if one or more counterparties elects the end-user exception. The rule establishes a reporting requirement for end-users that is critical to ensuring compliance with the Commission's clearing requirement under section 2(h)(1) of the CEA and is necessary in order for Commission staff to prevent abuse of the end-user exception. In addition, this collection relates to information that the Commission needs to monitor elections of the end-user exception and to assess market risks.

With respect to the collection of information, the CFTC invites comments on:

- Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have a practical use;
- The accuracy of the Commission's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Ways to enhance the quality, usefulness, and clarity of the information to be collected; and
- Ways to minimize the burden of 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.

All comments must be submitted in English, or if not, accompanied by an English translation. Comments will be posted as received to *http://www.cftc.gov*. You should submit only information that you wish to make available publicly. If you wish the Commission to consider information that you believe is exempt from disclosure under the Freedom of Information Act, a petition for confidential treatment of the exempt information may be submitted according to the procedures established in § 145.9 of the Commission's regulations.[2]

The Commission reserves the right, but shall have no obligation, to review, pre-screen, filter, redact, refuse or remove any or all of your submission from *http://www.cftc.gov* that it may deem to be inappropriate for publication, such as obscene language. All submissions that have been redacted or removed that contain comments on the merits of the information collection request will be retained in the public comment file and will be considered as required under the Administrative Procedure Act and other applicable laws, and may be accessible under the Freedom of Information Act.

Burden Statement: The Commission is revising its estimate of the burden for this collection for eligible end-users electing the end-user exception under CFTC Rule 50.50. The Commission is increasing its estimate of the number of respondents from 1,200 to 1,933 based on a calculated increase in the number of entities electing the exception. The respondent burden for this collection is estimated to be as follows:

Estimated Number of Respondents: 1,930.

Estimated Average Burden Hours per Respondent: 0.58 hours.

Estimated Total Annual Burden Hours: 1,119 hours.

Frequency of Collection: On occasion; annually.

There are no capital costs or operating and maintenance costs associated with this collection.

(Authority: 44 U.S.C. 3501 *et seq.*)

Dated: July 28, 2025.

Robert Sidman,

Deputy Secretary of the Commission.

[FR Doc. 2025–14444 Filed 7–30–25; 8:45 am]

BILLING CODE 6351–01–P

COMMODITY FUTURES TRADING COMMISSION

Agency Information Collection Activities: Notice of Intent To Extend Collection 3038–0102: Clearing Exemption for Certain Swaps Entered Into by Cooperatives

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice.

SUMMARY: The Commodity Futures Trading Commission (''CFTC'' or ''Commission'') is announcing an opportunity for public comment on the proposed renewal of a collection of certain information by the agency. Under the Paperwork Reduction Act (''PRA''), Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, and to allow 60 days for public comment. This notice solicits comments on the reporting requirements related to Commission regulation 50.51, which permits certain cooperatives to elect not to clear certain swaps that otherwise would be required to be cleared, provided that they meet certain conditions.

DATES: Comments must be submitted on or before September 29, 2025.

ADDRESSES: You may submit comments, identified by ''Clearing Exemption for Certain Swaps Entered into by Cooperatives, OMB Control No. 3038–0102,'' by any of the following methods:

- The Agency's website, at *http://comments.cftc.gov/.* Follow the instructions for submitting comments through the website.
- *Mail:* Christopher Kirkpatrick, Secretary of the Commission, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581.
- *Hand Delivery/Courier:* Same as Mail above.

Please submit your comments using only one method.

FOR FURTHER INFORMATION CONTACT: Eric Schmelzer, Special Counsel, (202) 836–0567, *eschmelzer@cftc.gov,* of the Division of Clearing and Risk, Commodity Futures Trading Commission, Three Lafayette Centre,

[1] 44 U.S.C. 3512, 5 CFR 1320.5(b)(2)(i) and 1320.8 (b)(3)(vi).

[2] 17 CFR 145.9.

1155 21st Street NW, Washington, DC 20581.

SUPPLEMENTARY INFORMATION: Under the PRA, 44 U.S.C. 3501 *et seq.,* Federal agencies must obtain approval from the Office of Management and Budget (''OMB'') for each collection of information they conduct or sponsor. ''Collection of Information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3 and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA, 44 U.S.C. 3506(c)(2)(A), requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, the CFTC is publishing notice of the proposed extension of the currently approved collection of information listed below. 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.[1]

Title: Clearing Exemption for Certain Swaps Entered into by Cooperatives (OMB Control No. 3038–0102). This is a request for an extension of a currently approved information collection.

Abstract: Section 2(h)(1)(A) of the Commodity Exchange Act (''CEA'') requires certain entities to submit swaps for clearing if they are required to be cleared by the Commission. Commission regulation 50.51 permits certain cooperatives to elect not to clear certain swaps that otherwise would be required to be cleared, provided that they meet certain conditions. The rule establishes a reporting requirement for cooperatives that is critical to ensuring compliance with the Commission's clearing requirement under section 2(h)(1) of the CEA and is necessary in order for Commission staff to prevent abuse of the cooperative exemption. In addition, this collection relates to information that the Commission needs to monitor elections of the cooperative exemption and to assess market risks.

With respect to the collection of information, the CFTC invites comments on:

- Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have a practical use;
- The accuracy of the Commission's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Ways to enhance the quality, usefulness, and clarity of the information to be collected; and
- Ways to minimize the burden of 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.

All comments must be submitted in English, or if not, accompanied by an English translation. Comments will be posted as received to *http://www.cftc.gov.* You should submit only information that you wish to make available publicly. If you wish the Commission to consider information that you believe is exempt from disclosure under the Freedom of Information Act, a petition for confidential treatment of the exempt information may be submitted according to the procedures established in § 145.9 of the Commission's regulations.[2]

The Commission reserves the right, but shall have no obligation, to review, pre-screen, filter, redact, refuse or remove any or all of your submission from *http://www.cftc.gov* that it may deem to be inappropriate for publication, such as obscene language. All submissions that have been redacted or removed that contain comments on the merits of the information collection request will be retained in the public comment file and will be considered as required under the Administrative Procedure Act and other applicable laws, and may be accessible under the Freedom of Information Act.

Burden Statement: The Commission anticipates that there will continue to be approximately 25 eligible respondents and the hourly burden will remain the same as in the 2019 renewal. The respondent burden for this collection is estimated to be as follows:

Estimated Number of Respondents: 25.

Estimated Average Burden Hours Per Respondent: 1 hour.

Estimated Total Annual Burden Hours: 25 hours.

Frequency of Collection: On occasion; annually.

There are no capital costs or operating and maintenance costs associated with this collection.

(Authority: 44 U.S.C. 3501 *et seq.*)

Dated: July 28, 2025.

Robert Sidman,

Deputy Secretary of the Commission.

[FR Doc. 2025–14452 Filed 7–30–25; 8:45 am]

BILLING CODE 6351–01–P

[1] 44 U.S.C. 3512, 5 CFR 1320.5(b)(2)(i) and 1320.8 (b)(3)(vi).

[2] 17 CFR 145.9.

DEPARTMENT OF DEFENSE

Department of the Air Force

[AFIT JOA 2025–01]

Notice of Intent To Grant a Joint Ownership Agreement With an Exclusive Patent License

AGENCY: Department of the Air Force, Department of Defense.

ACTION: Notice of intent.

SUMMARY: Pursuant to the Bayh-Dole Act and implementing regulations, the Department of the Air Force hereby gives notice of its intent to grant a joint ownership agreement with an Exclusive Patent License to SkyHigh Ventures, LLC, a limited liability company having a place of business at 123 Summer Place, Gibsonia, PA 15044–8907.

DATES: Written objections must be filed no later than fifteen (15) calendar days after the date of publication of this Notice.

ADDRESSES: Submit written objections to Karleine M. Justice, Air Force Institute of Technology (AFIT) Office of Research and Technology Applications (ORTA), 2950 Hobson Way, Bldg. 641, Rm. 101C, Wright-Patterson AFB, OH 45433–7765.

FOR FURTHER INFORMATION CONTACT: Karleine M. Justice, AFIT Office of Research and Technology Applications (ORTA), 2950 Hobson Way, Bldg. 641, Rm. 101C, Wright-Patterson AFB, OH 45433–7765; Phone: (937) 656–0754; or Email: *karleine.justice.1@us.af.mil.* Include Docket No. AFIT JOA 2025–01 in the subject line of the message.

SUPPLEMENTARY INFORMATION:

Abstract of Patent Application(s)

A computer-implemented system and method generate personalized text based on statistics derived from input received from a user representing the user's attempts to decode graphemes into phonemes. Such statistics may be measured and recorded at the grapheme-phoneme level, and may include substitutions, insertions, deletions, and correct utterances of phonemes by the user when reading text. A language model may be trained based on characteristics of the user, such as the user's age and/or reading grade level, and the personalized text may be generated after such training of the language model. Generating the

personalized text may include generating a text creation prompt based on the statistics. The resulting text creation prompt may include a set of target words. The text creation prompt may be provided to the language model, which may generate the personalized text in response. The personalized text may include some or all of the target words.

Intellectual Property

U.S. Application Serial No. 18/659,230, filed on May 9, 2024, and entitled ''*Computer-Automated Systems and Methods for Using Language Models to Generate Text Based on Reading Errors*''.

The Department of the Air Force may grant the prospective license unless a timely objection is received that sufficiently shows the grant of the license would be inconsistent with the Bayh-Dole Act or implementing regulations. A competing application for a patent license agreement, completed in compliance with 37 CFR 404.8 and received by the Air Force within the period for timely objections, will be treated as an objection and may be considered as an alternative to the proposed license.

Authority: 35 U.S.C. 209; 37 CFR 404.

Tommy W. Lee,

Acting Air Force Federal Register Liaison Officer.

[FR Doc. 2025–14461 Filed 7–30–25; 8:45 am]

BILLING CODE 3911–44–P

DEPARTMENT OF DEFENSE

Department of the Army

Final Legislative Environmental Impact Statement for Requested Public Land Withdrawal in Vicinity of Highway 95, Yuma Proving Ground, Arizona (ID# EISX–007–21–001–1751379204)

AGENCY: Department of the Army, DoD.

ACTION: Notice of availability.

SUMMARY: The U.S. Department of the Army (Army) announces the availability of the Final Legislative Environmental Impact Statement (LEIS) for Requested Public Land Withdrawal in Vicinity of Highway 95, Yuma Proving Ground, Arizona. In accordance with the National Environmental Policy Act (NEPA), the LEIS analyzes the potential environmental effects resulting from the withdrawal and reservation for military purposes of approximately 22,000 acres of public land managed by the U.S. Department of the Interior, Bureau of Land Management (BLM). If enacted into law by Congress, the withdrawal would add acreage to the existing Yuma Proving Ground (YPG). The Army requires the additional land as a safety buffer for testing advanced air delivery technologies and aviation systems. An LEIS has been prepared for this proposed action because the withdrawal and reservation require congressional action for implementation.

ADDRESSES: The Final LEIS can be viewed at: (1) Main Yuma Library, 2951 S 21st Dr., Yuma, AZ 85364; (2) Quartzsite Public Library, 465 N Plymouth Ave., Quartzsite, AZ 85346.

The Final LEIS also is available as an electronic file on the YPG project website: *https://ypg-environmental.com/highway-95-land-withdrawal-leis/.*

FOR FURTHER INFORMATION CONTACT: Daniel Steward, YPG Environmental Sciences Division, via email at *usarmy.ypg.imcom.mbx.nepa@army.mil* or via phone at (928) 328–2125.

SUPPLEMENTARY INFORMATION: Under the Engle Act, only Congress can approve a requested withdrawal of more than 5,000 acres of land in the aggregate for any one defense project or facility. A Record of Decision will not be prepared because Congress is the decision-maker for this requested action. The LEIS will be submitted to Congress, which will express its decision either by passing legislation to approve its selected alternative or by taking no action.

The Draft LEIS was made available for public review and comment for 45 days between March 1, 2024, and April 15, 2024. Two virtual public hearings were held on March 26 and March 27, 2024. One member of the public attended each of the hearings. The Army received eight comments on the Draft LEIS. The comments were reviewed and responses to the substantive comments were developed and included in the Final LEIS at Appendix S.

YPG is located in the southwestern corner of Arizona, near the California-Arizona border. The Colorado River bounds it to the west and the Gila River bounds it to the south. The installation lies approximately 23 miles northeast of the city of Yuma, Arizona. YPG is situated in both La Paz and Yuma Counties, Arizona, and the requested 22,000-acre withdrawal involves land in each county. YPG occupies about 1,300 square miles and extends approximately 60 miles north to south and 50 miles east to west. YPG's mission is to plan, conduct, assess, analyze, report, and support developmental, production, and operational tests on the following: medium- and long-range artillery; aircraft target acquisition equipment and armament; armored tracked and wheeled vehicles; a variety of munitions; and parachute systems for personnel and supplies. YPG also provides training support to the Army, other Department of Defense branches, other federal agencies, and international and commercial customers.

The Final LEIS analyzes potential impacts from a possible legislative withdrawal and reservation for military purposes of approximately 22,000 acres of public land managed by the BLM. The requested action involves the withdrawal of the land from all forms of appropriation (such as mining claims) and an additional 800 acres of federal surface estate (meaning the subsurface is not included). The land lies between the current boundary of the YPG and a section of Highway 95 between mile marker 76 and mile marker 91. The Army requires the additional land as a safety buffer to improve public safety and meet testing and training requirements based on advances in parachute technologies. If enacted into law, the withdrawal would add to—and be adjacent to—the 829,565 acres withdrawn on July 1, 1952, under Public Land Order No. 848, as amended, for use by the Army in connection with Yuma Test Station (currently known as YPG). The Army is requesting that the duration of the 22,000-acre withdrawal be for an indefinite period—*i.e.,* until there is no longer a military need for the land.

The purpose of the requested land withdrawal is to provide additional area to support testing and training at YPG. The Army requires the additional land as a safety buffer for testing advanced air delivery technologies and aviation systems. A surface safety zone is an area in space and on the ground that provides a buffer in case of error or failure during testing and training. Surface safety zones protect people from being injured by material dropping from the sky during air delivery testing and training. The additional land will provide for a larger surface safety zone and allow the Army to execute more complex air delivery and tactical scenarios than are currently possible. Higher altitudes and greater offset distances are required to test parachute systems' full capabilities, and this requires a correspondingly greater surface safety zone.

Currently, due to land and airspace limitations, systems are not tested to their full capability for altitude and precision. Without the requested withdrawal, mission-required drops could land outside the current YPG boundary and result in injury or death to members of the public. The requested land withdrawal would restrict the

public from accessing hazardous areas, thus reducing the potential for such injuries and deaths.

The boundary between YPG and BLM land lacks a contiguous physical landmark demarcating the two areas, which has led to unintentional public intrusions onto YPG. The requested withdrawal area extends to Highway 95 and would establish the highway as a distinct physical landmark for the YPG boundary, thereby improving public safety.

In addition to the Army's proposed action, the Final LEIS analyzes an alternative for a withdrawal of a shorter period and a No-Action Alternative.

Under limited-duration withdrawal, Congress would withdraw and reserve for Army use the same area, with the same boundary and land management provisions as the proposed action, but the duration of the Highway 95 withdrawal would be limited to a shorter period (*i.e.,* 25 years) rather than being of indefinite duration.

No-Action Alternative: Congress would not enact legislation to withdraw and reserve the land as requested. The BLM would retain management responsibility for the 22,000 acres of public lands. Under this alternative, YPG would not meet mission requirements, but limited military testing and training would continue within the present-day YPG boundary. While the No-Action Alternative would not satisfy the purpose of or need for the proposed action, this alternative was retained to provide a comparative baseline against which to analyze the effects of the action alternatives.

The Final LEIS evaluates the potential direct, indirect, and cumulative environmental and socioeconomic effects of the proposed action. The resource areas and effects analyzed in the Final LEIS include biological resources, cultural resources, existing land use, recreation, socioeconomics, air quality, greenhouse gas, and environmental justice. The analysis includes minimization measures, standard operating procedures, and best management practices routinely employed by YPG to reduce potential adverse effects of the proposed action.

The air quality, greenhouse gas, and environmental justice analyses were prepared according to now-rescinded Executive Orders, the Council on Environmental Quality's NEPA implementing regulations, which have been rescinded, and the Army's NEPA implementing regulation, which has also been rescinded. Because analysis regarding air quality, greenhouse gases, and environmental justice was already provided to the public for comment, such analysis is included in the Final LEIS for purposes of consistency and clarity.

Under the proposed action (*i.e.,* the withdrawal of BLM lands for an indefinite duration), there would be less-than-significant effects on all evaluated resources. The withdrawal alternatives would result in minor adverse effects to land use and recreation, but none of the effects would be significant. The proposed action would transfer management of these lands from one federal agency to another and the Army's environmental compliance requirements would be the same as those for the BLM. If the withdrawal is approved by Congress, the Army would conduct consultation on future actions under the National Historic Preservation Act and the Endangered Species Act, as appropriate.

The environmental effects from the shorter-duration withdrawal alternative would be comparable to those discussed for the proposed action, but for a specific duration.

Federal, state, and local agencies, federally-recognized Indian Tribes and other Native American organizations, and the general public were invited to be involved in the public comment process for the Draft LEIS. The public comment period began with the publication of a Notice of Availability of the Draft LEIS in the **Federal Register**. The Army held two virtual public meetings during the review period. The Army considered all comments received on the Draft LEIS when preparing the Final LEIS.

Congress will receive the Final LEIS as part of the withdrawal case file, in coordination with the Department of the Interior, to support this proposed withdrawal. Congress will make the decision on whether to authorize the requested land withdrawal and reservation.

(Authority: 42 U.S.C. 4321 *et seq.* (1969).)

James W. Satterwhite, Jr.,

U.S. Army Federal Register Liaison Officer.

[FR Doc. 2025–14484 Filed 7–30–25; 8:45 am]

BILLING CODE 3711–CC–P

DEPARTMENT OF ENERGY

Agency Information Collection Extension

AGENCY: U.S. Department of Energy.

ACTION: Notice of request for comments.

SUMMARY: The Department of Energy (DOE) has submitted an information collection package to the Office of Management and Budget (OMB) for extension under the provisions of the Paperwork Reduction Act of 1995. The package requests a three-year extension of its existing Report for State and Alternative Fuel Provider Fleets, OMB Control Number 1910–5101. This information collection package covers information necessary to ensure compliance of covered fleets with the requirements of the Energy Policy Act of 1992, as amended.

DATES: Comments regarding this proposed information collection must be received on or before September 2, 2025. If you anticipate that you will be submitting comments but find it difficult to do so within the period allowed by this notice, please advise the OMB Desk Officer of your intention to make a submission as soon as possible. The Desk Officer may be telephoned at 202–395–4718.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Mr. Mark Smith, Office of Energy Efficiency and Renewable Energy (EE–3V), U.S. Department of Energy, 1000 Independence Avenue SW, Washington, DC 20585–0121, (202)-287–5151 or by email at *Mark.Smith@ee.doe.gov.*

SUPPLEMENTARY INFORMATION: Comments are invited on: (a) whether the extended collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

This information collection request contains:

(1) *OMB No.:* 1910–5101;

(2) *Information Collection Request Titled:* Annual Alternative Fuel Vehicle Acquisition Report for State Government and Alternative Fuel Provider Fleets;

(3) *Type of Review:* Extension;

(4) *Purpose:* The information is required so that DOE can determine whether alternative fuel provider and State government fleets are in compliance with the alternative fuel vehicle acquisition mandates of sections 501 and 507(o) of the Energy Policy Act of 1992, as amended (EPAct), whether such fleets should be allocated credits under section 508 of EPAct are in compliance with the applicable requirements. The information collection instrument is completed online, via password protected web page; for review purposes the same instrument is available online at *https://epact.energy.gov/docs/reporting-spreadsheet.xls*.

(5) *Annual Estimated Number of Respondents:* 303;

(6) *Annual Estimated Number of Total Responses:* 319;

(7) *Annual Estimated Number of Burden Hours:* 2,215;

(8) *Annual Estimated Reporting and Recordkeeping Cost Burden:* $197,644.

Statutory Authority: 42 U.S.C. 13251 *et seq.,* 13257(o), 13258.

Signing Authority

This document of the Department of Energy was signed on July 25, 2025, by Louis Hrkman, Principal Deputy Assistant Secretary Office of Energy Efficiency and Renewable Energy, pursuant to delegated authority from the Secretary of Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on July 28, 2025.

Treena V. Garrett,

Federal Register Liaison Officer, U.S. Department of Energy.

[FR Doc. 2025–14451 Filed 7–30–25; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #2

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

Docket Numbers: EG25–410–000.

Applicants: Ciro One Salinas LLC.

Description: Ciro One Salinas LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 7/28/25.

Accession Number: 20250728–5041.

Comment Date: 5 p.m. ET 8/18/25.

Docket Numbers: EG25–411–000.

Applicants: NRG Greens Bayou 6 LLC.

Description: NRG Greens Bayou 6 LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 7/28/25.

Accession Number: 20250728–5045.

Comment Date: 5 p.m. ET 8/18/25.

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

Docket Numbers: EL25–106–000.

Applicants: New England Power Generators Association v. *ISO New England Inc.*

Description: Complaint of *New England Power Generators Association* v. *ISO New England Inc.*

Filed Date: 7/25/25.

Accession Number: 20250725–5170.

Comment Date: 5 p.m. ET 8/14/25.

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

Docket Numbers: ER14–867–011; ER14–594–025; ER14–868–012; ER17–1930–014; ER17–1931–014; ER17–1932–014; ER20–649–011.

Applicants: AEP Energy Partners, Inc., Southwestern Electric Power Company, AEP Texas Inc., Public Service Company of Oklahoma, AEP Retail Energy Partners, Ohio Power Company, AEP Energy, Inc.

Description: Notice of Change in Status of AEP Energy, Inc., et al. and Supplements to Market-Based Rate Filings under ER14–867, et al.

Filed Date: 7/24/25.

Accession Number: 20250724–5165.

Comment Date: 5 p.m. ET 8/14/25.

Docket Numbers: ER22–2030–005; ER17–580–007; ER22–2031–006.

Applicants: Sonoran West Solar Holdings 2, LLC, Axium Modesto Solar, LLC, Sonoran West Solar Holdings, LLC.

Description: Triennial Market Power Analysis for Southwest Region of Sonoran West Solar Holdings, LLC, et al.

Filed Date: 7/25/25.

Accession Number: 20250725–5185.

Comment Date: 5 p.m. ET 9/23/25.

Docket Numbers: ER23–2837–002; ER23–2838–002; ER24–113–002; ER24–114–002; ER24–1039–002; ER24–1862–001; ER24–1863–001; ER24–2508–001; ER24–2509–001; ER24–3112–002; ER25–441–002.

Applicants: Richland Township Solar II, LLC, Richland Township Solar, LLC, BCD 2024 Fund 5 Lessee, LLC, Envoy Solar, LLC, BCD 2024 Fund 3 Lessee, LLC, Kimmel Road Solar, LLC, Altona Solar, LLC, BCD 2024 Fund 1 Lessee, LLC, Salt Creek Township Solar, LLC, BCD 2023 Fund 1 Lessee, LLC, Earp Solar, LLC.

Description: Notice of Non-Material Change in Status of Earp Solar, LLC, et al.

Filed Date: 7/25/25.

Accession Number: 20250725–5179.

Comment Date: 5 p.m. ET 8/15/25.

Docket Numbers: ER24–2016–002.

Applicants: MATL LLP.

Description: Compliance filing: Third Compliance Filing Order 2023 (24–2016) to be effective 11/21/2024.

Filed Date: 7/28/25.

Accession Number: 20250728–5082.

Comment Date: 5 p.m. ET 8/18/25.

Docket Numbers: ER25–2989–000.

Applicants: NextEra Energy Duane Arnold, LLC.

Description: Request for Limited and Prospective Waiver, et al. of NextEra Energy Duane Arnold, LLC.

Filed Date: 7/25/25.

Accession Number: 20250725–5173.

Comment Date: 5 p.m. ET 8/11/25.

Docket Numbers: ER25–2991–000.

Applicants: Southwest Power Pool, Inc.

Description: § 205(d) Rate Filing: 2640R2 Sunflower Electric Power Corporation NITSA NOA to be effective 7/1/2025.

Filed Date: 7/28/25.

Accession Number: 20250728–5033.

Comment Date: 5 p.m. ET 8/18/25.

Docket Numbers: ER25–2992–000.

Applicants: Southwest Power Pool, Inc.

Description: § 205(d) Rate Filing: 1628R29 Western Farmers Electric Cooperative NITSA NOAs to be effective 7/1/2025.

Filed Date: 7/28/25.

Accession Number: 20250728–5042.

Comment Date: 5 p.m. ET 8/18/25.

Docket Numbers: ER25–2993–000.

Applicants: PJM Interconnection, L.L.C.

Description: Tariff Amendment: Notice of Cancellation of WMPA, SA No. 5989; AF1–217 re: termination to be effective 9/27/2025.

Filed Date: 7/28/25.

Accession Number: 20250728–5107.

Comment Date: 5 p.m. ET 8/18/25.

Docket Numbers: ER25–2994–000.

Applicants: Idaho Power Company.

Description: § 205(d) Rate Filing: SA #334—NITSA Between IPC and BPA—Fourth Revised Service Agreement to be effective 10/1/2025.

Filed Date: 7/28/25.
Accession Number: 20250728–5114.
Comment Date: 5 p.m. ET 8/18/25.
Docket Numbers: ER25–2995–000.
Applicants: Twin Ridges LLC.
Description: § 205(d) Rate Filing: Twin Ridges LLC Notice of Change in Status to be effective 9/26/2025.
Filed Date: 7/28/25.
Accession Number: 20250728–5121.
Comment Date: 5 p.m. ET 8/18/25.
Docket Numbers: ER25–2996–000.
Applicants: Kingman Wind I, LLC.
Description: § 205(d) Rate Filing: Application for Market-Based Rate Authorization—Kingman Wind I, LLC to be effective 9/27/2025.
Filed Date: 7/28/25.
Accession Number: 20250728–5129.
Comment Date: 5 p.m. ET 8/18/25.
Docket Numbers: ER25–2997–000.
Applicants: Buchanan Generation, LLC.
Description: Tariff Amendment: Notice of Cancellation of Market-Based Rate Tariff to be effective 7/29/2025.
Filed Date: 7/28/25.
Accession Number: 20250728–5130.
Comment Date: 5 p.m. ET 8/18/25.

Take notice that the Commission received the following qualifying facility filings:

Docket Numbers: QF25–1169–000.
Applicants: EQX039–Z15, LLC.
Description: Form 556 of EQX039–Z15, LLC.
Filed Date: 7/24/25.
Accession Number: 20250724–5161.
Comment Date: 5 p.m. ET 8/14/25.
Docket Numbers: QF25–1170–000.
Applicants: EQX039–Z15, LLC.
Description: Form 556 of EQX039–Z15, LLC.
Filed Date: 7/24/25.
Accession Number: 20250724–5163.
Comment Date: 5 p.m. ET 8/14/25.

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

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

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

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organization, 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: July 28, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–14495 Filed 7–30–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

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

Filings in Existing Proceedings

Docket Numbers: RP25–972–001.
Applicants: Portland Natural Gas Transmission System.
Description: Compliance filing: PNGTS Open Season Credit Update Filing RP25–972 to be effective 7/26/2025.
Filed Date: 7/25/25.
Accession Number: 20250725–5116.
Comment Date: 5 p.m. ET 8/6/25.

Any person desiring to protest in any the above proceedings must file in accordance with Rule 211 of the Commission's Regulations (18 CFR 385.211) on or before 5:00 p.m. Eastern time on the specified comment date.

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

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

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Dated: July 28, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–14496 Filed 7–30–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP25–524–000]

Texas Eastern Transmission, LP; Notice of Request Under Blanket Authorization and Establishing Intervention and Protest Deadline

Take notice that on July 18, 2025, Texas Eastern Transmission, LP (Texas Eastern), 915 North Eldridge Parkway, Suite 1100, Houston, Texas 77079, filed in the above referenced docket, a prior notice request pursuant to sections 157.205 and 157.216 of the Commission's regulations under the Natural Gas Act (NGA), and Texas Eastern's blanket certificate issued in Docket No. CP82–535–000, for authorization to abandon an inactive lateral pipeline located in federal offshore waters in the Gulf of America near Louisiana (Project). Specifically, Texas Eastern proposes to: (1) abandon by removal approximately 7.06 miles of its 16-inch-diameter Line 40–B–3 segment 21502 between mile post (MP) 0.00 in Main Pass Block 7 and MP 7.06 in Main Pass Block 94; (2) abandon in place approximately 3.94 miles of its 16-inch-diameter Line 40–B–3 segment 1475 between MP 7.06 in Main Pass Block 94 and MP 11.00 in Main Pass Block 95; and (3) abandon by removal approximately 0.17 miles of its 16-inch-diameter Line 40–B–3 segment 21502 and segment 8194 between MP 11.00 in Main Pass Block 95 and MP 11.17 in Main Pass Block 95. The Project will allow Texas Eastern to eliminate future capital expenditures associated with the ongoing maintenance and repair of the facilities, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

In addition to publishing the full text of this document in the **Federal**

Register, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (*http://www.ferc.gov*). From the Commission's Home Page on the internet, this information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field.

User assistance is available for eLibrary and the Commission's website during normal business hours from FERC Online Support at (202) 502–6652 (toll free at 1–866–208–3676) or email at *ferconlinesupport@ferc.gov,* or the Public Reference Room at (202) 502–8371, TTY (202) 502–8659. Email the Public Reference Room at *public.referenceroom@ferc.gov.*

Any questions concerning this request should be directed to Arthur Diestel, Director, Regulatory, Texas Eastern Transmission, LP, P.O. Box 1642, Houston, Texas 77251–1642, or phone (713) 627–5116 or by email at *arthur.diestel@enbridge.com.*

Public Participation

There are three ways to become involved in the Commission's review of this project: you can file a protest to the project, you can file a motion to intervene in the proceeding, and you can file comments on the project. There is no fee or cost for filing protests, motions to intervene, or comments. The deadline for filing protests, motions to intervene, and comments is 5:00 p.m. Eastern Time on September 26, 2025. How to file protests, motions to intervene, and comments is explained below.

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.*

Protests

Pursuant to section 157.205 of the Commission's regulations under the NGA,[1] any person [2] or the Commission's staff may file a protest to the request. If no protest is filed within the time allowed or if a protest is filed and then withdrawn within 30 days after the allowed time for filing a protest, the proposed activity shall be deemed to be authorized effective the day after the time allowed for protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request for authorization will be considered by the Commission.

Protests must comply with the requirements specified in section 157.205(e) of the Commission's regulations,[3] and must be submitted by the protest deadline, which is September 26, 2025. A protest may also serve as a motion to intervene so long as the protestor states it also seeks to be an intervenor.

Interventions

Any person has the option to file a motion to intervene in this proceeding. Only intervenors have the right to request rehearing of Commission orders issued in this proceeding and to subsequently challenge the Commission's orders in the U.S. Circuit Courts of Appeal.

To intervene, you must submit a motion to intervene to the Commission in accordance with Rule 214 of the Commission's Rules of Practice and Procedure [4] and the regulations under the NGA [5] by the intervention deadline for the project, which is September 26, 2025. As described further in Rule 214, your motion to intervene must state, to the extent known, your position regarding the proceeding, as well as your interest in the proceeding. For an individual, this could include your status as a landowner, ratepayer, resident of an impacted community, or recreationist. You do not need to have property directly impacted by the project in order to intervene. For more information about motions to intervene, refer to the FERC website at *https://www.ferc.gov/resources/guides/how-to/intervene.asp.*

All timely, unopposed motions to intervene are automatically granted by operation of Rule 214(c)(1). Motions to intervene that are filed after the intervention deadline are untimely and may be denied. Any late-filed motion to intervene must show good cause for being late and must explain why the time limitation should be waived and provide justification by reference to factors set forth in Rule 214(d) of the Commission's Rules and Regulations. A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies (paper or electronic) of all documents filed by the applicant and by all other parties.

Comments

Any person wishing to comment on the project may do so. The Commission considers all comments received about the project in determining the appropriate action to be taken. To ensure that your comments are timely and properly recorded, please submit your comments on or before September 26, 2025. The filing of a comment alone will not serve to make the filer a party to the proceeding. To become a party, you must intervene in the proceeding.

How To File Protests, Interventions, and Comments

There are two ways to submit protests, motions to intervene, and comments. In both instances, please reference the Project docket number CP25–524–000 in your submission.

(1) You may file your protest, motion to intervene, and comments by using the Commission's eFiling feature, which is located on the Commission's website (*www.ferc.gov*) under the link to Documents and Filings. New eFiling users must first create an account by clicking on ''eRegister.'' You will be asked to select the type of filing you are making; first select ''General'' and then select ''Protest'', ''Intervention'', or ''Comment on a Filing''; or [6]

(2) You can file a paper copy of your submission by mailing it to the address below. Your submission must reference the Project docket number CP25–524–000.

To file via USPS: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

To file via any other method: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

The Commission encourages electronic filing of submissions (option 1 above) and has eFiling staff available to assist you at (202) 502–8258 or *FercOnlineSupport@ferc.gov.*

[1] 18 CFR 157.205.

[2] Persons include individuals, organizations, businesses, municipalities, and other entities. 18 CFR 385.102(d).

[3] 18 CFR 157.205(e).

[4] 18 CFR 385.214.

[5] 18 CFR 157.10.

[6] Additionally, you may file your comments electronically by using the eComment feature, which is located on the Commission's website at *www.ferc.gov* under the link to Documents and Filings. Using eComment is an easy method for interested persons to submit brief, text-only comments on a project.

Protests and motions to intervene must be served on the applicant either by mail at: Arthur Diestel, Director, Regulatory, Texas Eastern Transmission, LP, P.O. Box 1642, Houston, Texas 77251–1642, or by email (with a link to the document) at *arthur.diestel@enbridge.com.* Any subsequent submissions by an intervenor must be served on the applicant and all other parties to the proceeding. Contact information for parties can be downloaded from the service list at the eService link on FERC Online.

Tracking the Proceeding

Throughout the proceeding, additional information about the project will be available from the Commission's Office of External Affairs, at (866) 208–FERC, or on the FERC website at *www.ferc.gov* using the ''eLibrary'' link as described above. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. For more information and to register, go to *www.ferc.gov/docs-filing/esubscription.asp.*

Dated: July 28, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–14498 Filed 7–30–25; 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 electric rate filings:

Docket Numbers: ER24–726–002.
Applicants: Viridon New York Inc.
Description: Compliance filing: Compliance Filing to be effective 2/23/2024.
Filed Date: 7/25/25.
Accession Number: 20250725–5135.
Comment Date: 5 p.m. ET 8/15/25.

Docket Numbers: ER24–727–003.
Applicants: Viridon Southwest LLC.
Description: Compliance filing: Compliance Filing to be effective 2/23/2024.
Filed Date: 7/25/25.
Accession Number: 20250725–5138.
Comment Date: 5 p.m. ET 8/15/25.

Docket Numbers: ER24–757–003.
Applicants: Viridon Midcontinent LLC.
Description: Compliance filing: Compliance Filing to be effective 2/29/2024.
Filed Date: 7/25/25.
Accession Number: 20250725–5131.
Comment Date: 5 p.m. ET 8/15/25.

Docket Numbers: ER25–2312–002.
Applicants: Midcontinent Grid Solutions Iowa, LLC.
Description: Tariff Amendment: Amendment to Formula Rate Filing, Request for Shortened Comment Period to be effective 7/23/2025.
Filed Date: 7/25/25.
Accession Number: 20250725–5156.
Comment Date: 5 p.m. ET 7/30/25.

Docket Numbers: ER25–2982–000.
Applicants: Duke Energy Progress, LLC.
Description: § 205(d) Rate Filing: DEP E&P Agreement RS No. 472 to be effective 9/24/2025.
Filed Date: 7/25/25.
Accession Number: 20250725–5132.
Comment Date: 5 p.m. ET 8/15/25.

Docket Numbers: ER25–2983–000.
Applicants: Cheyenne Light, Fuel and Power Company.
Description: Initial rate filing: Bluffs Substation Transmission Interconnection Agreement to be effective 9/23/2025.
Filed Date: 7/25/25.
Accession Number: 20250725–5144.
Comment Date: 5 p.m. ET 8/15/25.

Docket Numbers: ER25–2984–000.
Applicants: Black Hills Power, Inc.
Description: Initial rate filing: Certificate of Concurrence-Bluffs Substation Transmission Interconnection Agrmt to be effective 9/23/2025.
Filed Date: 7/25/25.
Accession Number: 20250725–5164.
Comment Date: 5 p.m. ET 8/15/25.

Docket Numbers: ER25–2986–000.
Applicants: Mid-Atlantic Interstate Transmission, LLC.
Description: § 205(d) Rate Filing: MAIT submits amnd SA 7182 and new SA 7356 to be effective 9/27/2025.
Filed Date: 7/28/25.
Accession Number: 20250728–5002.
Comment Date: 5 p.m. ET 8/18/25.

Docket Numbers: ER25–2987–000.
Applicants: Southwest Power Pool, Inc.
Description: § 205(d) Rate Filing: 2639R1 Sunflower Electric Power Corporation NITSA NOA to be effective 7/1/2025.
Filed Date: 7/28/25.
Accession Number: 20250728–5024.
Comment Date: 5 p.m. ET 8/18/25.

Docket Numbers: ER25–2988–000.
Applicants: Southwest Power Pool, Inc.
Description: § 205(d) Rate Filing: 4447 Pierce County Energy Center GIA to be effective 7/17/2025.
Filed Date: 7/28/25.
Accession Number: 20250728–5031.
Comment Date: 5 p.m. ET 8/18/25.

Docket Numbers: ER25–2990–000.
Applicants: Southwest Power Pool, Inc.
Description: Tariff Amendment: 4096 Southwestern Power/City of Sikeston MO Int Agr Cancel to be effective 6/1/2025.
Filed Date: 7/28/25.
Accession Number: 20250728–5032.
Comment Date: 5 p.m. ET 8/18/25.

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.

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 organization, 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: July 28, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–14494 Filed 7–30–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 1894–233]

Dominion Energy South Carolina, Inc.; Notice of Application for Temporary Variance of Seasonal Turbine Venting Period Accepted for Filing and Soliciting Comments, Motions To Intervene, and Protests

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Application Type:* Temporary variance of seasonal turbine venting period.

b. *Project No.:* 1894–233.

c. *Date Filed:* June 24, 2025.

d. *Applicant:* Dominion Energy South Carolina, Inc. (licensee).

e. *Name of Project:* Parr Hydroelectric Project.

f. *Location:* The project is located on the Broad River in Newberry and Fairfield counties, South Carolina, and occupies federal lands within the Sumter National Forest, administered by the U.S. Department of Agriculture, Forest Service.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)–825(r).

h. *Applicant Contact:* Ms. Amy Bresnahan, Dominion Energy South Carolina, Inc., 220 Operation Way, Mail Code B223, Cayce, South Carolina 29033; (803) 217–9965; *amy.bresnahan@dominionenergy.com.*

i. *FERC Contact:* Joy Kurtz, (202) 502–6760, *joy.kurtz@ferc.gov.*

j. *Cooperating agencies:* With this notice, the Commission is inviting federal, state, local, and Tribal agencies with jurisdiction and/or special expertise with respect to environmental issues affected by the proposal, that wish to cooperate in the preparation of any environmental document, if applicable, to follow the instructions for filing such requests described in item k below. Cooperating agencies should note the Commission's policy that agencies that cooperate in the preparation of any environmental document cannot also intervene. *See* 94 FERC ¶ 61,076 (2001).

k. Deadline for filing comments, motions to intervene, and protests is August 27, 2025.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp.* You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852. The first page of any filing should include docket number P–1894–233. Comments emailed to Commission staff are not considered part of the Commission record.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

l. *Description of Request:* The licensee requests Commission approval to extend the seasonal turbine venting window requirements specified in the project's Turbine Venting Plan (Plan) through October 31, 2025. The Plan requires the licensee to provide turbine venting annually between June 15 and August 31 in order to increase dissolved oxygen levels downstream of Parr Shoals Dam. Article 401(b) of the project license requires the licensee to obtain Commission approval for extensions exceeding 30 days. The licensee is seeking Commission approval to extend the seasonal turbine venting window through October 31, 2025, in light of requests from the South Carolina Department of Natural Resources and South Carolina Department of Health and Environmental Control, who are concerned that low dissolved oxygen levels may persist at the project through fall of 2025.

m. *Locations of the Application:* This filing may be viewed on the Commission's website at *http://www.ferc.gov* using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1–866–208–3676 or email *FERCOnlineSupport@ferc.gov,* for TTY, call (202) 502–8659. Agencies may obtain copies of the application directly from the applicant.

n. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

o. *Comments, Protests, or Motions to Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

p. *Filing and Service of Responsive Documents:* All filings must (1) bear in all capital letters the title ''COMMENTS'', ''PROTEST'', or ''MOTION TO INTERVENE'' as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 385.2010.

q. The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, 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: July 28, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–14499 Filed 7–30–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 15396–001, Project No. 15397–001]

Central Hudson Gas and Electric Corporation; Notice of Intent To File License Application, Filing of Pre-Application Document (Pad), Commencement of Pre-Filing Process and Scoping, Request for Comments on the Pad and Scoping Document, and Identification of Issues and Associated Study Requests

a. *Type of Filing:* Notice of Intent to File License Applications for Original Licenses and Commencing Pre-filing Process.

b. *Project Nos.:* P–15396–001 and P–15397–001.

c. *Dated Filed:* May 30, 2025.

d. *Submitted By:* Central Hudson Gas and Electric Corporation (Central Hudson).

e. *Name of Project:* Sturgeon Pool Hydroelectric Project (P–15396–001, Sturgeon Pool Project) and Dashville Hydroelectric Project (P–15397–001, Dashville Project).

f. *Location:* The currently unlicensed projects are located on the Wallkill River in Ulster County, New York. The Sturgeon Pool Project is located at river mile (RM) 0.6, and the Dashville Project is located immediately upstream of the Sturgeon Pool Project at RM 2.3 of the Wallkill River.

g. *Filed Pursuant to:* 18 CFR part 5 of the Commission's Regulations.

h. *Potential Applicant Contact:* Ben Yager, Central Hudson Gas & Electric Corporation, 284 South Avenue, Poughkeepsie, New York 12601; (845) 264–0017; *byager@cenhud.com;* Katie Raine, HDR Engineering, Inc., 75 John Roberts Road, Unit B1, South Portland, ME 04106; (207) 239–3789; *katie.raine@hdrinc.com.*

i. *FERC Contact:* Laurie Bauer at (202) 502–6519 or email at *laurie.bauer@ferc.gov.*

j. *Cooperating agencies:* Federal, state, local, and Tribal agencies with jurisdiction and/or special expertise with respect to environmental issues that wish to cooperate in the preparation of the environmental documents should follow the instructions for filing such requests described in item o below. Cooperating agencies should note the Commission's policy that agencies that cooperate in the preparation of the environmental documents cannot also intervene. *See* 94 FERC ¶ 61,076 (2001).

k. *With this notice, we are initiating informal consultation with:* (a) the U.S. Fish and Wildlife Service and NOAA Fisheries under section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 CFR part 402; and (b) the State Historic Preservation Office, as required by section 106, National Historic Preservation Act, and the implementing regulations of the Advisory Council on Historic Preservation at 36 CFR 800.2.

l. With this notice, we are designating Central Hudson as the Commission's non-federal representative for carrying out informal consultation, pursuant to section 7 of the Endangered Species Act and section 106 of the National Historic Preservation Act.

m. Central Hudson filed with the Commission a Pre-Application Document (PAD, including a proposed process plan and schedule), pursuant to 18 CFR 5.6 of the Commission's regulations.

n. A copy of the PAD is available for review on the Commission's website (*http://www.ferc.gov*) using the ''eLibrary'' link. Enter the docket number, excluding the last three digits of the sub-docket in the docket number field, to access the document. For assistance, contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free) or (202) 502–8659 (TTY). A copy is also available via the contact in paragraph h.

