

I. Who handles permits after the authorization takes effect?

Massachusetts will continue to issue permits covering all the provisions for which it is authorized and will administer the permits it issues. The EPA will continue to administer and enforce any RCRA and HSWA permits or portions of permits that the EPA issued prior to the effective date of this authorization in accordance with the signed Memorandum of Agreement, dated September 30, 2021, which was included in the docket for the authorization effective March 7, 2022 (87 FR 194). Until such time as formal transfer of the EPA permit responsibility to Massachusetts occurs and the EPA terminates its permit, the EPA and Massachusetts agree to coordinate the administration of permits in order to maintain consistency. The EPA will not issue any new permits or new portions of permits for the provisions listed in Section G after the effective date of this authorization. The EPA will continue to implement and issue permits for HSWA requirements for which Massachusetts is not yet authorized.

J. How would this action affect Indian Country (18 U.S.C. 115) in Massachusetts?

Massachusetts has not applied for and is not authorized to carry out its hazardous waste program in Indian country within the State, which includes the land of the Wampanoag tribe. Therefore, this action has no effect on Indian country. The EPA retains jurisdiction over Indian country and will continue to implement and administer the RCRA program on these lands.

K. What is codification and will the EPA codify Massachusetts' hazardous waste program as authorized in this action?

Codification is the process of placing citations and references to the State's statutes and regulations that comprise the State's authorized hazardous waste program into the Code of Federal Regulations. The EPA does this by adding those citations and references to the authorized State rules in 40 CFR part 272. The EPA is not codifying the authorization of Massachusetts' revisions at this time. However, the EPA reserves the ability to amend 40 CFR part 272, subpart W for the authorization of Massachusetts' program at a later date.

L. Statutory and Executive Order Reviews

The Office of Management and Budget (OMB) has exempted this action from

the requirements of Executive Order 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011). This action authorizes State requirements for the purpose of RCRA section 3006 and imposes no additional requirements beyond those imposed by State law. Therefore, this action is not subject to review by OMB. This action is not an Executive Order 13771 (82 FR 9339, February 3, 2017) regulatory action because actions such as today's authorization of Massachusetts' revised hazardous waste program under RCRA are exempted under Executive Order 12866. Accordingly, I certify that this action will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this action authorizes pre-existing requirements under State law and does not impose any additional enforceable duty beyond that required by State law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538). For the same reason, this action also does not significantly or uniquely affect the communities of tribal governments, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). This action 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, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999), because it merely authorizes State requirements as part of the State RCRA hazardous waste program without altering the relationship or the distribution of power and responsibilities established by RCRA. This action also is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because it is not economically significant and it does not make decisions based on environmental health or safety risks. This action is not subject to Executive Order 13211, "Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use" (66 FR 28355, May 22, 2001) because it is not a significant regulatory action under Executive Order 12866.

Under RCRA section 3006(b), the EPA grants a state's application for authorization as long as the state meets the criteria required by RCRA. It would thus be inconsistent with applicable law for the EPA, when it reviews a state authorization application, to require the

use of any particular voluntary consensus standard in place of another standard that otherwise satisfies the requirements of RCRA. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. As required by section 3 of Executive Order 12988 (61 FR 4729, February 7, 1996), in taking this action, the EPA has taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct. The EPA has complied with Executive Order 12630 (53 FR 8859, March 15, 1988) by examining the takings implications of this action in accordance with the "Attorney General's Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings" issued under the executive order. This action does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). "Burden" is defined at 5 CFR 1320.3(b).

List of Subjects in 40 CFR Part 271

Environmental protection, Administrative practice and procedure, Confidential business information, Hazardous waste, Hazardous waste transportation, Indian lands, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements.

Authority: This action is issued under the authority of Sections 2002(a), 3006 and 7004(b) of the Solid Waste Disposal Act, as amended, 42 U.S.C. 6912(a), 6926, 6974(b).

Dated: August 13, 2025.

Mark Sanborn,

Regional Administrator, U.S. EPA Region I.