Register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

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.*

o. With this notice, we are soliciting comments on the PAD and Commission staff's Scoping Document 1 (SD1), as well as study requests. All comments on the PAD and SD1, and study requests should be sent to the address above in paragraph h. In addition, all comments on the PAD and SD1, study requests, requests for cooperating agency status, and all communications to and from Commission staff related to the merits of the potential applications must be filed with the Commission.

The Commission strongly encourages electronic filing. Please file all documents using the Commission's eFiling system at *https://ferconline.ferc.gov/FERC.aspx.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *https://ferconline.ferc.gov/QuickComment.aspx.* For assistance, please contact FERC Online Support. In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. The first page of any filing should include docket number P–15396–001 and/or 15397–001.

All filings with the Commission must bear the appropriate heading: ''Comments on Pre-Application Document,'' ''Study Requests,'' ''Comments on Scoping Document 1,'' ''Request for Cooperating Agency Status,'' or ''Communications to and from Commission Staff.'' Any individual or entity interested in submitting study requests, commenting on the PAD or SD1, and any agency requesting cooperating status must do so on or before 5:00 p.m. Eastern Daylight Time (EDT) on September 27, 2025.

p. *Scoping Process:* Pursuant to the National Environmental Policy Act (NEPA), Commission staff will prepare either an environmental assessment (EA) or an environmental impact statement (EIS) for each project (collectively referred to as the ''NEPA documents''). The NEPA documents will consider both site-specific and cumulative environmental effects, and reasonable alternatives to the proposed action.

Scoping Meetings: Commission staff will hold two scoping meetings for the projects to receive input on the scope of the NEPA documents. We invite all interested agencies, Indian Tribes, NGOs, and the public to attend one or both meetings to assist us in identifying the scope of environmental issues that should be analyzed in the NEPA

documents. The dates and times of the scoping meetings are listed below.

Daytime Scoping Meeting
Date: Wednesday, August 27, 2025
Time: 1:00 p.m. to 3:00 p.m. Eastern Daylight Time (EDT)
Location: Hampton Inn and Suites by Hilton Poughkeepsie, 2361 South Road, Poughkeepsie, New York

Evening Scoping Meeting
Date: Wednesday, August 27, 2025
Time: 6:00 p.m. to 8:00 p.m. Eastern Daylight Time (EDT)
Location: Hampton Inn and Suites by Hilton Poughkeepsie, 2361 South Road, Poughkeepsie, New York

Copies of SD1, outlining the subject areas to be addressed in the environmental documents, were mailed to the individuals and entities on the Commission's mailing list and Central Hudson's PAD distribution list. Copies of SD1 may be viewed on the web at *http://www.ferc.gov,* using the ''eLibrary'' link. Follow the directions for accessing information in paragraph n. Based on all oral and written comments, a Scoping Document 2 (SD2) may be issued. SD2 may include a revised process plan and schedule, as well as a list of issues, identified through the scoping process.

Environmental Site Review: Central Hudson and Commission staff will hold an environmental site review of the Sturgeon Pool and Dashville Projects from 9:00 a.m. to 12:00 p.m. EDT, August 28, 2025. All interested individuals, agencies, Tribes, and NGOs are invited to attend. Please RSVP to Katie Raine at *katie.raine@hdrinc.com* or by phone at (207) 239–3789, no later than August 20, 2025 to register for the environmental site review. For security purposes, Central Hudson requests that interested persons provide a photocopy of a photo ID by email to facilitate production of badges to be worn on-site during the environmental site review. All persons attending the environmental site review must wear sturdy, closed-toe shoes or boots, hard hats, and safety glasses (PPE) while on-site, please bring personal PPE.

Central Hudson will provide transportation for confirmed participants to the environmental site review from the Hampton Inn and Suites by Hilton Poughkeepsie. Confirmed participants should arrive by 8:45 a.m. to board the buses as they will depart promptly at 9:00 a.m. The environmental site review will include the Sturgeon Pool Project site, Dashville Project site, and non-project public recreation facilities in the vicinity of the Dashville Project. Buses will return to the Hampton Inn and Suites at approximately 12:00 p.m.

Meeting Procedures: Agencies, Indian Tribes, NGOs, and individuals with environmental expertise and concerns are encouraged to attend the meetings and to assist the staff in defining and clarifying the issues to be addressed in the NEPA documents. At the start of each meeting, Commission staff will provide a brief overview of the meeting format and objectives. Individual oral comments will be taken on a one-on-one basis with a court reporter (with Commission staff present). This format is designed to receive the maximum number of oral comments in a convenient way during the timeframe allotted. If you wish to speak, Commission staff will hand out numbers in the order of your arrival. If all individuals who wish to provide comments have had an opportunity to do so, Commission staff may conclude the meeting a half hour earlier than the scheduled time. Please see appendix C of the SD1 for additional information on the session format and conduct.[1]

Scoping comments will be recorded by the court reporter and become part of the public record for these proceedings. Transcripts will be publicly available on FERC's eLibrary system. If a significant number of people are interested in providing oral comments in the one-on-one settings, a time limit may be implemented for each commentor.

It is important to note that the Commission provides equal consideration to all comments received, whether filed in writing or provided orally at a scoping session. Although there will not be a formal presentation, Commission staff will be available throughout the scoping meeting(s) to answer your questions about the environmental review process. Representatives from Central Hudson will also be present to answer project-specific questions.

Dated: July 28, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–14501 Filed 7–30–25; 8:45 am]

BILLING CODE 6717–01–P

[1] The appendix referenced in this notice will not appear in the **Federal Register**. A copy of the appendix was sent to all those receiving this notice in the mail and is available at *www.ferc.gov* using the ''eLibrary'' link. For assistance, contact FERC at *FERCOnlineSupport@ferc.gov,* or (866) 208–3676 (toll free) or (202) 502–8659 (TTY).

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP25–522–000]

Colorado Interstate Gas Company, L.L.C.; Notice of Request Under Blanket Authorization and Establishing Intervention and Protest Deadline

Take notice that on July 16, 2025, Colorado Interstate Gas Company, L.L.C. (CIG), Post Office Box 1087, Colorado Springs, Colorado 80944, filed in the above referenced docket, a prior notice request pursuant to sections 157.205 and 157.216(b) of the Commission's regulations under the Natural Gas Act (NGA), and CIG's blanket certificate issued in Docket No. CP83–21–000, for authorization to abandon, by sale, its Table Rock Compressor Station and associated 4.3-mile, 12-inch-diameter Table Rock Loop Line (Line No. 44B) all located in Sweetwater County, Wyoming (Table Rock Abandonment Project). The project will allow CIG to avoid future operational and maintenance expenses associated with the facilities, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (*http://www.ferc.gov*). From the Commission's Home Page on the internet, this information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field.

User assistance is available for eLibrary and the Commission's website during normal business hours from FERC Online Support at (202) 502–6652 (toll free at 1–866–208–3676) or email at *ferconlinesupport@ferc.gov,* or the Public Reference Room at (202) 502–8371, TTY (202) 502–8659. Email the Public Reference Room at *public.referenceroom@ferc.gov.*

Any questions concerning this request should be directed to Francisco Tarin, Director, Regulatory, Colorado Interstate Gas Company, L.L.C., Two North Nevada Avenue, Colorado Springs, Colorado 80903, by phone at (719) 667–

7515, or by email at *francisco_tarin@kindermorgan.com.*

Public Participation

There are three ways to become involved in the Commission's review of this project: you can file a protest to the project, you can file a motion to intervene in the proceeding, and you can file comments on the project. There is no fee or cost for filing protests, motions to intervene, or comments. The deadline for filing protests, motions to intervene, and comments is 5:00 p.m. Eastern Time on September 26, 2025. How to file protests, motions to intervene, and comments is explained below.

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.*

Protests

Pursuant to section 157.205 of the Commission's regulations under the NGA,[1] any person [2] or the Commission's staff may file a protest to the request. If no protest is filed within the time allowed or if a protest is filed and then withdrawn within 30 days after the allowed time for filing a protest, the proposed activity shall be deemed to be authorized effective the day after the time allowed for protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request for authorization will be considered by the Commission.

Protests must comply with the requirements specified in section 157.205(e) of the Commission's regulations,[3] and must be submitted by the protest deadline, which is September 26, 2025. A protest may also serve as a motion to intervene so long as the protestor states it also seeks to be an intervenor.

Interventions

Any person has the option to file a motion to intervene in this proceeding. Only intervenors have the right to request rehearing of Commission orders issued in this proceeding and to subsequently challenge the Commission's orders in the U.S. Circuit Courts of Appeal.

To intervene, you must submit a motion to intervene to the Commission in accordance with Rule 214 of the Commission's Rules of Practice and Procedure [4] and the regulations under the NGA [5] by the intervention deadline for the project, which is September 26, 2025. As described further in Rule 214, your motion to intervene must state, to the extent known, your position regarding the proceeding, as well as your interest in the proceeding. For an individual, this could include your status as a landowner, ratepayer, resident of an impacted community, or recreationist. You do not need to have property directly impacted by the project in order to intervene. For more information about motions to intervene, refer to the FERC website at *https://www.ferc.gov/resources/guides/how-to/intervene.asp.*

All timely, unopposed motions to intervene are automatically granted by operation of Rule 214(c)(1). Motions to intervene that are filed after the intervention deadline are untimely and may be denied. Any late-filed motion to intervene must show good cause for being late and must explain why the time limitation should be waived and provide justification by reference to factors set forth in Rule 214(d) of the Commission's Rules and Regulations. A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies (paper or electronic) of all documents filed by the applicant and by all other parties.

Comments

Any person wishing to comment on the project may do so. The Commission considers all comments received about the project in determining the appropriate action to be taken. To ensure that your comments are timely and properly recorded, please submit your comments on or before September 26, 2025. The filing of a comment alone will not serve to make the filer a party to the proceeding. To become a party, you must intervene in the proceeding.

How To File Protests, Interventions, and Comments

There are two ways to submit protests, motions to intervene, and comments. In both instances, please reference the Project docket number CP25–522–000 in your submission.

(1) You may file your protest, motion to intervene, and comments by using the Commission's eFiling feature, which is located on the Commission's website (*www.ferc.gov*) under the link to Documents and Filings. New eFiling users must first create an account by clicking on ''eRegister.'' You will be asked to select the type of filing you are making; first select ''General'' and then select ''Protest'', ''Intervention'', or ''Comment on a Filing''; or [6]

(2) You can file a paper copy of your submission by mailing it to the address below. Your submission must reference the Project docket number CP25–522–000.

To file via USPS: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

To file via any other method: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

The Commission encourages electronic filing of submissions (option 1 above) and has eFiling staff available to assist you at (202) 502–8258 or *FercOnlineSupport@ferc.gov.*

Protests and motions to intervene must be served on the applicant either by mail at: Francisco Tarin, Director, Regulatory, Colorado Interstate Gas Company, L.L.C., Two North Nevada Avenue, Colorado Springs, Colorado 80903, by phone at (719) 667–7515, or by email (with a link to the document) at *francisco_tarin@kindermorgan.com.* Any subsequent submissions by an intervenor must be served on the applicant and all other parties to the proceeding. Contact information for parties can be downloaded from the service list at the eService link on FERC Online.

Tracking the Proceeding

Throughout the proceeding, additional information about the project will be available from the Commission's Office of External Affairs, at (866) 208–FERC, or on the FERC website at *www.ferc.gov* using the ''eLibrary'' link as described above. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

[1] 18 CFR 157.205.

[2] Persons include individuals, organizations, businesses, municipalities, and other entities. 18 CFR 385.102(d).

[3] 18 CFR 157.205(e).

[4] 18 CFR 385.214.

[5] 18 CFR 157.10.

[6] Additionally, you may file your comments electronically by using the eComment feature, which is located on the Commission's website at *www.ferc.gov* under the link to Documents and Filings. Using eComment is an easy method for interested persons to submit brief, text-only comments on a project.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. For more information and to register, go to *www.ferc.gov/docs-filing/esubscription.asp.*

Dated: July 28, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–14497 Filed 7–30–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2740–053]

Duke Energy Carolinas, LLC; Notice of Application Tendered for Filing With the Commission and Establishing Procedural Schedule for Relicensing and Deadline for Submission of Final Amendments

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

a. *Type of Application:* New Major License.

b. *Project No.:* 2740–053.

c. *Date Filed:* July 14, 2025.

d. *Applicant:* Duke Energy Carolinas, LLC (Duke Energy).

e. *Name of Project:* Bad Creek Pumped Storage Project (Bad Creek Project).

f. *Location:* Oconee County, South Carolina.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791 (a)–825(r).

h. *Applicant Contact:* Alan Stuart, Hydro Licensing Project Manager, Duke Energy Carolinas, LLC, Mail Code DEP–35B 525 South Tryon Street, Charlotte, NC 28202; (980) 373–2079; *alan.stuart@duke-energy.com.*

i. *FERC Contact:* Sarah Salazar at (202) 502–6863, or *sarah.salazar@ferc.gov.*

j. This application is not ready for environmental analysis at this time.

k. *Project Description:* The existing Bad Creek Pumped Storage Project includes: (1) a 363-acre upper reservoir with a storage capacity of 35,513 acre-feet, of which 31,808 acre-feet is usable storage capacity between minimum elevation 2,150 feet mean sea level (msl) and full pond elevation of 2,310 feet msl; (2) a rockfill dam across Bad Creek with crest elevation at 2,315 feet msl, 2,581 feet long, and 360 feet high; (3) a rockfill dam across West Bad Creek with crest elevation at 2,315 feet msl, 908 feet long and 170 feet high; (4) a saddle dike across a natural depression on the eastern rim of the reservoir with crest elevation at 2,313 feet msl, 960 feet long, and 90 feet high; (5) an ungated water intake structure in the upper reservoir; (6) a power tunnel totaling 5,026 feet long and 29.53 feet in diameter, connecting to four concrete, steel-lined penstocks about 386 feet long and varying from 13.78 to 8.43 feet in diameter; (7) an underground powerhouse containing four reversible pump-generating units, with a nameplate rating of 350,000 kilowatts each, for a total generating capacity of 1,400 megawatts (MW); (8) four concrete-lined draft tube tunnels about 316 feet long and 16.4 feet in diameter, connecting to two concrete-lined tailrace tunnels about 875 feet long and 24.61 feet in diameter; (9) an inlet/outlet structure equipped with four 20-foot by 30-foot, steel lift gates, located in the existing Lake Jocassee which serves as the lower reservoir; (10) transmission facilities consisting of (a) generator leads connecting the powerhouse to four above ground step-up transformers, (b) a 100-kV transmission line extending about 9.25 miles from the Bad Creek switchyard to the Jocassee switchyard, (c) a 525-kV transmission line extending about 9.25 miles from the Bad Creek switchyard to the Jocassee switchyard; and (11) appurtenant facilities. The project also includes an existing 4.8-mile-long road that leads from the project entrance to the powerhouse area near Lake Jocassee.

The project is an automated pumped storage plant where water is regularly moved from the upper reservoir to the lower reservoir during generation, and from the lower reservoir back to the upper reservoir during pumping. All water utilized for generation originates from the 7,980-acre lower reservoir (Lake Jocassee) which has a normal maximum elevation of 1,110 feet msl and normal minimum elevation of 1,080 feet msl. The project is licensed to operate on a weekly pump-storage cycle with the upper reservoir fluctuating between 2,310 feet msl (normal max. elevation) and 2,150 feet msl (normal min. elevation), resulting in a maximum drawdown of 160 feet and 31,808 acre-feet useable storage capacity. In practice, the project operates in a daily pump-storage cycle by maintaining the upper reservoir above 2,250 feet msl for approximately 97% of the time to maximize head and unit efficiency. The average annual generation of the project is about 1,884,685 MWh. The average annual energy required for pumping during the same period is about 2,398,114 MWh. The net energy consumption of the project is 513,429 MWh.

Duke Energy proposes to continue to operate and maintain the project as well as to construct, operate, and maintain a second generating facility, the Bad Creek II Complex, which would consist of a new: (1) upper reservoir inlet/outlet structure, (2) water conveyance system, (3) underground powerhouse, (4) powerhouse access tunnels, (5) lower reservoir inlet/outlet structure, (6) switchyard, (7) transformer yard, and (8) transmission line. The proposed powerhouse would include four new, reversible pump-turbine units with an installed generating and pumping capacity between 106 MW and 425 MW. Average annual generation would increase by up to 25,856 MWh. No modifications would be made to the existing upper and lower reservoirs. Duke Energy proposes a new project boundary that includes all lands necessary for access, or control of, the expanded project.

l. In addition to publishing the full text of this notice in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this notice, as well as other documents in the proceeding (*e.g.,* license application) via the internet through the Commission's Home Page (*http://www.ferc.gov*), using the ''eLibrary'' link. Enter the docket number, excluding the last three digits in the docket number field to access the document (P–14796). For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY).

You may also register online at *https://ferconline.ferc.gov/FERCOnline.aspx* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

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

n. *Procedural schedule:* The application will be processed according to the following preliminary schedule. Revisions to the schedule will be made as appropriate.

Milestone	Target
Deficiency Letter (if necessary)	August 2025.
Additional Information Request (if necessary)	August 2025.
Notice of Acceptance/Notice of Ready for Environmental Analysis	September 2025.

o. Final amendments to the application must be filed with the Commission no later than 30 days from the issuance date of the notice of ready for environmental analysis.

Dated: July 28, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–14500 Filed 7–30–25; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–12898–02–R5]

Notice of Final Decision To Reissue the Vickery Environmental, Inc. Land-Ban Exemption

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of final decision on a request by Vickery Environmental, Inc. of Vickery, Ohio to reissue its exemption from the Hazardous and Solid Waste Amendments of the Resource Conservation and Recovery Act.

SUMMARY: Notice is hereby given by the U.S. Environmental Protection Agency (EPA) that an exemption to the land disposal restrictions under the 1984 Hazardous and Solid Waste Amendments (HSWA) to the Resource Conservation and Recovery Act (RCRA) has been granted to Vickery Environmental, Inc. (VEI) of Vickery, Ohio for five Class I injection wells located in Vickery, Ohio. As required by Title 40 of the Code of Federal Regulations, VEI has demonstrated, to a reasonable degree of certainty, that there will be no migration of hazardous constituents out of the injection zone or into an underground source of drinking water (USDW) for at least 10,000 years. This final decision allows the continued underground injection by VEI of only those hazardous wastes designated by the codes in Table 1 through its five Class I hazardous waste injection wells identified as #2, #4, #5, #6, and #8. This decision constitutes a final EPA action for which there is no administrative appeal.

DATES: This action is effective as of July 31, 2025.

FOR FURTHER INFORMATION CONTACT: Kaelyn Quinlan, Lead Petition Reviewer, EPA, Region 5, Water Division, Underground Injection Control Section, WP–16J, 77 W. Jackson Blvd., Chicago, Illinois 60604–3590; telephone number: (312) 886–7188; email address: *quinlan.kaelyn@epa.gov*. Copies of the petition and all pertinent information are on file and are part of the Administrative Record. Please contact the lead reviewer if you wish to review the Administrative Record.

SUPPLEMENTARY INFORMATION: VEI submitted a request for reissuance of its existing exemption from the land disposal restrictions of hazardous waste in June 2022. EPA reviewed all data pertaining to the petition, including, but not limited to, well construction, well operations, regional and local geology, seismic activity, penetrations of the confining zone, and computational models of the injection zone. EPA has determined that the hydrogeological and geochemical conditions at the site and the nature of the waste streams are such that reliable predictions can be made that fluid movement conditions are such that injected fluids will not migrate out of the injection zone within 10,000 years, as set forth at 40 CFR 148.20(a)(1)(i). The injection zone includes the injection interval into which fluid is directly emplaced and the overlying arrestment interval into which it may diffuse. The injection interval for the VEI facility is composed of the Mt. Simon Sandstone between 2,791 and 2,950 feet below ground level (bgl). The arrestment interval for the VEI facility is composed of the Rome, Conasauga, Kerbel, and Knox Formations between 2,360 and 2,791 feet bgl. The confining zone at the VEI facility is composed of the Black River and Wells Creek Formations between 1,816 and 2,360 feet bgl. The confining zone is separated from the lowermost underground source of drinking water (at a depth of 602 feet bgl) by a sequence of permeable and less permeable sedimentary rocks. This sequence provides additional protection from fluid migration into drinking water sources.

EPA issued a draft decision, which described the reasons for granting this exemption in more detail, a fact sheet, which summarized these reasons, and a public notice on January 18, 2025, pursuant to 40 CFR 124.10. The public comment period ended on February 18, 2025. EPA received five comments during the comment period. EPA has prepared a response to the comments, which can be viewed at the following URL: *https://www.epa.gov/node/88753#public-notices.* This document is part of the Administrative Record for this decision.

Conditions

This exemption is subject to the following conditions. Non-compliance with any of these conditions is grounds for termination of the exemption:

(1) The exemption applies to the five existing hazardous waste injection wells, #2, #4, #5, #6, and #8 located at the VEI facility at 3956 State Route 412, Vickery, Ohio.

(2) Injection of restricted hazardous waste is limited to the part of the Mt. Simon Sandstone at depths between 2791 and 2950 feet below the surface level.

(3) Only restricted wastes designated by the RCRA waste codes found in Table 1 may be injected.

(4) Maximum concentrations of chemicals that are allowed to be injected are listed in Table 2.

(5) The average specific gravity of the injected waste stream must be no less than 1.08 over a one-year period.

(6) VEI may inject up to a combined total of 240 gallons per minute into Well #2, #4, #5, #6, and #8, based on a monthly average.

(7) This exemption is approved for the 20-year modeled injection period, which ends on June 30, 2027. VEI may petition EPA for a reissuance of the exemption beyond that date, provided that a new and complete petition and no-migration demonstration is received at EPA, Region 5, by January 31, 2027.

(8) VEI must submit, within 90 days after the exemption is granted, an approvable plan to demonstrate that chemicals listed in Table 2 are not or

cannot be injected above the listed limits. Upon EPA's approval of this plan, VEI shall implement the plan per the schedule in the approved plan.

(9) VEI must submit copies of the reports on the annual bottom-hole pressure surveys conducted in wells #2, #4, #5, #6, and #8 to EPA when these reports are submitted to the Ohio Environmental Protection Agency (Ohio EPA). The reports must include a comparison of reservoir parameters determined from the fall-off test, such as permeability and long-term shut-in pressure, with parameters used in the approved no-migration petition.

(10) VEI must submit copies of the reports on the annual radioactive tracer surveys and annulus pressure tests for wells #2, #4, #5, #6, and #8 to EPA when these reports are submitted to Ohio EPA.

(11) VEI shall notify EPA in writing if any injection well loses mechanical integrity, prior to any workover or plugging when these notifications are submitted to Ohio EPA.

(12) The petitioner must fully comply with all requirements set forth in Underground Injection Control Permits 03–72–009–PTO–I, 03–72–011–PTO–I, 03–72–012–PTO–I, 03–72–013–PTO–I, and 03–72–014–PTO–I issued by Ohio EPA.

(13) Upon the expiration, cancellation, reissuance, or modification of the permits referenced above, this exemption is subject to review.

(14) Whenever EPA determines that the basis for approval of a petition under 40 CFR 148.23 and 148.24 may no longer be valid, EPA may terminate this exemption and will require a new demonstration in accordance with 40 CFR 148.20.

TABLE 1—LIST OF RCRA WASTE CODES APPROVED FOR INJECTION

D001	D002	D003	D004	D005	D006	D007	D008	D009	D010	D011	D012
D013	D014	D015	D016	D017	D018	D019	D020	D021	D022	D023	D024
D025	D026	D027	D028	D029	D030	D031	D032	D033	D034	D035	D036
D037	D038	D039	D040	D041	D042	D043	F001	F002	F003	F004	F005
F006	F007	F008	F009	F010	F011	F012	F019	F020	F021	F022	F023
F024	F025	F026	F027	F028	F032	F034	F035	F037	F038	F039	K001
K002	K003	K004	K005	K006	K007	K008	K009	K010	K011	K013	K014
K015	K016	K017	K018	K019	K020	K021	K022	K023	K024	K025	K026
K027	K028	K029	K030	K031	K032	K033	K034	K035	K036	K037	K038
K039	K040	K041	K042	K043	K044	K045	K046	K047	K048	K049	K050
K051	K052	K060	K061	K062	K069	K071	K073	K083	K084	K085	K086
K087	K088	K093	K094	K095	K096	K097	K098	K099	K100	K101	K102
K103	K104	K105	K106	K107	K108	K109	K110	K111	K112	K113	K114
K115	K116	K117	K118	K123	K124	K125	K126	K131	K132	K136	K140
K141	K142	K143	K144	K145	K147	K148	K149	K150	K151	K156	K157
K158	K159	K161	K169	K170	K171	K172	K174	K175	K176	K177	K178
K181	P001	P002	P003	P004	P005	P006	P007	P008	P009	P010	P011
P012	P013	P014	P015	P016	P017	P018	P020	P021	P022	P023	P024
P026	P027	P028	P029	P030	P031	P033	P034	P036	P037	P038	P039
P040	P041	P042	P043	P044	P045	P046	P047	P048	P049	P050	P051
P054	P056	P057	P058	P059	P060	P062	P063	P064	P065	P066	P067
P068	P069	P070	P071	P072	P073	P074	P075	P076	P077	P078	P081
P082	P084	P085	P087	P088	P089	P092	P093	P094	P095	P096	P097
P098	P099	P101	P102	P103	P104	P105	P106	P108	P109	P110	P111
P112	P113	P114	P115	P116	P118	P119	P120	P121	P122	P123	P127
P128	P185	P188	P189	P190	P191	P192	P194	P196	P197	P198	P199
P201	P202	P203	P204	P205	U001	U002	U003	U004	U005	U006	U007
U008	U009	U010	U011	U012	U014	U015	U016	U017	U018	U019	U020
U021	U022	U023	U024	U025	U026	U027	U028	U029	U030	U031	U032
U033	U034	U035	U036	U037	U038	U039	U041	U042	U043	U044	U045
U046	U047	U048	U049	U050	U051	U052	U053	U055	U056	U057	U058
U059	U060	U061	U062	U063	U064	U066	U067	U068	U069	U070	U071
U072	U073	U074	U075	U076	U077	U078	U079	U080	U081	U082	U083
U084	U085	U086	U087	U088	U089	U090	U091	U092	U093	U094	U095
U096	U097	U098	U099	U101	U102	U103	U105	U106	U107	U108	U109
U110	U111	U112	U113	U114	U115	U116	U117	U118	U119	U120	U121
U122	U123	U124	U125	U126	U127	U128	U129	U130	U131	U132	U133
U134	U135	U136	U137	U138	U139	U140	U141	U142	U143	U144	U145
U146	U147	U148	U149	U150	U151	U152	U153	U154	U155	U156	U157
U158	U159	U160	U161	U162	U163	U164	U165	U166	U167	U168	U169
U170	U171	U172	U173	U174	U176	U177	U178	U179	U180	U181	U182
U183	U184	U185	U186	U187	U188	U189	U190	U191	U192	U193	U194
U196	U197	U200	U201	U202	U203	U204	U205	U206	U207	U208	U209
U210	U211	U213	U214	U215	U216	U217	U218	U219	U220	U221	U222
U223	U225	U226	U227	U228	U234	U235	U236	U237	U238	U239	U240
U243	U244	U246	U247	U248	U249	U271	U278	U279	U280	U328	U353
U359	U364	U367	U372	U373	U387	U389	U394	U395	U404	U409	U410
U411	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

TABLE 2—MAXIMUM CONCENTRATIONS OF CHEMICAL CONTAMINANTS THAT ARE HAZARDOUS AT LESS THAN ONE PART PER BILLION

Chemical constituent	Health based limit (mg/L)	Maximum allowable initial concentration (mg/L)	Vickery limit (%)
Acetyl chloride	2.00E–04	2.00E+05	20
Acrylamide (2-Propenamide)	8.00E–06	8.00E+03	0.80
Acrylonitrile (2-Propenenitrile or Vinyl Cyanide)	6.00E–05	6.00E+04	6.00
Aldrin	2.00E–07	2.00E+02	0.02
Allyl Chloride (3-chloroprop(yl)ene)	3.00E–05	3.00E+04	3.00
Bendiocarb (2,2-Dimethyl-1,3-benzodioxol methylcarbamate)	3.00E–04	3.00E+05	30
Benzal chloride	2.00E–05	2.00E+04	2.0
Benz[a]anthracene (1,2-Benzanthracene)	1.30E–04	1.30E+05	13
Benzidine	2.00E–07	2.00E+02	0.02
Benzo[b]fluoranthene	1.80E–04	1.80E+05	18
Benzo[k]fluoranthene	1.70E–04	1.70E+05	17
Benzo[g,h,I]-perylene	7.60E–04	7.60E+05	76
Benzo[a]pyrene	2.00E–04	2.00E+05	20
Benzotrichloride	3.00E–06	3.00E+03	0.30
Benzyl chloride ((Chloromethyl)benzene)	2.00E–04	2.00E+05	20
alpha BHC (see Lindane) alpha-hexachlorocyclohexane	6.00E–06	6.00E+03	0.60
beta BHC (see Lindane) beta-hexachlorocyclohexane	2.00E–05	2.00E+04	2
delta BHC (see Lindane) delta-hexachlorocyclohexane	2.00E–04	2.00E+05	20
Bromoacetone (1-Bromo-2-propanone)	3.00E–05	3.00E+04	3
Bromodichloromethane (Trihalomethane)	6.00E–04	6.00E+05	60
Brucine (2,3-Dimethoxystrychnidin-10-one)	3.00E–04	3.00E+05	30
Carbendazim (1H-benzimidazol-2-yl carbamic acid methyl ester)	4.00E–04	4.00E+05	40
Carbon oxyfluoride	5.00E–04	5.00E+05	50
Chlorinated fluorocarbons, not otherwise specified	5.00E–04	5.00E+05	50
Chloroacetaldehyde	5.90E–04	5.90E+05	59
Chlorodibromomethane	4.00E–04	4.00E+05	40
Chloroethers	3.00E–05	3.00E+04	3
2-Chloroethyl vinyl ether	3.00E–05	3.00E+04	3
Chloromethyl methyl ether	3.00E–05	3.00E+04	3
Chloroprene	3.00E–05	3.00E+04	3
m-Cumenyl methylcarbamate	3.00E–04	3.00E+05	30
Cyclohexane	9.00E–05	9.00E+04	9
2,4-Dichlorophenoxyacetic acid (2,4-D), salts, esters	2.00E–04	2.00E+05	20
p,p′-Dichlorodipheyldichloroethane (p,p′-DDD)	1.00E–04	1.00E+05	10
p,p′-Dichlorodipheyldichloroethylene (p,p′-DDE)	1.00E–04	1.00E+05	10
p,p′-Dichlorodiphehylotrichloroethane (p,p′-DDT)	1.00E–04	1.00E+05	10
Dibenz[a,h]anthracene	3.00E–04	3.00E+05	30
Dibromochloropropane	2.00E–04	2.00E+05	20
2,3-Dibromo-1-propanol phosphate(3:1)	3.00E–04	3.00E+05	30
Dichlorobenzene	2.00E–04	2.00E+05	20
3,3'-Dichlorobenzidine	8.00E–05	8.00E+04	8
sym-Dichloroethyl ether	3.00E–05	3.00E+04	3
sym-Dichloromethyl ether	1.60E–07	1.60E+02	0.016
Dichloropropane	6.00E–05	6.00E+04	6
Dichloropropanol	6.00E–05	6.00E+04	6
Dichloropropene	3.00E–05	3.00E+04	3
cis-1,3-Dichloropropene	3.00E–05	3.00E+04	3
trans-1,3-Dichloropropene	3.00E–05	3.00E+04	3
Dieldrin	2.00E–06	2.00E+03	0.2
Diethylene glycol, dicarbamate	3.00E–04	3.00E+05	30
O,O-Diethyl O-pyrazinyl phosphorothioate	4.00E–04	4.00E+05	40
Dimetilan	3.00E–04	3.00E+05	30
2,6-Dinitrotoluene	3.10E–04	3.10E+05	31
Di-n-octyl phthalate	4.90E–04	4.90E+05	49
Di-n-propylnitrosamine	5.00E–06	5.00E+03	0.5
1,2-Diphenylhydrazine	5.00E–05	5.00E+04	5
Dithiocarbamates (total)	9.00E–04	9.00E+05	90
Ethylene dibromide	5.00E–05	5.00E+04	5
Ethylidene chloride	7.00E–04	7.00E+05	70
Famphur	3.00E–04	3.00E+05	30
Fluoroacetic acid, sodium salt	7.00E–04	7.00E+05	70
Formetanate hydrochloride	3.00E–04	3.00E+05	30
Formparanate	3.00E–04	3.00E+05	30
Heptachlor (and its epoxide)	2.00E–04	2.00E+05	20
1,2,3,4,6,7,8-Heptachlorodibenzofuran	2.50E–05	2.50E+04	2.5
1,2,3,4,7,8,9-Heptachlorodibenzofuran	2.50E–05	2.50E+04	2.5
1,2,3,4,6,7,8-Heptachlorodibenzo-p-dioxin	2.50E–05	2.50E+04	2.5
Hexachlorobutadiene	5.00E–04	5.00E+05	50

TABLE 2—MAXIMUM CONCENTRATIONS OF CHEMICAL CONTAMINANTS THAT ARE HAZARDOUS AT LESS THAN ONE PART PER BILLION—Continued

Chemical constituent	Health based limit (mg/L)	Maximum allowable initial concentration (mg/L)	Vickery limit (%)
Hexachlorodibenzo-p-dioxins	2.50E–05	2.50E+04	2.5
Hexaethyl tetraphosphate	4.00E–04	4.00E+05	40
Hydrazine	1.00E–05	1.00E+04	1
Indeno[1,2,3-cd] pyrene	4.30E–04	4.30E+05	43
Isolan	3.00E–04	3.00E+05	30
Lindane (1,2,3,4,5,6-hexa-chlorocyclohexane, gamma isomer)	2.00E–04	2.00E+05	20
Manganese dimethyldithiocarbamate	9.00E–04	9.00E+05	90
Mercury fulminate	1.00E–04	1.00E+05	10
Methiocarb	5.00E–04	5.00E+05	50
Methyl chlorocarbonate	5.90E–04	5.90E+05	59
Metolcarb	3.00E–04	3.00E+05	30
N-methyl-N′-nitro-N-nitroso-guanidine (MNNG)	1.50E–04	1.50E+05	15
Naphthalene	6.00E–04	6.00E+05	60
p-Nitrophenol	1.30E–04	1.30E+05	13
N-Nitrosodiethanolamine	1.00E–05	1.00E+04	1
N-Nitrosodiethylamine	2.00E–07	2.00E+02	0.02
N-Nitrosodimethylamine	7.00E–07	7.00E+02	0.07
N-Nitrosodi-n-butylamine	6.00E–06	6.00E+03	0.6
N-Nitrosomethylethylamine	2.00E–06	2.00E+03	0.2
N-Nitrosomethylvinylamine	1.50E–04	1.50E+05	15
N-Nitroso-N-methylurea	1.50E–04	1.50E+05	15
N-Nitroso-N-methlurethane	1.50E–04	1.50E+05	15
N-Nitrosopyrrolidine	2.00E–05	2.00E+04	2
1,2,3,4,6,7,8,9-Octachlorodibenzofuran	5.00E–05	5.00E+04	5
1,2,3,4,6,7,8,9-Octachlorodibenzo-p-dioxin	5.00E–05	5.00E+04	5
Parathion	6.00E–04	6.00E+05	60
Pebulate	8.00E–04	8.00E+05	80
Pentachlorodibenzofurans, total	2.50E–05	2.50E+04	2.5
Pentachlorodibenzo-p-dioxin, total	2.50E–05	2.50E+04	2.5
Pentachlorophenols and their chlorophenoxy derivitive acids, esters amines and salts	7.60E–05	7.60E+04	7.6
1,3-Pentadiene	3.00E–05	3.00E+04	3
Phorate	3.00E–04	3.00E+05	30
Phosgene	2.00E–04	2.00E+05	20
Phosphorithioic and phosphordithioic acid esters	3.00E–04	3.00E+05	30
Physostigmine	3.00E–04	3.00E+05	30
Physostigmine salicylate	3.00E–04	3.00E+05	30
Polychlorinated Biphenyls	5.00E–04	5.00E+05	50
Prosulfocarb	6.00E–04	6.00E+05	60
Reserpine	3.00E–04	3.00E+05	30
Streptozotocin	1.50E–04	1.50E+05	15
Sulfur phosphide	3.00E–04	3.00E+05	30
Tars	3.00E–04	3.00E+05	30
Tetrachlorodibenzofurans	1.00E–05	1.00E+04	1
Tetrachlorodibenzo-p-dioxins	3.00E–08	3.00E+01	0.003
1,1,2,2-Tetrachloroethane	2.00E–04	2.00E+05	20
Tetraethyl lead	3.50E–06	3.50E+03	0.35
Thiodicarb	3.00E–04	3.00E+05	30
Thiofanox	3.00E–04	3.00E+05	30
Tirpate	3.00E–04	3.00E+05	30
Trichlorobenzene	1.20E–04	1.20E+05	12
Trichloromethanethiol	2.00E–04	2.00E+05	20
Triethylamine	5.00E–04	5.00E+05	50

Electronic Access. You may access this **Federal Register** document electronically from the Government Printing Office under the **Federal Register** listings at *https://www.govinfo.gov/app/collection/FR/.*

Authority: Section 3004 of the Resource Conservation and Recovery Act, 42 U.S.C. 6924, and the federal regulations implementing the relevant portions of Section 3004 of the Act set forth at 40 CFR part 148.

Darren S. Ireland,

Acting Director, Water Division.

[FR Doc. 2025–14473 Filed 7–30–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL 12865–01–OECA]

Guidance on Referrals for Potential Criminal Enforcement

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice describes the Environmental Protection Agency (EPA or Agency) plans to address regulatory offenses that give rise to criminal liability under the recent executive order on Fighting Overcriminalization in Federal Regulations.

FOR FURTHER INFORMATION CONTACT: Michael R. Fisher, Office of Criminal Enforcement and Forensics and Training, Office of Enforcement and Compliance Assurance, Mail Code 2232A, U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460; telephone number: (202) 564–1063; email: *fisher.mike@epa.gov*.

SUPPLEMENTARY INFORMATION: On May 9, 2025, the President issued Executive Order (''E.O.'') 14294, Fighting Overcriminalization in Federal Regulations. 90 FR 20363 (published May 14, 2025). Section 7 of E.O. 14294 provides that within 45 days of the order, and in consultation with the Attorney General, each agency should publish guidance in the **Federal Register** describing its plan to address criminally liable regulatory offenses.

Consistent with that requirement, EPA advises the public that by May 9, 2026, the Agency, in consultation with the Attorney General, will provide to the Director of the Office of Management and Budget (''OMB'') a report containing: (1) a list of all criminal regulatory offenses [1] enforceable by Agency or the Department of Justice (''DOJ''); and (2) for each such criminal regulatory offense, the range of potential criminal penalties for a violation and the applicable mens rea standard [2] for the criminal regulatory offense.

This notice also announces a general policy, subject to appropriate exceptions and to the extent consistent with law, that when the Agency is deciding whether to refer alleged violations of criminal regulatory offenses to DOJ, officers and employees of EPA should consider, among other factors:

- the harm or risk of harm, pecuniary or otherwise, caused by the alleged offense;
- the potential gain to the putative defendant that could result from the offense;
- whether the putative defendant held specialized knowledge, expertise, or was licensed in an industry related to the rule or regulation at issue; and
- evidence, if any is available, of the putative defendant's general awareness of the unlawfulness of his conduct as well as his knowledge or lack thereof of the regulation at issue.

EPA has historically considered each of these factors as a matter of formal policy [3] and in practice, not only in referring alleged violations of criminal regulatory offenses to DOJ, but also in deciding whether to open a formal investigation in the first place.

This general policy 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.

Henry Barnet,

Director, Office of Criminal Enforcement, Forensics and Training.

[FR Doc. 2025–14474 Filed 7–30–25; 8:45 am]

BILLING CODE 6560–50–P

[1] ''Criminal regulatory offense'' means a Federal regulation that is enforceable by a criminal penalty. E.O. 14294, sec. 3(b).

[2] ''Mens rea'' means the state of mind that by law must be proven to convict a particular defendant of a particular crime. E.O. 14294, sec. 3(c).

[3] ''The Exercise of Investigative Discretion'' (1994) (*https://www.epa.gov/sites/default/files/documents/exercise.pdf*).

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2025–0030; FRL–12880–01–OCSPP]

Pesticides: Notice of Receipt of Requests To Voluntarily Cancel Certain Pesticide Registrations With a 180-Day Comment Period (June 2025)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This document announces the Agency's receipt of and solicits comment on requests by registrants to voluntarily cancel their pesticide registrations. In accordance with the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA provides a periodic notice of receipt addressing requests received by EPA since the last notice of receipt was issued and uses the month and year in the title to help distinguish one document from the other. For this notice, EPA has compiled the requests received between April 1, 2025, and June 30, 2025. EPA intends to grant these requests at the close of the comment period for this announcement unless the Agency receives substantive comments during the comment period that would merit further review of the requests, or the request is withdrawn by the registrant. If these requests are granted, EPA will issue an order in the **Federal Register** cancelling the listed product registrations, after which any sale, distribution, or use of the products listed in this document will only be permitted after the registrations have been cancelled if such sale, distribution, or use is consistent with the terms as described in the final order.

DATES: Comments and withdrawal requests must be received on or before January 27, 2026.

ADDRESSES: Submit your comments, identified by docket identification (ID) number EPA–HQ–OPP–2025–0030, online at *https://www.regulations.gov.* Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Additional instructions on commenting and visiting the docket, along with more information about dockets generally, is available at *https://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT: Christopher Green, Registration Division (7505M), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: (202) 566–2707; email address: *green.christopherRDFRNotices@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Executive Summary

A. Does this action apply to me?

This action is directed to the public and may be of interest to a wide range of stakeholders including environmental, human health, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides.

B. What action is the Agency taking?

This document announces receipt by EPA of requests from registrants to voluntarily cancel their pesticide registrations listed in Unit II, that are currently registered under FIFRA section 3 (7 U.S.C. 136a) or section 24(c) (7 U.S.C. 136v(c)). Unless the Agency determines that there are substantive comments that warrant further review of the requests or the registrants withdraw their requests, EPA intends to issue an order in the **Federal Register** canceling the affected registrations.

C. What is EPA's authority for taking this action?

FIFRA section 6(f)(1) (7 U.S.C. 136d(f)(1)) provides that a registrant of a pesticide product may at any time request that any of its pesticide registrations be canceled. Before acting

on a request for voluntary cancellation, EPA must provide at least a 30-day public comment period on the request. Before acting on a request for voluntary cancellation, FIFRA further provides that, before acting on a request for voluntary cancellation or termination of any minor agricultural use, EPA must provide a 180-day comment period unless:

1. The registrants request a waiver of the comment period, or

2. The EPA Administrator determines that continued use of the pesticide would pose an unreasonable adverse effect on the environment.

The registrants in Table 2 of Unit II, have not requested that EPA waive the 180-day comment period. Accordingly, this document provides a 180-day comment period on these requests.

D. What should I consider as I prepare my comments for EPA?

1. *Submitting CBI.* Do not submit this information to EPA through email or *https://www.regulations.gov.* If you wish to include CBI in your comment, please follow the applicable instructions at *https://www.epa.gov/dockets/commenting-epa-dockets#rules* and clearly mark the information that you claim to be CBI. In addition to one complete version of the comment that includes CBI, a copy of the comment without CBI must be submitted for inclusion in the public docket. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When preparing and submitting your comments, see the commenting tips at *https://www.epa.gov/dockets/commenting-epa-dockets.*

E. How can a registrant withdraw their request for voluntary cancellation?

Registrants who choose to withdraw their request for voluntary cancellation should submit a withdrawal request in writing to the person listed under **FOR FURTHER INFORMATION CONTACT**. If the products have been subject to a previous cancellation action, the effective date of cancellation and all other provisions of any earlier cancellation action are controlling.

II. Requests To Voluntarily Cancel and/or Amend Certain Registrations

The registrations with pending voluntary requests for cancellation are listed in sequence by registration number (or company number and 24(c) number) in Table 1 of this unit.

TABLE 1—REGISTRATIONS WITH PENDING VOLUNTARY REQUESTS FOR CANCELLATION

Registration No.	Company No.	Product name	Active ingredient
100–1192	100	Tilt Bravo SE	Chlorothalonil (081901/1897–45–6)—(38.5%), Propiconazole (122101/60207–90–1)—(2.9%).
5481–599	5481	Image 1.5 LC Herbicide	3-Quinolinecarboxylic acid, 2-(4,5-dihydro-4-methyl-4-(1-methylethyl)-5-oxo-1H-imidazol-2-yl)-, monoammonium salt (128840/81335–47–9)—(17.3%).

The name and address of record for the requesting registrants are listed in sequence by EPA company number in Table 2 of this unit. The company number corresponds to the first part of the EPA registration numbers of the products listed in Table 1 of this unit.

TABLE 2—REGISTRANTS REQUESTING VOLUNTARY CANCELLATION

Company No.	Company name and address
100	Syngenta Crop Protection, LLC, 410 Swing Road, P.O. Box 18300, Greensboro, NC 27419–8300.
5481	Amvac Chemical Corporation, 4695 MacArthur Court, Suite 1200, Newport Beach, CA 92660–1706.

III. Provisions for Disposition of Existing Stocks

Existing stocks are those stocks of registered pesticide products that are currently in the United States, and that were packaged, labeled, and released for shipment prior to the effective date of the cancellation, which will be the date of publication of the cancellation order in the **Federal Register**. In any order issued in response to these requests, EPA anticipates including the following provisions for the treatment of any existing stocks of the products listed in Unit II:

For voluntary cancellations of the registrations listed in Table 1 of Unit II, registrants will be permitted to sell and distribute existing stocks of voluntarily canceled products for 1 year after the effective date of the cancellation order in the **Federal Register**. Thereafter, registrants will be prohibited from selling or distributing the products identified in Table 1 of Unit II, except for export consistent with FIFRA section 17 (7 U.S.C. 136o) or for proper disposal.

Persons other than the registrant will generally be allowed to sell, distribute, or use existing stocks of the canceled products until supplies are exhausted, provided that such sale, distribution, or use is consistent with the terms of the previously approved labeling on, or that accompanied, the canceled products.

Authority: 7 U.S.C. 136 *et seq.*

Dated: July 24, 2025.

Charles Smith,

Director, Registration Division Office of Pesticide Programs.

[FR Doc. 2025–14511 Filed 7–30–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2025–0030; FRL–12881–01–OCSPP]

Pesticides: Notice of Receipt of Requests to Voluntarily Cancel Certain Pesticide Registrations With a 30-Day Comment Period (June 2025)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This document announces the Agency's receipt of and solicits comment on requests by registrants to voluntarily cancel their pesticide registrations. In accordance with the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA provides a periodic notice of receipt addressing requests received by EPA since the last

notice of receipt was issued and uses the month and year in the title to help distinguish one document from the other. For this notice, EPA has compiled the requests received between April 1, 2025, and June 30, 2025. EPA intends to grant these requests at the close of the comment period for this announcement unless the Agency receives substantive comments during the comment period that would merit further review of the requests, or the request is withdrawn by the registrant. If these requests are granted, EPA will issue an order in the **Federal Register** cancelling the listed product registrations, after which any sale, distribution, or use of the products listed in this document will only be permitted after the registrations have been cancelled if such sale, distribution, or use is consistent with the terms as described in the final order.

DATES: Comments and withdrawal requests must be received on or before September 2, 2025.

ADDRESSES: Submit your comments, identified by docket identification (ID) number EPA–HQ–OPP–2025–0030, online at *https://www.regulations.gov.* Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Additional instructions on commenting and visiting the docket, along with more information about dockets generally, is available at *https://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT: Christopher Green, Registration Division (7505M), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: (202) 566–2707; email address: *green.christopherRDFRNotices@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Executive Summary

A. Does this action apply to me?

This action is directed to the public and may be of interest to a wide range of stakeholders including environmental, human health, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides.

B. What action is the Agency taking?

This document announces receipt by EPA of requests from registrants to voluntarily cancel their pesticide registrations listed in Unit II., that are currently registered under FIFRA section 3 (7 U.S.C. 136a) or section 24(c) (7 U.S.C. 136v(c)). EPA has compiled the requests received between April 1, 2025, and June 30, 2025. Unless the Agency determines that there are substantive comments that warrant further review of the requests or the registrants withdraw their requests, EPA intends to issue an order in the **Federal Register** canceling the affected registrations.

C. What is EPA's authority for taking this action?

FIFRA section 6(f)(1) (7 U.S.C. 136d(f)(1)) provides that a registrant of a pesticide product may at any time request that any of its pesticide registrations be canceled. Before acting on a request for voluntary cancellation, EPA must provide at least a 30-day public comment period on the request. Before acting on a request for voluntary cancellation, FIFRA further provides that, before acting on a request for voluntary cancellation or termination of any minor agricultural use, EPA must provide a 180-day comment period unless:

1. The registrants request a waiver of the comment period, or

2. The EPA Administrator determines that continued use of the pesticide would pose an unreasonable adverse effect on the environment.

The registrants in Table 2 of Unit II, have requested that EPA waive the 180-day comment period. Accordingly, this document provides a 30-day comment period on these requests.

D. What should I consider as I prepare my comments for EPA?

1. *Submitting CBI.* Do not submit this information to EPA through email or *https://www.regulations.gov.* If you wish to include CBI in your comment, please follow the applicable instructions at *https://www.epa.gov/dockets/commenting-epa-dockets#rules* and clearly mark the information that you claim to be CBI. In addition to one complete version of the comment that includes CBI, a copy of the comment without CBI must be submitted for inclusion in the public docket. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When preparing and submitting your comments, see the commenting tips at *https://www.epa.gov/dockets/commenting-epa-dockets.*

E. How can a registrant withdraw their request for voluntary cancellation?

Registrants who choose to withdraw their request for voluntary cancellation should submit a withdrawal request in writing to the person listed under **FOR FURTHER INFORMATION CONTACT**. If the products have been subject to a previous cancellation action, the effective date of cancellation and all other provisions of any earlier cancellation action are controlling.

II. Requests to Voluntarily Cancel Certain Registrations

The registrations with pending voluntary requests for cancellation are listed in sequence by registration number (or company number and 24(c) number) in Table 1 of this unit.

TABLE 1—REGISTRATIONS WITH PENDING VOLUNTARY REQUESTS FOR CANCELLATION

Registration No.	Company No.	Product name	Active ingredient
71–1	71	0.5% Permethrin Aerosol Spray.	Permethrin (109701/52645–53–1)—(.5%).
100–1728	100	CSI 15–107A I–N–P Cockroach Gel Bait.	Indoxacarb (067710/173584–44–6)—(.6%), Novaluron (124002/116714–46–6)—(.1%), Pyriproxyfen (129032/95737–68–1)—(.1%).
228–655	228	Nufarm T-Methyl 70 WSB Fungicide.	Thiophanate-methyl (102001/23564–05–8)—(70%).
241–384	241	Lightning D Herbicide	Dicamba, sodium salt (029806/1982–69–0)—(58.9%), Imazapyr (128821/81334–34–1)—(4%), Imazethapyr (128922/81335–77–5)—(12%).
241–393	241	Plateau DG Herbicide	Imazapic (129041/104098–48–8)—(70%).
538–88	538	Systemic Fungicide	Thiophanate-methyl (102001/23564–05–8)—(2.3%).
538–133	538	Proturf Fertilizer Plus DSB Fungicide.	Thiophanate-methyl (102001/23564–05–8)—(1.75%).

TABLE 1—REGISTRATIONS WITH PENDING VOLUNTARY REQUESTS FOR CANCELLATION—Continued

Registration No.	Company No.	Product name	Active ingredient
1001–63	1001	3336 WP Turf and Ornamental Systemic Fungicide.	Thiophanate-methyl (102001/23564–05–8)—(50%).
1001–78	1001	3336 Plus Systemic Fungicide.	Thiophanate-methyl (102001/23564–05–8)—(19.4%).
1001–80	1001	Premium Systemic Fungicide.	Thiophanate-methyl (102001/23564–05–8)—(44.62%).
1001–81	1001	3336(R) 70EG	Thiophanate-methyl (102001/23564–05–8)—(70%).
1001–85	1001	Culver Turf And Ornamental Fungicide.	Chlorothalonil (081901/1897–45–6)—(54%).
1381–222	1381	Thiophanate-Methyl 45% F Fungicide.	Thiophanate-methyl (102001/23564–05–8)—(46.2%).
1381–228	1381	Thiophanate-Methyl 50% WSB Fungicide.	Thiophanate-methyl (102001/23564–05–8)—(50%).
2693–107	2693	Fiberglass Bottomkote Antifouling Paint Black 779.	Cuprous oxide (025601/1317–39–1)—(42.75%).
2724–674	2724	Speer PY-Perm Aqueous Insect Killer #2.	Permethrin (109701/52645–53–1)—(.2%), Piperonyl butoxide (067501/51–03–6)—(.5%), Pyrethrins (069001/8003–34–7)—(.1%).
5481–583	5481	Durham Ornamental 3.5	Metaldehyde (053001/108–62–3)—(3.5%).
7969–285	7969	Prescription Treatment Brand Phantom Pressurized Insecticide.	Chlorfenapyr (129093/122453–73–0)—(.5%).
9386–42	9386	AMA–2500G	Glutaraldehyde (043901/111–30–8)—(25%).
9779–328	9779	Terranil 90DF WSP	Chlorothalonil (081901/1897–45–6)—(90%).
9779–337	9779	Terranil S	Chlorothalonil (081901/1897–45–6)—(19.15%), Sulfur (077501/7704–34–9)—(27.25%).
19713–340	19713	Rabex Livestock Dust	Gardona (cis-isomer) (083702/22248–79–9)—(3%).
34704–870	34704	Chlorothalonil 6	Chlorothalonil (081901/1897–45–6)—(54%).
34704–874	34704	Applause DF Fungicide	Chlorothalonil (081901/1897–45–6)—(90%).
34704–878	34704	Chlorothalonil 90DF	Chlorothalonil (081901/1897–45–6)—(90%).
34704–914	34704	Chlorothalonil 825 Agricultural Fungicide.	Chlorothalonil (081901/1897–45–6)—(82.5%).
34704–932	34704	Thio-M 50 WSB Fungicide.	Thiophanate-methyl (102001/23564–05–8)—(50%).
42750–350	42750	ST Pre-Mix #9	Azoxystrobin (128810/131860–33–8)—(1.18%), Metalaxyl (113501/57837–19–1)—(8.83%), Thiabendazole (060101/148–79–8)—(2.94%), Thiophanate-methyl (102001/23564–05–8)—(2.35%).
42750–353	42750	ST Pre-Mix #11	Fludioxonil (071503/131341–86–1)—(.81%), Imidacloprid (129099/138261–41–3)—(20.17%), Metalaxyl (113501/57837–19–1)—(5.05%), Thiophanate-methyl (102001/23564–05–8)—(3.28%).
42750–379	42750	ST Pre-Mix #20	Azoxystrobin (128810/131860–33–8)—(.71%), Imidacloprid (129099/138261–41–3)—(21.14%), Metalaxyl (113501/57837–19–1)—(5.28%), Thiabendazole (060101/148–79–8)—(1.76%), Thiophanate-methyl (102001/23564–05–8)—(1.4%).
42750–410	42750	Invicar 2SC Insecticide	Methoxyfenozide (121027/161050–58–4)—(22.6%).
60063–2	60063	Echo 75 WDG	Chlorothalonil (081901/1897–45–6)—(75%).
60063–16	60063	Echo Home Garden Fungicide.	Chlorothalonil (081901/1897–45–6)—(12.5%).
60063–30	60063	Echo RTU	Chlorothalonil (081901/1897–45–6)—(.087%).
60063–36	60063	Echo Ultimate ETQ	Chlorothalonil (081901/1897–45–6)—(82.5%).
60063–47	60063	Echo 378/Cymoxanil 50	Chlorothalonil (081901/1897–45–6)—(31.51%), Cymoxanil (129106/57966–95–7)—(4.2%).
60063–49	60063	Muscle ADV	Chlorothalonil (081901/1897–45–6)—(30.51%), Tebuconazole (128997/107534–96–3)—(8.47%).
60063–55	60063	CTL + IPRO Turf and Ornamental Fungicide.	Chlorothalonil (081901/1897–45–6)—(28%), Iprodione (109801/36734–19–7)—(14%).
60063–82	60063	Tetraconazole + Thiophanate-Methyl.	Tetraconazole (120603/112281–77–3)—(4.2%), Thiophanate-methyl (102001/23564–05–8)—(21.27%).
60063–84	60063	Tetraconazole TM	Tetraconazole (120603/112281–77–3)—(4.2%), Thiophanate-methyl (102001/23564–05–8)—(21.27%).
70060–12	70060	CSR–2	Sodium chlorite (020502/7758–19–2)—(5%).
70060–13	70060	CSR–1	Sodium chlorite (020502/7758–19–2)—(5%).
70060–32	70060	Aseptrol CSR Wax Paper.	Sodium chlorite (020502/7758–19–2)—(.63%).
83070–1	83070	Tee-Off 4.5F	Thiophanate-methyl (102001/23564–05–8)—(46.2%).
83070–12	83070	Mazinga Fungicide	Chlorothalonil (081901/1897–45–6)—(27.69%), Tetraconazole (120603/112281–77–3)—(2.09%).
83070–13	83070	Andiamo Duo	Tetraconazole (120603/112281–77–3)—(4.2%), Thiophanate-methyl (102001/23564–05–8)—(21.27%).
89442–6	89442	Chlorothalonil 82.5DF Select.	Chlorothalonil (081901/1897–45–6)—(82.5%).

TABLE 1—REGISTRATIONS WITH PENDING VOLUNTARY REQUESTS FOR CANCELLATION—Continued

Registration No.	Company No.	Product name	Active ingredient
89442–9	89442	Chlorothalonil 720 Select	Chlorothalonil (081901/1897–45–6)—(54%).
92044–2	92044	Chlorothalonil 720SC	Chlorothalonil (081901/1897–45–6)—(54%).
92044–3	92044	Chlorothalonil 82.5 WDG	Chlorothalonil (081901/1897–45–6)—(82.5%).
100522–11	100522	SA Pendimethalin Technical.	Pendimethalin (108501/40487–42–1)—(97.2%).
AK–160001	67690	SP 1908 Aquatic Herbicide.	Fluridone (112900/59756–60–4)—(6.3%).
AR–130003	279	Spartan Charge Herbicide.	Carfentrazone-ethyl (128712/128639–02–1)—(3.53%), Sulfentrazone (129081/122836–35–5)—(31.77%).
AR–190001	100	Gramoxone SL 2.0	Paraquat dichloride (061601/1910–42–5)—(30.1%).
MO–150001	87290	Willowood Clomazone 3ME.	Clomazone (125401/81777–89–1)—(31.1%).
OR–090006	62719	Rally 40WSP	Myclobutanil (128857/88671–89–0)—(40%).
OR–140011	34704	LPI Glufosinate 280	Glufosinate (128850/77182–82–2)—(24.5%).
OR–150004	352	Curzate 60DF	Cymoxanil (129106/57966–95–7)—(60%).
OR–150008	279	Zeus XC Herbicide (Alternate).	Sulfentrazone (129081/122836–35–5)—(39.6%).
OR–180007	51036	Kumulus DF	Sulfur (077501/7704–34–9)—(80%).
OR–190006	10163	Eptam 7E Selective Herbicide.	Carbamothioic acid, dipropyl-, S-ethyl ester (041401/759–94–4)—(87.8%).
OR–210002	56228	Compound DRC–1339 Concentrate-Livestock Nest & Fodder Depredations.	Starlicide (009901/7745–89–3)—(97%).
OR–220004	352	Dupont Fontelis Fungicide.	Penthiopyrad (090112/183675–82–3)—(20.4%).
WA–070008	70506	Acramite-4SC	Bifenazate (000586/149877–41–8)—(43.2%).
WA–150003	70506	Acramite-4SC	Bifenazate (000586/149877–41–8)—(43.2%).
WI–210002	60063	Echo 720	Chlorothalonil (081901/1897–45–6)—(54%).
WI–210003	60063	Echo 90DF	Chlorothalonil (081901/1897–45–6)—(90%).
WI–210004	60063	Echo ZN	Chlorothalonil (081901/1897–45–6)—(38.5%).

The registrants of products identified in Table 1A of this unit have requested 18-months to sell existing stocks of those products.

TABLE 1A—REGISTRATIONS WITH PENDING VOLUNTARY REQUESTS FOR CANCELLATION, CONT'D

Registration No.	Company No.	Product name	Active ingredient
6836–389	6836	Barrachlor Fungicide	Chlorothalonil (081901/1897–45–6)—(54%).
70506–43	70506	Surflan A.S. Herbicide	Oryzalin (104201/19044–88–3)—(40.4%).
70506–46	70506	Surflan Dry Flowable	Oryzalin (104201/19044–88–3)—(85%).
70506–458	70506	Ethephon 6	Ethephon (099801/16672–87–0)—(55.4%).
70506–459	70506	Ethephon 2#	Ethephon (099801/16672–87–0)—(21.7%).
70506–304	70506	Andersons Golf Products Fungo Flo.	Thiophanate-methyl (102001/23564–05–8)—(45%).
70506–558	70506	Doubletake	Diflubenzuron (108201/35367–38–5)—(22%), lambda-Cyhalothrin (128897/91465–08–6)—(11%).
70506–561	70506	Doubletake SE	Diflubenzuron (108201/35367–38–5)—(22%), lambda-Cyhalothrin (128897/91465–08–6)—(11%).

The name and address of record for the requesting registrants are listed in sequence by EPA company number in Table 2 of this unit. The company number corresponds to the first part of the EPA registration numbers of the products listed in Tables 1 and 1A of this unit.

TABLE 2—REGISTRANTS REQUESTING VOLUNTARY CANCELLATION

Company No.	Company name and address
71	L. Perrigo Company, 515 Eastern Avenue, Allegan, MI 49010.
100	Syngenta Crop Protection, LLC, 410 Swing Road, P.O. Box 18300, Greensboro, NC 27419–8300.
228	Nufarm Americas, Inc., 4000 Aerial Center Pkwy., Suite 101, Morrisville, NC 27560.
241	BASF Agricultural Solutions US, LLC, 2 TW Alexander Drive, Research Triangle Park, NC 27713.
279	FMC Corporation, 2929 Walnut Street, Philadelphia, PA 19104.
352	Corteva Agriscience, LLC, 9330 Zionsville Road, Indianapolis, IN 46268.
538	Scotts Company, The, 14111 Scottslawn Road, Marysville, OH 43041.
1001	Cleary Chemicals, LLC, Agent Name: Nufarm Americas, Inc., 4000 Aerial Center Pkwy., Suite 101, Morrisville, NC 27560.
1381	Winfield Solutions, LLC, P.O. Box 64589, St. Paul, MN 55164–0589.

TABLE 2—REGISTRANTS REQUESTING VOLUNTARY CANCELLATION—Continued

Company No.	Company name and address
2693	International Paint, LLC, 6001 Antoine Drive, Houston, TX 77091.
2724	Wellmark International, 1501 E Woodfield Road, Suite 200 West, Schaumburg, IL 60173.
5481	AMVAC Chemical Corporation, 4695 Macarthur Court, Suite 1200, Newport Beach, CA 92660–1706.
6836	Arxada, LLC, 412 Mount Kemble Avenue, Suite 200S, Morristown, NJ 07960.
7969	BASF Agricultural Solutions US, LLC, 2 TW Alexander Drive, Research Triangle Park, NC 27713.
9386	Kemira Water Solutions, Inc., Agent Name: Ramboll, 4245 North Fairfax Drive, Suite 700, Arlington, VA 22203.
9779	Winfield Solutions, LLC, P.O. Box 64589, St. Paul, MN 55164–0589.
10163	Gowan Company, LLC, 370 S Main St., Yuma, AZ 85364.
19713	Drexel Chemical Company, P.O. Box 13327, Memphis, TN 38113–0327.
34704	Loveland Products, Inc., Agent Name: Pyxis Regulatory Consulting, Inc., 4110 136th Street Ct. NW, Gig Habor, WA 98332.
42750	Albaugh, LLC, 1525 NE 36th Street, Ankeny, IA 50021.
51036	BASF Agricultural Solutions US, LLC, 2 TW Alexander Drive, Research Triangle Park, NC 27713.
56228	U.S. Department of Agriculture, Animal and Plant Health Inspection Service, 4700 River Road, Riverdale, MD 20737.
60063	Sipcam Agro USA, Inc., 2525 Meridian Pkwy, Durham, NC 27713.
62719	Corteva Agriscience, LLC, 9330 Zionsville Road, Indianapolis, IN 46268.
67690	SePRO Corporation, 11550 N Meridian Street, Suite 600, Carmel, IN 46032.
70060	BASF Corporation, Agent Name: Lewis & Harrison, LLC, 2461 S Clark St., Suite 710, Arlington, VA 22202.
70506	MacDermid Agricultural Solutions, Inc., Agent Name: UPL NA, Inc., 630 Freedom Business Center, Suite 402, King of Prussia, PA 19406.
83070	Advan, LLC, 2525 Meridian Pkwy., Durham, NC 27713.
87290	Generic Crop Science, LLC, Agent Name: SynTech Research Group, 7217 Lancaster Pike, Suite A, P.O. Box 640, Hockessin, DE 19707.
89442	Prime Source, A Division of Albaugh, LLC, 1525 Ne 36th Street, Ankeny, IA 50021.
92044	CAC Chemical Americas, LLC, Agent Name: Pyxis Regulatory Consulting, Inc., 535 Dock Street, Suite 211, Tacoma, WA 98402.
100522	Sullution Agro, LLC, Agent Name: Pyxis Regulatory Consulting, Inc., 535 Dock Street, Suite 211, Tacoma, WA 98402.

III. Provisions for Disposition of Existing Stocks

Existing stocks are those stocks of registered pesticide products that are currently in the United States, and that were packaged, labeled, and released for shipment prior to the effective date of the cancellation, which will be the date of publication of the cancellation order in the **Federal Register**. In any order issued in response to these requests, EPA anticipates including the following provisions for the treatment of any existing stocks of the products listed in Unit II:

For voluntary cancellations of the registrations listed in Table 1 of Unit II, registrants will be permitted to sell and distribute existing stocks of voluntarily canceled products for 1 year after the effective date of publication of the cancellation order in the **Federal Register**. Thereafter, registrants will be prohibited from selling or distributing the products identified in Table 1 of Unit II, except for export consistent with FIFRA section 17 (7 U.S.C. 136o) or for proper disposal.

For those products identified in Table 1A of Unit II, the registrants have requested 18-months after the date of publication of the cancellation order in the **Federal Register** to sell existing stocks. Thereafter, the registrants will be prohibited from selling or distributing the products identified in Table 1A of Unit II., except for export consistent with FIFRA section 17 (7 U.S.C. 136o) or for proper disposal.

Persons other than the registrant will generally be allowed to sell, distribute, or use existing stocks of the canceled products until supplies are exhausted, provided that such sale, distribution, or use is consistent with the terms of the previously approved labeling on, or that accompanied, the canceled products.

Authority: 7 U.S.C. 136 *et seq.*

Dated: July 24, 2025.

Charles Smith,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 2025–14492 Filed 7–30–25; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0262; FR ID 305584]

Information Collection Being Submitted for Review and Approval to Office of Management and Budget

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal Agencies to take this opportunity to comment on the following information collection. Pursuant to the Small Business Paperwork Relief Act of 2002, the FCC seeks specific comment on how it might ''further reduce the information collection burden for small business concerns with fewer than 25 employees.''

DATES: Written comments and recommendations for the proposed information collection should be submitted on or before September 2, 2025.

ADDRESSES: Comments should be sent 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. Your comment must be submitted into *www.reginfo.gov* per the above instructions for it to be considered. In addition to submitting in *www.reginfo.gov* also send a copy of your comment on the proposed information collection to Cathy Williams, FCC, via email to *PRA@fcc.gov* and to *Cathy.Williams@fcc.gov.* Include in the comments the OMB control number as shown in the **SUPPLEMENTARY INFORMATION** below.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collection, contact Cathy Williams at (202) 418–2918. To view a copy of this information collection

request (ICR) submitted to OMB: (1) go to the web page *http://www.reginfo.gov/public/do/PRAMain,* (2) look for the section of the web page called Currently Under Review, (3) click on the downward-pointing arrow in the Select Agency box below the Currently Under Review heading, (4) select Federal Communications Commission from the list of agencies presented in the Select Agency box, (5) click the Submit button to the right of the Select Agency box, (6) when the list of FCC ICRs currently under review appears, look for the Title of this ICR and then click on the ICR Reference Number. A copy of the FCC submission to OMB will be displayed.

SUPPLEMENTARY INFORMATION: The Commission may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

As part of its continuing effort to reduce paperwork burdens, as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3520), the FCC invited the general public and other Federal Agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimates; (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 the respondents, including the use of automated collection techniques or other forms of information technology. Pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, see 44 U.S.C. 3506(c)(4), the FCC seeks specific comment on how it might further reduce the information collection burden for small business concerns with fewer than 25 employees.

OMB Control No.: 3060–0262.

Title: Section 90.179, Shared Use of Radio Stations.

Form No.: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit, non-for-profit institutions, and State, local and Tribal government.

Number of Respondents and Responses: 34,000 respondents, 34,000 responses.

Estimated Time per Response: .25 up to .75 hours.

Frequency of Response: Recordkeeping requirement and on occasion reporting requirement.

Obligation To Respond: Required to obtain or retain benefits. The statutory authority for this collection is contained in 47 U.S.C. 154(i), 161, 303(g), 303(r) and 332(c)(7).

Total Annual Burden: 34,000 hours.

Annual Cost Burden: No cost.

Needs and Uses: The Commission was directed by the United States Congress, in the Balanced Budget Act of 1997, to dedicate 2.4 MHz of electromagnetic spectrum in the 746–806 MHz band for public safety services. Section 90.179 requires that Part 90 licensees that share use of their private land mobile radio facility on non-profit, cost-sharing basis to prepare and keep a written sharing agreement as part of the station records. Regardless of the method of sharing, an up-to-date list of persons who are sharing the station and the basis of their eligibility under Part 90 must be maintained. The requirement is necessary to identify users of the system should interference problems develop. This information is used by the Commission to investigate interference complaints and resolve interference and operational complaints that may arise among the users.

FEDERAL COMMUNICATIONS COMMISSION.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2025–14458 Filed 7–30–25; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL RESERVE SYSTEM

Proposed Agency Information Collection Activities; Comment Request

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Notice, request for comment.

SUMMARY: The Board of Governors of the Federal Reserve System (Board) invites comment on a proposal to extend for three years, without revision, the Federal Reserve Membership and Bank Stock Applications (FR 2083, FR 2083A, FR 2083B, FR 2083C, FR 2030, FR 2030a, FR 2056, FR 2086, FR 2086a, and FR 2087; OMB No. 7100–0042).

DATES: Comments must be submitted on or before September 29, 2025.

ADDRESSES: You may submit comments, identified by FR 2083, FR 2083A, FR 2083B, FR 2083C, FR 2030, FR 2030a, FR 2056, FR 2086, FR 2086a, or FR 2087, by any of the following methods:

- *Agency Website: https://www.federalreserve.gov/apps/proposals/.* Follow the instructions for submitting comments, including attachments. *Preferred Method.*
- *Mail:* Ann E. Misback, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.
- *Hand Delivery/Courier:* Same as mailing address.
- *Other Means: publiccomments@frb.gov.* You must include the OMB number or the FR number in the subject line of the message.

Comments received are subject to public disclosure. In general, comments received will be made available on the Board's website at *https://www.federalreserve.gov/apps/proposals/* 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. Public comments may also be viewed electronically or in person in Room M–4365A, 2001 C St. NW, Washington, DC 20551, between 9 a.m. and 5 p.m. during Federal business weekdays.

Additionally, commenters may send a copy of their comments to the Office of Management and Budget (OMB) Desk Officer for the Federal Reserve Board, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10235, 725 17th Street NW, Washington, DC 20503, or by fax to (202) 395–6974.

FOR FURTHER INFORMATION CONTACT: Federal Reserve Board Clearance Officer—Nuha Elmaghrabi—Office of the Chief Data Officer, Board of Governors of the Federal Reserve System, *nuha.elmaghrabi@frb.gov,* (202) 452–3884.

SUPPLEMENTARY INFORMATION: On June 15, 1984, OMB delegated to the Board authority under the Paperwork Reduction Act (PRA) to approve and assign OMB control numbers to collections of information conducted or sponsored by the Board. In exercising this delegated authority, the Board is directed to take every reasonable step to solicit comment. In determining whether to approve a collection of information, the Board will consider all comments received from the public and other agencies.

During the comment period for this proposal, a copy of the proposed PRA

OMB submission, including the draft reporting form and instructions, supporting statement (which contains more detail about the information collection and burden estimates than this notice), and other documentation, will be made available on the Board's public website at *https://www.federalreserve.gov/apps/reportingforms/review* or may be requested from the agency clearance officer, whose name appears above. On the page displayed at the link above, you can find the supporting information by referencing the collection identifier, FR 2083, FR 2083A, FR 2083B, FR 2083C, FR 2030, FR 2030a, FR 2056, FR 2086, FR 2086a, or FR 2087. Final versions of these documents will be made available at *https://www.reginfo.gov/public/do/PRAMain*, if approved.

Request for Comment on Information Collection Proposals

The Board invites public comment on the following information collection, which is being reviewed under authority delegated by the OMB under the PRA. Comments are invited on the following:

a. Whether the proposed collection of information is necessary for the proper performance of the Board's functions, including whether the information has practical utility;

b. The accuracy of the Board's estimate of the burden of the proposed 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;

d. Ways to minimize the burden of information collection on respondents, including through the use of automated collection techniques or other forms of information technology; and

e. Estimates of capital or startup costs and costs of operation, maintenance, and purchase of services to provide information.

At the end of the comment period, the comments and recommendations received will be analyzed to determine the extent to which the Board should modify the proposal.

Proposal Under OMB Delegated Authority To Extend for Three Years, Without Revision, the Following Information Collection

Collection title: Federal Reserve Membership and Bank Stock Applications.

Collection identifier: FR 2083, FR 2083A, FR 2083B, FR 2083C, FR 2030, FR 2030a, FR 2056, FR 2086, FR 2086a, and FR 2087.

OMB control number: 7100–0042.

General description of collection: The Federal Reserve Membership and Bank Stock Applications are comprised of the following application reporting forms:

- Application to the Board of Governors of the Federal Reserve System for Membership in the Federal Reserve System (FR 2083);
- Application for Federal Reserve Bank Stock (for use by state banks converting to a state member bank. National banks which already subscribe to Federal Reserve Bank stock should not complete this application when converting to a state member bank) (FR 2083A);
- Application for Federal Reserve Bank Stock (for use by mutual savings banks) (FR 2083B); and
- Certificate of Organizers or of Directors (FR 2083C), (FR 2083, FR 2083A, FR 2083B, and FR 2083C, together, the Federal Reserve Membership Application).
- Application for Federal Reserve Bank Stock (for use by new national banks) (FR 2030);
- Application for Federal Reserve Bank Stock (for use by nonmember state banks converting into national banks and federal savings associations that have elected to operate as a covered savings association (CSA)) (FR 2030a);
- Application for Adjustment in the Holding of Federal Reserve Bank Stock (for use by member banks that will survive a merger or consolidation with another bank) (FR 2056);
- Application for Cancellation of Federal Reserve Bank Stock (for use by member banks in voluntary liquidation) (FR 2086);
- Application for Cancellation of Federal Reserve Bank Stock (for use by member banks converting into or merging into member or nonmember banks or CSAs terminating an election to operate as a CSA) (FR 2086a); and
- Application for Cancellation of Federal Reserve Bank Stock (for use by insolvent member banks) (FR 2087), (FR 2030, 2030a, FR 2056, FR 2086, FR 2086a, and FR 2087, together, the Federal Reserve Bank Stock Applications).

Frequency: Event-generated.

Respondents: The Federal Reserve Membership Application panel comprises state-chartered banks converting to a state member bank, national banks converting to a state charter, and mutual savings banks applying for membership in the Federal Reserve System. The Federal Reserve Bank Stock Applications respondent panel comprises national banks seeking to purchase Federal Reserve Bank stock, nonmember state banks converting into a national bank, federal savings associations that have elected to operate as a CSA, CSAs terminating an election to operate as a CSA, and member banks seeking to increase, decrease, or cancel their Federal Reserve Bank stock holdings.

Total estimated number of respondents: FR 2083, FR 2083A, FR 2083B, FR 2083C: 32; FR 2030: 11; FR 2030a: 16; FR 2056: 177; FR 2086: 1; FR 2086a: 90; and FR 2087: 1.

Estimated average hours per response: FR 2083, FR 2083A, FR 2083B, FR 2083C: 6.21; FR 2030: 0.66; FR 2030a: 0.63; FR 2056: 0.78; FR 2086: 0.56; FR 2086a: 0.55; and FR 2087: 0.53.

Total estimated annual burden hours: 406.

Board of Governors of the Federal Reserve System, July 28, 2025.

Benjamin W. McDonough,

Deputy Secretary and Ombuds of the Board.

[FR Doc. 2025–14466 Filed 7–30–25; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL RESERVE SYSTEM

Proposed Agency Information Collection Activities; Comment Request

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Notice, request for comment.

SUMMARY: The Board of Governors of the Federal Reserve System (Board) invites comment on a proposal to extend for three years, without revision, the Reporting and Disclosure Requirements Associated with Regulation G (FR G; OMB No. 7100–0299).

DATES: Comments must be submitted on or before September 29, 2025.

ADDRESSES: You may submit comments, identified by FR G, by any of the following methods:

- *Agency Website: https://www.federalreserve.gov/apps/proposals/.* Follow the instructions for submitting comments, including attachments. *Preferred Method.*
- *Mail:* Ann E. Misback, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.
- *Hand Delivery/Courier:* Same as mailing address.
- *Other Means: publiccomments@frb.gov.* You must include the OMB number or the FR number in the subject line of the message.

Comments received are subject to public disclosure. In general, comments

received will be made available on the Board's website at *https://www.federalreserve.gov/apps/proposals/* 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 be not appropriate for public disclosure. Public comments may also be viewed electronically or in person in Room M–4365A, 2001 C St. NW, Washington, DC 20551, between 9 a.m. and 5 p.m. during Federal business weekdays.

Additionally, commenters may send a copy of their comments to the Office of Management and Budget (OMB) Desk Officer for the Federal Reserve Board, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10235, 725 17th Street NW, Washington, DC 20503, or by fax to (202) 395–6974.

FOR FURTHER INFORMATION CONTACT: Federal Reserve Board Clearance Officer—Nuha Elmaghrabi—Office of the Chief Data Officer, Board of Governors of the Federal Reserve System, *nuha.elmaghrabi@frb.gov,* (202) 452–3884.

SUPPLEMENTARY INFORMATION: On June 15, 1984, OMB delegated to the Board authority under the Paperwork Reduction Act (PRA) to approve and assign OMB control numbers to collections of information conducted or sponsored by the Board. In exercising this delegated authority, the Board is directed to take every reasonable step to solicit comment. In determining whether to approve a collection of information, the Board will consider all comments received from the public and other agencies.

During the comment period for this proposal, a copy of the proposed PRA OMB submission, including the draft reporting form and instructions, supporting statement (which contains more detail about the information collection and burden estimates than this notice), and other documentation, will be made available on the Board's public website at *https://www.federalreserve.gov/apps/reportingforms/review* or may be requested from the agency clearance officer, whose name appears above. On the page displayed at the link above, you can find the supporting information by referencing the collection identifier, FR G. Final versions of these documents will be made available at *https://www.reginfo.gov/public/do/PRAMain,* if approved.

Request for Comment on Information Collection Proposal

The Board invites public comment on the following information collection, which is being reviewed under authority delegated by the OMB under the PRA. Comments are invited on the following:

a. Whether the proposed collection of information is necessary for the proper performance of the Board's functions, including whether the information has practical utility;

b. The accuracy of the Board's estimate of the burden of the proposed 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;

d. Ways to minimize the burden of information collection on respondents, including through the use of automated collection techniques or other forms of information technology; and

e. Estimates of capital or startup costs and costs of operation, maintenance, and purchase of services to provide information.

At the end of the comment period, the comments and recommendations received will be analyzed to determine the extent to which the Board should modify the proposal.

Proposal Under OMB Delegated Authority To Extend for Three Years, Without Revision, the Following Information Collection

Collection title: Reporting and Disclosure Requirements Associated with Regulation G.

Collection identifier: FR G.

OMB control number: 7100–0299.

General description of collection: Regulation G—Disclosure and Reporting of CRA-Related Agreements (12 CFR part 207) implements section 711 of the Gramm-Leach-Bliley Act, which requires insured depository institutions (IDIs), affiliates of IDIs, and nongovernmental entities or persons (NGEPs) to disclose written agreements entered into in connection with fulfillment of the Community Reinvestment Act. The Board accounts for the financial institution paperwork burden associated with Regulation G only for Board-supervised institutions.

Frequency: Quarterly, annually, and on occasion.

Respondents: State member banks and their subsidiaries; bank holding companies; savings and loan holding companies; affiliates of bank holding companies and savings and loan holding companies, other than banks, savings associations, and subsidiaries of banks and savings associations; and NGEPs that enter into covered agreements with any of the aforementioned entities.