[FR Doc. 2025-17053 Filed 9-4-25; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 73 and 74

[GN Docket No. 16-142; DA 25-761; FR ID 310636]

Authorizing Permissive Use of the "Next Generation" Broadcast Television Standard

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Media Bureau of the Federal Communications Commission (FCC or Commission) released an Order that re-codifies

language that was inadvertently eliminated from the Commission's rules relating to information that must be provided by Next Gen TV broadcast stations in "non-expedited" applications for ATSC 3.0 service. This Order does not change any regulatory obligations.

DATES: Effective September 5, 2025.

FOR FURTHER INFORMATION CONTACT:

Evan Baranoff, Evan.Baranoff@fcc.gov, of the Media Bureau, Policy Division, (202) 418-7142.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Order, DA 25-761, adopted and released on Aug. 27, 2025. The full text of this document is available electronically via the FCC's website at <https://docs.fcc.gov/public/attachments/DA-25-761A1.pdf> or via the FCC's Electronic Comment Filing System (ECFS) website at <https://www.fcc.gov/ecfs>. (Documents will be available electronically in ASCII, Microsoft Word, and/or Adobe Acrobat.) Alternative formats are available for people with disabilities (Braille, large print, electronic files, audio format), by sending an email to fcc504@fcc.gov or calling the Commission's Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

Synopsis

I. Introduction

1. In this *Order*, we re-codify language that was inadvertently eliminated from §§ 73.3801(f)(6)(iii), 73.6029(f)(6)(iii), and 74.782(g)(6)(iii) of the Commission's rules (Rules) relating to information that must be provided in "non-expedited" applications for ATSC 3.0 service. This amendment to the Rules does not change any regulatory obligations.

II. Background

2. In the *Next Gen TV First Report and Order*, 83 FR 4998 (Feb. 2, 2018), the Commission authorized television broadcasters to use the Next Gen TV transmission standard, also called ATSC 3.0, on a voluntary, market-driven basis. The Commission established a process for considering applications to deploy ATSC 3.0 service, which includes coverage requirements for a Next Gen TV station's ATSC 1.0 simulcast signal. As part of that process, the Commission affords expedited processing and a presumption in favor of grant to applications that provide ATSC 1.0 simulcast service to at least 95 percent of the predicted population within the station's original noise limited service contour (NLSC), while applicants that do not satisfy this threshold must

provide a more robust public interest showing with their application and will be considered on a case-by-case basis. The required information that must be contained in applications that do not qualify for expedited processing (*i.e.*, "non-expedited" applications) was set forth in §§ 73.3801(f)(6)(iii), 73.6029(f)(6)(iii), and 74.782(g)(6)(iii) of the Rules.

3. Subsequently, in the *Next Gen TV Third Report and Order*, 88 FR 45347 (Jul. 17, 2023), the Commission modified its ATSC 3.0 rules to, among other things, permit Next Gen TV stations to license multicast streams aired over an ATSC 1.0 multicast host. The Commission also made updates to the required information for ATSC 3.0 applications in §§ 73.3801(f)(6)(i) and (ii), 73.6029(f)(6)(i) and (ii), and 74.782(g)(6)(i) and (ii) of the Commission's rules in order to facilitate multicast licensing, but it did not make changes to the requirements for non-expedited applicants set forth in §§ 73.3801(f)(6)(iii), 73.6029(f)(6)(iii), and 74.782(g)(6)(iii). However, after **Federal Register** publication of the *Next Gen TV Third Report and Order*, these subsections were removed from the Code of Federal Regulations.

III. Discussion

4. We find that the deletion of §§ 73.3801(f)(6)(iii), 73.6029(f)(6)(iii), and 74.782(g)(6)(iii) of the Commission's rules from the Code of Federal Regulations was inadvertent, and, thus, re-codify this language. The *Next Gen TV First Report and Order* codified these provisions to provide clarity about the information that must be provided by non-expedited applicants for ATSC 3.0 service. The Commission never stated or implied in the *Next Gen TV Third Report and Order* that it intended to rescind these subsections. As noted above, the *Next Gen TV Third Report and Order* specifically referred to these provisions as remaining applicable. Accordingly, we amend the Rules as set out in the Appendix by including the inadvertently deleted subsections that set forth the required information non-expedited applications must include to show that such applications are in the public interest.