Total estimated number of respondents: 2.

Total estimated annual burden hours: 26.

Board of Governors of the Federal Reserve System, July 28, 2025.

Benjamin W. McDonough,

Deputy Secretary and Ombuds of the Board.

[FR Doc. 2025–14463 Filed 7–30–25; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL RESERVE SYSTEM

Proposed Agency Information Collection Activities; Comment Request

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Notice, request for comment.

SUMMARY: The Board of Governors of the Federal Reserve System (Board) invites comment on a proposal to extend for three years, with revision, the United States Currency Program Surveys (FR 3054; OMB No. 7100–0332).

DATES: Comments must be submitted on or before September 29, 2025.

ADDRESSES: You may submit comments, identified by FR 3054, by any of the following methods:

- *Agency Website: https://www.federalreserve.gov/apps/proposals/.* Follow the instructions for submitting comments, including attachments. *Preferred Method.*
- *Mail:* Ann E. Misback, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.
- *Hand Delivery/Courier:* Same as mailing address.
- *Other Means: publiccomments@frb.gov.* You must include the OMB number or the FR number in the subject line of the message.

Comments received are subject to public disclosure. In general, comments received will be made available on the Board's website at *https://www.federalreserve.gov/apps/proposals/* 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. Public comments may also be viewed electronically or in person in Room M–4365A, 2001 C St. NW, Washington, DC 20551, between 9 a.m. and 5 p.m. during Federal business weekdays.

Additionally, commenters may send a copy of their comments to the Office of Management and Budget (OMB) Desk Officer for the Federal Reserve Board, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10235, 725 17th Street NW, Washington, DC 20503, or by fax to (202) 395–6974.

FOR FURTHER INFORMATION CONTACT: Federal Reserve Board Clearance Officer—Nuha Elmaghrabi—Office of the Chief Data Officer, Board of Governors of the Federal Reserve System, *nuha.elmaghrabi@frb.gov,* (202) 452–3884.

SUPPLEMENTARY INFORMATION: On June 15, 1984, OMB delegated to the Board authority under the Paperwork Reduction Act (PRA) to approve and assign OMB control numbers to collections of information conducted or sponsored by the Board. In exercising this delegated authority, the Board is directed to take every reasonable step to solicit comment. In determining whether to approve a collection of information, the Board will consider all comments received from the public and other agencies.

During the comment period for this proposal, a copy of the proposed PRA OMB submission, including the draft reporting form and instructions, supporting statement (which contains more detail about the information collection and burden estimates than this notice), and other documentation, will be made available on the Board's public website at *https://www.federalreserve.gov/apps/reportingforms/review* or may be requested from the agency clearance officer, whose name appears above. On the page displayed at the link above, you can find the supporting information by referencing the collection identifier, FR 3054. Final versions of these documents will be made available at *https://www.reginfo.gov/public/do/PRAMain,* if approved.

Request for Comment on Information Collection Proposal

The Board invites public comment on the following information collection, which is being reviewed under authority delegated by the OMB under the PRA. Comments are invited on the following:

a. Whether the proposed collection of information is necessary for the proper performance of the Board's functions, including whether the information has practical utility;

b. The accuracy of the Board's estimate of the burden of the proposed 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;

d. Ways to minimize the burden of information collection on respondents, including through the use of automated collection techniques or other forms of information technology; and

e. Estimates of capital or startup costs and costs of operation, maintenance, and purchase of services to provide information.

At the end of the comment period, the comments and recommendations received will be analyzed to determine the extent to which the Board should modify the proposal.

Proposal Under OMB Delegated Authority To Extend for Three Years, With Revision, the Following Information Collection

Collection title: United States Currency Program Surveys.

Collection identifier: FR 3054.

OMB control number: 7100–0332.

General description of collection: The U.S. Currency Program Surveys are used to obtain information specifically tailored to the Federal Reserve's operational and fiscal agency responsibilities. All collections except FR 3054c are conducted on an ad hoc basis. The Board's current U.S. Currency Program set of information collections, collectively referred to as FR 3054, are comprised of the following: Ad Hoc Currency Surveys (FR 3054a); Currency Quality Sampling Survey (FR 3054b); Currency Quality Survey (FR 3054c); Currency Functionality and Perception Survey (FR 3054d); and Currency Education Usability Survey (FR 3054e).

Proposed revisions: The Board proposes to change the name of the information collection from ''Payment Systems Surveys'' to ''United States Currency Program Surveys'' to more accurately describe the effort that the collections support.

The Board also proposes to revise FR 3054a and FR 3054e by splitting both into short-form and long-form collections and proposing implementation of the Short-form Currency Program Surveys (FR 3054f) and the Short-form Currency Education Usability Surveys (FR 3054g). These revisions would allow the four information collections (FR 3054a, FR 3054e, FR 3054f, FR 3054g) to more accurately account for the burden and number of respondents, while gathering the necessary data to support the introduction of a new set of banknotes. Short-form information collection techniques are generally shorter in duration, usually less than an hour, and recruit larger number of respondents, usually over 1,000, and may be conducted through phone or internet surveys. Long-form information collection techniques are generally longer in duration, usually over an hour, and recruit a smaller number of respondents, usually under 1,000, and may be conducted through focus groups or individual interviews. These revisions will more accurately reflect the burden imposed by different collection methods based on how these collections were conducted in previous years.

The Board proposes to decrease the estimated number of respondents for FR 3054a, increase the frequency, increase the average hours per response, and rename the collection from ''Ad Hoc Currency Surveys'' to ''Long-form Currency Program Surveys.'' The increased estimated time per response of FR 3054a will allow for more in-depth focus groups and interviews (with a smaller number of respondents) to support and inform the increasing efforts of the Currency Program. FR 3054a will continue to cover the same topics, but will focus on utilizing long-form collection methods, such as focus groups and interviews, while the short-form collection methods will continue as part of a new collection, the proposed FR 3054f.

The Board proposes to correct FR 3054d by decreasing the number of respondents, and increasing the estimated duration to accurately reflect the number and length of meetings held between the Board, FedCash Services, Bureau of Engraving and Printing, and banknote equipment manufacturers. This proposed revision returns FR 3054d to the burden hours that previously existed prior to 2020.

The Board proposes for FR 3054e to increase the estimated average hours per response and rename the collection from ''Currency Education Usability Survey'' to ''Long-form Currency Education Usability Surveys.'' The increased estimated time per response of FR 3054e will allow for more in-depth focus groups and interviews to inform the Board's currency education programs. Similar to FR 3054a, FR 3054e would continue to cover the same topics, but would focus on long-form collection methods, while the short-form collection methods would

continue as part of a new collection (the proposed FR 3054g).

The Board proposes to establish a new information collection, the ''Short-form Currency Program Surveys'' (FR 3054f). This new collection will allow the Board to cover the same topics as the revised FR 3054a, but through quicker collection methods with a higher number of respondents.

The Board proposes to establish a second new collection, the ''Short-form Currency Education Usability Surveys'' (FR 3054g). FR 3054g would cover the same topics as FR 3054e using quicker and broader collection methods.

Frequency: The FR 3054a, FR 3054e, FR 3054f, and FR 3054g are event-generated and may be conducted up to 10 times per year. The FR 3054b is event-generated and maybe be conducted up to 1 time per year. The FR 3054c is conducted 2 times per year. The FR 3054b is event-generated and conducted up to 5 times per year.

Respondents: Financial institutions (including depository institutions, currency exchanges, or central banks), law enforcement, nonfinancial businesses (retailers, banknote equipment manufacturers, or global wholesale bank note dealers), and individuals within the general public.

Total estimated number of respondents: FR 3054a, 400; FR 3054b, 500; FR 3054c, 25; FR 3054d, 1; FR 3054e, 250; FR 3054f, 5,000; FR 3054g, 4,000.

Estimated average hours per response: FR 3054a, 2; FR 3054b. 0.5; FR 3054c, 30; FR 3054d, 30; FR 3054e, 1.5; FR 3054f, 0.5; FR 3054g, 0.5.

Total estimated change in burden: 37,525.

Total estimated annual burden hours: 58,650.

Board of Governors of the Federal Reserve System, July 28, 2025.

Benjamin W. McDonough,

Deputy Secretary and Ombuds of the Board.

[FR Doc. 2025–14462 Filed 7–30–25; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL RESERVE SYSTEM

Proposed Agency Information Collection Activities; Comment Request

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Notice, request for comment.

SUMMARY: The Board of Governors of the Federal Reserve System (Board) invites comment on a proposal to extend for three years, without revision, the Recordkeeping and Disclosure Requirements Associated with the Consumer Financial Protection Bureau's (CFPB) and the Board's Regulations V (FR V; OMB No. 7100–0308).

DATES: Comments must be submitted on or before September 29, 2025.

ADDRESSES: You may submit comments, identified by FR V, by any of the following methods:

- *Agency Website: https://www.federalreserve.gov/apps/proposals/.* Follow the instructions for submitting comments, including attachments. *Preferred Method.*
- *Mail:* Ann E. Misback, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.
- *Hand Delivery/Courier:* Same as mailing address.
- *Other Means: publiccomments@frb.gov.* You must include the OMB number or the FR number in the subject line of the message.

Comments received are subject to public disclosure. In general, comments received will be made available on the Board's website at *https://www.federalreserve.gov/apps/proposals/* 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 be not appropriate for public disclosure. Public comments may also be viewed electronically or in person in Room M–4365A, 2001 C St. NW, Washington, DC 20551, between 9 a.m. and 5 p.m. during Federal business weekdays.

Additionally, commenters may send a copy of their comments to the Office of Management and Budget (OMB) Desk Officer for the Federal Reserve Board, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10235, 725 17th Street NW, Washington, DC 20503, or by fax to (202) 395–6974.

FOR FURTHER INFORMATION CONTACT: Federal Reserve Board Clearance Officer—Nuha Elmaghrabi—Office of the Chief Data Officer, Board of Governors of the Federal Reserve System, *nuha.elmaghrabi@frb.gov,* (202) 452–3884.

SUPPLEMENTARY INFORMATION: On June 15, 1984, OMB delegated to the Board authority under the Paperwork Reduction Act (PRA) to approve and assign OMB control numbers to collections of information conducted or sponsored by the Board. In exercising this delegated authority, the Board is directed to take every reasonable step to solicit comment. In determining whether to approve a collection of information, the Board will consider all comments received from the public and other agencies.

During the comment period for this proposal, a copy of the proposed PRA OMB submission, including the draft reporting form and instructions, supporting statement (which contains more detail about the information collection and burden estimates than this notice), and other documentation, will be made available on the Board's public website at *https://www.federalreserve.gov/apps/reportingforms/review* or may be requested from the agency clearance officer, whose name appears above. On the page displayed at the link above, you can find the supporting information by referencing the collection identifier, FR V. Final versions of these documents will be made available at *https://www.reginfo.gov/public/do/PRAMain,* if approved.

Request for Comment on Information Collection Proposal

The Board invites public comment on the following information collection, which is being reviewed under authority delegated by the OMB under the PRA. Comments are invited on the following:

a. Whether the proposed collection of information is necessary for the proper performance of the Board's functions, including whether the information has practical utility;

b. The accuracy of the Board's estimate of the burden of the proposed 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;

d. Ways to minimize the burden of information collection on respondents, including through the use of automated collection techniques or other forms of information technology; and

e. Estimates of capital or startup costs and costs of operation, maintenance, and purchase of services to provide information.

At the end of the comment period, the comments and recommendations received will be analyzed to determine the extent to which the Board should modify the proposal.

Proposal Under OMB Delegated Authority To Extend for Three Years, Without Revision, the Following Information Collection

Collection title: Recordkeeping and Disclosure Requirements Associated With the CFPB's and the Board's Regulations V.

Collection identifier: FR V.

OMB control number: 7100–0308.

General description of collection: The CFPB's Regulation V and the Board's Regulation V (collectively FR V Regulations) implement in part the Fair Credit Reporting Act (FCRA), which was enacted in 1970 based on a Congressional finding that the banking system is dependent on fair and accurate credit reporting. The FCRA requires consumer reporting agencies to adopt reasonable procedures that are fair and equitable to the consumer with regard to the confidentiality, accuracy, relevancy, and proper utilization of consumer information. The Board continues to be responsible for renewing every three years the information collection requirements contained in the CFPB's Regulation V for institutions with $10 billion or less in assets that are identified in 15 U.S.C. 1681s(b)(1)(A)(ii) and for consumers of these institutions, as well as for the identity theft red flags provisions in the Board's Regulation V for institutions of any size that are identified in 15 U.S.C. 1681s(b)(1)(A)(ii).

Frequency: Event-generated.

Respondents: Individuals and all depository institutions identified in 15 U.S.C. 1681s(b)(1)(A)(ii).

Total estimated number of respondents: 282,070.

Total estimated annual burden hours: 403,418.

Board of Governors of the Federal Reserve System, July 28, 2025.

Benjamin W. McDonough,

Deputy Secretary and Ombuds of the Board.

[FR Doc. 2025–14469 Filed 7–30–25; 8:45 am]

BILLING CODE 6210–01–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 September 2, 2025.

A. Federal Reserve Bank of St. Louis (Holly A. Rieser, Senior Manger) P.O. Box 442, St. Louis, Missouri 63166–2034. Comments can also be sent electronically to *Comments.applications@stls.frb.org:*

1. *Rhineland Bancshares, Inc., Rhineland, Missouri;* to merge with Green City Bancshares Inc., and thereby indirectly acquire Farmbank, both of Green City, Missouri.

Board of Governors of the Federal Reserve System.

Erin Cayce,

Assistant Secretary of the Board.

[FR Doc. 2025–14481 Filed 7–30–25; 8:45 am]

BILLING CODE P

FEDERAL RESERVE SYSTEM

Proposed Agency Information Collection Activities; Comment Request

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Notice, request for comment.

SUMMARY: The Board of Governors of the Federal Reserve System (Board) invites comment on a proposal to extend for three years, without revision, the Reporting, Recordkeeping, and Disclosure Requirements Associated with Regulation BB (FR BB; OMB No. 7100–0197).

DATES: Comments must be submitted on or before September 29, 2025.

ADDRESSES: You may submit comments, identified by FR BB by any of the following methods:

- *Agency Website: https://www.federalreserve.gov/apps/proposals/.* Follow the instructions for submitting comments, including attachments. *Preferred Method.*
- *Mail:* Ann E. Misback, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.
- *Hand Delivery/Courier:* Same as mailing address.
- *Other Means: publiccomments@frb.gov.* You must include the OMB number or the FR number in the subject line of the message.

Comments received are subject to public disclosure. In general, comments received will be made available on the Board's website at *https://www.federalreserve.gov/apps/proposals/* 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. Public comments may also be viewed electronically or in person in Room M–4365A, 2001 C St. NW, Washington, DC 20551, between 9 a.m. and 5 p.m. during Federal business weekdays.

Additionally, commenters may send a copy of their comments to the Office of Management and Budget (OMB) Desk Officer for the Federal Reserve Board, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10235, 725 17th Street NW, Washington, DC 20503, or by fax to (202) 395–6974.

FOR FURTHER INFORMATION CONTACT: Federal Reserve Board Clearance Officer—Nuha Elmaghrabi—Office of the Chief Data Officer, Board of Governors of the Federal Reserve System, *nuha.elmaghrabi@frb.gov,* (202) 452–3884.

SUPPLEMENTARY INFORMATION: On June 15, 1984, OMB delegated to the Board authority under the Paperwork

Reduction Act (PRA) to approve and assign OMB control numbers to collections of information conducted or sponsored by the Board. In exercising this delegated authority, the Board is directed to take every reasonable step to solicit comment. In determining whether to approve a collection of information, the Board will consider all comments received from the public and other agencies.

During the comment period for this proposal, a copy of the proposed PRA OMB submission, including the draft reporting form and instructions, supporting statement (which contains more detail about the information collection and burden estimates than this notice), and other documentation, will be made available on the Board's public website at *https://www.federalreserve.gov/apps/reportingforms/review* or may be requested from the agency clearance officer, whose name appears above. On the page displayed at the link above, you can find the supporting information by referencing the collection identifier, FR BB. Final versions of these documents will be made available at *https://www.reginfo.gov/public/do/PRAMain,* if approved.

Request for Comment on Information Collection Proposal

The Board invites public comment on the following information collection, which is being reviewed under authority delegated by the OMB under the PRA. Comments are invited on the following:

a. Whether the proposed collection of information is necessary for the proper performance of the Board's functions, including whether the information has practical utility;

b. The accuracy of the Board's estimate of the burden of the proposed 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;

d. Ways to minimize the burden of information collection on respondents, including through the use of automated collection techniques or other forms of information technology; and

e. Estimates of capital or startup costs and costs of operation, maintenance, and purchase of services to provide information.

At the end of the comment period, the comments and recommendations received will be analyzed to determine the extent to which the Board should modify the proposal.

Proposal Under OMB Delegated Authority To Extend for Three Years, Without Revision, the Following Information Collection

Collection title: Reporting, Recordkeeping, and Disclosure Requirements Associated with Regulation BB.

Collection identifier: FR BB.

OMB control number: 7100–0197.

General description of collection: The Community Reinvestment Act (CRA) was enacted in 1977 and is implemented by Regulation BB—Community Reinvestment (12 CFR 228). The CRA directs the Board, the Federal Deposit Insurance Corporation, and the Office of the Comptroller of the Currency to evaluate financial institutions' (banks and savings associations) records of helping to meet the credit needs of their entire communities, including low- and moderate-income areas, consistent with the safe and sound operation of the institutions. The reporting, recordkeeping, and disclosure requirements in the Board's regulation apply to state member banks (SMBs).

Frequency: Annually.

Respondents: SMBs, with the exception of certain special purpose banks.

Total estimated number of respondents: Assessment area delineation, 152; small business and small farm loan data, 148; community development loan data, 152; Home Mortgage Disclosure Act (HMDA) out of Metropolitan Statistical Areas (MSA) loan data, 140; request for designation as a wholesale or a limited purpose bank, 1; strategic plan approval request, 2; affiliate lending data, 5; data on lending by a consortium or third party, 12; small business and small farm loan register, 148; consumer loan data, 36; other loan data, 26; public file and public notice, 704.

Estimated average hours per response: Assessment area delineation, 2; small business and small farm loan data, 8; community development loan data, 13; HMDA out of MSA loan data, 253; request for designation as a wholesale or a limited purpose bank, 4; strategic plan approval request, 275; affiliate lending data, 38; data on lending by a consortium or third party, 17; small business and small farm loan register, 219; consumer loan data, 326; other loan data, 25; public file and public notice, 10.

Total estimated annual burden hours: 91,670.

Board of Governors of the Federal Reserve System, July 28, 2025.

Benjamin W. McDonough,

Deputy Secretary and Ombuds of the Board.

[FR Doc. 2025–14467 Filed 7–30–25; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL RESERVE SYSTEM

Proposed Agency Information Collection Activities; Comment Request

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Notice, request for comment.

SUMMARY: The Board of Governors of the Federal Reserve System (Board) invites comment on a proposal to extend for three years, with revision, the Recordkeeping and Disclosure Requirements Associated with the Consumer Financial Protection Bureau's (CFPB) Regulation E (CFPB E; OMB No. 7100–0200).

DATES: Comments must be submitted on or before September 29, 2025.

ADDRESSES: You may submit comments, identified by CFPB E, by any of the following methods:

- *Agency Website: https://www.federalreserve.gov/apps/proposals/.* Follow the instructions for submitting comments, including attachments. *Preferred Method.*
- *Mail:* Ann E. Misback, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.
- *Hand Delivery/Courier:* Same as mailing address.
- *Other Means: publiccomments@frb.gov.* You must include the OMB number or the FR number in the subject line of the message.

Comments received are subject to public disclosure. In general, comments received will be made available on the Board's website at *https://www.federalreserve.gov/apps/proposals/* 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 be not appropriate for public disclosure. Public comments may also be viewed electronically or in person in Room M–4365A, 2001 C St. NW, Washington, DC 20551, between 9 a.m. and 5 p.m. during Federal business weekdays.

Additionally, commenters may send a copy of their comments to the Office of

Management and Budget (OMB) Desk Officer for the Federal Reserve Board, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10235, 725 17th Street NW, Washington, DC 20503, or by fax to (202) 395–6974.

FOR FURTHER INFORMATION CONTACT: Federal Reserve Board Clearance Officer—Nuha Elmaghrabi—Office of the Chief Data Officer, Board of Governors of the Federal Reserve System, *nuha.elmaghrabi@frb.gov,* (202) 452–3884.

SUPPLEMENTARY INFORMATION: On June 15, 1984, OMB delegated to the Board authority under the Paperwork Reduction Act (PRA) to approve and assign OMB control numbers to collections of information conducted or sponsored by the Board. In exercising this delegated authority, the Board is directed to take every reasonable step to solicit comment. In determining whether to approve a collection of information, the Board will consider all comments received from the public and other agencies.

During the comment period for this proposal, a copy of the proposed PRA OMB submission, including the draft reporting form and instructions, supporting statement (which contains more detail about the information collection and burden estimates than this notice), and other documentation, will be made available on the Board's public website at *https://www.federalreserve.gov/apps/reportingforms/review* or may be requested from the agency clearance officer, whose name appears above. On the page displayed at the link above, you can find the supporting information by referencing the collection identifier, CFPB E. Final versions of these documents will be made available at *https://www.reginfo.gov/public/do/PRAMain*, if approved.

Request for Comment on Information Collection Proposal

The Board invites public comment on the following information collection, which is being reviewed under authority delegated by the OMB under the PRA. Comments are invited on the following:

a. Whether the proposed collection of information is necessary for the proper performance of the Board's functions, including whether the information has practical utility;

b. The accuracy of the Board's estimate of the burden of the proposed 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;

d. Ways to minimize the burden of information collection on respondents, including through the use of automated collection techniques or other forms of information technology; and

e. Estimates of capital or startup costs and costs of operation, maintenance, and purchase of services to provide information.

At the end of the comment period, the comments and recommendations received will be analyzed to determine the extent to which the Board should modify the proposal.

Proposal Under OMB Delegated Authority To Extend for Three Years, With Revision, the Following Information Collection

Collection title: Recordkeeping and Disclosure Requirements Associated with the CFPB's Regulation E.

Collection identifier: CFPB E.

OMB control number: 7100–0200.

General description of collection: Board-supervised institutions must provide meaningful disclosures about the basic terms, costs, and rights relating to electronic fund transfer services involving a customer's account and must maintain certain records.

Proposed revisions: The Board proposes to revise the CFPB E to account for one recordkeeping provision in Section 1005.13(b) of Regulation E that has not previously been cleared by the Board under the PRA.

Frequency: Event-generated, monthly, and annually.

Respondents: State member banks and their subsidiaries, subsidiaries of bank holding companies, U.S. branches and agencies of foreign banks (other than federal branches, federal agencies, and insured state branches of foreign banks), commercial lending companies owned or controlled by foreign banks, and organizations operating under section 25 or 25A of the Federal Reserve Act (12 U.S.C. 601–604a; 611–631).

Total estimated number of respondents: 815.

Total estimated change in burden: 0.

Total estimated annual burden hours: 165,426.

Board of Governors of the Federal Reserve System, July 28, 2025.

Benjamin W. McDonough,

Deputy Secretary and Ombuds of the Board.

[FR Doc. 2025–14464 Filed 7–30–25; 8:45 am]

BILLING CODE 6210–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifiers: CMS–10287, CMS–10137 and CMS–10824]

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for the public to comment on CMS' intention to collect information from the public. Under the Paperwork Reduction Act of 1995 (PRA), federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information (including each proposed extension or reinstatement of an existing collection of information) and to allow 60 days for public comment on the proposed action. Interested persons are invited to send comments regarding our burden estimates or any other aspect of this collection of information, including the necessity and utility of the proposed information collection for the proper performance of the agency's functions, the accuracy of the estimated burden, ways to enhance the quality, utility, and clarity of the information to be collected, and the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

DATES: Comments must be received by September 29, 2025.

ADDRESSES: When commenting, please reference the document identifier or OMB control number. To be assured consideration, comments and recommendations must be submitted in any one of the following ways:

1. Electronically. You may send your comments electronically to *http://www.regulations.gov.* Follow the instructions for ''Comment or Submission'' or ''More Search Options'' to find the information collection document(s) that are accepting comments.

2. By *regular mail.* You may mail written comments to the following address: CMS, Office of Strategic Operations and Regulatory Affairs, Division of Regulations Development, Attention: Document Identifier/OMB Control Number: ____, Room C4–26–05, 7500 Security Boulevard, Baltimore, Maryland 21244–1850.

To obtain copies of a supporting statement and any related forms for the proposed collection(s) summarized in this notice, please access the CMS PRA website by copying and pasting the following web address into your web browser: *https://www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing.*

FOR FURTHER INFORMATION CONTACT: William N. Parham at (410) 786–4669.

SUPPLEMENTARY INFORMATION:

Contents

This notice sets out a summary of the use and burden associated with the following information collections. More detailed information can be found in each collection's supporting statement and associated materials (see **ADDRESSES**).

CMS–10287 Medicare Quality of Care Complaint Form

CMS–10137 Solicitation for Applications for Medicare Prescription Drug Plan 2027 Contracts

CMS–10824 Annual Notice of Change and Evidence of Coverage for Applicable Integrated Plans in States that Require Integrated Materials

Under the PRA (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. The term ''collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA requires federal agencies to publish a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, CMS is publishing this notice.

Information Collections

1. *Type of Information Collection Request:* Revision of a currently approved collection; *Title of Information Collection:* Medicare Quality of Care Complaint Form; *Use:* This is a reinstatement with changes. Since 1986, Quality Improvement Organizations (QIO) have been responsible for conducting appropriate reviews of written complaints submitted by beneficiaries about the quality of care they have received. In order to receive these written complaints, each QIO has developed its own unique form on which beneficiaries can submit their complaints. CMS has initiated several efforts aimed at increasing the standardization of all QIO activities, and the development of a single, standardized Medicare Quality of Care Complaint Form beneficiaries can use to submit complaints is a key step towards attaining this increased standardization. The form was updated to remove lengthy instructions, provide clarification and ensure demographic data collection aligns with statistical Policy Directive 15. *Form Number:* CMS–10287 (OMB control number: 0938–1102); *Frequency:* Occasionally; *Affected Public:* Individuals and Households; *Number of Respondents:* 3,369; *Total Annual Responses:* 3,369; *Total Annual Hours:* 562. (For policy questions regarding this collection contact Kellie Leveille at 929–548–5297.)

2. *Type of Information Collection Request:* Revision of a currently approved collection; *Title of Information Collection:* Solicitation for Applications for Medicare Prescription Drug Plan 2027 Contracts; *Use:* Coverage for the prescription drug benefit is provided through contracted prescription drug plans (PDPs) or through Medicare Advantage (MA) plans that offer integrated prescription drug and health care coverage (MA–PD plans). Cost Plans that are regulated under Section 1876 of the Social Security Act, and Employer Group Waiver Plans (EGWP) may also provide a Part D benefit. Organizations wishing to provide services under the Prescription Drug Benefit Program must complete an application, negotiate rates, and receive final approval from CMS. Existing Part D Sponsors may also expand their contracted service area by completing the Service Area Expansion (SAE) application.

Collection of this information is mandated in Part D of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (MMA) in Subpart 3. The application requirements are codified in Subpart K of 42 CFR 423 entitled ''Application Procedures and Contracts with PDP Sponsors.''

The information will be collected under the solicitation of proposals from PDP, MA–PD, Cost Plan, Program of All-Inclusive Care for the Elderly (PACE), and EGWP applicants. The collected information will be used by CMS to: (1) ensure that applicants meet CMS requirements for offering Part D plans (including network adequacy, contracting requirements, and compliance program requirements, as described in the application), (2) support the determination of contract awards *Form Number:* CMS–10137 (OMB control number: 0938–0936); *Frequency:* Yearly; *Affected Public:* Private Sector, Business or other for profits, Not for profits institutions; *Number of Respondents:* 785; *Total Annual Responses:* 402; *Total Annual Hours:* 1,723. (For policy questions regarding this collection contact April Forsythe at 410–786–8493 or *April.Forsythe@cms.hhs.gov.*)

3. *Type of Information Collection Request:* Revision of a currently approved collection; *Title of Information Collection:* Annual Notice of Change and Evidence of Coverage for Applicable Integrated Plans in States that Require Integrated Materials; *Use:* CMS requires MA organizations and Part D sponsors to use the standardized documents being submitted for OMB approval to satisfy disclosure requirements mandated by section 1851(d)(3)(A) of the Act and § 422.111 for MA organizations and section 1860D–1(c) of the Act and § 423.128(a)(3) for Part D sponsors. The regulatory provisions at §§ 422.111(b) and 423.128(b) require MA organizations and Part D sponsors to disclose plan information, including: service area, benefits, access, grievance and appeals procedures, and quality improvement/assurance requirements. MA organizations and sponsors may send the ANOC separately from the EOC but must send the ANOC for enrollee receipt by September 30. The required due date for the EOC is 15 days prior to the start of the AEP.

This information collection maintains standardized EOC and ANOC models for Dual Eligible Special Needs Plan (D–SNP) applicable integrated plans (AIPs), as defined at § 422.561, in certain States that chose to require that plans issue an integrated EOC and ANOC that covers the Medicare and Medicaid benefits. The models reflect revisions to the D–SNP models under CMS–10260 to include information on Medicaid benefits that State Medicaid agencies can customize. *Form Number:* CMS–10824 (OMB control number: 0938–1444); *Frequency:* Yearly; *Affected Public:* Private Sector, Business or other for profits; *Number of Respondents:* 109; *Total Annual Responses:* 109; *Total Annual Hours:* 1,308. (For policy questions regarding this collection

contact Julie Jones at 312–353–9850 or *Julie.Jones@cms.hhs.gov*.)

William N. Parham, III,

Director, Division of Information Collections and Regulatory Impacts, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2025–14479 Filed 7–30–25; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2018–D–1873]

Medical Device User Fee Small Business Qualification and Determination Guidance Final Guidance for Industry and Food and Drug Administration Staff and Foreign Governments; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing the availability of a final guidance for industry entitled ''Medical Device User Fee Small Business Qualification and Determination Guidance.'' This guidance updates the previous version of the guidance, titled ''Medical Device User Fee Small Business Qualification and Certification Guidance'', issued on August 1, 2018. The guidance includes updates which describe how FDA plans to determine if a small business is experiencing ''financial hardship'' which makes them eligible for a waiver of their registration fee. The guidance details what information FDA intends to review and consider in making this determination.

DATES: The announcement of the guidance is published in the **Federal Register** on July 31, 2025.

ADDRESSES: You may submit either electronic or written comments on Agency guidances at any time as follows:

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal: https://www.regulations.gov*. Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov*.
- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

- Mail/Hand Delivery/Courier (for written/paper submissions): Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.
- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2018–D–1873 for ''Medical Device User Fee Small Business Qualification and Determination Guidance.'' Received comments will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 240–402–7500.

- Confidential Submissions—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states ''THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.'' The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on *https://www.regulations.gov.* Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as ''confidential.'' Any information marked as ''confidential'' will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.govinfo.gov/content/pkg/FR-2015-09-18/pdf/2015-23389.pdf*.

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

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

An electronic copy of the guidance document is available for download from the internet. See the **SUPPLEMENTARY INFORMATION** section for information on electronic access to the guidance. Submit written requests for a single hard copy of the guidance document entitled ''Medical Device User Fee Small Business Qualification and Determination Guidance'' to the Office of Policy, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 5441, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist that office in processing your request.

FOR FURTHER INFORMATION CONTACT: Erica Takai, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 5456, Silver Spring, MD 20993–0002, 301–796–6353; or Phillip Kurs, Center for Biologics Evaluation and Research, Food and Drug Administration, 240–402–7911.

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of a final guidance for industry entitled ''Medical Device User Fee Small Business Qualification and Determination Guidance''. On December 29, 2022, the Food and Drug Omnibus Reform Act of 2022 was signed into law as part of the Consolidated Appropriations Act, 2023, Public Law 117–328. Section 3309 of the Omnibus—''Small Business Fee Waiver''—amended section 738(a)(3)(B) of the Federal Food, Drug, and Cosmetic

Act (FD&C Act) by adding clause (ii) ''Small business fee waiver''. The amended language gave FDA the discretion, beginning in fiscal year 2025, to waive the annual registration fee for device establishments that are small businesses if FDA determines that paying the fee for such year represents a financial hardship. Additionally, the amended statute acknowledges that device establishments may be located in countries without a National Taxing Authority. As a result of this amended statutory language, FDA is issuing this guidance to update the guidance ''Medical Device User Fee Small Business Qualification and Certification'' to describe how FDA plans to determine if a small business is experiencing ''financial hardship'', which makes them eligible for a waiver of their registration fee. The guidance details what information FDA intends to review and consider in making this determination. The guidance further clarifies the various fee waivers and reductions available to small businesses, and describes under what circumstances a small business may avail itself of them.

A notice of availability of the guidance appeared in the **Federal Register** of February 22, 2024 (89 FR 13349). FDA considered comments received and revised the guidance as appropriate in response to the comments, including describing the applicability of the waiver to previous years, how often a waiver may be used, and clarifying the conditions under which FDA may grant the waiver.

This guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The guidance represents the current thinking of FDA on Medical Device User Fee Small Business Qualification and Determination Guidance. It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations. FDA considered the applicability of Executive Order 14192, per OMB guidance in M–25–20, and finds this action to be deregulatory in nature.

II. Electronic Access

Persons interested in obtaining a copy of the guidance may do so by downloading an electronic copy from the internet. A search capability for all Center for Devices and Radiological Health guidance documents is available at *https://www.fda.gov/medical-devices/device-advice-comprehensive-regulatory-assistance/guidance-documents-medical-devices-and-radiation-emitting-products.* This guidance document is also available at *https://www.regulations.gov, https://www.fda.gov/regulatory-information/search-fda-guidance-documents.* Persons unable to download an electronic copy of ''Medical Device User Fee Small Business Qualification and Determination Guidance'' may send an email request to *CDRH-Guidance@fda.hhs.gov* to receive an electronic copy of the document. Please use the document number GUI00018007 and complete title to identify the guidance you are requesting.

III. Paperwork Reduction Act of 1995

The guidance refers to previously approved FDA collections of information. The collections of information related to Medical Device User Fee Small Business Qualification and Determination have been approved under OMB control number 0910–0508.

Dated: July 28, 2025.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–14460 Filed 7–30–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

[CMS–0063–N]

RIN 0938–ZB90

National Plan and Provider Enumeration System (NPPES) Data Changes

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

ACTION: Notice.

SUMMARY: This notice provides information on changes to a data element collected by the National Plan and Provider Enumeration System (NPPES) when a provider applies for a National Provider Identifier (NPI), which changes are made pursuant to provisions of the January 20, 2025, Executive Order, 14168 (90 FR 8615). This notice also provides an explanation of the nature and rationale for the changes, and their effect on public-facing data available in NPPES downloadable files and the query-only database on the internet.

FOR FURTHER INFORMATION CONTACT: Michael Cimmino at (410) 786–6408; *AdministrativeSimplification@cms.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

A. Legislative and Regulatory Background

Through subtitle F of title II of the Health Insurance Portability and Accountability Act of 1996 (HIPAA), Congress added Part C, ''Administrative Simplification'' to title XI of the Social Security Act (the Act) (Public Law (Pub. L.) 104–191). Part C of title XI consists of sections 1171 through 1180 of the Act. These sections define various terms and require the Secretary of the Department of Health and Human Services (HHS) (the Secretary) to adopt standards and operating rules with respect to certain electronic transactions, unique health identifiers, code sets, and associated implementation specifications relating to health information. Health plans, health care clearinghouses, and certain health care providers (collectively known as covered entities) must comply with the provisions adopted by the Secretary. The Secretary delegated authority for administering and enforcing HIPAA Administrative Simplification provisions related to transactions, code sets, unique identifiers, and operating rules, implemented in 45 CFR parts 160 and 162, to the Centers for Medicare & Medicaid Services (CMS) (68 FR 60694).

Section 1173(b) of the Act requires the Secretary to adopt a unique standard health identifier for individuals, employers, health plans, and health care providers for use in the health care system and to specify the purposes for which the identifiers may be used. A proposed rule titled ''National Standard Health Care Provider Identifier'' (hereinafter referred to as the national provider identifier (NPI) proposed rule) appeared in the May 7, 1998, **Federal Register** (63 FR 25320), and proposed a standard unique health identifier, or NPI, for health care providers (providers) and requirements concerning its implementation. A final rule titled ''HIPAA Administrative Simplification: Standard Unique Health Identifier for Health Care Providers,'' (hereinafter referred to as the NPI final rule) appeared in the January 23, 2004, **Federal Register** (69 FR 3434), and adopted the NPI as the standard unique health identifier for health care providers. The NPI final rule established that HIPAA covered entities must use NPIs to identify health care providers in electronic transactions for which the Secretary has adopted a standard.

In the March 4, 2024, **Federal Register** (89 FR 15581), we published a notice that added additional gender code choices to align with Executive Order

14075 ''Advancing Equality for Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex Individuals'' (87 FR 37189) (hereinafter, Executive Order 14075). Executive Order 14075 was rescinded on January 20, 2025, by Executive Order 14168, ''Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government'' (hereinafter, ''Defending Women E.O.'').

B. Operational and System Background

The NPI final rule established that NPIs are assigned to health care providers through the National Provider System (NPS). The preamble to the NPI final rule included an ''NPS Data Elements Table'' (69 FR 3457) that listed the data elements HHS expected to collect from health care providers via the NPS, and certain data, including the NPI itself, that are NPS-generated. The NPS, now called the National Plan and Provider Enumeration System (NPPES),[1] uniquely identifies health care providers through an application process and assigns NPIs. NPPES creates a record for each health care provider to whom it assigns an NPI. The records are updated when health care providers furnish updates to NPPES; regulations at 45 CFR 162.410(a)(4) require health care providers to notify the NPPES within 30 days of any change in required data elements.

NPPES categorizes health care providers into two types: individuals, such as physicians, and organizations, such as hospitals. A health care provider may apply for an NPI in one of three ways, by: (1) completing form CMS–10114 (NPI Application/Update Form) and mailing it to NPPES; (2) applying online at *https://NPPES.cms.hhs.gov/;* or (3) having an approved Electronic File Interchange Organization (EFIO) submit its NPI application data to NPPES in an electronic format defined by HHS.[2] [3] Health care providers who apply online self-select user identifiers and passwords to gain system access, and, by virtue of that, obtain electronic access to the information in their own NPPES records. This access allows those health care providers to submit updates to their NPPES data electronically via the internet.

The NPI final rule requires that the NPS (now NPPES) disseminate data in response to approved requests. Following publication of the NPI final rule, CMS, as the NPPES administrator, published a notice that appeared in the May 30, 2007, **Federal Register** (72 FR 30011) describing the data dissemination strategy and process for NPI data maintained in NPPES (hereinafter referred to as the NPPES Data Dissemination notice). The NPPES Data Dissemination notice included a list of data elements that CMS determined are required to be disclosed under the Freedom of Information Act (FOIA) (72 FR 30012).

The health care industry needs access to NPPES health care provider data to obtain provider NPIs to submit HIPAA-compliant health care transactions. In anticipation of an extraordinary demand from the health care industry for FOIA-disclosable NPPES health care provider data, in September 2007, CMS began making this information available to the public, in accordance with the Electronic Freedom of Information Act Amendments of 1996 (Pub. L. 104–231), via the internet in two forms:

- *NPI Registry:* The NPI Registry is a query-only database that is updated daily to enable users to query NPPES (for example, search by NPI, provider name, etc.) and retrieve the FOIA-disclosable data from the search results. There is no charge to view the data.
- *NPI Downloadable Data:* These data include the following files: (1) Full Replacement Monthly NPI File; (2) Weekly Incremental NPI File; and (3) Full Replacement NPI Deactivation File. There is no charge to download the data.

II. Provisions of This Notice

The ''Defending Women E.O.'' directed HHS to provide to the U.S. Government, external partners, and the public clear guidance expanding on the sex-based definitions it set forth.[4] HHS's guidance [5] recited the definition of sex provided in the Defending Women E.O.: a person's immutable biological classification as either male or female, stating there are only two sexes because there are only two types of gametes. The guidance stated that HHS has long recognized that the biological differences between females and males require sex-specific practices in medicine and research to ensure optimal health outcomes and rigorous research, including by considering sex as a biological variable. The guidance also stated that recognizing the immutable and biological nature of sex is essential to ensuring the protection of women's health, safety, private spaces, sports, and opportunities, and that restoring biological truth to the federal government is critical to scientific inquiry, public safety, morale, and trust in government itself.

The NPI final rule acknowledged that the data elements and information presented in the data elements table were not intended for data design purposes and that the names and attributes of the data elements could be revised during the NPS design and development.[6] As such, while we anticipated collecting these types of data, the exact data elements and values were not static and subject to change.

The data elements table in the NPI final rule included the data element named ''provider gender code.'' [7] Our operational experience from nearly two decades with the enumeration system after the publication of the final rule yields no evidence that this data element was necessary to support the unique identification of a health care provider. Therefore, we are making a change to the data element name from ''provider gender code'' to ''provider sex code''; revising the code description by replacing the word ''gender'' with ''sex,''; and providing sex code selection choices of M (male) and F (female).

This effects a change in position from what we articulated in the March 2024 notice, where we implemented a different policy for this data element under the now-rescinded Executive Order 14075. Our change in position is rational and justified given the lack of evidence that the gender code was necessary to support the unique identification of a health care provider as previously contemplated in the 2004 NPI final rule (69 FR 3456), the rescission of the prior executive order that was superseded by the ''Defending Women E.O.,'' and HHS's new guidance issued on February 19, 2025. Our prior approach to this data element has been rendered outmoded and would conflict with HHS's current policy position.

[1] *https://nppes.cms.hhs.gov/#/.*

[2] The information collection request is currently approved under OMB control number 0938–0931. (*https://www.reginfo.gov/public/do/DownloadNOA?requestID=311118.*)

[3] The Electronic File Interchange (EFI), also referred to as ''bulk enumeration,'' is a process by which a provider or group of providers can have an EFIO apply for NPIs on their behalf. EFIOs are approved by CMS through a certification process and submit information in a format designated by CMS; *https://www.cms.gov/medicare/regulations-guidance/administrative-simplification/efi.*

[4] Defending Women E.O. at section 3(a).

[5] *https://womenshealth.gov/sites/default/files/_images/2025/2.19.25%20Defining%20Sex%20Guidance%20for%20Federal%20Agencies%2C%20External%20Partners%2C%20and%20the%20Public%20FINAL.pdf.*

[6] HIPAA Administrative Simplification: Standard Unique Health Identifier for Health Care Providers (NPI final rule) (69 FR 3455) *https://www.federalregister.gov/documents/2004/01/23/04-1149/hipaa-administrative-simplification-standard-unique-health-identifier-for-health-care-providers#p-394.*

[7] We note that while the NPI proposed rule used the term ''sex,'' (*see* 63 FR 25335 and 25338) this term was changed to ''gender'' in the NPI final rule.

We realize that, under our approach subsequent to the March 2024 notice, providers may have submitted information pertaining to this data element to the NPPES; this notice makes providers aware how that data will be treated going forward. In this section, we discuss our prospective approach to the data element, how the previously collected data will be stored and disseminated, and providers' options for updating data elements previously submitted to the provider enumeration system.

The data element relevant to this notice is listed in Table 1, along with the descriptions of the information contained in each column of Table 1 are as follows:

- *Data Element Name:* The name of the data element residing in the NPPES.
- *Description:* The definition of the data element and related information.
- *Data Status:* The instruction for furnishing the information requested for the data element. The abbreviations used in this column are as follows:

++ *Required (R):* Required for NPI assignment.

++ *NPPES-generated (NG):* Generated or assigned by the NPPES.

++ *Optional (O):* Not required for NPI assignment.

++ *Situational (S):* If a certain condition exists, the data element is required. Otherwise, it is not required.

++ *Repeat (RPT):* Indicates that the data element is a repeating field. A repeating field is one that can accommodate more than one separate entry. Each separate entry must meet the edits, if any, designated for that data element.

- *Data Condition:* Describes the condition(s) under which a ''Situational'' data element must be furnished.
- *Entity Types:* The ''Entity type codes'' to which the data element applies. Code describing the type of health care provider that is being assigned an NPI. Codes are as follows:

++*1* = (Person): individual human being who furnishes health care.

++*2* = (Non-person): entity other than an individual human being that furnishes health care (for example, hospital, SNF, hospital subunit, pharmacy, or HMO).

- *Use:* The purpose for which the information is being collected or will be used. The abbreviations used in this column are as follows:

++I: The data element supports the unique identification of a health care provider.

++A: The data element supports administrative implementation specification.

TABLE 1—NPPES DATA ELEMENT AT ISSUE IN THIS NOTICE

Data element name	Description	Data status	Data condition	Entity types	Use
Provider sex code.	The code designates the provider's sex if the provider is a person.	O	Collected if the provider's NPI is Entity type code = 1; submission of a missing or blank value will not cause an application to be rejected.	1	I

The NPI final rule identified provider gender code as a required data element if the provider's NPI is Entity type code = 1. While neither the NPI final rule nor the NPPES Data Dissemination notice identified the gender codes that NPPES would collect and disseminate when an individual provider applied for an NPI, providers were given the option to click on a box that captured gender as either male or female. NPPES stored that selection as code (F) when an individual selected female and (M) when an individual selected male. The NPI Registry query-only database displayed the descriptions ''Male'' and ''Female'' in disseminating the provider gender information, and NPI downloadable files displayed the information using the codes (M) and (F).

NPPES will disseminate sex code options of M and F to promote improved accuracy in publicly available data. Provider gender code selections made after March 4, 2024, that are no longer available in accordance with the Defending Women E.O. will now appear as blank (that is, will have no value selected) in public facing files. Although the provider sex code is collected on the NPI application when a provider indicates their entity type is ''1,'' it will now be an optional data element. For clarity, we emphasize that an applicant who is an individual (Entity type code = 1) *may* leave the data field empty (doing so *will not* affect an applicant's ability to enumerate), and this data element will no longer fall within the contours of 45 CFR 162.410(a)(4), which requires reporting to the NPPES changes to required data elements within 30 days of the change. Providers with Entity type code = 1 who previously furnished to NPPES a provider gender code other than M or F in accordance with the March 4, 2024 notice (89 FR 15581) may elect to update or change their selection in NPPES to align with the new provider sex code's parameters (or have the EFIO that submitted their NPI application data to NPPES cause them to be changed in NPPES) or they may elect to do nothing, in which case the sex code field will appear as blank in public facing files.

III. Collection of Information Requirements

This document does not impose any new information collection, recordkeeping requirements, or budgetary changes. The information collection request for these NPPES data is currently approved under OMB control number 0938–0931 and expires March 31, 2028.

Robert F. Kennedy, Jr.

Secretary, Department of Health and Human Services.

[FR Doc. 2025–14478 Filed 7–30–25; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel PAR–21–321: Cancer Center Support Grants.

Date: September 16–17, 2025.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Eun Ah Cho, Ph.D., Scientific Review Officer, Cancer Diagnosis, Prevention & Therapeutics (CDPT), Center for Scientific Review, National Cancer Institute, NIH, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 496–3591, *choe@mail.nih.gov*.

Name of Committee: Emerging Technologies and Training Neurosciences Integrated Review Group: Molecular Neurogenetics Study Section.

Date: October 2–3, 2025.

Time: 9:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Prithi Rajan, Ph.D., Scientific Review Officer, National Institute of Neurological Disorders and Stroke, National Institutes of Health, 6001 Executive Blvd., 5th Floor, MSC 9531, Bethesda, MD 20892, *prithi.rajan@nih.gov*.

Name of Committee: Digestive, Kidney and Urological Systems Integrated Review Group: Digestive and Nutrient Physiology and Diseases Study Section.

Date: October 9–10, 2025.

Time: 8:30 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Aster Juan, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20817, 301–435–5000, *juana2@mail.nih.gov*.

Name of Committee: Digestive, Kidney and Urological Systems Integrated Review Group: Kidney and Urological Systems Function and Dysfunction Study Section.

Date: October 9–10, 2025.

Time: 9:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Santanu Banerjee, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 2106, Bethesda, MD 20892 (301) 435–5947, *banerjees5@mail.nih.gov*.

Name of Committee: Oncology 2—Translational Clinical Integrated Review Group: Therapeutic Immune Regulation Study Section.

Date: October 9–10, 2025.

Time: 9:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Yue Wu, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 803C, Bethesda, MD 20892 (301) 867–5309, *wuy25@csr.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: July 29, 2025.

Sterlyn H. Gibson,

Program Specialist, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–14512 Filed 7–30–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center For Scientific Review; Notice of Closed Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Clinical Neuroplasticity and Neurotransmitters.

Date: August 26, 2025.

Time: 10:00 a.m. to 1:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Suzan Nadi, Ph.D. Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5217B, MSC 7846, Bethesda, MD 20892, (301) 435–1259, *nadis@csr.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: July 28, 2025.

Sterlyn H Gibson

Program Specialist, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–14453 Filed 7–30–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2025–0013; OMB No. 1660–0086]

Agency Information Collection Activities: Proposed Collection, Comment Request; National Flood Insurance Program—Ask the Advocate Web Form

AGENCY: Federal Emergency Management Agency (FEMA), Department of Homeland Security (DHS).

ACTION: Notice; correction.

SUMMARY: On Friday, June 6, 2025, FEMA published in the **Federal Register** a 60-Day notice of revision and request for comments for an information collection concerning the Office of the Flood Insurance Advocate's (OFIA) Ask the Advocate web form and the removal of two instruments that are no longer needed. This notice provides a correction to this information to be used in lieu of the information published June 6, 2025.

DATES: This correction is effective July 31, 2025.

ADDRESSES: To avoid duplicate submissions to the docket, please submit comments at *http://www.regulations.gov* under Docket ID FEMA–2025–0013. Follow the instructions for submitting comments.

All submissions received must include the Agency name and Docket ID. Regardless of the method used to submitting comments or material, all submissions will be posted, without change, to the Federal eRulemaking Portal at *http://www.regulations.gov,* and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to read the Privacy and Security Notice that is available via a link on the homepage of *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Joe Cecil, Advocate Representative Team Lead, Office of the Flood Insurance Advocate, National Flood Insurance Program, Federal Emergency Management Agency, at (202) 701–3475

or *Joseph.Cecil@fema.dhs.gov.* You may contact the Information Management Division for copies of the proposed collection of information at email address: *FEMA-Information-Collections-Management@fema.dhs.gov.*

SUPPLEMENTARY INFORMATION: In FR Doc. 2025–10281, beginning on page 24150 in the **Federal Register** of Friday, June 6, 2025, the following correction is made: On page 24150, in the third column, in the **FOR FURTHER INFORMATION CONTACT**, the phone number ''(202) 701–3465'' is corrected to read ''(202) 701–3475''.

(Authority: 42 U.S.C. 4033.)

Russell R. Bard,

Acting Director for Information Management, Office of the Chief Administrative Officer, Mission Support, Federal Emergency Management Agency, Department of Homeland Security.

[FR Doc. 2025–14504 Filed 7–30–25; 8:45 am]

BILLING CODE 9111–52–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID: FEMA–2025–0010; OMB No. 1660–0153]

Agency Information Collection Activities: Submission for OMB Review, Comment Request; National Business Emergency Operation Center (NBEOC) Membership Agreement Form.

AGENCY: Federal Emergency Management Agency, Department of Homeland Security.

ACTION: 30-Day Notice of Extension and Request for Comments.

SUMMARY: The Federal Emergency Management Agency (FEMA) will submit the information collection abstracted below to the Office of Management and Budget for review and clearance in accordance with the requirements of the Paperwork Reduction Act of 1995. FEMA invites the general public to take this opportunity to comment on an extension of a currently approved information collection. In accordance with the requirements of the Paperwork Reduction Act of 1995, this notice seeks comments concerning FEMA's compilation and information sharing leveraging the National Business Emergency Operation Center (NBEOC) stakeholder listing. FEMA seeks to voluntarily continue the standing practice of collecting entity specific information during an event to assist in response/recovery operations.

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

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Matthew Scott, Management and Program Analyst, Logistics Management Directorate, Office of Response and Recovery, (202) 812–6418 or *matthew.scott@fema.dhs.gov.* You may contact the Information Management Division for copies of the proposed collection of information at email address: *FEMA-Information-Collections-Management@fema.dhs.gov.*

SUPPLEMENTARY INFORMATION: FEMA collects this information to facilitate communication between FEMA and the participants of FEMA's National Business Emergency Operations Center (NBEOC). Written consent is requested pursuant to the Privacy Act of 1974, 5 U.S.C. 552a(b). The information on this form in the ''NBEOC Contact Information'' section may be disclosed internally within Department of Homeland Security (DHS) as generally permitted under 5 U.S.C. 552a(b)(1) of the Privacy Act of 1974, as amended, and will not be shared outside of DHS. The program for which this form may be used is authorized by the Robert T. Stafford Disaster Relief and Emergency Assistance Act as amended, 42 U.S.C. 5121–5207; The Homeland Security Act of 2002, 6 U.S.C. 311–321j; 44 CFR 206.2(a)(27); the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Pub. L. 104–193); and E.O. 13411, Improving Assistance for Disaster Victims. Information collected is as follows: Representative's Name, Business Entity Name, Representative's Signature, Representative's Title, Business Email Address, and Business Category *(ex: Small Business, Large Business, Non-Profit, etc.).*

This proposed information collection previously published in the **Federal Register** on April 30, 2025, at 90 FR 17946 with a 60-day public comment period. No comments were received. The purpose of this notice is to notify the public that FEMA will submit the information collection abstracted below to the Office of Management and Budget for review and clearance.

Collection of Information

Title: National Business Emergency Operation Center (NBEOC) Membership Agreement.

Type of Information Collection: Extension of a currently approved information collection.

OMB Number: 1660–0153.

FEMA Form: FEMA Form FF–145–FY–21–101, National Business Emergency Operation Center (NBEOC) Membership Agreement Form.

Abstract: FEMA's NBEOC collects this data for the primary purpose of maintaining a private sector stakeholder roster and mailing list for information dissemination, outreach, and coordination. FEMA leverages this information to engage stakeholders to coordinate disaster response operations, garner donations, and gain situational awareness around private sector actions that will help inform FEMA Leadership and assist evidence-based decision making.

Affected Public: Business or other for profit, Not-for-profit institutions, Federal Government, and State, Local or Tribal Governments.

Estimated Number of Respondents: 232.

Estimated Number of Responses: 232.

Estimated Total Annual Burden Hours: 116.

Estimated Total Annual Respondent Cost: $7,901.

Estimated Respondents' Operation and Maintenance Costs: $0.

Estimated Respondents' Capital and Start-Up Costs: $0.

Estimated Total Annual Cost to the Federal Government: $16,664.

Comments: Comments may be submitted as indicated in the **ADDRESSES** caption above. Comments are solicited to (a) evaluate whether the proposed data collection is necessary for the proper performance of the Agency, including whether the information shall have practical utility; (b) evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) enhance the quality, utility, and clarity of the information to be collected; and (d) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology,

e.g., permitting electronic submission of responses.

Russell R. Bard,

Acting Senior Director for Information Management, Office of the Chief Administrative Officer, Mission Support, Federal Emergency Management Agency, Department of Homeland Security.

[FR Doc. 2025–14503 Filed 7–30–25; 8:45 am]

BILLING CODE 9111–24–P

DEPARTMENT OF HOMELAND SECURITY

Transportation Security Administration

Extension of Agency Information Collection Activity Under OMB Review: Law Enforcement Officers Safety Act and Retired Badge/Credential

AGENCY: Transportation Security Administration, DHS.

ACTION: 30-Day notice.

SUMMARY: This notice announces that the Transportation Security Administration (TSA) has forwarded the Information Collection Request (ICR), Office of Management and Budget (OMB) control number 1652–0071, abstracted below to OMB for review and approval of an extension of the currently approved collection under the Paperwork Reduction Act (PRA). The ICR describes the nature of the information collection and its expected burden. The collection involves the submission of information from former employees who are interested in a Law Enforcement Officers Safety Act (LEOSA) Identification (ID) Card, a retired badge, and/or a retired credential.

DATES: Send your comments by September 2, 2025. A comment to OMB is most effective if OMB receives it within 30 days of publication.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *https://www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under Review—Open for Public Comments'' and by using the find function.

FOR FURTHER INFORMATION CONTACT: Christina A. Walsh, TSA PRA Officer, Information Technology, TSA–11, Transportation Security Administration, 6595 Springfield Center Drive, Springfield, VA 20598–6011; telephone (571) 227–2062; email *TSAPRA@tsa.dhs.gov.*

SUPPLEMENTARY INFORMATION: TSA published a **Federal Register** notice, with a 60-day comment period soliciting comments, of the following collection of information on April 23, 2025. *See* 90 FR 17075. TSA did not receive any comments on the notice.

Comments Invited

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The ICR documentation will be available at *https://www.reginfo.gov* upon its submission to OMB. Therefore, in preparation for OMB review and approval of the following information collection, TSA is soliciting comments to—

(1) Evaluate whether the proposed information requirement 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;

(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 using appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Information Collection Requirement

Title: Law Enforcement Officers Safety Act and Retired Badge/Credential.

Type of Request: Extension of a currently approved collection.

OMB Control Number: 1652–0071.

Forms: TSA Form 2825A; TSA Form 2808–R.

Affected Public: Former TSA employees.

Abstract: The Law Enforcement Officers Safety Act (LEOSA) [1] allows a ''qualified retired law enforcement officer'' [2] to carry a concealed firearm in any jurisdiction in the United States, regardless of State or Local laws, with certain limitations and conditions. DHS Directive 257–01, *Law Enforcement Officers Safety Act* (December 22, 2017), and its implementing Instruction 257–01–001, *Law Enforcement Officers Safety Act Instruction* (January 18, 2018), define a ''qualified retired law enforcement officer'' for the purposes of DHS programs and authorities.

TSA Management Directive (MD) 3500.1, *LEOSA Applicability and Eligibility* (June 5, 2018), implements the LEOSA statute in accordance with the DHS Directive. Under TSA MD 3500.1, TSA issues photographic identification to qualified retired law enforcement officers who separate or retire from TSA in ''good standing'' and meet other qualification requirements identified in TSA MD 3500.1.

In addition, under TSA MD 2800.11, *Badge and Credential Program* (Jan. 27, 2014), an employee retiring from Federal service is eligible to receive a ''retired badge and/or credential'' if the individual: (1) was issued badge and/or credential during their service with TSA and was authorized to carry the badge/and or credential at the time of their retirement, (2) qualifies for a Federal annuity under the Civil Service Retirement System or the Federal Employees Retirement System, and (3) meets all of the other qualification requirements under the applicable MDs.[3]

Under TSA's current application process for these two programs, qualified applicants may apply for a LEOSA ID Card, a Retired Badge, and/or a Retired Credential, as applicable, either while still employed by TSA (shortly before separating or retiring) or after they have separated or retired (after they become private citizens, *i.e.,* are no longer employed by the Federal Government).

The *LEOSA Identification Card Application* (TSA Form 2825A) requires collection of identifying information, contact information, official title, separation date, and last known field office. The *Retired Badge and/or Retired Credential Application* (TSA Form 2808–R) requires collection of identifying information, contact information, TSA employment/position information (TSA component or government agency), official title, and entry on duty date.

Estimated Annual Number of Respondents: 338.

Estimated Annual Burden Hours: 52.2.

[1] Pub. L. 108–277 (118 Stat. 865, July 22, 2004), codified in 18 U.S.C. 926B and 926C, as amended by the Law Enforcement Officers Safety Act Improvements Act of 2010 (Pub. L. 111–272 (124 Stat. 2855; Oct. 12, 2010)) and National Defense Authorization Act for Fiscal Year 2013 (Pub. L. 112–239 (126 Stat. 1970; Jan. 2, 2013)).

[2] As defined in DHS Directive and Instruction Manual 257–01, Law Enforcement Officers Safety Act, (December 22, 2017).

[3] These instructions are included in DHS Instruction: 121–01–002 (Issuance and Control of DHS Badges); DHS Instruction 121–01–008 (Issuance and Control of the DHS Credentials); and the associated Handbook for TSA MD 2800.11.

Dated: July 28, 2025.

Christina A. Walsh,

Paperwork Reduction Act Officer, Information Technology, Transportation Security Administration.

[FR Doc. 2025–14442 Filed 7–30–25; 8:45 am]

BILLING CODE 9110–05–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. FWS–HQ–NWRS–2025–0308; FXRS12610900000–256–FF09R20000]

National Wildlife Refuge System; Muleshoe National Wildlife Refuge Land Protection Plan

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), withdraw the final Land Protection Plan (LPP) for the Muleshoe National Wildlife Refuge (NWR) approved on June 15, 2023. Hereafter, the Service will take no actions to acquire lands within the acquisition boundary created by the now withdrawn Muleshoe NWR LPP. The Service has determined that withdrawing the proposal is justified to support President Trump's Executive Order (E.O.) 14154 of January 20, 2025, ''Unleashing American Energy.'' The withdrawal of the LPP will ensure America's lands continue to support energy development, agriculture production, and our local economies.

DATES: The final Muleshoe National Wildlife Refuge Land Protection Plan that was signed on June 15, 2023, is withdrawn on July 31, 2025.

FOR FURTHER INFORMATION CONTACT: Julie Henning (703) 358–3584, *julie_henning@fws.gov*. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION:

Background

The Service's land protection planning policy (602 FW 2) outlines the land protection planning process, which we undertake when considering expanding an existing refuge or establishing a new refuge. This process starts with the development of a land protection strategy (LPS) that identifies the area's long-term management, biological, and ecological needs. If the strategy is approved by the Service's Director, we develop a land protection plan (LPP). The LPP identifies the acquisition boundary, which is an administrative process to identify the geographic extent and where landowners may be eligible to voluntarily sell their land to the Service. The Muleshoe National Wildlife Refuge (NWR) began the land protection planning process in March 2022 by soliciting input through a mailed pamphlet to local stakeholders, a news release to the local media, and announcements on the Service's website. In January 2023, the Service announced a 30-day public comment period on the draft LPP. The final plan was approved in June 2023 by the Service Director.

Reasons for Withdrawal of the Proposal

The Muleshoe NWR LPP contemplated a huge land acquisition program potentially adding up to 700,000 acres of lands and interests in land to the existing Muleshoe NWR, within a vast 7-million-acre landscape in western Texas and eastern New Mexico. This LPP was developed in accordance with E.O.14008, ''Tackling the Climate Crisis at Home and Abroad,'' and as part of the America the Beautiful initiative. On January 20, 2025, President Trump signed E.O. 14154, ''Unleashing American Energy,'' which specifically repealed E.O. 14008, upon which in part the Muleshoe NWR LPP was based. To implement provisions of President Trump's E.O. 14154, the Secretary of the Interior subsequently issued Secretary's Order (S.O.) 3418 of February 3, 2025, which among other things directs the Assistant Secretaries to take all necessary steps to ensure any actions taken to implement the revoked E.O.s (including 14008) be terminated. By withdrawing the LPP, this action supports the Trump Administration's priorities.

For the reasons provided above, we are withdrawing the Muleshoe NWR LPP that was approved on June 15, 2023. The Service will take no actions to acquire lands within the acquisition boundary created by the now withdrawn Muleshoe NWR LPP.

Authority

The authority for this action is the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd–668ee), as amended by the National Wildlife Refuge System Improvement Act of 1997 (Pub. L. 105–57).

Justin J. Shirley,

Principal Deputy Director, U.S. Fish and Wildlife Service.

[FR Doc. 2025–14493 Filed 7–30–25; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[A2407–014–004–065516; #O2412–014–004–047181.1]

Filing of Survey Plats: Alaska

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of official filing.

SUMMARY: The plats of survey of lands described in this notice are scheduled to be officially filed in the Bureau of Land Management (BLM), Alaska State Office, Anchorage, Alaska. The surveys, which were executed at the request of the BLM, are necessary for the management of these lands.

DATES: The BLM must receive protests by September 2, 2025.

ADDRESSES: You may buy a copy of the plats from the BLM Alaska Public Information Center, 222 W 7th Avenue, Mailstop 13, Anchorage, AK 99513. Please use this address when filing written protests. You may also view the plats at the BLM Alaska Public Information Center, Fitzgerald Federal Building, 222 West 7th Avenue, Anchorage, Alaska, at no cost.

FOR FURTHER INFORMATION CONTACT: Nathan C. Erickson, Chief, Branch of Cadastral Survey, Alaska State Office, Bureau of Land Management, 222 West 7th Avenue, Anchorage, AK 99513; telephone 907–271–5770; email *n05erick@blm.gov*. Individuals in the United States who are deaf, blind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION: The lands surveyed are:

Copper River Meridian, Alaska

U.S. Survey No. 14665, accepted June 4, 2025, situated in T. 1 N., R. 3 W.
U.S. Survey No. 14674, accepted May 21, 2025, situated in T. 4 N., R. 8 W.
U.S. Survey No. 14677, accepted June 3, 2025, situated in T. 20 N., R. 15 W.
T. 20 N., R. 15 E., accepted June 3, 2024.

Kateel River Meridian, Alaska

U.S. Survey No. 4212, accepted June 4, 2025, situated in T. 7 S., R. 31 W.
U.S. Survey No. 14680, accepted June 2, 2025, situated in T. 7 S., R. 37 W.

Seward Meridian, Alaska

U.S. Survey No. 14654, accepted June 2, 2025, situated in T. 15 S., R. 46 W.
U.S. Survey No. 14667, accepted June 4, 2025, situated in T. 15 S., R. 46 W.

Umiat Meridian, Alaska

U.S. Survey No. 14662, accepted June 4, 2025, situated in T. 19 N., R. 16 W.

A person or party who wishes to protest one or more plats of survey identified above must file a written notice of protest with the State Director for the BLM in Alaska. The protest may be filed by mailing to BLM State Director, Alaska State Office, Bureau of Land Management, 222 West 7th Avenue, Anchorage, AK 99513 or by delivering it in person to BLM Alaska Public Information Center, Fitzgerald Federal Building, 222 West 7th Avenue, Anchorage, Alaska. The notice of protest must identify the plat(s) of survey that the person or party wishes to protest. You must file the notice of protest before the scheduled date of official filing for the plat(s) of survey being protested. The BLM will not consider any notice of protest filed after the scheduled date of official filing. A notice of protest is considered filed on the date it is received by the State Director for the BLM in Alaska during regular business hours; if received after regular business hours, a notice of protest will be considered filed the next business day. A written statement of reasons in support of a protest, if not filed with the notice of protest, must be filed with the State Director for the BLM in Alaska within 30 calendar days after the notice of protest is filed.

If a notice of protest against a plat of survey is received prior to the scheduled date of official filing, the official filing of the plat of survey identified in the notice of protest will be stayed pending consideration of the protest. A plat of survey will not be officially filed until the dismissal or resolution of all protests of the plat.

Before including your address, phone number, email address, or other personally identifiable information in a notice of protest or statement of reasons, you should be aware that the documents you submit, including your personally identifiable information, may be made publicly available in their entirety at any time. While you can ask the BLM to withhold your personally identifiable information from public review, we cannot guarantee that we will be able to do so.

(Authority: 43 U.S.C. Chap. 3)

Nathan C. Erickson,

Chief Cadastral Surveyor, Alaska.

[FR Doc. 2025–14477 Filed 7–30–25; 8:45 am]

BILLING CODE 4331–10–P

DEPARTMENT OF THE INTERIOR

Office of Natural Resources Revenue

[Docket No. ONRR–2011–0020; DS63644000 DR2000000.CH7000 256D1113RT; OMB Control Number 1012–0004]

Agency Information Collection Activities: Royalty and Production Reporting

AGENCY: Office of Natural Resources Revenue (''ONRR''), Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (''PRA''), ONRR is proposing to renew an information collection. Through this Information Collection Request (''ICR''), ONRR seeks renewed authority to collect information used to verify, audit, collect, and disburse royalty owed on oil, gas, and geothermal resources produced from Federal and Indian lands. ONRR uses forms ONRR–2014, ONRR–4054, and ONRR–4058 as part of these information collection requirements.

DATES: Your written comments must be received on or before September 2, 2025.

ADDRESSES: All comment submissions must (1) reference the Office of Management and Budget (''OMB'') Control Number 1012–0004 in the subject line; (2) be sent to ONRR before the close of the comment period listed under **DATES**; and (3) be sent using the following method:

- *Electronically via the Federal eRulemaking Portal:* Please visit *https://www.regulations.gov.* In the Search Box, enter the Docket ID Number for this ICR renewal (''ONRR–2011–0020'') and click ''search'' to view the publications associated with the docket folder. Locate the document with an open comment period and click the ''Comment Now!'' button. Follow the prompts to submit your comment prior to the close of the comment period.
- *Email Submissions:* Please submit your comments to *ONRR_RegulationsMailbox@onrr.gov* with the OMB Control Number (''OMB Control Number 1012–0004'') listed in the subject line of your email. Email submissions must be postmarked on or before the close of the comment period.

Docket: To access the docket folder to view the ICR **Federal Register** publications, go to *https://www.regulations.gov* and search ''ONRR–2011–0020'' to view renewal notices recently published in the **Federal Register**, publications associated with prior renewals, and applicable public comments received for this ICR. ONRR will make the comments submitted in response to this notice available for public viewing at *https://www.regulations.gov.*

OMB ICR Data: OMB also maintains information on ICR renewals and approvals. You may access this information at *https://www.reginfo.gov/public/do/PRASearch.* Please use the following instructions: Under the ''OMB Control Number'' heading enter ''1012–0004'' and click the ''Search'' button located at the bottom of the page. To view the ICR renewal or OMB approval status, click on the latest entry (based on the most recent date). On the ''View ICR—OIRA Conclusion'' page, check the box next to ''All'' to display all available ICR information provided by OMB.

FOR FURTHER INFORMATION CONTACT: Nicole Sweeney, Data Intake, Solutioning, and Coordination, ONRR, by email at *Nicole.Sweeney@onrr.gov* or by telephone (303) 231–3526.

Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION: Pursuant to the PRA, 44 U.S.C. 3501 *et seq.* and 5 CFR 1320.5, all information collections, as defined in 5 CFR 1320.3, require approval by OMB. ONRR may not conduct or sponsor, and you are not required to respond to, a collection of information unless it displays a currently valid OMB control number.

As part of ONRR's continuing effort to reduce paperwork and respondent burdens, ONRR is inviting the public and other Federal agencies to comment on new, proposed, revised, and continuing collections of information in accordance with the PRA and 5 CFR 1320.8(d)(1). This helps ONRR to assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand ONRR's information

collection requirements and provide the requested data in the desired format.

ONRR is especially interested in public comments addressing the following:

(1) 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;

(2) The accuracy of ONRR's estimate of the burden for this collection of information, including the validity of the methodology and assumptions used;

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

(4) How might the agency 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 response.

ONRR published a 60-day **Federal Register** notice on January 30, 2023 (88 FR 5916) and received no comments. However, ONRR reached out to members of industry soliciting comments for our information collection request renewal and received five comments. Four members of industry provided comments agreeing with the content of this information collection, while one member of industry disagreed with the burden hour estimate.

In the 60-day notice, ONRR included content from the Bureau of Indian Affairs (''BIA'') proposed rule ''Mining of the Osage Mineral Estate for Oil and Gas,'' published on January 13, 2023 (88 FR 2430). The proposed rule would require a lessee of the Osage Mineral Estate to submit form ONRR–2014 and form ONRR–4058 for royalty and production reporting, which were included in this ICR renewal. However, the BIA did not publish a final rule. ONRR is therefore publishing this 30-day notice without Osage content to ensure a timely renewal of the existing collections.

Comments that you submit in response to this notice are a matter of public record. ONRR will include or summarize each comment in its request to OMB to approve this ICR. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask ONRR in your comment to withhold your personal identifying information from public review, ONRR cannot guarantee that it will be able to do so.

Abstract: (a) General Information: The Federal Oil and Gas Royalty Management Act of 1982 (''FOGRMA'') directs the Secretary of the Interior (''Secretary'') to ''establish a comprehensive inspection, collection and fiscal and production accounting and auditing system to provide the capability to accurately determine oil and gas royalties, interest, fines, penalties, fees, deposits, and other payments owed, and to collect and account for such amounts in a timely manner.'' 30 U.S.C. 1711(a). ONRR performs these and other mineral revenue management responsibilities for the Secretary. *See* U.S. Department of the Interior Departmental Manual, 112 DM 34.1 (Sept. 9, 2020).

ONRR uses the production, royalty, and other collected information described in this ICR to ensure that a lessee properly pays royalty and other mineral revenues due on oil, gas, and geothermal resources produced from Federal and Indian lands. ONRR shares the data with BIA, Bureau of Land Management, Bureau of Ocean Energy Management, Bureau of Safety and Environmental Enforcement, and Tribal and State governments for their land and lease management responsibilities. The requirement to report accurately and timely is mandatory.

(b) Information Collections: This ICR covers the paperwork requirements under 30 CFR part 1210, subparts B, C, and D; part 1212, subpart B as follows:

(1) Royalty Reporting: Regulations at 30 CFR part 1210, subparts B and D and part 1212, subpart B, require a lessee to report and remit royalty on oil, gas, and geothermal resources, and to make, retain, and, upon request, provide for inspection accurate and complete records demonstrating proper royalty and other payment. A lessee submits form ONRR–2014, *Report of Sales and Royalty Remittance,* monthly to report royalty on oil, gas, and geothermal leases. Each line contains the royalty owed and the basic elements necessary to calculate the royalty, such as lease number, agreement number, unit number, product code, sales type, sales volume, sales value, processing allowances, transportation allowances, royalty value prior to allowances, and royalty value less allowances. A lessee also uses the form to report certain rents.

(2) Production Reporting: Regulations at 30 CFR part 1210, subparts C and D and part 1212, subpart B, require an operator to submit production reports if it operates a Federal or Indian oil and gas lease or federally approved unit or communitization agreement, and to make, retain, and, upon request, provide for inspection accurate and complete records for demonstrating royalty payment. An operator uses the following forms for production accounting and reporting:

(i) Form ONRR–4054, Oil and Gas Operations Report: An operator submits this report monthly. Part A tracks the oil and gas volume produced from each Federal or Indian well. Part B tracks disposition of the oil and gas. Part C tracks the oil and gas inventory on the property. ONRR compares the production information with the sales and other royalty data that a lessee submits on form ONRR–2014 to ensure that the lessee paid and reported the proper royalty on the reported oil and gas production. ONRR also uses the information from parts A, B, and C to track all oil and gas from the point of production to the point of first sale or other disposition.

(ii) Form ONRR–4058, Production Allocation Schedule Report: Unless certain conditions are met, an operator must submit this report if it operates an offshore facility measurement point (FMP) handling production from a Federal oil and gas lease or federally approved unit agreement that is commingled (with approval) with production from any other source prior to measurement for royalty determination. The report is filed monthly to allocate the production to each source. ONRR uses the data to verify accurate production and royalty reporting.

Title of Collection: Royalty and Production Reporting.

OMB Control Number: 1012–0004.

Form Numbers: ONRR–2014, ONRR–4054, and ONRR–4058.

Type of Review: Extension to a currently approved collection.

Respondents/Affected Public: Businesses.

Total Estimated Number of Annual Respondents: 2,046 oil, gas, and geothermal reporters.

Total Estimated Number of Annual Responses: 8,030,915 lines of data.

Estimated Completion Time per Response: Varies between 1 and 7 minutes per line, depending on the activity. The average completion time is 1.89 minutes per line. The average completion time is calculated by first multiplying the estimated annual burden hours (253,600) by 60 to obtain the total annual burden minutes. Then the total annual burden minutes (15,218,700) is divided by the estimated annual number of lines submitted (8,030,915).

Total Estimated Number of Annual Burden Hours: 253,600 hours.

Respondent's Obligation: Mandatory.

Frequency of Collection: Monthly.

Total Estimated Annual Non-Hour Burden Cost: ONRR identified no ''non-hour cost'' burden associated with this collection of information.

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.

The authority for this action is the PRA (44 U.S.C. 3501 *et seq.*).

April Lockler,

Acting Director, Office of Natural Resources Revenue.

[FR Doc. 2025–14455 Filed 7–30–25; 8:45 am]

BILLING CODE 4335–30–P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–620 and 731–TA–1445 (Review)]

Wooden Cabinets and Vanities From China; Scheduling of Expedited Five-Year Reviews

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice of the scheduling of expedited reviews pursuant to the Tariff Act of 1930 (''the Act'') to determine whether revocation of the antidumping duty and countervailing duty orders on wooden cabinets and vanities from China would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time.

DATES: June 6, 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 June 6, 2025, the Commission determined that the domestic interested party group response to its notice of institution (90 FR 11059, March 3, 2025) of the subject five-year reviews was adequate and that the respondent interested party group response was inadequate. The Commission did not find any other circumstances that would warrant conducting full reviews.[1] Accordingly, the Commission determined that it would conduct expedited reviews pursuant to section 751(c)(3) of the Act (19 U.S.C. 1675(c)(3)).

For further information concerning the conduct of these reviews and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A and B (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

Staff report.—A staff report containing information concerning the subject matter of the reviews has been placed in the nonpublic record, and will be made available to persons on the Administrative Protective Order service list for these reviews on July 30, 2025. A public version will be issued thereafter, pursuant to § 207.62(d)(4) of the Commission's rules.

Written submissions.—As provided in § 207.62(d) of the Commission's rules, interested parties that are parties to the reviews and that have provided individually adequate responses to the notice of institution,[2] and any party other than an interested party to the reviews may file written comments with the Secretary on what determination the Commission should reach in the reviews. Comments are due on or before August 7, 2025, and may not contain new factual information. Any person that is neither a party to the five-year reviews nor an interested party may submit a brief written statement (which shall not contain any new factual information) pertinent to the reviews by August 7, 2025. However, should the Department of Commerce (''Commerce'') extend the time limit for its completion of the final results of its reviews, the deadline for comments (which may not contain new factual information) on Commerce's final results is three business days after the issuance of Commerce's results. If comments contain business proprietary information (BPI), they must conform with the requirements of §§ 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's *Handbook on Filing Procedures,* available on the Commission's website at *https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf,* elaborates upon the Commission's procedures with respect to filings.

In accordance with §§ 201.16(c) and 207.3 of the rules, each document filed by a party to the reviews must be served on all other parties to the reviews (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Determination.—The Commission has determined these reviews are extraordinarily complicated and therefore has determined to exercise its authority to extend the review period by up to 90 days pursuant to 19 U.S.C. 1675(c)(5)(B).

Authority: These reviews are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to § 207.62 of the Commission's rules.

By order of the Commission.

Issued: July 29, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025–14483 Filed 7–30–25; 8:45 am]

BILLING CODE 7020–02–P

[1] A record of the Commissioners' votes, the Commission's statement on adequacy, and any individual Commissioner's statements will be available from the Office of the Secretary and at the Commission's website.

[2] The Commission has found the responses submitted on behalf of MasterBrand Cabinets, LLC, and the American Kitchen Cabinet Alliance, to be individually adequate. Comments from other interested parties will not be accepted (*see* 19 CFR 207.62(d)(2)).

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–513 and 731–TA–1249 (Second Review)]

Sugar From Mexico; Scheduling of Expedited Five-Year Reviews

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice of the scheduling of expedited reviews pursuant to the Tariff Act of 1930 (''the Act'') to determine whether termination of the suspended investigations on sugar from Mexico would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time.

DATES: June 6, 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 June 6, 2025, the Commission determined that the domestic interested party group response to its notice of institution (90 FR 11062, March 3, 2025) of the subject five-year reviews was adequate and that the respondent interested party group response was inadequate. The Commission did not find any other circumstances that would warrant conducting full reviews.[1] Accordingly, the Commission determined that it would conduct expedited reviews pursuant to section 751(c)(3) of the Act (19 U.S.C. 1675(c)(3)).

For further information concerning the conduct of these reviews and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A and B (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

Staff report.—A staff report containing information concerning the subject matter of the reviews has been placed in the nonpublic record, and will be made available to persons on the Administrative Protective Order service list for these reviews on August 6, 2025. A public version will be issued thereafter, pursuant to § 207.62(d)(4) of the Commission's rules.

Written submissions.—As provided in § 207.62(d) of the Commission's rules, interested parties that are parties to the reviews and that have provided individually adequate responses to the notice of institution,[2] and any party other than an interested party to the reviews may file written comments with the Secretary on what determination the Commission should reach in the reviews. Comments are due on or before 5:15 p.m. on August 14, 2025 and may not contain new factual information. Any person that is neither a party to the five-year reviews nor an interested party may submit a brief written statement (which shall not contain any new factual information) pertinent to the reviews by August 14, 2025. However, should the Department of Commerce (''Commerce'') extend the time limit for its completion of the final results of its reviews, the deadline for comments (which may not contain new factual information) on Commerce's final results is three business days after the issuance of Commerce's results. If comments contain business proprietary information (BPI), they must conform with the requirements of §§ 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's *Handbook on Filing Procedures,* available on the Commission's website at *https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf,* elaborates upon the Commission's procedures with respect to filings.

In accordance with §§ 201.16(c) and 207.3 of the rules, each document filed by a party to the reviews must be served on all other parties to the reviews (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Determination.—The Commission has determined these reviews are extraordinarily complicated and therefore has determined to exercise its authority to extend the review period by up to 90 days pursuant to 19 U.S.C. 1675(c)(5)(B).

Authority: These reviews are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to § 207.62 of the Commission's rules.

By order of the Commission.

Issued: July 29, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025–14491 Filed 7–30–25; 8:45 am]

BILLING CODE 7020–02–P

[1] A record of the Commissioners' votes, the Commission's statement on adequacy, and any individual Commissioner's statements will be available from the Office of the Secretary and at the Commission's website.

[2] The Commission has found the responses submitted on behalf of American Sugar Coalition to be individually adequate. Comments from other interested parties will not be accepted (*see* 19 CFR 207.62(d)(2)).

DEPARTMENT OF LABOR

Employment and Training Administration

Temporary Suspension of H–2A Certification Fees

AGENCY: Employment and Training Administration, Department of Labor.

ACTION: Notice.

SUMMARY: The Employment and Training Administration (ETA) of the Department of Labor (DOL or Department) is issuing this notice to announce that it is temporarily suspending the collection of H–2A labor certification fees. Implementing a temporary suspension period will allow ETA's Office of Foreign Labor Certification (OFLC) to move toward accepting electronic fees, as directed in President Trump's Executive Order 14247, *Modernizing Payments To and From America's Bank Account* (E.O. 14247). OFLC will be transitioning from collecting fees submitted in paper format (*e.g.,* checks) to implementing a process to receive fee remittances electronically. The temporary suspension of H–2A certification fees will begin on September 2, 2025. During the temporary suspension period, OFLC will not issue invoices for certification fees for H–2A *Applications for Temporary Certifications* that are certified, and will not seek retroactive payment of fees for those certifications. Any employer that is issued an H–2A certification fee invoice prior to the effective date of the temporary suspension of collections must pay the invoice by the due date. OFLC will announce the end of the temporary suspension of H–2A certification fees via a **Federal Register** notice.

DATES: The H–2A temporary labor certification fee suspension period is effective as of September 2, 2025 and will remain in place until further notice. The Department will resume collecting these fees once it transitions to collecting fees electronically. The end of the suspension period will be announced via a **Federal Register** notice.

FOR FURTHER INFORMATION CONTACT: Brian Pasternak, Administrator, Office of Foreign Labor Certification, Employment and Training Administration, U.S. Department of Labor, 200 Constitution Avenue NW, Room N–5311, Washington, DC 20210, telephone (202) 693–8200 (this is not a toll-free number). For persons with a hearing or speech disability who need assistance to use the telephone system, please dial 711 to access telecommunications relay services.

(Authority: 8 U.S.C. 1188(a)(2); 20 CFR 655.163; E.O. 14247, 90 FR 14001.)

SUPPLEMENTARY INFORMATION:

Background

The H–2A nonimmigrant visa program allows employers to hire foreign workers in the United States on a temporary basis to perform agricultural labor or services. *See*

Section 101(a)(15)(H)(ii)(a) of the Immigration and Nationality Act (INA). The Secretary of Labor (Secretary) has unique responsibilities for the H–2A temporary agricultural labor program under the INA as delegated to OFLC through ETA, for review of the *Application for Temporary Employment Certification* for certification where employers meet the requirements of 20 CFR part 655 subpart B, and, after certification, for the collection of a certification fee associated with H–2A temporary agricultural labor certifications. Specifically, under Section 218(a)(2) of the INA, ''the Secretary of Labor may require by regulation, as a condition of issuing the certification, the payment of a fee to recover the reasonable costs of processing applications for certification.'' The Department's regulations at 20 CFR part 655 subpart B required the certification fee collection in 1987.[1]

Pursuant to the Department's current H–2A regulations, where OFLC grants H–2A temporary agricultural labor certification for an *Application for Temporary Employment Certification,* the employer is required under 20 CFR 655.163 to remit payment of the H–2A certification fee within 30 calendar days. For each H–2A temporary labor certification, the fee is $100.00 for each employer receiving a temporary agricultural labor certification, plus $10.00 for each H–2A worker certified under the *Application for Temporary Employment Certification,* provided that the fee to an employer for each temporary agricultural labor certification received will be no greater than $1,000. *See* 20 CFR 655.163(a).

Also under 20 CFR 655.163, the certification determination includes a bill for the required certification fees. Each employer of H–2A workers under the *Application for Temporary Employment Certification* (except joint employer agricultural associations, which may not be assessed a fee in addition to the fees assessed to the employer-members of the agricultural association) must pay in a timely manner a non-refundable fee upon issuance of the certification granting the *Application for Temporary Employment Certification* (in whole or in part). Where OFLC certifies an H–2A *Application for Temporary Employment Certification,* in whole or in part, OFLC issues an invoice to the employer(s) for payment of the H–2A certification fee and payment must be received within 30 calendar days of certification.

[1] *See* 52 FR 20507 (Jun 1, 1987); 75 FR 6884 (Feb 12, 2010); 87 FR 61660 (Oct 12, 2022).

OFLC's innovative technology allows for the electronic filing and processing of employer applications using the Foreign Labor Application Gateway (FLAG) System (*https://flag.dol.gov/*), as well as the issuance of electronic decisions to employers and communications directly with employers and their authorized attorneys and agents, as applicable, throughout the application process. Currently, however, H–2A labor certification fees are not collected electronically. Rather employers must mail payments to OFLC by check or money order. OFLC must then manually process payments and work with the Department to deposit payments with the U.S. Treasury.

On March 25, 2025, President Trump issued E.O. 14247, *Modernizing Payments To and From America's Bank Account* (90 FR 14001).[2] The E.O. 14247 ''promotes operational efficiency by mandating the transition to electronic payments for all Federal disbursements and receipts by digitizing payments to the extent permissible under appliable law . . .'' and requires the U.S. Department of the Treasury to ''cease issuing paper checks'' by September 30, 2025. It further requires all executive departments and agencies to ''comply by transitioning to electronic funds transfer [EFT] methods, including direct deposit, prepaid card accounts, and other digital payment options, and take all steps necessary to enroll recipients in EFT payments . . .'' The directives included in E.O. 14247 were given to executive agencies, to transition to EFT methods and other digital payment options for payments made to the Federal Government to facilitate electronic processing, as permissible and as soon as practicable.

Accordingly, to advance President Trump's directives in E.O. 14247 and to build upon the Department's ongoing technological efficiency initiatives, OFLC is temporarily suspending the collection of H–2A certification fees under 20 CFR 655.163 to allow for coordination with the U.S. Department of the Treasury for receipt of electronic payments, perform technology updates to the FLAG System, and to further plan for electronic remittance and acceptance of H–2A certification fees. This transition from mailed checks and money orders to electronic receipt of H–2A certification fees will result in a more efficient and less burdensome process for both the government and American employers who rely on the H–2A visa program. Further details of electronic payment methods, remittance, and the date on which OFLC will resume acceptance of H–2A certification fees will be provided in future **Federal Register** notices.

[2] *See* E.O.14247, Modernizing Payments To and From America's Bank Account (2025) at *https://www.whitehouse.gov/presidential-actions/2025/03/modernizing-payments-to-and-from-americas-bank-account/*.

Temporary Suspension of H–2A Certification Fees

As of September 2, 2025, the Department is temporarily suspending the issuance of invoices for certification fees for H–2A certifications until further notice is provided in the **Federal Register**. For applications that are certified on or after September 2, 2025, and during this temporary suspension period, OFLC will not require or retroactively seek fee payments for those certified H–2A *Applications for Temporary Employment Certification.* The Department is delaying implementation of the temporary suspension period for 30 days to make necessary technology changes and to allow collection of outstanding invoices prior to implementation of the suspension of issuing invoices. Any employer that is issued an H–2A certification fee invoice prior to the suspension of collections must pay the invoice by the deadline in the invoice. Once the Department is ready to implement the electronic payment methods, it will inform the public by publishing a notice in the **Federal Register**. Employers will resume the submission of H–2A certification fees in accordance with the dates and details that will be specified in that announcement.

Susan Frazier,

Acting Assistant Secretary for Employment and Training, Labor.

[FR Doc. 2025–14510 Filed 7–30–25; 8:45 am]

BILLING CODE 4510–FP–P

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Federal Council on the Arts and the Humanities

Arts and Artifacts Indemnity Panel Advisory Committee

AGENCY: Federal Council on the Arts and the Humanities; National Foundation on the Arts and the Humanities.

ACTION: Notice of meeting.

SUMMARY: Pursuant to the Federal Advisory Committee Act, notice is hereby given that the Federal Council on the Arts and the Humanities will

hold a meeting of the Arts and Artifacts Domestic Indemnity Panel.

DATES: The meeting will be held on Wednesday, August 27, 2025, from 3:00 p.m. until adjourned.

ADDRESSES: The meeting will be held by videoconference originating at the National Endowment for the Arts, Washington, DC 20506.

FOR FURTHER INFORMATION CONTACT: Elizabeth Voyatzis, Committee Management Officer, 400 7th Street SW, Room 4060, Washington, DC 20506, (202) 606–8322; *evoyatzis@neh.gov.*

SUPPLEMENTARY INFORMATION: The purpose of the meeting is for panel review, discussion, evaluation, and recommendation on applications for Certificates of Indemnity submitted to the Federal Council on the Arts and the Humanities, for exhibitions beginning on or after October 1, 2025. Because the meeting will consider proprietary financial and commercial data provided in confidence by indemnity applicants, and material that is likely to disclose trade secrets or other privileged or confidential information, and because it is important to keep the values of objects to be indemnified and the methods of transportation and security measures confidential, I have determined that that the meeting will be closed to the public pursuant to subsection (c)(4) of section 552b of Title 5, United States Code. I have made this determination under the authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings, dated April 15, 2016.

Dated: July 29, 2025.

Kimberly Hylan,

Attorney-Advisor, National Endowment for the Humanities.

[FR Doc. 2025–14490 Filed 7–30–25; 8:45 am]

BILLING CODE 7536–01–P

POSTAL REGULATORY COMMISSION

[Docket Nos. CP2024–483; K2025–142; K2025–495; MC2025–1589 and K2025–1581; MC2025–1592 and K2025–1584]

New Postal Products

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing for the Commission's consideration concerning a negotiated service agreement. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* August 5, 2025.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at *https://www.prc.gov.* Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202–789–6820.

SUPPLEMENTARY INFORMATION:

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I. Introduction

Pursuant to 39 CFR 3041.405, the Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to Competitive negotiated service agreement(s). The request(s) may propose the addition of a negotiated service agreement from the Competitive product list or the modification of an existing product currently appearing on the Competitive product list.

The public portions of the Postal Service's request(s) can be accessed via the Commission's website (*http://www.prc.gov*). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3011.301.[1]

Section II identifies the docket number(s) associated with each Postal Service request, if any, that will be reviewed in a public proceeding as defined by 39 CFR 3010.101(p), the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each such request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 and 39 CFR 3000.114 (Public Representative). The Public Representative does not represent any individual person, entity or particular point of view, and, when Commission attorneys are appointed, no attorney-client relationship is established. Section II also establishes comment deadline(s) pertaining to each such request.

The Commission invites comments on whether the Postal Service's request(s) identified in Section II, if any, are consistent with the policies of title 39. Applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3035, and 39 CFR part 3041. Comment deadline(s) for each such request, if any, appear in Section II.

Section III identifies the docket number(s) associated with each Postal Service request, if any, to add a standardized distinct product to the Competitive product list or to amend a standardized distinct product, the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. Standardized distinct products are negotiated service agreements that are variations of one or more Competitive products, and for which financial models, minimum rates, and classification criteria have undergone advance Commission review. *See* 39 CFR 3041.110(n); 39 CFR 3041.205(a). Such requests are reviewed in summary proceedings pursuant to 39 CFR 3041.325(c)(2) and 39 CFR 3041.505(f)(1). Pursuant to 39 CFR 3041.405(c)–(d), the Commission does not appoint a Public Representative or request public comment in proceedings to review such requests.

II. Public Proceeding(s)

1. *Docket No(s).:* CP2024–483; *Filing Title:* USPS Request Concerning Amendment One to Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 196, with Materials Filed Under Seal; *Filing Acceptance Date:* July 28, 2025; *Filing Authority:* 39 CFR 3035.105 and 39 CFR 3041.505; *Public Representative:* Maxine Bradley; *Comments Due:* August 5, 2025.

2. *Docket No(s).:* K2025–142; *Filing Title:* USPS Request Concerning Amendment One to Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 522, with Materials Filed Under Seal; *Filing Acceptance Date:* July 28, 2025; *Filing Authority:* 39 CFR 3035.105 and 39 CFR 3041.505; *Public Representative:* Maxine Bradley; *Comments Due:* August 5, 2025.

3. *Docket No(s).:* K2025–495; *Filing Title:* USPS Request Concerning Amendment One to Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 792, with Materials Filed Under Seal; *Filing Acceptance Date:* July 28, 2025; *Filing Authority:* 39 CFR 3035.105 and 39 CFR 3041.505; *Public Representative:* Elsie Lee-Robbins; *Comments Due:* August 5, 2025.

4. *Docket No(s).:* MC2025–1589 and K2025–1581; *Filing Title:* USPS Request to Add Priority Mail Express International, Priority Mail International

[1] *See* Docket No. RM2018–3, Order Adopting Final Rules Relating to Non-Public Information, June 27, 2018, Attachment A at 19–22 (Order No. 4679).

& First-Class Package International Service Contract 81 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* July 28, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Katalin Clendenin; *Comments Due:* August 5, 2025.

5. *Docket No(s).:* MC2025–1592 and K2025–1584; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 1395 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* July 28, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Maxine Bradley; *Comments Due:* August 5, 2025.

III. Summary Proceeding(s)

None. See Section II for public proceedings.

This Notice will be published in the **Federal Register**.

Kimberly R. Banks,

Secondary Certifying Official.

[FR Doc. 2025–14508 Filed 7–30–25; 8:45 am]

BILLING CODE 7710–FW–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103559; File No. SR–BX–2025–012]

Self-Regulatory Organizations; Nasdaq BX, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the Methodology for its Options Regulatory Fee (ORF) as of January 2, 2026

July 28, 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 July 17, 2025, Nasdaq BX. Inc. (''BX'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend BX's Pricing Schedule at Options 7, Section 5, BX Options Regulatory Fee, to amend its current methodology of collection.

While the changes proposed herein are effective upon filing, the Exchange has designated the proposed rule change to be operative on January 2, 2026.

The text of the proposed rule change is available on the Exchange's website at *https://listingcenter.nasdaq.com/rulebook/bx/rulefilings* and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

BX proposes to amend its current methodology of assessment and collection of the Options Regulatory Fee or ''ORF'' to assess ORF only for options transactions that occur on BX that are cleared in the Customer [3] range at The Options Clearing Corporation (''OCC''). With this proposal BX would not assess ORF for transactions that occur on other exchanges. Below is a more detailed description of the proposal.

Background on Current ORF

Today, BX assesses its ORF for each Customer option transaction that is either: (1) executed by a Participant [4] on BX; or (2) cleared by a BX Participant at OCC in the Customer range, even if the transaction was executed by a non-member of BX, regardless of the exchange on which the transaction occurs.[5] If the OCC clearing member is a BX Participant, ORF is assessed and collected on all ultimately cleared Customer contracts (after adjustment for CMTA [6]); and (2) if the OCC clearing member is not a BX Participant, ORF is collected only on the cleared Customer contracts executed at BX, taking into account any CMTA instructions which may result in collecting the ORF from a non-member.[7] The current BX ORF is $0.0008 per contract side.

Today, in the case where a Participant both executes a transaction and clears the transaction, the ORF will be assessed to and collected from that Participant. Today, in the case where a Participant executes a transaction and a different Participant clears the transaction, the ORF will be assessed to and collected from the Participant who clears the transaction and not the Participant who executes the transaction. Today, in the case where a non-member executes a transaction at an away market and a Participant clears the transaction, the ORF will be assessed to and collected from the Participant who clears the transaction. Today, in the case where a Participant executes a transaction on BX and a non-

[3] Currently, the ORF is assessed by BX and collected via the OCC from Customers, Professional Customers, and Broker-Dealers that are not affiliated with a clearing member. These market participants clear in the ''C'' range at OCC. ORF will continue to be assessed and collected from these market participants under the new methodology. On BX, a ''Customer'' applies to any transaction that is identified by a Participant for clearing in the Customer range at OCC which is not for the account of broker or dealer or for the account of a ''Professional''; a ''Professional'' means any person or entity that (i) is not a broker or dealer in securities, and (ii) places more than 390 orders in listed options per day on average during a calendar month for its own beneficial account(s) pursuant to Options 1, Section 1(a)(48); and a ''Broker-Dealer'' applies to any transaction which is not subject to any of the other transaction fees applicable within a particular category.

[4] The term ''Options Participant'' or ''Participant'' mean a firm, or organization that is registered with the Exchange pursuant to Options 2A of these Rules for purposes of participating in options trading on BX Options as a ''BX Options Order Entry Firm'' or ''BX Options Market Maker.'' *See* Options 1, Section 1(a)(40).

[5] The Exchange uses reports from OCC when assessing and collecting the ORF. Market participants must record the appropriate account origin code on all orders at the time of entry of the order. The Exchange represents that it has surveillances in place to verify that members mark orders with the correct account origin code.

[6] CMTA or Clearing Participant Trade Assignment is a form of ''give-up'' whereby the position will be assigned to a specific clearing firm at OCC.

[7] By way of example, if Broker A, an BX Participant, routes a Customer order to CBOE and the transaction executes on CBOE and clears in Broker A's OCC Clearing account, ORF will be collected by BX from Broker A's clearing account at OCC via direct debit. While this transaction was executed on a market other than BX, it was cleared by an BX Participant in the member's OCC clearing account in the Customer range, therefore there is a regulatory nexus between BX and the transaction. If Broker A was not an BX Participant, then no ORF should be assessed and collected because there is no nexus; the transaction did not execute on BX nor was it cleared by an BX Participant.

member clears the transaction, the ORF will be assessed to the Participant that executed the transaction on BX and collected from the non-member who cleared the transaction. Today, in the case where a Participant executes a transaction at an away market and a non-member ultimately clears the transaction, the ORF will not be assessed to the Participant who executed the transaction or collected from the non-member who cleared the transaction because the Exchange does not have access to the data to make absolutely certain that ORF should apply. Further, the data does not allow the Exchange to identify the Participant executing the trade at an away market.

ORF Revenue and Monitoring of ORF

Today, the Exchange monitors the amount of revenue collected from the ORF (''ORF Regulatory Revenue'') to ensure that it, in combination with other regulatory fees and fines, does not exceed Options Regulatory Costs.[8] In determining whether an expense is considered an Options Regulatory Cost, the Exchange reviews all costs and makes determinations if there is a nexus between the expense and a regulatory function. The Exchange notes that fines collected by the Exchange in connection with a disciplinary matter offset Options Regulatory Cost.

ORF Regulatory Revenue, when combined with all of the Exchange's other regulatory fees and fines, is designed to recover the Options Regulatory Costs to the Exchange of the supervision and regulation of member Customer options business including performing routine surveillances, investigations, examinations, financial monitoring, and policy, rulemaking, interpretive, and enforcement activities. Options Regulatory Costs include direct regulatory expenses and certain indirect expenses in support of the regulatory function. The direct expenses include in-house and third-party service provider costs to support the day-to-day regulatory work such as surveillance, investigations and examinations. The indirect expenses are only those expenses that are in support of the regulatory functions, such areas include Office of the General Counsel, technology, finance, and internal audit. Indirect expenses will not exceed 35% of the total Options Regulatory Costs, in which case direct expenses could be 65% or more of total Options Regulatory Costs.[9]

Proposal for January 2, 2026

BX has been reviewing its methodologies for the assessment and collection of ORF. As a result of this review, BX proposes to modify its current ORF to continue to assess ORF for options transactions cleared by OCC in the Customer range, however ORF would be assessed to each BX Participant for executions that occur on BX. Specifically, the ORF would continue to be collected by OCC on behalf of BX from BX Participants and non-members for all Customer transactions executed on BX. ORF would be assessed and collected on all ultimately cleared Customer contracts, taking into account adjustments for CMTA that were provided to BX the same day as the trade.[10]

Further, the Exchange would bill ORF according to the clearing instructions provided on the execution. More specifically, BX proposes to assess ORF based on the clearing instruction provided on the execution on trade date and would not take into consideration CMTA changes or transfers that occur at OCC.[11] As a result of this proposed rule change, if a Participant executes a Customer transaction on BX and is the clearing member on record on the transaction on BX, the ORF will be assessed to that Participant. With this proposal, in the case where a Participant executes a Customer transaction on BX and a different Participant is the clearing member on record on the transaction on BX, the ORF will be assessed to and collected from the Participant who is the clearing member on record on the transaction and not the Participant who executes the transaction. Additionally, in the case where a Participant executes a Customer transaction on BX and a non-member is the clearing member on record on the transaction on BX, the ORF will be assessed to the non-member who is the clearing member on record on the transaction and not the Participant who executes the transaction. With this proposal, in the case where a Participant executes a Customer transaction on a non-BX exchange, BX will not assess an ORF, regardless of how the transaction is cleared. As is the case today, OCC will collect ORF from OCC clearing members on behalf of BX based on BX's instructions.

With this proposal, the current BX ORF of $0.0008 per contract side would be increased to $0.0198 per contract side. With this proposal, the Exchange will endeavor to ensure that ORF Regulatory Revenue generated from ORF will not exceed 82% of Options Regulatory Cost. BX will continue to ensure that ORF Regulatory Revenue does not exceed Options Regulatory Cost. As is the case today, the Exchange will notify Participants via an Options Trader Alert of any change in the amount of the fee at least 30 calendar days prior to the effective date of the change. In this case, the Exchange will notify Participants via an Options Trader Alert of these changes at least 30 calendar days prior to January 2, 2026.

The Exchange utilized historical and current data from its affiliated options exchanges to create a new regression model that would tie expenses attributable to regulation to a respective source.[12] To that end, the Exchange plotted Customer volumes from each exchange [13] against Options Regulatory Cost from each exchange for the Time Period. Specifically, the Exchange utilized standard charting functionality to create a linear regression. The charting functionality yields a ''slope'' of the line, representing the marginal cost of regulation, as well as an ''intercept,'' representing the fixed cost of regulation.[14] The Exchange considered using non-linear models, but concluded that the best R^2 (''R-Squared'') [15] results came from a standard y = Mx +B format for regulatory expense. The R-Squared for the charting method ranged from 70% to 90% historically. As noted, the plots below represent the Time Period. The X-axis reflects Customer volumes by exchange, by quarter and the Y-axis reflects regulatory expense by exchange.

[8] The regulatory costs for options comprise a subset of the Exchange's regulatory budget that is specifically related to options regulatory expenses and encompasses the cost to regulate all Participants' options activity (''Options Regulatory Cost'').

[9] Direct and indirect expenses are based on the Exchange's 2025 Regulatory Budget.

[10] Adjustments to CMTA that occur at OCC would not be taken into account.

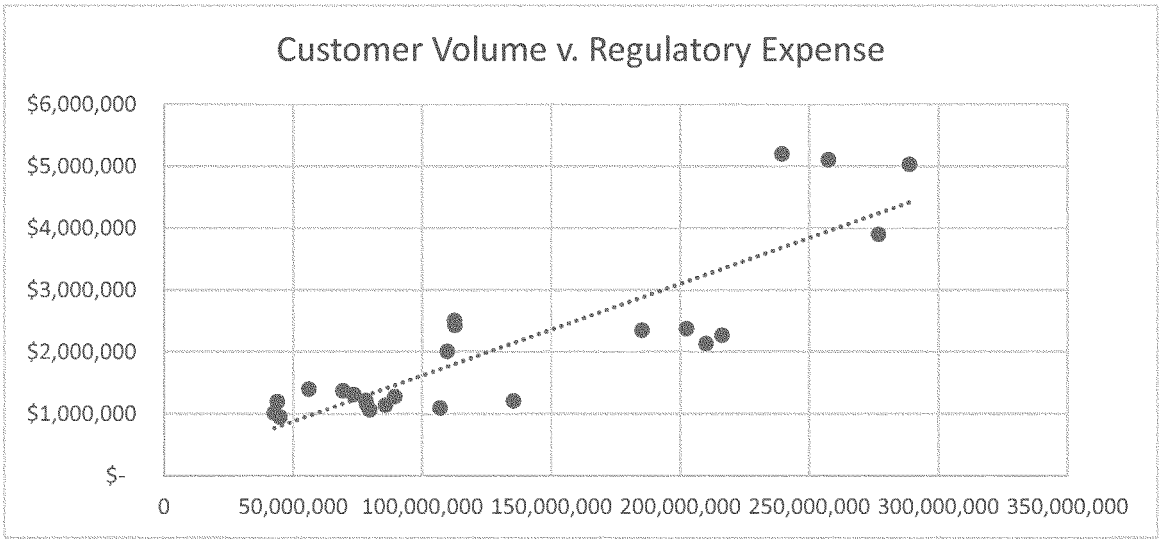
[11] Adjustments that were made the same day as the trade on BX will be taken into account.

[12] This model seeks to relate Options Regulatory Cost to historical volumes on each Nasdaq affiliated exchange by market participant. In creating this model, the Exchange did not rely on data from a single SRO as it had in the past.

[13] The Exchange utilized data from all Nasdaq affiliated options exchanges to create this model from data obtained from Q3 2024 to Q2 2025 (''Time Period'').

[14] The Exchange utilized data from Time Period to calculate the slope and intercept.

[15] R-Squared is a statistical measure that indicates how much of the variation of a dependent variable is explained by an independent variable in a regression model. The formula for calculating R-squared is: R2=1 − Unexplained Variation/Total Variation.



The results of this modelling indicated a high correlation and intercept for the baseline cost of regulating the options market as a whole. Specifically, the regression model indicated that (1) the marginal cost of regulation is measurable, and significantly attributable to Customer activity; and (2) the fixed cost of setting up a regulatory regime should arguably be dispersed across the industry so that all options exchanges have substantially similar revenue streams to satisfy the ''intercept'' element of cost. When seeking to offset the ''set-up'' cost of regulation, the Exchange attempted several levels of attribution.[16] This led the Exchange to utilize a model with a two-factor regression on a quarterly basis (Q3 2024 to Q2 2025) of volumes relative to the pool of expense data for the six Nasdaq affiliated options exchanges. Once again, standard spreadsheet functionality (including the Data Analysis Packet) was used to determine the mathematics for this model.[17]

Utilizing the new regression model, and assumptions in the proposal, the model demonstrates that Customer volumes are directly attributable to marginal cost. Applying the regression coefficient values historically, the Exchange established a ''normalization'' by per options exchange. The primary driver of this need for ''normalization'' are negotiated regulatory contracts that were negotiated at different points in time, yielding differences in per contract regulatory costs by exchange. Normalization is therefore the average of a given exchange's historical period (Q3 2024 to Q2 2025) ratio of regulatory expense to revenue when using the regressed values (for Customer ORF) that yields an effective rate by exchange. The ''normalization'' was then multiplied to a ''targeted collection rate'' of approximately 82% to arrive at ORF rates for Customer. Of note, when comparing the ORF rates generated from this method, historically, there appears to be a very tight relationship between the estimated modeled collection and actual expense and the regulatory expenses for that same period.

One other important aspect of this modeling is the input of Options Regulatory Costs. The Exchange notes that in defining Options Regulatory Costs it accounts for the nexus between the expense and options regulation. By way of example, the Exchange excludes certain indirect expenses such as payroll expenses, accounts receivable, accounts payable, marketing, executive level expenses and corporate systems.

The Exchange will continue to monitor ORF Regulatory Revenue to ensure that it, in combination with other regulatory fees and fines, does not exceed Options Regulatory Costs. In determining whether an expense is considered an Options Regulatory Cost, the Exchange will continue to review all costs and makes determinations if there is a nexus between the expense and a regulatory function. The Exchange notes that fines collected by the Exchange in connection with a disciplinary matter will continue to offset Options Regulatory Cost.

As is the case today, ORF Regulatory Revenue is designed to recover a material portion of the Options Regulatory Costs to the Exchange for the supervision and regulation of Participants' transactions, including performing routine surveillances, investigations, examinations, financial monitoring, and policy, rulemaking, interpretive, and enforcement activities. As discussed above, Options Regulatory Costs include direct regulatory expenses[18] and certain indirect expenses in support of the regulatory function.[19]

Finally, the Exchange notes that this proposal will sunset on February 1, 2026, at which point the Exchange would revert back to the ORF methodology and rate ($0.0008 per contract side) that was in effect prior to this rule change.[20]

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the ''Act'') and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[21] Specifically, the Exchange believes the proposed rule change is consistent with Section 6(b)(4)

[16] Of note, through analysis of the results of this regression model, there was no positive correlation that could be established between Customer away volume and regulatory expense. The most successful attribution was related to industry wide Firm and Broker-Dealer Transaction volume which accounted for approximately 3–4% of the regulatory expense both on-exchange and away.

[17] The Exchange notes that various exchanges negotiate their respective contracts independently with FINRA creating some variability. Additionally, an exchange with a floor component would create some variability, although BX does not have a floor.

[18] The direct expenses include in-house and third-party service provider costs to support the day-to-day regulatory work such as surveillances, investigations and examinations.

[19] The indirect expenses include support from such areas as Office of the General Counsel, technology, finance and internal audit.

[20] The Exchange proposes to reconsider the sunset date in 2026 and determine whether to proceed with the proposed ORF structure at that time.

[21] 15 U.S.C. 78f(b).

of the Act,[22] which provides that Exchange rules may provide for the equitable allocation of reasonable dues, fees, and other charges among its members, and other persons using its facilities. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5) [23] requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Exchange believes the proposed ORF to be assessed on January 2, 2026, is reasonable, equitable and not unfairly discriminatory for various reasons. First, the Exchange believes that continuing to assess only Customers an ORF is reasonable because Customer transactions account for a material portion of BX's Options Regulatory Cost.[24] A large portion of the Options Regulatory Cost relates to Customer allocation because obtaining Customer information may be more time intensive. For example, non-Customer market participants are subject to various regulatory and reporting requirements which provides the Exchange certain data with respect to these market participants. In contrast, Customer information is known by Participants of the Exchange and is not readily available to BX.[25] The Exchange may have to take additional steps to understand the facts surrounding particular trades involving a Customer which may require requesting such information from a broker-dealer. Further, Customers require more Exchange regulatory services based on the amount of options business they conduct. For example, there are Options Regulatory Costs associated with main office and branch office examinations (*e.g.,* staff expenses), as well as investigations into Customer complaints and the terminations of registered persons. As a result, the Options Regulatory Costs associated with administering the Customer component of the Exchange's overall regulatory program are materially higher than the Options Regulatory Costs associated with administering the non-Customer component when coupled with the amount of volume attributed to such Customer transactions. Utilizing the new regression model, and assumptions in the proposal, it appears that BX's Customer regulation occurs to a large extent on Exchange. Utilizing the new regression model, and assumptions in the proposal, the Exchange does not believe that significant Options Regulatory Costs result from activity attributed to Customers that may occur across options markets. To that end, with this proposal, the amount of Options Regulatory Cost allocated to on-exchange Customer transactions is significant. Also, with respect to Customer transactions, options volume continues to surpass volume from other options participants. Additionally, there are rules in the Exchange's Rulebook that deal exclusively with Customer transactions, such as rules involving doing business with a Customer, which would not apply to Firm and Broker-Dealer Transactions.[26] For these reasons, regulating Customer trading activity is ''much more labor-intensive'' and therefore, more costly.

Second, while the Exchange acknowledges that there is a cost to regulate Market Makers, unlike other market participants, Market Makers have various regulatory requirements with respect to quoting as provided for in Options 2, Section 4. Specifically, Market Makers have certain quoting requirements with respect to their assigned options series as provided in Options 2, Section 5. Lead Market Makers are obligated to quote intra-day.[27] Additionally, Market Makers are required to quote intra-day.[28] Further, unlike other market participants, Lead Market Makers and Market Makers have obligations to compete with other Market Makers to improve the market in all series of options classes to which the Market Maker is appointed and to update market quotations in response to changed market conditions in all series of options classes to which the Market Maker is appointed.[29] Lead Market Makers and Market Makers are critical market participants in that they are the only market participants that are required to provide liquidity to BX. Excluding Market Maker transactions from ORF allows these market participants to manage their costs and consequently their business model more effectively thus enabling them to better allocate resources to other technologies that are necessary to manage risk and capacity to ensure that these market participants continue to compete effectively on BX in providing tight displayed quotes which in turn benefits markets generally and market participants specifically. Finally, the Exchange notes that Market Makers may transact orders in addition to submitting quotes on the Exchange. This proposal would except orders submitted by Market Makers, in addition to quotes, for purposes of ORF. Market Makers utilize orders in their assigned options series to sweep the order book. The Exchange believes the quantity of orders utilized by Market Makers in their assigned series is de minimis. In their unassigned options series, Market Makers utilize orders to hedge their risk or respond to auctions. The Exchange notes that the number of orders submitted by Market Makers in their unassigned options series are far below the cap [30] and therefore de minimis.

Additionally, while the Exchange acknowledges that there is a cost to regulate Firm and Broker-Dealer transactions, the Exchange notes that these market participants do not entail significant volume when compared to Customer transactions. The Exchange notes that Firm and Broker-Dealer market participants are more sophisticated. There are not the same protections in place for Firm and Broker-Dealer Transactions as compared to Customer transactions. The regulation of Firm and Broker-Dealer transactions is less resource intensive than the regulation of Customer transactions and accounts for a small percentage of Options Regulatory Costs.

Third, assessing ORF on Customer executions that occur on BX is reasonable, equitable and not unfairly discriminatory because it will avoid overlapping ORFs that would otherwise be assessed by BX and other options exchanges that also assess an ORF. With this proposal, Customers executions that occur on other exchanges would no longer be subject to an BX ORF. Further, the Exchange believes that collecting 82% of Options Regulatory Cost is appropriate and correlates to the degree of regulatory responsibility and Options

[22] 15 U.S.C. 78f(b)(4).

[23] 15 U.S.C. 78f(b)(5).

[24] The Exchange notes that the regulatory costs relating to monitoring Participants with respect to Customer trading activity are generally higher than the regulatory costs associated with Participants that do not engage in customer trading activity, which tends to be more automated and less labor-intensive. By contrast, regulating Participants that engage in Customer trading activity is generally more labor intensive and requires a greater expenditure of human and technical resources as the Exchange needs to review not only the trading activity on behalf of Customers, but also the Participant's relationship with its Customers via more labor-intensive exam-based programs. As a result, the costs associated with administering the Customer component of the Exchange's overall regulatory program are materially higher than the costs associated with administering the non-Customer component of the regulatory program.

[25] The Know Your Customer or ''KYC'' provision is the obligation of the broker-dealer.

[26] *See* BX Options 10 Rules.

[27] *See* BX Options 2, Section 4(j).

[28] *See* BX Options 2, Section 5(d).

[29] *See* BX Options 2, Section 4(a)(3) and (5).

[30] *See* BX Options 2, Section 6. The total number of contracts executed during a quarter by a Market Maker in options classes to which it is not appointed may not exceed twenty-five percent (25%) of the total number of contracts traded. In the Exchange's experience, Market Maker's are generally below the 25% cap.

Regulatory Cost borne by the Exchange with respect to Customer transactions. The Exchange's proposal continues to ensure that Options Regulatory Revenue, in combination with other regulatory fees and fines, does not exceed Options Regulatory Costs. Fines collected by the Exchange in connection with a disciplinary matter will continue to offset Options Regulatory Cost. Capping ORF collected at 82% of Options Regulatory Cost, commencing January 2, 2026, is reasonable, equitable and not unfairly discriminatory as the Options Regulatory Revenue collected will offset the corresponding Options Regulatory Cost associated with on-exchange Customer transactions. The Exchange will review the ORF Regulatory Revenue and would amend the ORF if it finds that its ORF Regulatory Revenue exceeds its projections.[31]

The proposed sunset date of February 1, 2026 is reasonable, equitable and not unfairly discriminatory. If all options exchanges have adopted a similar ORF model, the Exchange notes that it would not sunset the proposal on February 1, 2026. The Exchange proposes to reconsider the sunset date in early 2026 and determine whether to proceed with the proposed ORF structure at that time.

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 intra-market competition not necessary or appropriate in furtherance of the purposes of the Act. The proposed changes to ORF do not impose an undue burden on inter-market competition because ORF is a regulatory fee that supports regulation in furtherance of the purposes of the Act. The Exchange notes, however, the proposed change is not designed to address any competitive issues. The Exchange is obligated to ensure that the amount of ORF Regulatory Revenue, in combination with its other regulatory fees and fines, does not exceed ORF Regulatory Cost.

Continuing to assess ORF only on Customer executions that occur on BX does not impose an undue burden on intra-market competition. Customer transactions account for a large portion of the Exchange's surveillance expense. With respect to Customer transactions, options volume continues to surpass volume from other options participants. Additionally, there are rules in the Exchange's Rulebook that deal exclusively with Customer transactions, such as rules involving doing business with a Customer, which would not apply to Non-Customer transactions.[32] For these reasons, regulating Customer trading activity is ''much more labor-intensive'' and therefore, more costly. Further, the Exchange believes that a large portion of the Options Regulatory Cost relates to Customer allocation because obtaining Customer information may be more time intensive. For example, non-Customer market participants are subject to various regulatory and reporting requirements which provides the Exchange certain data with respect to these market participants. In contrast, Customer information is known by Participants of the Exchange and is not readily available to BX.[33] The Exchange may have to take additional steps to understand the facts surrounding particular trades involving a Customer which may require requesting such information from a broker-dealer. Further, Customers require more Exchange regulatory services based on the amount of options business they conduct. For example, there are Options Regulatory Costs associated with main office and branch office examinations (*e.g.,* staff expenses), as well as investigations into Customer complaints and the terminations of registered persons. As a result, the Options Regulatory Costs associated with administering the Customer component of the Exchange's overall regulatory program are materially higher than the Options Regulatory Costs associated with administering the non-Customer component when coupled with the amount of volume attributed to such Customer transactions. Not attributing significant Options Regulatory Costs to Customers for activity that may occur across options markets does not impose an undue burden on intra-market competition because the data in the regression model demonstrates that BX's Customer regulation occurs to a large extent on Exchange.

The Exchange believes that not assessing ORF on Market Makers does not impose an undue burden on intra-market competition because these liquidity providers are critical market participants in that they are the only market participants that are required to provide liquidity to BX. Excluding Market Maker transactions from ORF does not impose an intra-market burden on competition, rather it allows these market participants to manage their costs and consequently their business model more effectively thus enabling them to better allocate resources to other technologies that are necessary to manage risk and capacity to ensure that these market participants continue to compete effectively on BX in providing tight displayed quotes which in turn benefits markets generally and market participants specifically. Unlike other market participants, Market Makers have various regulatory requirements with respect to quoting as provided for in Options 2, Section 4. Specifically, Market Makers have certain quoting requirements with respect to their assigned options series as provided in Options 2, Section 5. Lead Market Makers are obligated to quote intra-day.[34] Additionally, Market Makers are required to quote intra-day.[35] Further, unlike other market participants, Lead Market Makers and Market Makers have obligations to compete with other Market Makers to improve the market in all series of options classes to which the Market Maker is appointed and to update market quotations in response to changed market conditions in all series of options classes to which the Market Maker is appointed.[36] Lead Market Makers and Market Makers are critical market participants in that they are the only market participants that are required to provide liquidity to BX. Finally, the Exchange notes that Market Makers may transact orders on the Exchange in addition to submitting quotes. The Exchange's proposal to except orders submitted by Market Makers, in addition to quotes, for purposes of ORF does not impose an undue burden on intra-market competition because Market Makers utilize orders in their assigned options series to sweep the order book. Further, the Exchange believes the quantity of orders utilized by Market Makers in their assigned series is de minimis. In their unassigned options series, Market Makers utilize orders to hedge their risk or respond to auctions. The Exchange notes that the number of orders submitted by Market Makers in their unassigned options series are far below the cap[37] and therefore de minimis.

The Exchange believes that not assessing ORF on Firm and Broker-Dealer market participants does not impose an undue burden on intra-market competition because the

[31] BX would submit a rule change to the Commission to amend ORF rates.

[32] *See* BX Options 10 Rules.

[33] The Know Your Customer or ''KYC'' provision is the obligation of the broker-dealer.

[34] *See* BX Options 2, Section 4(j).

[35] *See* BX Options 2, Section 5(d).

[36] *See* BX Options 2, Section 4(a)(3) and (5).

[37] *See* BX Options 2, Section 6(b). The total number of contracts executed by a Market Maker in options in which it is not registered as a Market Maker shall not exceed 25 percent of the total number of all contracts executed by the Market Maker in any calendar quarter.

regulation of Firm and Broker-Dealer transactions is less resource intensive than the regulation of Customer transactions. The volume generated from Firm and Broker-Dealer transactions does not entail significant volume when compared to Customer transactions. Therefore, excluding Firm and Broker-Dealer transactions from ORF does not impose an undue burden on intra-market competition as Customer transactions account for a material portion of BX's Options Regulatory Cost.[38]

The Exchange's proposal to assess ORF only on Customer executions that occur on BX does not impose an intra-market burden on competition because the amount of activity surveilled across exchanges is small when compared to the overall number of Exchange rules that are surveilled by BX for on-Exchange activity. Limiting the amount of ORF assessed to activity that occurs on BX avoids overlapping ORFs that would otherwise be assessed by BX and other options exchanges that also assess an ORF. Further, capping ORF collected at 82% of Options Regulatory Cost commencing January 2, 2026, does not impose an intra-market burden on competition as this collection accounts for the collection only on Customer executions. The Exchange will review the ORF Regulatory Revenue and would amend the ORF if it finds that its ORF Regulatory Revenue exceeds its projections.[39]

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A) of the Act[40] and paragraph (f)(2) of Rule 19b–4[41] thereunder.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–BX–2025–012 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–BX–2025–012. 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 filing 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–BX–2025–012 and should be submitted on or before August 21, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[42]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–14450 Filed 7–30–25; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103555; File No. SR–NASDAQ–2025–005]

Self-Regulatory Organizations; Nasdaq Stock Market LLC; Notice of Designation of a Longer Period for Commission Action on Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change To List and Trade Shares of the Canary Litecoin ETF Under Nasdaq Rule 5711(d) (Commodity-Based Trust Shares)

July 28, 2025.

On January 15, 2025, The Nasdaq Stock Market LLC (''Nasdaq'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to list and trade shares of the Canary Litecoin ETF under Nasdaq Rule 5711(d). The proposed rule change was published for comment in the **Federal Register** on February 4, 2025.[3]

On March 11, 2025, pursuant to Section 19(b)(2) of the Act,[4] the Commission designated a longer period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to disapprove the proposed rule change.[5] On May 5, 2025, the Commission instituted proceedings under Section 19(b)(2)(B) of the Act[6] to determine whether to approve or disapprove the proposed rule change.[7]

[38] The Exchange notes that the regulatory costs relating to monitoring Participants with respect to customer trading activity are generally higher than the regulatory costs associated with Participants that do not engage in customer trading activity, which tends to be more automated and less labor-intensive. By contrast, regulating Participants that engage in customer trading activity is generally more labor intensive and requires a greater expenditure of human and technical resources as the Exchange needs to review not only the trading activity on behalf of customers, but also the Participant's relationship with its customers via more labor-intensive exam-based programs. As a result, the costs associated with administering the customer component of the Exchange's overall regulatory program are materially higher than the costs associated with administering the non-customer component of the regulatory program.

[39] BX would submit a rule change to the Commission to amend ORF rates.

[40] 15 U.S.C. 78s(b)(3)(A).

[41] 17 CFR 240.19b–4(f)(2).

[42] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 102303 (Jan. 29, 2025), 90 FR 8949. Comments received on the proposed rule change are available at: *https://www.sec.gov/comments/sr-nasdaq-2025-005/srnasdaq2025005.htm.*

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 102585, 90 FR 12384 (Mar. 17, 2025). The Commission designated May 5, 2025, as the date by which the Commission shall approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change.

[6] 15 U.S.C. 78s(b)(2)(B).

[7] *See* Securities Exchange Act Release No. 102988, 90 FR 19772 (May 9, 2025).

Section 19(b)(2) of the Act[8] provides that, after initiating proceedings, the Commission shall issue an order approving or disapproving the proposed rule change not later than 180 days after the date of publication of notice of filing of the proposed rule change. The Commission may extend the period for issuing an order approving or disapproving the proposed rule change, however, by not more than 60 days if the Commission determines that a longer period is appropriate and publishes the reasons for such determination. The proposed rule change was published for comment in the **Federal Register** on February 4, 2025.[9] The 180th day after publication of the proposed rule change is August 3, 2025. The Commission is extending the time period for approving or disapproving the proposed rule change for an additional 60 days.

The Commission finds that it is appropriate to designate a longer period within which to issue an order approving or disapproving the proposed rule change so that it has sufficient time to consider the proposed rule change, and the issues raised therein. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[10] designates October 2, 2025, as the date by which the Commission shall either approve or disapprove the proposed rule change (File No. SR–NASDAQ–2025–005).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[11]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–14447 Filed 7–30–25; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103558; File No. SR–ISE–2025–20]

Self-Regulatory Organizations; Nasdaq ISE, LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the Methodology for Its Options Regulatory Fee (ORF) as of January 2, 2026

July 28, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on July 17, 2025, Nasdaq ISE, LLC (''ISE'' or ''Exchange'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend ISE's Pricing Schedule at Options 7, Section 9C, Options Regulatory Fee, to amend its current methodology of collection.

While the changes proposed herein are effective upon filing, the Exchange has designated the proposed rule change to be operative on January 2, 2026.

The text of the proposed rule change is available on the Exchange's website at *https://listingcenter.nasdaq.com/rulebook/ise/rulefilings* and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

ISE proposes to amend its current methodology of assessment and collection of the Options Regulatory Fee or ''ORF'' to assess ORF only for options transactions that occur on ISE that are cleared in the Customer[3] range at The Options Clearing Corporation (''OCC''). With this proposal ISE would not assess ORF for transactions that occur on other exchanges. Below is a more detailed description of the proposal.

Background on Current ORF

Today, ISE assesses its ORF for each Customer option transaction that is either: (1) executed by a Member[4] on ISE; or (2) cleared by an ISE Member at OCC in the Customer range, even if the transaction was executed by a non-Member of ISE, regardless of the exchange on which the transaction occurs.[5] If the OCC clearing member is an ISE Member, ORF is assessed and collected on all ultimately cleared Customer contracts (after adjustment for CMTA[6]); and (2) if the OCC clearing member is not an ISE Member, ORF is collected only on the cleared Customer contracts executed at ISE, taking into account any CMTA instructions which may result in collecting the ORF from a non-Member.[7] The current ISE ORF is $0.0013 per contract side.

Today, in the case where a Member both executes a transaction and clears the transaction, the ORF will be assessed to and collected from that Member. Today, in the case where a Member executes a transaction and a different Member clears the transaction, the ORF will be assessed to and collected from the Member who clears the transaction and not the Member who

[8] 15 U.S.C. 78s(b)(2).

[9] *See supra* note 3 and accompanying text.

[10] 15 U.S.C. 78s(b)(2).

[11] 17 CFR 200.30–3(a)(57).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] Currently, the ORF is assessed by ISE and collected via the OCC from Priority Customers, Professional Customers, and Broker-Dealers that are not affiliated with a clearing member. These market participants clear in the ''C'' range at OCC. ORF will continue to be assessed and collected from these market participants under the new methodology. On ISE, a ''Priority Customer'' is a person or entity that is not a broker/dealer in securities, and does not place more than 390 orders in listed options per day on average during a calendar month for its own beneficial account(s), as defined in ISE Options 1, Section 1(a)(37); a ''Professional Customer'' is a person or entity that is not a broker/dealer and is not a Priority Customer; and a ''Broker-Dealer'' order is an order submitted by a Member for a broker-dealer account that is not its own proprietary account.

[4] The term ''Member'' means an organization that has been approved to exercise trading rights associated with Exchange Rights. *See* General 1, Section 1(a)(13).

[5] The Exchange uses reports from OCC when assessing and collecting the ORF. Market participants must record the appropriate account origin code on all orders at the time of entry of the order. The Exchange represents that it has surveillances in place to verify that members mark orders with the correct account origin code.

[6] CMTA or Clearing Member Trade Assignment is a form of ''give-up'' whereby the position will be assigned to a specific clearing firm at OCC.

[7] By way of example, if Broker A, an ISE Member, routes a Customer order to CBOE and the transaction executes on CBOE and clears in Broker A's OCC Clearing account, ORF will be collected by ISE from Broker A's clearing account at OCC via direct debit. While this transaction was executed on a market other than ISE, it was cleared by an ISE Member in the member's OCC clearing account in the Customer range, therefore there is a regulatory nexus between ISE and the transaction. If Broker A was not an ISE Member, then no ORF should be assessed and collected because there is no nexus; the transaction did not execute on ISE nor was it cleared by an ISE Member.

executes the transaction. Today, in the case where a non-Member executes a transaction at an away market and a Member clears the transaction, the ORF will be assessed to and collected from the Member who clears the transaction. Today, in the case where a Member executes a transaction on ISE and a non-Member clears the transaction, the ORF will be assessed to the Member that executed the transaction on ISE and collected from the non-Member who cleared the transaction. Today, in the case where a Member executes a transaction at an away market and a non-Member ultimately clears the transaction, the ORF will not be assessed to the Member who executed the transaction or collected from the non-Member who cleared the transaction because the Exchange does not have access to the data to make absolutely certain that ORF should apply. Further, the data does not allow the Exchange to identify the Member executing the trade at an away market.

ORF Revenue and Monitoring of ORF

Today, the Exchange monitors the amount of revenue collected from the ORF (''ORF Regulatory Revenue'') to ensure that it, in combination with other regulatory fees and fines, does not exceed Options Regulatory Costs.[8] In determining whether an expense is considered an Options Regulatory Cost, the Exchange reviews all costs and makes determinations if there is a nexus between the expense and a regulatory function. The Exchange notes that fines collected by the Exchange in connection with a disciplinary matter offset Options Regulatory Cost.

ORF Regulatory Revenue, when combined with all of the Exchange's other regulatory fees and fines, is designed to recover the Options Regulatory Costs to the Exchange of the supervision and regulation of member Customer options business including performing routine surveillances, investigations, examinations, financial monitoring, and policy, rulemaking, interpretive, and enforcement activities. Options Regulatory Costs include direct regulatory expenses and certain indirect expenses in support of the regulatory function. The direct expenses include in-house and third-party service provider costs to support the day-to-day regulatory work such as surveillance, investigations and examinations. The indirect expenses are only those expenses that are in support of the regulatory functions, such areas include Office of the General Counsel, technology, finance, and internal audit. Indirect expenses will not exceed 35% of the total Options Regulatory Costs, in which case direct expenses could be 65% or more of total Options Regulatory Costs.[9]

Proposal for January 2, 2026

ISE has been reviewing its methodologies for the assessment and collection of ORF. As a result of this review, ISE proposes to modify its current ORF to continue to assess ORF for options transactions cleared by OCC in the Customer range, however ORF would be assessed to each ISE Member for executions that occur on ISE. Specifically, the ORF would continue to be collected by OCC on behalf of ISE from ISE Members and non-Members for all Customer transactions executed on ISE. ORF would be assessed and collected on all ultimately cleared Customer contracts, taking into account adjustments for CMTA that were provided to ISE the same day as the trade.[10]

Further, the Exchange would bill ORF according to the clearing instructions provided on the execution. More specifically, ISE proposes to assess ORF based on the clearing instruction provided on the execution on trade date and would not take into consideration CMTA changes or transfers that occur at OCC.[11] As a result of this proposed rule change, if a Member executes a Customer transaction on ISE and is the clearing member on record on the transaction on ISE, the ORF will be assessed to that Member. With this proposal, in the case where a Member executes a Customer transaction on ISE and a different Member is the clearing member on record on the transaction on ISE, the ORF will be assessed to and collected from the Member who is the clearing member on record on the transaction and not the Member who executes the transaction. Additionally, in the case where a Member executes a Customer transaction on ISE and a non-ISE Member is the clearing member on record on the transaction on ISE, the ORF will be assessed to the non-ISE Member who is the clearing member on record on the transaction and not the Member who executes the transaction. With this proposal, in the case where a Member executes a Customer transaction on a non-ISE exchange, ISE will not assess an ORF, regardless of how the transaction is cleared. As is the case today, OCC will collect ORF from OCC clearing members on behalf of ISE based on ISE's instructions.

With this proposal, the current ISE ORF of $0.0013 per contract side would be increased to $0.0092 per contract side. With this proposal, the Exchange will endeavor to ensure that ORF Regulatory Revenue generated from ORF will not exceed 82% of Options Regulatory Cost. ISE will continue to ensure that ORF Regulatory Revenue does not exceed Options Regulatory Cost. As is the case today, the Exchange will notify Members via an Options Trader Alert of any change in the amount of the fee at least 30 calendar days prior to the effective date of the change. In this case, the Exchange will notify Members via an Options Trader Alert of these changes at least 30 calendar days prior to January 2, 2026.

The Exchange utilized historical and current data from its affiliated options exchanges to create a new regression model that would tie expenses attributable to regulation to a respective source.[12] To that end, the Exchange plotted Customer volumes from each exchange [13] against Options Regulatory Cost from each exchange for the Time Period. Specifically, the Exchange utilized standard charting functionality to create a linear regression. The charting functionality yields a ''slope'' of the line, representing the marginal cost of regulation, as well as an ''intercept,'' representing the fixed cost of regulation.[14] The Exchange considered using non-linear models, but concluded that the best R^2 (''R-Squared'') [15] results came from a standard y = Mx + B format for regulatory expense. The R-Squared for the charting method ranged from 70% to 90% historically. As noted, the plots below represent the Time Period. The X-axis reflects Customer volumes by

[8] The regulatory costs for options comprise a subset of the Exchange's regulatory budget that is specifically related to options regulatory expenses and encompasses the cost to regulate all Members' options activity (''Options Regulatory Cost'').

[9] Direct and indirect expenses are based on the Exchange's 2025 Regulatory Budget.

[10] Adjustments to CMTA that occur at OCC would not be taken into account.

[11] Adjustments that were made the same day as the trade on ISE will be taken into account.

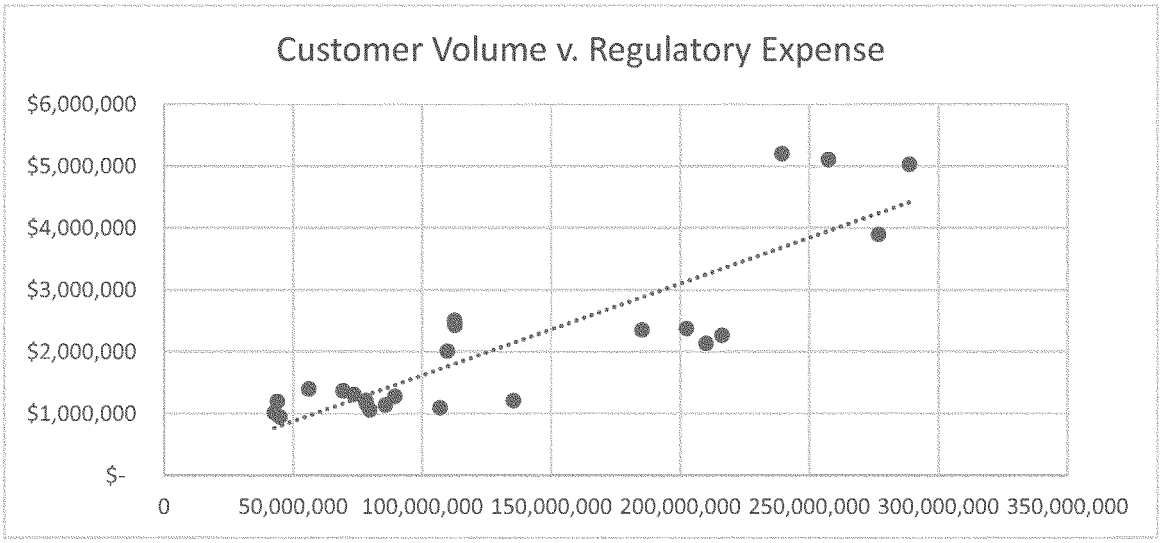
[12] This model seeks to relate Options Regulatory Cost to historical volumes on each Nasdaq affiliated exchange by market participant. In creating this model, the Exchange did not rely on data from a single SRO as it had in the past.

[13] The Exchange utilized data from all Nasdaq affiliated options exchanges to create this model from data obtained from Q3 2024 to Q2 2025 (''Time Period'').

[14] The Exchange utilized data from Time Period to calculate the slope and intercept.

[15] R-Squared is a statistical measure that indicates how much of the variation of a dependent variable is explained by an independent variable in a regression model. The formula for calculating R-squared is: R2=1 − Unexplained Variation/Total Variation.

exchange, by quarter and the Y-axis reflects regulatory expense by exchange.



The results of this modelling indicated a high correlation and intercept for the baseline cost of regulating the options market as a whole. Specifically, the regression model indicated that (1) the marginal cost of regulation is measurable, and significantly attributable to Customer activity; and (2) the fixed cost of setting up a regulatory regime should arguably be dispersed across the industry so that all options exchanges have substantially similar revenue streams to satisfy the ''intercept'' element of cost. When seeking to offset the ''set-up'' cost of regulation, the Exchange attempted several levels of attribution.[16] This led the Exchange to utilize a model with a two-factor regression on a quarterly basis (Q3 2024 to Q2 2025) of volumes relative to the pool of expense data for the six Nasdaq affiliated options exchanges. Once again, standard spreadsheet functionality (including the Data Analysis Packet) was used to determine the mathematics for this model.[17]

Utilizing the new regression model, and assumptions in the proposal, the model demonstrates that Customer volumes are directly attributable to marginal cost. Applying the regression coefficient values historically, the Exchange established a ''normalization'' by per options exchange. The primary driver of this need for ''normalization'' are negotiated regulatory contracts that were negotiated at different points in time, yielding differences in per contract regulatory costs by exchange. Normalization is therefore the average of a given exchange's historical period (Q3 2024 to Q2 2025) ratio of regulatory expense to revenue when using the regressed values (for Customer ORF) that yields an effective rate by exchange. The ''normalization'' was then multiplied to a ''targeted collection rate'' of approximately 82% to arrive at ORF rates for Customer. Of note, when comparing the ORF rates generated from this method, historically, there appears to be a very tight relationship between the estimated modeled collection and actual expense and the regulatory expenses for that same period.

One other important aspect of this modeling is the input of Options Regulatory Costs. The Exchange notes that in defining Options Regulatory Costs it accounts for the nexus between the expense and options regulation. By way of example, the Exchange excludes certain indirect expenses such as payroll expenses, accounts receivable, accounts payable, marketing, executive level expenses and corporate systems.

The Exchange will continue to monitor ORF Regulatory Revenue to ensure that it, in combination with other regulatory fees and fines, does not exceed Options Regulatory Costs. In determining whether an expense is considered an Options Regulatory Cost, the Exchange will continue to review all costs and makes determinations if there is a nexus between the expense and a regulatory function. The Exchange notes that fines collected by the Exchange in connection with a disciplinary matter will continue to offset Options Regulatory Cost.

As is the case today, ORF Regulatory Revenue is designed to recover a material portion of the Options Regulatory Costs to the Exchange for the supervision and regulation of Members' transactions, including performing routine surveillances, investigations, examinations, financial monitoring, and policy, rulemaking, interpretive, and enforcement activities. As discussed above, Options Regulatory Costs include direct regulatory expenses [18] and certain indirect expenses in support of the regulatory function.[19]

Finally, the Exchange notes that this proposal will sunset on February 1, 2026, at which point the Exchange would revert back to the ORF methodology and rate ($0.0013 per contract side) that was in effect prior to this rule change.[20]

[16] Of note, through analysis of the results of this regression model, there was no positive correlation that could be established between Customer away volume and regulatory expense. The most successful attribution was related to industry wide Firm Proprietary and Broker-Dealer Transaction volume which accounted for approximately 3–4% of the regulatory expense both on-exchange and away.

[17] The Exchange notes that various exchanges negotiate their respective contracts independently with FINRA creating some variability. Additionally, an exchange with a floor component would create some variability, although ISE does not have a floor.

[18] The direct expenses include in-house and third-party service provider costs to support the day-to-day regulatory work such as surveillances, investigations and examinations.

[19] The indirect expenses include support from such areas as Office of the General Counsel, technology, finance and internal audit.

[20] The Exchange proposes to reconsider the sunset date in 2026 and determine whether to proceed with the proposed ORF structure at that time.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the ''Act'') and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[21] Specifically, the Exchange believes the proposed rule change is consistent with Section 6(b)(4) of the Act,[22] which provides that Exchange rules may provide for the equitable allocation of reasonable dues, fees, and other charges among its members, and other persons using its facilities. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5) [23] requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Exchange believes the proposed ORF to be assessed on January 2, 2026, is reasonable, equitable and not unfairly discriminatory for various reasons. First, the Exchange believes that continuing to assess only Customers an ORF is reasonable because Customer transactions account for a material portion of ISE's Options Regulatory Cost.[24] A large portion of the Options Regulatory Cost relates to Customer allocation because obtaining Customer information may be more time intensive. For example, non-Customer market participants are subject to various regulatory and reporting requirements which provides the Exchange certain data with respect to these market participants. In contrast, Customer information is known by Members of the Exchange and is not readily available to ISE.[25] The Exchange may have to take additional steps to understand the facts surrounding particular trades involving a Customer which may require requesting such information from a broker-dealer. Further, Customers require more Exchange regulatory services based on the amount of options business they conduct. For example, there are Options Regulatory Costs associated with main office and branch office examinations (*e.g.,* staff expenses), as well as investigations into Customer complaints and the terminations of registered persons. As a result, the Options Regulatory Costs associated with administering the Customer component of the Exchange's overall regulatory program are materially higher than the Options Regulatory Costs associated with administering the non-Customer component when coupled with the amount of volume attributed to such Customer transactions. Utilizing the new regression model, and assumptions in the proposal, it appears that ISE's Customer regulation occurs to a large extent on Exchange. Utilizing the new regression model, and assumptions in the proposal, the Exchange does not believe that significant Options Regulatory Costs result from activity attributed to Customers that may occur across options markets. To that end, with this proposal, the amount of Options Regulatory Cost allocated to on-exchange Customer transactions is significant. Also, with respect to Customer transactions, options volume continues to surpass volume from other options participants. Additionally, there are rules in the Exchange's Rulebook that deal exclusively with Customer transactions, such as rules involving doing business with a Customer, which would not apply to Firm Proprietary and Broker-Dealer Transactions.[26] For these reasons, regulating Customer trading activity is ''much more labor-intensive'' and therefore, more costly.

Second, while the Exchange acknowledges that there is a cost to regulate Market Makers, unlike other market participants, Market Makers have various regulatory requirements with respect to quoting as provided for in Options 2, Section 4. Specifically, Market Makers have certain quoting requirements with respect to their assigned options series as provided in Options 2, Section 5. Primary Market Makers are obligated to quote in the Opening Process and intra-day.[27] Additionally, Market Makers may enter quotes in the Opening Process to open an option series and they are required to quote intra-day.[28] Further, unlike other market participants, Primary Market Makers and Market Makers have obligations to compete with other Market Makers to improve the market in all series of options classes to which the Market Maker is appointed and to update market quotations in response to changed market conditions in all series of options classes to which the Market Maker is appointed.[29] Also, Primary Market Makers and Market Makers incur other costs imposed by the Exchange related to their quoting obligations in addition to other fees paid by other market participants. Market Makers are subject to a number of fees, unlike other market participants. Primary Market Makers and Competitive Market Makers pay Access Fees [30] in addition to other fees paid by other market participants. These liquidity providers are critical market participants in that they are the only market participants that are required to provide liquidity to ISE and are necessary for opening the market. Excluding Market Maker transactions from ORF allows these market participants to manage their costs and consequently their business model more effectively thus enabling them to better allocate resources to other technologies that are necessary to manage risk and capacity to ensure that these market participants continue to compete effectively on ISE in providing tight displayed quotes which in turn benefits markets generally and market participants specifically. Permitting these market participants to utilize their resources to quote tighter in the market. Tighter quotes benefits Customers as well as other market participants who interact with that liquidity. Finally, the Exchange notes that Market Makers may transact orders in addition to submitting quotes on the Exchange. This proposal would except orders submitted by Market Makers, in addition to quotes, for purposes of ORF. Market Makers utilize orders in their assigned options series to sweep the order book. The Exchange believes the quantity of orders utilized by Market Makers in their assigned series is de minimis. In their unassigned options series, Market Makers utilize orders to hedge their risk or respond to auctions. The Exchange notes that the number of orders submitted by Market Makers in their unassigned options series are far below the cap [31] and therefore de minimis.

[21] 15 U.S.C. 78f(b).

[22] 15 U.S.C. 78f(b)(4).

[23] 15 U.S.C. 78f(b)(5).

[24] The Exchange notes that the regulatory costs relating to monitoring Members with respect to Customer trading activity are generally higher than the regulatory costs associated with Members that do not engage in customer trading activity, which tends to be more automated and less labor-intensive. By contrast, regulating Members that engage in Customer trading activity is generally more labor intensive and requires a greater expenditure of human and technical resources as the Exchange needs to review not only the trading activity on behalf of Customers, but also the Member's relationship with its Customers via more labor-intensive exam-based programs. As a result, the costs associated with administering the Customer component of the Exchange's overall regulatory program are materially higher than the costs associated with administering the non-Customer component of the regulatory program.

[25] The Know Your Customer or ''KYC'' provision is the obligation of the broker-dealer.

[26] *See* ISE Options 10 Rules.

[27] *See* ISE Options 3, Section 8 and Options 2, Section 5.

[28] *Id.*

[29] *See* ISE Options 2, Section 4(b)(1) and (3).

[30] *See* ISE Options 7, Section 8A.

[31] *See* ISE Options 2, Section 6. The total number of contracts executed during a quarter by a Market Maker in options classes to which it is not appointed may not exceed twenty-five percent (25%) of the total number of contracts traded. In the

Continued

Additionally, while the Exchange acknowledges that there is a cost to regulate Firm Proprietary and Broker-Dealer transactions, the Exchange notes that these market participants do not entail significant volume when compared to Customer transactions. The Exchange notes that Firm Proprietary and Broker-Dealer market participants are more sophisticated. There are not the same protections in place for Firm Proprietary and Broker-Dealer Transactions as compared to Customer transactions. The regulation of Firm Proprietary and Broker-Dealer transactions is less resource intensive than the regulation of Customer transactions and accounts for a small percentage of Options Regulatory Costs.

Third, assessing ORF on Customer executions that occur on ISE is reasonable, equitable and not unfairly discriminatory because it will avoid overlapping ORFs that would otherwise be assessed by ISE and other options exchanges that also assess an ORF. With this proposal, Customers executions that occur on other exchanges would no longer be subject to an ISE ORF. Further, the Exchange believes that collecting 82% of Options Regulatory Cost is appropriate and correlates to the degree of regulatory responsibility and Options Regulatory Cost borne by the Exchange with respect to Customer transactions. The Exchange's proposal continues to ensure that Options Regulatory Revenue, in combination with other regulatory fees and fines, does not exceed Options Regulatory Costs. Fines collected by the Exchange in connection with a disciplinary matter will continue to offset Options Regulatory Cost. Capping ORF collected at 82% of Options Regulatory Cost, commencing January 2, 2026, is reasonable, equitable and not unfairly discriminatory as the Options Regulatory Revenue collected will offset the corresponding Options Regulatory Cost associated with on-exchange Customer transactions. The Exchange will review the ORF Regulatory Revenue and would amend the ORF if it finds that its ORF Regulatory Revenue exceeds its projections.[32]

The proposed sunset date of February 1, 2026 is reasonable, equitable and not unfairly discriminatory. If all options exchanges have adopted a similar ORF model, the Exchange notes that it would not sunset the proposal on February 1, 2026. The Exchange proposes to reconsider the sunset date in early 2026 and determine whether to proceed with the proposed ORF structure at that time.

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 intra-market competition not necessary or appropriate in furtherance of the purposes of the Act. The proposed changes to ORF do not impose an undue burden on inter-market competition because ORF is a regulatory fee that supports regulation in furtherance of the purposes of the Act. The Exchange notes, however, the proposed change is not designed to address any competitive issues. The Exchange is obligated to ensure that the amount of ORF Regulatory Revenue, in combination with its other regulatory fees and fines, does not exceed ORF Regulatory Cost.

Continuing to assess ORF only on Customer executions that occur on ISE does not impose an undue burden on intra-market competition. Customer transactions account for a large portion of the Exchange's surveillance expense. With respect to Customer transactions, options volume continues to surpass volume from other options participants. Additionally, there are rules in the Exchange's Rulebook that deal exclusively with Customer transactions, such as rules involving doing business with a Customer, which would not apply to Non-Customer transactions.[33] For these reasons, regulating Customer trading activity is ''much more labor-intensive'' and therefore, more costly. Further, the Exchange believes that a large portion of the Options Regulatory Cost relates to Customer allocation because obtaining Customer information may be more time intensive. For example, non-Customer market participants are subject to various regulatory and reporting requirements which provides the Exchange certain data with respect to these market participants. In contrast, Customer information is known by Members of the Exchange and is not readily available to ISE.[34] The Exchange may have to take additional steps to understand the facts surrounding particular trades involving a Customer which may require requesting such information from a broker-dealer. Further, Customers require more Exchange regulatory services based on the amount of options business they conduct. For example, there are Options Regulatory Costs associated with main office and branch office examinations (*e.g.,* staff expenses), as well as investigations into Customer complaints and the terminations of registered persons. As a result, the Options Regulatory Costs associated with administering the Customer component of the Exchange's overall regulatory program are materially higher than the Options Regulatory Costs associated with administering the non-Customer component when coupled with the amount of volume attributed to such Customer transactions. Not attributing significant Options Regulatory Costs to Customers for activity that may occur across options markets does not impose an undue burden on intra-market competition because the data in the regression model demonstrates that ISE's Customer regulation occurs to a large extent on Exchange.

The Exchange believes that not assessing ORF on Market Makers does not impose an undue burden on intra-market competition because these liquidity providers are critical market participants in that they are the only market participants that are required to provide liquidity to ISE and are necessary for opening the market. Excluding Market Maker transactions from ORF does not impose an intra-market burden on competition, rather it allows these market participants to manage their costs and consequently their business model more effectively thus enabling them to better allocate resources to other technologies that are necessary to manage risk and capacity to ensure that these market participants continue to compete effectively on ISE in providing tight displayed quotes which in turn benefits markets generally and market participants specifically. Unlike other market participants, Market Makers have various regulatory requirements with respect to quoting as provided for in Options 2, Section 4. Specifically, Market Makers have certain quoting requirements with respect to their assigned options series as provided in Options 2, Section 5. Primary Market Makers are obligated to quote in the Opening Process and intra-day.[35] Additionally, Market Makers may enter quotes in the Opening Process to open an option series and they are required to quote intra-day.[36] Further, unlike other market participants, Primary Market Makers and Market Makers have obligations to compete with other Market Makers to improve the market in all series of options classes to which the Market Maker is

Exchange's experience, Market Maker's are generally below the 25% cap.

[32] ISE would submit a rule change to the Commission to amend ORF rates.

[33] *See* ISE Options 10 Rules.

[34] The Know Your Customer or ''KYC'' provision is the obligation of the broker-dealer.

[35] *See* ISE Options 3, Section 8 and Options 2, Section 5.

[36] *Id.*

appointed and to update market quotations in response to changed market conditions in all series of options classes to which the Market Maker is appointed.[37] Primary Market Makers and Market Makers incur other costs imposed by the Exchange related to their quoting obligations in addition to other fees paid by other market participants. Market Makers are subject to a number of fees, unlike other market participants. Primary Market Makers and Competitive Market Makers pay Access Fees [38] in addition to other fees paid by other market participants. Finally, the Exchange notes that Market Makers may transact orders on the Exchange in addition to submitting quotes. The Exchange's proposal to except orders submitted by Market Makers, in addition to quotes, for purposes of ORF does not impose an undue burden on intra-market competition because Market Makers utilize orders in their assigned options series to sweep the order book. Further, the Exchange believes the quantity of orders utilized by Market Makers in their assigned series is de minimis. In their unassigned options series, Market Makers utilize orders to hedge their risk or respond to auctions. The Exchange notes that the number of orders submitted by Market Makers in their unassigned options series are far below the cap [39] and therefore de minimis.

The Exchange believes that not assessing ORF on Firm Proprietary and Broker-Dealer market participants does not impose an undue burden on intra-market competition because the regulation of Firm Proprietary and Broker-Dealer transactions is less resource intensive than the regulation of Customer transactions. The volume generated from Firm Proprietary and Broker-Dealer transactions does not entail significant volume when compared to Customer transactions. Therefore, excluding Firm Proprietary and Broker-Dealer transactions from ORF does not impose an undue burden on intra-market competition as Customer transactions account for a material portion of ISE's Options Regulatory Cost.[40]

The Exchange's proposal to assess ORF only on Customer executions that occur on ISE does not impose an intra-market burden on competition because the amount of activity surveilled across exchanges is small when compared to the overall number of Exchange rules that are surveilled by ISE for on-Exchange activity. Limiting the amount of ORF assessed to activity that occurs on ISE avoids overlapping ORFs that would otherwise be assessed by ISE and other options exchanges that also assess an ORF. Further, capping ORF collected at 82% of Options Regulatory Cost commencing January 2, 2026, does not impose an intra-market burden on competition as this collection accounts for the collection only on Customer executions. The Exchange will review the ORF Regulatory Revenue and would amend the ORF if it finds that its ORF Regulatory Revenue exceeds its projections.[41]

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A) of the Act [42] and paragraph (f) of Rule 19b–4 [43] thereunder. At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–ISE–2025–20 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–ISE–2025–20. 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 filing 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–ISE–2025–20 and should be submitted on or before August 21, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[44]

Sherry R. Haywood,

Assistant Secretary.

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BILLING CODE 8011–01–P

[37] *See* ISE Options 2, Section 4(b)(1) and (3).

[38] *See* ISE Options 7, Section 8A.

[39] *See* ISE Options 2, Section 6(b)(1) and (2). The total number of contracts executed during a quarter by a Competitive Market Maker in options classes to which it is not appointed may not exceed twenty-five percent (25%) of the total number of contracts traded by such Competitive Market Maker in classes to which it is appointed and with respect to which it was quoting pursuant to Options 2, Section 5(e)(1). The total number of contracts executed during a quarter by a Primary Market Maker in options classes to which it is not appointed may not exceed twenty-five percent (25%) of the total number of contracts traded per each Primary Market Maker Membership.

[40] The Exchange notes that the regulatory costs relating to monitoring Members with respect to customer trading activity are generally higher than the regulatory costs associated with Members that do not engage in customer trading activity, which tends to be more automated and less labor-intensive. By contrast, regulating Members that engage in customer trading activity is generally more labor intensive and requires a greater expenditure of human and technical resources as the Exchange needs to review not only the trading activity on behalf of customers, but also the Member's relationship with its customers via more labor-intensive exam-based programs. As a result, the costs associated with administering the customer component of the Exchange's overall regulatory program are materially higher than the costs associated with administering the non-customer component of the regulatory program.

[41] ISE would submit a rule change to the Commission to amend ORF rates.

[42] 15 U.S.C. 78s(b)(3)(A).

[43] 17 CFR 240.19b–4(f).

[44] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103554; File No. SR–NYSEARCA–2025–40]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change To List and Trade Shares of the Truth Social Bitcoin ETF, B.T. Under NYSE Arca Rule 8.201–E (Commodity-Based Trust Shares)

July 28, 2025.

On June 3, 2025, the NYSE Arca, Inc. (''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to list and trade shares of the Truth Social Bitcoin ETF, B.T. under NYSE Arca Rule 8.201–E (Commodity-Based Trust Shares). The proposed rule change was published for comment in the **Federal Register** on June 20, 2025.[3]

Section 19(b)(2) of the Act[4] provides that within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day after publication of the notice for this proposed rule change is August 4, 2025. The Commission is extending this 45-day time period.

The Commission finds it appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the proposed rule change and the issues raised therein. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[5] designates September 18, 2025, as the date by which the Commission shall either approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change (File No. SR–NYSEARCA–2025–40).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–14446 Filed 7–30–25; 8:45 am]

BILLING CODE 8011–01–P

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 103261 (Jun. 16, 2025), 90 FR 26365. The Commission has received no comments on the proposed rule change.

[4] 15 U.S.C. 78s(b)(2).

[5] 15 U.S.C. 78s(b)(2).

[6] 17 CFR 200.30–3(a)(31).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103553; File No. SR–NYSEARCA–2025–06]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Designation of Longer Period for Commission Action on Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change, as Modified by Amendment No. 1, To List and Trade Shares of the Grayscale Solana Trust Under NYSE Arca Rule 8.201–E, Commodity-Based Trust Shares

July 28, 2025.

On January 24, 2025, NYSE Arca, Inc. (''NYSE Arca'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to list and trade shares of the Grayscale Solana Trust under NYSE Arca Rule 8.201–E, Commodity-Based Trust Shares. On February 4, 2025, the Exchange filed Amendment No. 1 to the proposed rule change, which replaced and superseded the original filing in its entirety. The proposed rule change, as modified by Amendment No. 1, was published for comment in the **Federal Register** on February 12, 2025.[3]

On March 11, 2025, pursuant to Section 19(b)(2) of the Exchange Act,[4] the Commission designated a longer period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to disapprove the proposed rule change.[5] On May 13, 2025, the Commission initiated proceedings under Section 19(b)(2)(B) of the Act[6] to determine whether to approve or disapprove the proposed rule change, as modified by Amendment No. 1.[7]

Section 19(b)(2) of the Act[8] provides that, after initiating proceedings, the Commission shall issue an order approving or disapproving the proposed rule change not later than 180 days after the date of publication of notice of filing of the proposed rule change. The Commission may extend the period for issuing an order approving or disapproving the proposed rule change, however, by not more than 60 days if the Commission determines that a longer period is appropriate and publishes the reasons for such determination. The proposed rule change was published for comment in the **Federal Register** on February 12, 2025.[9] The 180th day after publication of the proposed rule change is August 11, 2025. The Commission is extending the time period for approving or disapproving the proposed rule change for an additional 60 days.

The Commission finds it appropriate to designate a longer period within which to issue an order approving or disapproving the proposed rule change so that it has sufficient time to consider the proposed rule change and the issues raised therein. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[10] designates October 10, 2025, as the date by which the Commission shall either approve or disapprove the proposed rule change, as modified by Amendment No. 1 (File No. SR–NYSEARCA–2025–06).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[11]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–14445 Filed 7–30–25; 8:45 am]

BILLING CODE 8011–01–P

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 102372 (Feb. 6, 2025), 90 FR 9470. Comments received on the proposed rule change are available at: *https://www.sec.gov/comments/sr-nysearca-2025-06/srnysearca202506.htm.*

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 102593, 90 FR 12410 (Mar. 17, 2025). The Commission designated May 13, 2025, as the date by which the Commission shall approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change, as modified by Amendment No. 1.

[6] 15 U.S.C. 78s(b)(2)(B).

[7] *See* Securities Exchange Act Release No. 103030, 90 FR 21363 (May 19, 2025).

[8] 15 U.S.C. 78s(b)(2).

[9] *See supra* note 3 and accompanying text.

[10] 15 U.S.C. 78s(b)(2).

[11] 17 CFR 200.30–3(a)(57).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103560]

Order Granting Temporary Exemptive Relief, Pursuant to Section 36(a)(1) of the Securities Exchange Act of 1934, From Certain Aspects of Rule 10c–1a

July 28, 2025.

I. Introduction

On October 13, 2023, the Securities and Exchange Commission (''Commission'') adopted Rule 10c–1a under the Securities Exchange Act of 1934 (''Exchange Act'').[1] Rule 10c–1a requires, among other things, that any covered person who agrees to a covered securities loan on behalf of itself or another person must report, within certain time periods, certain information to a registered national securities association (''RNSA'') or rely on a reporting agent to fulfill its reporting obligations under certain conditions.[2] Rule 10c–1a also requires that an RNSA implement rules regarding the format and manner of its collection of Rule 10c–1a information,[3] make publicly available certain data pertaining to reported securities loans,[4] and comply with certain data retention and availability requirements.[5] The effective date for Rule 10c–1a was January 2, 2024.[6] The Financial Industry Regulatory Authority, Inc. (''FINRA'') is currently the only RNSA. The Rule 10c–1a Adopting Release established (1) May 1, 2024, as the date by which FINRA must propose rules pursuant to final Rule 10c–1a(f); (2) January 2, 2025, as the date by which the proposed FINRA rules must be effective; (3) January 2, 2026, as the date by which covered persons must report Rule 10c–1a information to FINRA (''reporting date''); and (4) April 2, 2026, as the date by which FINRA must publicly report Rule 10c–1a information pursuant to Rules 10c–1a(g) and (h)(3) (''dissemination date'').[7]

On May 1, 2024, FINRA filed with the Commission, pursuant to Section 19(b)(1) of the Exchange Act,[8] and Rule 19b–4 thereunder,[9] a proposed rule change to adopt the new FINRA Rule 6500 Series (Securities Lending and Transparency Engine (SLATE™)) (''SLATE'') to (1) require reporting of securities loans; and (2) provide for the public dissemination of loan information.[10] On January 2, 2025, the Commission issued an order, pursuant to Section 19(b)(2) of the Exchange Act,[11] approving the proposed rule change, as modified by a partial amendment FINRA filed on November 14, 2024 (''Partial Amendment No. 1'').[12] On April 29, 2025, FINRA requested an extension of Rule 10c–1a's two remaining compliance dates, which concern the reporting date and the dissemination date.[13] As discussed below, in Part II, FINRA requested that the reporting date (established in the Rule 10c–1a Adopting Release as January 2, 2026) be extended to September 28, 2026, and that the dissemination date (established in the Rule 10c–1a Adopting Release as April 2, 2026) be extended to March 29, 2027.

II. Discussion and Exemptive Relief

In its request, FINRA stated that the Rule 10c–1a compliance efforts require building the technology infrastructure, launching SLATE, providing user acceptance testing opportunities and incorporating any participant feedback from testing, developing the documents and processes necessary to onboard covered persons and other participants (*i.e.,* reporting agents and other third parties), and implementing processes for facility support and training additional staff by the current reporting date of January 2, 2026.[14] Following the commencement of reporting, FINRA must then disseminate securities lending data within three months of the reporting date.[15]

FINRA also stated that it has been working diligently towards the compliance dates for Rule 10c–1a but that FINRA and impacted market participants share concerns regarding the challenges and risks presented by the current compliance schedule for reporting Rule 10c–1a information.[16] FINRA stated that, since the Commission's issuance of an order approving the FINRA Rule 6500 Series, it has been in regular contact with market participants and industry organizations regarding firms' questions around implementation and compliance efforts.[17] FINRA also stated that the requested reporting date extension would allow sufficient time for FINRA and market participants to take necessary steps for compliance in an effective and orderly manner.[18]

Additionally, FINRA stated that the requested dissemination date extension would provide FINRA with sufficient time to review the reported data and work with market participants on reporting accuracy and consistency to facilitate the dissemination of accurate individual and aggregate covered securities loan information and loan rate statistics to the public.[19] Based on its experience with reporting and dissemination regimes, FINRA stated that it expects that, at the beginning of the new reporting requirement, there will be more reporting challenges, potentially resulting in inaccuracies and inconsistencies, particularly because SLATE will be a new facility and some participants will have no (or limited) prior experience with reporting to FINRA facilities.[20] FINRA stated that this increases the importance of adequate time to review the data, assess its quality, identify participants with reporting inconsistencies or other issues, provide additional clarification, if needed, and work with participants until reporting accuracy stabilizes.[21]

After considering FINRA's request, the Commission is providing a temporary exemption to Rule 10c–1a, pursuant to Section 36(a) of the Exchange Act, until September 28, 2026,

[1] Reporting of Securities Loans, Exchange Act Release No. 34–98737 (Oct. 13, 2023), 88 FR 75644 (Nov. 3, 2023) (''Rule 10c–1a Adopting Release'').

[2] *See* 17 CFR 240.10c–1a(a).

[3] *See* 17 CFR 240.10c–1a(f).

[4] *See* 17 CFR 240.10c–1a(g).

[5] *See* 17 CFR 240.10c–1a(h).

[6] *See* Rule 10c–1a Adopting Release, 88 FR at 75644.

[7] *See* Rule 10c–1a Adopting Release, 88 FR at 75690–91 (stating that the ''compliance dates require that: (1) an RNSA propose rules pursuant to final Rule 10c–1a(f) within four months of the effective date of final Rule 10c–1a; (2) the proposed RNSA rules are effective no later than 12 months after the effective date of final Rule 10c–1a; (3) covered persons report Rule 10c–1a information to an RNSA starting on the first business day 24 months after the effective date of final Rule 10c–1a . . . ; and (4) RNSAs publicly report Rule 10c–1a information pursuant to final Rules 10c–1a(g) and (h)(3) within 90 calendar days of the reporting date for covered persons to report Rule 10c–1a information to an RNSA'').

[8] 15 U.S.C. 78s(b)(1).

[9] 17 CFR 240.19b–4.

[10] *See* Exchange Act Release No. 34–100046 (May 1, 2024), 89 FR 38203 (May 7, 2024) (Notice of Filing of a Proposed Rule Change To Adopt the FINRA Rule 6500 Series (Securities Lending and Transparency Engine (SLATE™))).

[11] 15 U.S.C. 78s(b)(2).

[12] *See* Exchange Act Release No. 34–102093 (Jan. 2, 2025), 90 FR 1563 (Jan. 8, 2025) (Order Approving a Proposed Rule Change, as Modified by Partial Amendment No. 1, To Adopt the FINRA Rule 6500 Series (Securities Lending and Transparency Engine (SLATE™))). On November 15, 2024, the Commission published notice of Partial Amendment No. 1. *See* Exchange Act Release No. 34–101645 (Nov. 15, 2024), 89 FR 92228 (Nov. 21, 2024).

[13] Letter from Marcia E. Asquith, Corporate Secretary and EVP, Board and External Relations, FINRA (Apr. 29, 2025) (''FINRA Letter''), *available at https://www.finra.org/sites/default/files/2025-04/sea-rule-10c–1a-extension-request-letter-042925.pdf.*

[14] *See* FINRA Letter, at 3–4.

[15] *See* FINRA Letter, at 3.

[16] *See* FINRA Letter, at 3–4.

[17] *See* FINRA Letter, at 3.

[18] *See* FINRA Letter, at 4–5.

[19] *See* FINRA Letter, at 5.

[20] *See* FINRA Letter, at 4.

[21] *See* FINRA Letter, at 4.

with respect to the reporting date, and March 29, 2027, with respect to the dissemination date, to facilitate the accuracy of securities loan data that will be made available to the public. Section 36(a) of the Exchange Act authorizes the Commission to exempt, 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 of 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.[22] The Commission finds this temporary exemption to be necessary in the public interest and consistent with the protection of investors because it will help to facilitate an effective and orderly implementation of the applicable requirements of Rule 10c–1a that are designed to increase transparency in the securities lending market through improvements to the comprehensiveness, breadth, accuracy, and accessibility of securities lending data.[23]

Although a temporary exemption from compliance with Rule 10c–1a reporting and data dissemination will delay the benefits of the rule, providing additional time for industry participants required to report Rule 10c–1a information and for FINRA to disseminate specified data would facilitate the realization of the rule's benefits, including those related to investor protection. These benefits could otherwise be hampered by the reporting or dissemination of inaccurate securities loan information if a temporary exemption were not granted. The additional time provided by a temporary exemption strikes an appropriate balance between promoting the reporting and dissemination of securities loan information and ensuring such information provided by industry participants is accurate. The public availability of accurate securities loan data will result in benefits in the form of better decision-making by investors, beneficial owners and other market participants, reduced costs of business for broker-dealers, improved performance and reduced costs for lending programs, and improved market stability and price discovery both in the securities lending market and the market for the underlying security.[24] Additionally, the availability of accurate securities loan data will help protect against potential unfair pricing of securities loans by broker-dealers and protect broker-dealers' customers against potential instabilities, as well as help to ensure that entities engaging in certain securities lending transactions are authorized to do so and are in compliance with applicable regulations.[25]

III. Conclusion

Accordingly, *it is hereby ordered,* pursuant to Section 36(a) of the Exchange Act, that the Commission grants the temporary exemptive relief, as set forth in this Order, from compliance with Rule 10c–1a regarding the reporting date until September 28, 2026, and from compliance with Rules 10c–1a(g) and (h)(3) regarding the dissemination date until March 29, 2027.

By the Commission.

Date: July 28, 2025.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–14459 Filed 7–30–25; 8:45 am]

BILLING CODE 8011–01–P

[22] 15 U.S.C. 78mm.

[23] *See* Rule 10c–1a Adopting Release, 88 FR at 75706. *See also* Rule 10c–1a Adopting Release, 88 FR at 75665.

[24] *See* Rule 10c–1a Adopting Release, 88 FR at 75711.

[25] *See* Rule 10c–1a Adopting Release, 88 FR at 75716.

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103557; File No. SR–FICC–2025–015]

Self-Regulatory Organizations; Fixed Income Clearing Corporation; Notice of Designation of Longer Period for Commission Action on Proposed Rule Change To Modify the GSD Rulebook Relating to Default Management and Porting With Respect to Indirect Participant Activity

July 28, 2025.

On June 6, 2025, Fixed Income Clearing Corporation (''FICC'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change SR–FICC–2025–015 (''Proposed Rule Change'') pursuant to Section 19(b) of the Securities Exchange Act of 1934 (''Exchange Act'')[1] and Rule 19b–4[2] thereunder to modify the FICC's Government Securities Division (''GSD'') Rulebook (''GSD Rules'') to incorporate rules regarding default management and rules that facilitate porting of indirect participant activity from one intermediary Netting Member to another. The Proposed Rule Change was published for public comment in the **Federal Register** on June 23, 2025.[3] The Commission has received comments regarding the substance of the changes proposed in the Proposed Rule Change.[4]

Section 19(b)(2)(i) of the Exchange Act[5] provides that, within 45 days of the publication of notice of the filing of a proposed rule change, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved unless the Commission extends the period within which it must act as provided in Section 19(b)(2)(ii) of the Exchange Act.[6] Section 19(b)(2)(ii) of the Exchange Act allows the Commission to designate a longer period for review (up to 90 days from the publication of notice of the filing of a proposed rule change) if the Commission finds such longer period to be appropriate and publishes its reasons for so finding, or as to which the self-regulatory organization consents.[7]

The 45th day after publication of the Notice of Filing is August 7, 2025. In order to provide the Commission with sufficient time to consider the Proposed Rule Change, the Commission finds that it is appropriate to designate a longer period within which to take action on the Proposed Rule Change and therefore is extending this 45-day time period.

Accordingly, the Commission, pursuant to Section 19(b)(2) of the Exchange Act,[8] designates September 21, 2025, as the date by which the Commission shall either approve, disapprove, or institute proceedings to determine whether to disapprove proposed rule change SR–FICC–2025–015.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[9]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–14448 Filed 7–30–25; 8:45 am]

BILLING CODE 8011–01–P

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] Securities Exchange Act Release No. 103282 (June 17, 2025), 90 FR 26656 (June 23, 2025) (File No. SR–FICC–2025–015) (''Notice of Filing'').

[4] Comments on the Proposed Rule Change are available at *https://www.sec.gov/comments/sr-ficc-2025-015/srficc2025015.htm.*

[5] 15 U.S.C. 78s(b)(2)(i).

[6] 15 U.S.C. 78 s(b)(2)(ii).

[7] *Id.*

[8] *Id.*

[9] 17 CFR 200.30–3(a)(12).

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #21209 and #21210; NEBRASKA Disaster Number NE–20015]

Administrative Declaration of a Disaster for the State of Nebraska

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a notice of an Administrative declaration of a disaster for the State of Nebraska dated July 28, 2025.

Incident: Severe Storms and Flooding.

DATES: Issued on July 28, 2025.

Incident Period: June 25, 2025 through June 26, 2025.

Physical Loan Application Deadline Date: September 26, 2025.

Economic Injury (EIDL) Loan Application Deadline Date: April 28, 2026.

ADDRESSES: *Visit the MySBA Loan Portal at https://lending.sba.gov* to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Sharon Henderson, Office of Disaster Recovery & Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the Administrator's disaster declaration, applications for disaster loans may be submitted online using the MySBA Loan Portal *https://lending.sba.gov* or other locally announced locations. Please contact the SBA disaster assistance customer service center by email at *disastercustomerservice@sba.gov* 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: Hall.

Contiguous Counties:

Nebraska: Adams, Buffalo, Hamilton, Howard, Merrick.

The Interest Rates are:

	Percent
For Physical Damage:	
Homeowners with Credit Available Elsewhere	5.625
Homeowners without Credit Available Elsewhere	2.813
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
For Economic Injury:	
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 212096 and for economic injury is 212100.

The State which received an EIDL Declaration is Nebraska.

(Catalog of Federal Domestic Assistance Number 59008)

(Authority: 13 CFR 123.3(b).)

James Stallings,

Associate Administrator, Office of Disaster Recovery and Resilience.

[FR Doc. 2025–14514 Filed 7–30–25; 8:45 am]

BILLING CODE 8026–09–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #21102 and #21103; KENTUCKY Disaster Number KY–20020]

Presidential Declaration Amendment of a Major Disaster for the Commonwealth of Kentucky

AGENCY: U.S. Small Business Administration.

ACTION: Amendment 2.

SUMMARY: This is an amendment of the Presidential declaration of a major disaster for the Commonwealth of Kentucky (FEMA–4875–DR), dated May 23, 2025.

Incident: Severe Storms, Straight-line Winds, and Tornadoes.

DATES: Issued on July 29, 2025.

Incident Period: May 16, 2025, through May 17, 2025.

Physical Loan Application Deadline Date: August 22, 2025.

Economic Injury (EIDL) Loan Application Deadline Date: July 23, 2026.

ADDRESSES: *Visit the MySBA Loan Portal at https://lending.sba.gov* to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Sharon Henderson, Office of Disaster Recovery & Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: The notice of the President's major disaster declaration for the Commonwealth of Kentucky, dated May 23, 2025, is hereby amended to extend the deadline for filing applications for physical damages as a result of this disaster to August 22, 2025.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Number 59008)

(Authority: 13 CFR 1234.3(b).)

James Stallings,

Associate Administrator Office of Disaster Recovery & Resilience.

[FR Doc. 2025–14513 Filed 7–30–25; 8:45 am]

BILLING CODE 8026–09–P

DEPARTMENT OF STATE

[Public Notice: 12779]

Notice of Determinations; Culturally Significant Objects Being Imported for Exhibition—Determinations: ''Royal Bronzes: Cambodian Art of the Divine'' Exhibition

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that certain objects being imported from abroad pursuant to agreements with their foreign owners or custodians for temporary display in the exhibition ''Royal Bronzes: Cambodian Art of the Divine'' at the Minneapolis Institute of Art, Minneapolis, Minnesota, and at possible additional exhibitions or venues yet to be determined, are of cultural significance, and, further, that their temporary exhibition or display within the United States as aforementioned is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Reed Liriano, Program Coordinator, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/PD, 2200 C Street, NW (SA–5), Suite 5H03, Washington, DC 20522–0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236–3 of

August 28, 2000, and Delegation of Authority No. 574 of March 4, 2025.

Mary C. Miner,

Managing Director for Professional and Cultural Exchanges, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2025–14502 Filed 7–30–25; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Approval of Noise Compatibility Program Update, Laredo International Airport (LRD), Laredo, Texas

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice.

SUMMARY: The Federal Aviation Administration (FAA) announces its findings on the Noise Compatibility Program (NCP) Update submitted by the Laredo International Airport (LRD) for the Laredo International Airport (the Airport or LRD). On August 25, 2022, the FAA determined that Noise Exposure Maps (NEMs) submitted by the Airport were in compliance with applicable requirements. The NCP Update was submitted to the FAA for review on March 14, 2025. After completing initial reviews, the FAA accepted the Noise Compatibility Program and initiated the review process on April 3, 2025. On July 28, 2025, the FAA approved the Laredo International Airport NCP Update. The NCP contains four land use measures and four administrative measures for which the Airport seeks approval under 14 CFR part 150. The FAA approved the eight measures.

DATES: The effective date of the FAA's approval of the Laredo International Airport NCP Update is July 28, 2025.

FOR FURTHER INFORMATION CONTACT: John MacFarlane, Federal Aviation Administration, FAA Southwest Region, Office of Airports (ASW–610), 10101 Hillwood Parkway, Fort Worth, TX, (817) 222–5681.

SUPPLEMENTARY INFORMATION: This notice announces the FAA's approval of the Noise Compatibility Program Update for the Laredo International Airport (the Airport), effective on July 28, 2025. Per United States Code section 49 U.S.C. 47504 and Title 14, Code of Federal Regulations (CFR) Part 150, an airport sponsor who previously submitted a noise exposure map (NEM) may submit to the FAA a noise compatibility program which sets forth the measures taken or proposed by the airport sponsor for the reduction of existing non-compatible land uses and prevention of additional non-compatible land uses within the area covered by the NEMs. As required by 49 U.S.C. 47504, such programs must be developed in consultation with interested and affected parties including local communities, government agencies, airport users, and the FAA. The FAA does not substitute its judgment for that of the airport sponsor with respect to which measures should be recommended for action. The FAA approval or disapproval of an airport sponsor's recommendations in its noise compatibility program are made in accordance with the requirements and standards pursuant to 49 U.S.C. 47504 and 14 CFR part 150, which is limited to the following determinations:

a. The noise compatibility program was developed in accordance with the provisions and procedures of 14 CFR 150.23;

b. Program measures are reasonably consistent with achieving the goals of reducing existing non-compatible land uses around the airport and preventing the introduction of additional non-compatible land uses;

c. Program measures would not create an undue burden on interstate or foreign commerce, unjustly discriminate against types or classes of aeronautical uses, violate the terms of airport grant agreements, or intrude into areas preempted by the Federal Government; and

d. Program measures relating to the use of flight procedures can be implemented within the period covered by the program without derogating safety, adversely affecting the efficient use and management of the navigable airspace and air traffic control systems, or adversely affecting other powers and responsibilities of the Administrator prescribed by law.

Specific limitations of the FAA's approval of NCPs are delineated in 14 CFR 150.5. Approval is not a determination concerning the acceptability of land uses under Federal, State, or local law. Approval does not by itself constitute an FAA implementing action. A request for Federal action or approval to implement specific noise compatibility measures may be required, and an FAA decision on the request may require an environmental review of the proposed action. Approval does not constitute commitment by the FAA to assist financially in the implementation of the noise compatibility program nor a determination that all measures covered by the NCP are eligible for grant-in-aid funding from the FAA. Where Federal funding is sought, requests must be submitted to the FAA Texas Airports District Office at 10101 Hillwood Parkway, Fort Worth, Texas 76177.

The Laredo International Airport submitted the noise exposure maps, descriptions, and other documentation produced during the noise compatibility planning study to the FAA, and the FAA determined that the NEMs for the Airport were in compliance with applicable requirements under 14 CFR part 150. The NEMs became effective August 25, 2022 (Noise Exposure Map Notice for Laredo International Airport, Laredo, Texas, 87, FR 55075 (September 8, 2022)). The Airport provided the FAA with the NCP, based on the accepted NEMs, on March 14, 2025. The Airport requested that the FAA review the submitted materials and that the land use and administrative measures to be implemented jointly by the airport and the City of Laredo, be approved as a NCP. The FAA initiated the formal review period, limited by law to a maximum of 180 days, on April 3, 2025 and published a Notice of Intent to review the NCP in the **Federal Register** on April 3, 2025 (Notice of receipt and request for review of noise compatibility program, 90 FR 14680 (April 3, 2025)). The **Federal Register** Notice also announced the start of the 60-day public review period for the NCP and its documentation. The FAA received no comments during the public review period.

The Airport requested that the FAA evaluate and approve this material as a noise compatibility program as described in 49 U.S.C. 47504. The FAA began its review of the program on April 3, 2025, and was required by a provision of 49 U.S.C. 47504 to approve or disapprove the program within 180 days. The FAA's failure to approve or disapprove such program within the 180-day period is deemed an approval of such program.

The submitted program contains eight proposed measures to address aviation noise and noncompatible land uses. The FAA completed its review and determined that the procedural and substantive requirements of 49 U.S.C. 47504 and 14 CFR part 150 were satisfied. A Record of Approval for the overall program was issued by the FAA effective July 28, 2025.

The specific program elements and their individual determinations are as follows:

Land Use Measure 1: Modify Overlay Zone—Approved.

Land Use Measure 2: Building Codes—Approved.

Land Use Measure 3: Sound Insulation and Eligibility—Approved.

Land Use Measure 4: Modify Noise Mitigation Program Area—Approved.

Administrative Measure 1: Noise Management Process—Approved.

Administrative Measure 2: Aircraft Operations and Flight Tracking System—Approved.

Administrative Measure 3: Update Noise Exposure Maps—Approved.

Administrative Measure 4: Update Noise Compatibility Program—Approved.

These determinations are set forth in detail in the Record of Approval signed by the FAA Deputy Division Director, Airports Division, Southwest Region on July 28, 2025. The Record of Approval, as well as other evaluation materials and the documents comprising the submittal, are available for review at the FAA office listed above. The Record of Approval is also available on the City of Laredo's website at *https://flylaredotexas.com/business/development-plans-and-projects/.*

Issued in Fort Worth, TX, on July 29, 2025.

D. Cameron Bryan,

Deputy Director, Airports Division, Southwest Regional Office.

[FR Doc. 2025–14482 Filed 7–30–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2025–0300]

Request for Comments on the Renewal of a Previously Approved Collection: U.S. Merchant Marine Academy (USMMA) Alumni Survey

AGENCY: Maritime Administration, DOT.

ACTION: Notice.

SUMMARY: The Maritime Administration (MARAD) invites public comments on its intention to request Office of Management and Budget (OMB) approval to renew an information collection in accordance with the Paperwork Reduction Act of 1995. The proposed collection OMB 2133–0542 (U.S. Merchant Marine Academy (USMMA) Alumni Survey) is being updated to include the following minor changes: removal of gender related questions, a reworded question to reflect USMMA's current learning outcomes, alignment of salary ranges to the current market, and disaggregation of cohort groups at the academic major level. MARAD is required to publish this notice in the **Federal Register** to obtain comments from the public and affected agencies.

ADDRESSES: Written comments and recommendations for the proposed information collections 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: Dr. Lori Townsend, 516–726–5637, U.S. Merchant Marine Academy, 300 Steamboat Road, Kings Point, NY 11024, Email: *assessment@usmma.edu.*

SUPPLEMENTARY INFORMATION:

Title: U.S. Merchant Marine Academy (USMMA) Alumni Survey.

OMB Control Number: 2133–0542.

Type of Request: Extension with change of a currently approved collection.

Abstract: USMMA is an accredited Federal service academy that confers Bachelor of Science and Master of Science degrees. USMMA is expected to assess its educational outcomes and report those findings to its regional and programmatic accreditation authorities in order to maintain the institution's degree granting status. Periodic survey of alumni cohorts and analysis of the data gathered is a routine higher education assessment practice in the United States.

Respondents: Graduates of USMMA who completed the program within the last one to ten years.

Affected Public: USMMA Graduates.

Estimated Number of Respondents: 600.

Estimated Number of Responses: 600.

Estimated Hours per Response: 0.25.

Annual Estimated Total Annual Burden Hours: 150.

Frequency of Response: Annually.

A 60-day **Federal Register** Notice soliciting comments on this information collection was published on May 5, 2025 (90 FR 19086).

(Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; and 49 CFR 1.49.)

By Order of the Maritime Administration.

T. Mitchell Hudson, Jr.

Secretary, Maritime Administration.

[FR Doc. 2025–14509 Filed 7–30–25; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2024–0098; Notice 1]

Ford Motor Company, Receipt of Petition for Decision of Inconsequential Noncompliance

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

ACTION: Receipt of petition.

SUMMARY: Ford Motor Company (Ford) has determined that certain model year (MY) 2018–2024 Ford and Lincoln motor vehicles do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 101, *Controls and Displays,* FMVSS No. 105, *Hydraulic and Electric Brake Systems,* and FMVSS No. 135, *Light Vehicle Brake Systems.* Ford filed a noncompliance report dated September 13, 2024, and subsequently petitioned NHTSA (the ''Agency'') on October 4, 2024, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety. This document announces receipt of Ford's petition.

DATES: Send comments on or before September 2, 2025.

ADDRESSES: Interested persons are invited to submit written data, views, and arguments on this petition. Comments must refer to the docket and notice number cited in the title of this notice and may be submitted by any of the following methods:

- *Mail:* Send comments by mail addressed to the 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 comments by hand to the U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590. The Docket Section is open on weekdays from 10 a.m. to 5 p.m. except for Federal Holidays.
- *Electronically:* Submit comments electronically by logging onto the Federal Docket Management System (FDMS) website at *https://www.regulations.gov/.* Follow the online instructions for submitting comments.
- Comments may also be faxed to (202) 493–2251.

Comments must be written in the English language, and be no greater than 15 pages in length, although there is no limit to the length of necessary

attachments to the comments. If comments are submitted in hard copy form, please ensure that two copies are provided. If you wish to receive confirmation that comments you have submitted by mail were received, please enclose a stamped, self-addressed postcard with the comments. Note that all comments received will be posted without change to *https://www.regulations.gov,* including any personal information provided.

All comments and supporting materials received before the close of business on the closing date indicated above will be filed in the docket and will be considered. All comments and supporting materials received after the closing date will also be filed and will be considered to the fullest extent possible.

When the petition is granted or denied, notice of the decision will also be published in the **Federal Register** pursuant to the authority indicated at the end of this notice.

All comments, background documentation, and supporting materials submitted to the docket may be viewed by anyone at the address and times given above. The documents may also be viewed on the internet at *https://www.regulations.gov* by following the online instructions for accessing the dockets. The docket ID number for this petition is shown in the heading of this notice.

DOT's complete Privacy Act Statement is available for review in a **Federal Register** notice published on April 11, 2000 (65 FR 19477–78).

FOR FURTHER INFORMATION CONTACT: Kelley Adams-Campos, General Engineer, NHTSA, Office of Vehicle Safety Compliance, (202) 366–7479.

SUPPLEMENTARY INFORMATION:

I. Overview: Ford determined that certain MY 2018–2024 Ford and Lincoln motor vehicles do not fully comply with paragraph S2 of and Table 1 FMVSS No. 101, *Controls and Displays,* paragraphs S2 and S5.3 of FMVSS No. 105, *Hydraulic and Electric Brake Systems,* and paragraphs S2 and S5.5 of FMVSS No. 135, *Light Vehicle Brake Systems* (49 CFR 571.101, 105, and 135).

Ford filed a noncompliance report dated September 13, 2024, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports.* Ford petitioned NHTSA on October 4, 2024, 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.*

This notice of receipt of Ford's petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or another exercise of judgment concerning the merits of the petition.

II. Vehicles Involved: Approximately 5,829 of the following Ford and Lincoln motor vehicles manufactured between November 2, 2017, and June 24, 2024, were reported by the manufacturer:

- MY 2018–2024 Ford F–150
- MY 2023 Ford F–150 Lightning
- MY 2022–2023 Ford Mustang Mach-E
- MY 2019–2023 Lincoln Nautilus
- MY 2023–2024 Lincoln Corsair
- MY 2018–2024 Ford Super Duty (F–250, F–350, F–450, F–550)
- MY 2019–2024 Ford Transit
- MY 2019 Ford Fusion
- MY 2019–2021 Ford E-Series
- MY 2019 Ford Edge

III. FMVSS Requirements: Paragraphs of FMVSS Nos. 101, 105, and 135 include the requirements relevant to this petition. Ford references the general purpose of FMVSS No. 101 as outlined in paragraph S2 and the Brake System Malfunction Indicator, which Ford explains is required to illuminate when a malfunction is detected within the braking system.

The petition also refers to FMVSS No. 105, paragraph S5.3 and FMVSS No. 135, paragraph S5.5, which require that a vehicle with hydraulic and electric brake systems (FMVSS No. 105) and light vehicle brake systems (FMVSS No. 135), respectively, be equipped with one or more visual indicator lamps that provide the driver with a warning in the event of specific brake system malfunctions.

IV. Noncompliance: Ford explains that the instrument panel of the subject vehicles displays a brake telltale that is configured to use the International Organization for Standardization (ISO)/Economic Commission for Europe (ECE) symbol ''!'' instead of text telltale symbol ''BRAKE'' required by the FMVSS.

V. Summary of Ford's Petition: The following views and arguments presented in this section, ''V. Summary of Ford's Petition,'' are the views and arguments provided by Ford. They have not been evaluated by the Agency and do not reflect the views of the Agency. Ford describes the subject noncompliance and contends that the noncompliance is inconsequential as it relates to motor vehicle safety.

Ford starts the petition by explaining the events that led to this noncompliance being discovered and its attempts to remedy the issue. Ford states that they were made aware of an issue with the brake telltales on the instrument panel of certain Ford and Lincoln vehicles exported to U.S. territories (Guam, Northern Mariana Islands, US Virgin Islands, Puerto Rico and American Samoa) by Ford's Critical Concern Review Group (CCRG) on April 18 and June 14, 2024. The vehicles were found to use the symbol for brake related issues on the instrument panel recognized by the ISO/ECE instead of the required ''BRAKE'' text telltale. In response to this finding, Ford issued ''Stop Ship'' orders to the Dearborn Truck Plant and Kansas City Assembly Plant assembling the F–150 model vehicles for U.S. territories on June 15, 2024, and to the Louisville Assembly Plant assembling Lincoln Corsair vehicles for the Guam and Puerto Rico markets on June 25, 2024.

Ford gives five reasons why the subject noncompliance is inconsequential to motor vehicle safety:

1. Ford states that the telltale on the subject vehicles meets all other requirements of the FMVSSs and will illuminate to alert drivers of braking system malfunctions. The ISO/ECE telltale still illuminates to alert the driver to any malfunction in the braking system and is in a position that is in ''the driver's direct field of vision, is easily legible, and the colors are compliant and in contrast to the background of the text.''

2. Ford highlights that the ISO/ECE telltale is featured alongside the required ''BRAKE'' telltale text in the owner's manual. Ford references and provides images from the owner's manuals included with each vehicle to demonstrate this claim. Ford suggests that even if drivers do ''not recognize (the ISO/ECE compliant) regulatory symbol, the owner's manual clarifies the symbol's meaning. Ford also argues that the fact that the symbol is ''universally recognized'' and defined in the owner's manual, using the ISO/ECE symbol on the instrument panel instead of the FMVSS mandated ''BRAKE'' telltale does not pose any additional risk to public safety.

3. Ford states that the vehicle's information display prominently shows pop-up messages and makes an audible chime alongside the telltale that alerts the driver to issues related to the brake system. This display popup is intended to give additional information about any malfunctions in the brake system, that cannot be conveyed with a simple telltale; it displays messages such as: ''Park Brake On'', ''Brake Fluid Level Low'', etc. Ford believes that the message on the display, along with the

chime, will mitigate any potential confusion by the driver that the ISO/ECE symbol telltale is related to issues with the brake system.

4. Ford reports that it is not aware of any reports of crashes, injuries, or deaths that might be related to this particular noncompliance nor for this condition as a whole. While Ford recognizes that a lack of reports of injury does not guarantee future safety in all cases, Ford believes that this clearly illustrates that drivers are not confused by the use of the ISO/ECE brake telltale instead of the FMVSS compliant telltale.

5. Ford lists a number of petitions for inconsequential noncompliance granted by NHTSA that it believes are substantively similar to this petition:

a. A 2017 petition submitted by Porsche Cars North America, Inc., for Porsche 911 vehicles that used the ISO/ECE symbol instead of the required ''BRAKE'' text was granted by NHTSA after Porsche noted that the vehicles had described the symbol in the owner's manual, there was a chime and message on the display, and there were no known complaints of injuries related to this condition. (82 FR 4976, October 25, 2017).

b. A 2014 petition submitted by Chrysler Group, LLC, for Jeep and Dodge vehicles using the ISO/ECE symbol instead of the ''BRAKE'' text was granted by NHTSA after Chrysler argued that the symbol is listed in the owner's manual, the presence of redundant warning systems, and the lack of reported incidents. (79 FR 78559, December 30, 2014.)

c. A petition submitted by General Motors in 2012 for Chevrolet and Buick vehicles that used the ISO/ECE symbol for the parking brake instead of the ''BRAKE'' text was granted by NHTSA after GM pointed out that the vehicles had redundant warning systems, automatic release of the parking brake, and the lack of reported incidents relating to the condition. (79 FR 9041, February 14, 2014.)

d. Another petition was submitted by General Motors in 2016 for Cadillac vehicles that used the FMVSS mandated ''PARK'' telltale, but the height of the lettering was insufficient. The petition was granted by NHTSA on the grounds that these vehicles had redundant warning systems, automatic release of the parking brake, and the lack of reported incidents relating to the condition. (81 FR 92963, December 20, 2016.)

Ford argues that the NHTSA should grant this petition for inconsequential noncompliance because it has already set a precedent by granting the above listed similar petitions.

Ford finishes by reiterating and summarizing the arguments listed above. Ford believes that NHTSA should grant its petition because the existing telltales in these vehicles otherwise conform to FMVSS requirements, the meaning of the nonconforming symbol is clearly described in the owner's manual, there are redundant notification systems that will alert the driver of issues with the braking system, there are no know reports of crashes or injuries related to this issue, and finally that NHTSA has granted similar petitions in the past.

Ford concludes by stating its belief that the subject noncompliance is inconsequential as it relates to motor vehicle safety and 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.

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 sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, any decision on this petition only applies to the subject vehicles that Ford no longer controlled at the time it determined that the noncompliance existed. However, any decision on 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 Ford 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. 2025–14475 Filed 7–30–25; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA–2025–0012]

Pipeline Safety: Information Collection Activities

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

ACTION: Notice and request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the two information collection requests abstracted below are being forwarded to the Office of Management and Budget (OMB) for review and comment. A **Federal Register** notice with a 60-day comment period soliciting comments on the information collections was published on May 7, 2025.

DATES: Interested persons are invited to submit comments on or before September 2, 2025.

ADDRESSES: The public is invited to submit comments regarding these information collection requests, including suggestions for reducing the burden, to Office of Management and Budget (OMB), Attention: Desk Officer for the Office of the Secretary of Transportation, 725 17th Street NW, Washington, DC 20503. Comments can also be submitted electronically at *www.reginfo.gov/public/do/PRAMain.*

FOR FURTHER INFORMATION CONTACT: Angela Hill by email at *angela.hill@dot.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

Title 5, Code of Federal Regulations (CFR) section 1320.8(d), requires the Pipeline and Hazardous Materials Safety Administration (PHMSA) to provide interested members of the public and affected agencies the opportunity to comment on information collection and recordkeeping requests before they are submitted to OMB for approval. In accordance with this regulation, on May 7, 2025, PHMSA published a **Federal Register** notice (90 FR 19369) with a 60-day comment period soliciting comments on its intent to request OMB's renewed approval of the two information collection requests that are due to expire on November 30, 2025.

During the 60-day comment period, PHMSA received no comments pertaining to the proposed renewal of the impacted information collections.

II. Summary of Impacted Collections

PHMSA will request a three-year term of approval for each of the following information collection activities. The following information is provided for each information collection: (1) Title of the information collection; (2) OMB control number; (3) Current expiration date; (4) Type of request; (5) Abstract of the information collection activity; (6) Description of affected public; (7) Estimate of total annual reporting and recordkeeping burden; and (8) Frequency of collection.

PHMSA requests comments on the following:

1. *Title:* ''Rupture Mitigation Valve Recordkeeping Requirements''.

OMB Control Number: 2137–0637.

Current Expiration Date: 11/30/2025.

Abstract: Operators who have experienced a rupture or rupture-mitigation valve shut-off are required to complete a post-incident review. The post-incident summary, all investigation and analysis documents used to prepare it, and records of lessons learned must be kept for the life of the pipeline.

Operators must also develop written rupture identification procedures to evaluate and identify whether a notification of potential rupture is an actual rupture event or non-rupture event as soon as practicable. These procedures must, at a minimum, specify the sources of information, operational factors, and other criteria that operator personnel use to evaluate a notification of potential rupture. Operators are also required to maintain certain records if they experience certain circumstances involving their rupture-mitigation valve operations.

Affected Public: Operators of PHMSA-regulated pipelines.

Annual Reporting and Recordkeeping Burden:

Total Annual Responses: 4,213.

Total Annual Burden Hours: 85,724.

Frequency of Collection: On occasion.

2. *Title:* ''Rupture Mitigation Valve Notification Requirements''.

OMB Control Number: 2137–0638.

Current Expiration Date: 11/30/2025.

Abstract: 49 CFR 192.634 and 49 CFR 195.418 require operators who elect to use alternative equivalent technology to notify PHMSA's Office of Pipeline Safety at least 90 days in advance of use. An operator choosing this option must include a technical and safety evaluation, including design, construction, and operating procedures for the alternative equivalent technology with the notification.

Operators must notify PHMSA if a rupture-mitigation valve cannot be made operational within 14 days of installation. Operators must also notify PHMSA if a valve cannot be repaired or replaced within 12 months.

An operator may seek exemption from certain regulatory requirements by notifying PHMSA in certain instances. An operator may plan to leave a rupture-mitigation valve open for more than 30 minutes following a rupture identification if the operator demonstrates to PHMSA, that closing a rupture mitigation valve, or alternative equivalent technology, would be detrimental to public safety. Likewise, for hazardous liquid pipeline segments in a non-high consequence area (HCA) or a non-HCA could-affect segment, an operator may request exemption from certain requirements if it can demonstrate to PHMSA that installing an otherwise-required rupture-mitigation valve, or alternative equivalent technology, would be economically, technically, or operationally infeasible.

Affected Public: Operators of PHMSA-regulated pipelines.

Annual Reporting and Recordkeeping Burden:

Total Annual Responses: 598.

Total Annual Burden Hours: 2,378.

Frequency of Collection: On occasion.

Comments are invited on:

(a) The need for this information collections 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 of the proposed collection of information, including the validity of the methodology and assumptions used;

(c) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(d) Ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended, and 49 CFR 1.48.

Issued in Washington, DC, on July 29, 2025, under authority delegated in 49 CFR 1.97.

John A. Gale,

Director, Standards and Rulemaking Division.

[FR Doc. 2025–14505 Filed 7–30–25; 8:45 am]

BILLING CODE 4910–60–P

DEPARTMENT OF THE TREASURY

Bureau of the Fiscal Service

Prompt Payment Interest Rate; Contract Disputes Act

AGENCY: Bureau of the Fiscal Service, Treasury.

ACTION: Notice of prompt payment interest rate; Contract Disputes Act.

SUMMARY: For the period beginning July 1, 2025, and ending on December 31, 2025, the prompt payment interest rate is 4⅝ per centum per annum.

DATES: Applicable July 1, 2025, to December 31, 2025.

ADDRESSES: Comments or inquiries may be mailed to: Alternative Payments Division, Bureau of the Fiscal Service, 801 9th Street NW, Washington, DC 20220. Comments or inquiries may also be emailed to *PromptPayment@fiscal.treasury.gov.*

FOR FURTHER INFORMATION CONTACT: Thomas M. Burnum, Alternative Payments Division, (202) 874–6430; or Ashlee Adams, Senior Counsel, Office of the Chief Counsel, (304) 480–8692.

SUPPLEMENTARY INFORMATION: An agency that has acquired property or service from a business concern and has failed to pay for the complete delivery of property or service by the required payment date shall pay the business concern an interest penalty. 31 U.S.C. 3902(a). The Contract Disputes Act of 1978, sec. 12, Public Law 95–563, 92 Stat. 2389, and the Prompt Payment Act, 31 U.S.C. 3902(a), provide for the calculation of interest due on claims at the rate established by the Secretary of the Treasury.

The Secretary of the Treasury has the authority to specify the rate by which the interest shall be computed for interest payments under section 12 of the Contract Disputes Act of 1978 and under the Prompt Payment Act. Under the Prompt Payment Act, if an interest penalty is owed to a business concern, the penalty shall be paid regardless of whether the business concern requested payment of such penalty. 31 U.S.C. 3902(c)(1). Agencies must pay the interest penalty calculated with the interest rate, which is in effect at the time the agency accrues the obligation to pay a late payment interest penalty. 31 U.S.C. 3902(a). ''The interest penalty shall be paid for the period beginning on the day after the required payment date and ending on the date on which payment is made.'' 31 U.S.C. 3902(b).

Therefore, notice is given that the Secretary of the Treasury has determined that the rate of interest

applicable for the period beginning July 1, 2025, and ending on December 31, 2025, is 4⅝ per centum per annum.

Timothy E. Gribben,

Commissioner, Bureau of the Fiscal Service.

[FR Doc. 2025–14441 Filed 7–30–25; 8:45 am]

BILLING CODE 4810–AS–P

DEPARTMENT OF THE TREASURY

Office of the Secretary

List of Countries Requiring Cooperation With an International Boycott

In accordance with section 999(a)(3) of the Internal Revenue Code of 1986, the Department of the Treasury is publishing a current list of countries which require or may require participation in, or cooperation with, an international boycott (within the meaning of section 999(b)(3) of the Internal Revenue Code of 1986).

On the basis of the best information currently available to the Department of the Treasury, the following countries require or may require participation in, or cooperation with, an international boycott (within the meaning of section 999(b)(3) of the Internal Revenue Code of 1986).

Iraq

Kuwait

Lebanon

Libya

Qatar

Saudi Arabia

Syria

Yemen

Lindsay Kitzinger,

International Tax Counsel, (Tax Policy).

[FR Doc. 2025–14443 Filed 7–30–25; 8:45 am]

BILLING CODE 4810–AK–P

DEPARTMENT OF VETERANS AFFAIRS

Guidance on Referrals for Potential Criminal Enforcement

AGENCY: Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: This notice describes the Department of Veterans Affairs' plans to address criminally liable regulatory offenses under the recent executive order on Fighting Overcriminalization in Federal Regulations.

FOR FURTHER INFORMATION CONTACT: Frederick R. Jackson, Executive Director, Office of Security and Law Enforcement, (202) 461–5544.

SUPPLEMENTARY INFORMATION: On May 9, 2025, the President issued Executive Order (E.O.) 14294, Fighting Overcriminalization in Federal Regulations. 90 FR 20363 (published May 14, 2025). Section 7 of E.O. 14294 provides that within 45 days of the order, and in consultation with the Attorney General, each agency should publish guidance in the **Federal Register** describing its plan to address criminally liable regulatory offenses.

Consistent with that requirement, the Department of Veterans Affairs (VA) advises the public that by May 9, 2026, VA, in consultation with the Attorney General, will provide to the Director of the Office of Management and Budget (OMB) a report containing: (1) a list of all criminal regulatory offenses [1] enforceable by VA or the Department of Justice (DOJ); and (2) for each such criminal regulatory offense, the range of potential criminal penalties for a violation and the applicable mens rea standard [2] for the criminal regulatory offense.

This notice also announces a general policy, subject to appropriate exceptions and to the extent consistent with law, that when VA is deciding whether to refer alleged violations of criminal regulatory offenses to DOJ, officers and employees of VA should consider, among other factors:

- The harm or risk of harm, pecuniary or otherwise, caused by the alleged offense;
- The potential gain to the putative defendant that could result from the offense;
- Whether the putative defendant held specialized knowledge, expertise, or was licensed in an industry related to the rule or regulation at issue; and
- Evidence, if any is available, of the putative defendant's general awareness of the unlawfulness of his conduct as well as his knowledge or lack thereof of the regulation at issue.

This general policy 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.

Signing Authority

Douglas A. Collins, Secretary of Veterans Affairs, approved this document on July 24, 2025, and authorized its submission to the Office of the Federal Register for publication electronically as an official document of the Department of Veterans Affairs.

Taylor N. Mattson,

Alternate Federal Register Liaison Officer, Department of Veterans Affairs.

[FR Doc. 2025–14456 Filed 7–30–25; 8:45 am]

BILLING CODE 8320–01–P

[1] ''Criminal regulatory offense'' means a Federal regulation that is enforceable by a criminal penalty. E.O. 14294, sec. 3(b).

[2] ''Mens rea'' means the state of mind that by law must be proven to convict a particular defendant of a particular crime. E.O. 14294, sec. 3(c).

FEDERAL REGISTER

Vol. 90 Thursday,
No. 145 July 31, 2025

Part II

The President

Memorandum of July 15, 2025—Revoking PPD–6 on U.S. Global Development Policy

Federal Register
Vol. 90, No. 145
Thursday, July 31, 2025

Presidential Documents

Title 3—

The President

Memorandum of July 15, 2025

Revoking PPD–6 on U.S. Global Development Policy

Memorandum for the Vice President[,] the Secretary of State[,] the Secretary of the Treasury[,] the Secretary of Defense[,] the Attorney General[,] the Secretary of the Interior[,] the Secretary of Agriculture[,] the Secretary of Commerce[,] the Secretary of Labor[,] the Secretary of Health and Human Services[,] the Secretary of Homeland Security[,] the Assistant to the President and Chief of Staff[,] the Director of the Office of Management and Budget[,] the United States Trade Representative[,] the Director of National Intelligence[,] the Acting United States Permanent Representative to the United Nations[,] the Assistant to the President for National Security Affairs[,] the Assistant to the President and Counsel to the President[,] the Assistant to the President and Director of the National Economic Council[,] the Assistant to the President for Science and Technology[,] the Chair of the Council of Economic Advisers[,] the Chairman of the Joint Chiefs of Staff[,] the Administrator of the United States Agency for International Development[,] the Chief Executive Officer, Millennium Challenge Corporation[,] the Chief Executive Officer of the United States International Development Finance Corporation[,] the President of the Export-Import Bank of the United States[,] the Director of the United States Trade and Development Agency[,] the Director of the Peace Corps[, and] the Deputy Assistant to the President and Director of the Office of Legislative Affairs

Presidential Policy Directive–6 (PPD–6), on ''U.S. Global Development Policy,'' does not accord with my recent executive actions and views on the proper role and scale of U.S. foreign assistance, or the degree to which these efforts should be coordinated with and conducted through certain international organizations.

Therefore, Presidential Policy Directive–6 of September 22, 2010, on ''U.S. Global Development Policy,'' is hereby revoked, as it is inconsistent with:

—Section 3(c) of Executive Order 14148 on ''Initial Rescissions of Harmful Executive Orders and Actions'';

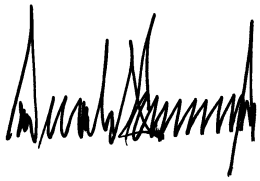
—Executive Order 14150 on ''America First Policy Directive to the Secretary of State'';

—Executive Order 14155 on ''Withdrawing the United States from the World Health Organization'';

—Executive Order 14162 on ''Putting America First in International Environmental Agreements''; and

—Executive Order 14169 on ''Reevaluating and Realigning United States Foreign Aid''.

The Secretary of State is authorized and directed to publish this memorandum in the *Federal Register*.



THE WHITE HOUSE,
Washington, July 15, 2025

[FR Doc. 2025–14587
Filed 7–30–25; 11:15 am]
Billing code 4710–10–P

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Federal Register

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FEDERAL REGISTER PAGES AND DATE, JULY

CFR PARTS AFFECTED DURING JULY

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