5. We find that notice and comment procedures are unnecessary under the "good cause" exception of the Administrative Procedure Act (APA) because re-codifying the inadvertently deleted subsections merely restores the provisions setting forth the showing that must be made by non-expedited applicants that the Commission adopted in the *Next Gen TV First Report and*

Order. The Commission did not state or imply that it intended to change or eliminate §§ 73.3801(f)(6)(iii), 73.6029(f)(6)(iii), and 74.782(g)(6)(iii) in the *Next Gen TV Third Report and Order*. Consequently, we find notice and comment procedures are unnecessary for this action.

6. We also conclude that good cause exists to make this change effective immediately upon publication in the **Federal Register**, pursuant to section 553(d)(3) of the Administrative Procedure Act. An expedited effective date is necessary to restore the rule in the Code of Federal Regulations as originally adopted by the Commission, which included codified provisions informing non-expedited applicants of the existing requirements for information that must be included in non-expedited applications and to allow the Bureau to promptly act upon such requests. Failure to make the rule change effective immediately may result in confusion among regulated entities as to the required showing and thereby impact the Bureau's ability to determine if applications are in the public interest, and thereby delay broadcasters' ability to commence ATSC 3.0 operation and provide new, innovative services to the public.

IV. Procedural Matters

7. *Regulatory Flexibility Act.* Because these rule changes are being adopted without notice and comment, the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, does not apply.

8. *Paperwork Reduction Act.* This document does not contain new or modified information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA), 44 U.S.C. 3501-3521. In addition, therefore, it does not contain any new or modified information collection burden for small business concerns with fewer than 25 employees, pursuant to the Small Business Paperwork Relief Act of 2002, 44 U.S.C. 3506(c)(4).

9. *Congressional Review Act.* The Bureau has determined, and the Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget, concurs that this rule is non-major under the Congressional Review Act, 5 U.S.C. 804(2). The Bureau will send a copy of this Order to Congress and the Government Accountability Office pursuant to the Congressional Review Act.

V. Ordering Clauses

10. *It is ordered* that, pursuant to the authority contained in sections 1, 4, 5(c)(1), 7, 301, 303 of the

Communications Act of 1934, as amended, 47 U.S.C. 151, 154, 155(c)(1), 157, 301, 303, and 47 CFR 0.61, 0.283, this Order *is adopted* and *will become effective* immediately upon publication in the **Federal Register**.

11. *It is further ordered* that parts 73 and 74 of the Commission's rules *are hereby amended* as set forth in the Appendix, effective immediately upon publication in the **Federal Register**.

12. *It is further ordered* that the Bureau *shall send* a copy of this Order in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A).

List of Subjects in 47 CFR Parts 73 and 74

Communications equipment, Television.

Federal Communications Commission.

Thomas Horan,

Chief of Staff, Media Bureau.

Final Rules

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR parts 73 and 74 as follows:

PART 73—RADIO BROADCAST SERVICES

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

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

■ 2. Section 73.3801 is amended by adding paragraph (f)(6)(iii) to read as follows:

§ 73.3801 Full power television simulcasting during the ATSC 3.0 (Next Gen TV) transition.

* * * * *

(f) * * *

(6) * * *

(iii) If an application in paragraph (f)(2) of this section includes a request to air an ATSC 1.0 signal on the facilities of a host station and does not meet the 95 percent standard in paragraph (f)(6)(ii) of this section, the application must contain, in addition to the information in paragraphs (f)(6)(i) and (ii) of this section, the following information:

(A) Whether there is another possible host station(s) in the market that would result in less service loss to existing viewers and, if so, why the Next Gen TV broadcaster chose to partner with a host station creating a larger service loss;

(B) What steps, if any, the station plans to take to minimize the impact of the service loss (e.g., providing ATSC 3.0 dongles, set-top boxes, or gateway devices to viewers in the loss area); and

3.0 dongles, set-top boxes, or gateway devices to viewers in the loss area); and

(C) The public interest benefits of the simulcasting arrangement and a showing of why the benefit(s) of granting the application would outweigh the harm(s). These applications will be considered on a case-by-case basis.

* * * * *

■ 3. Section 73.6029 is amended by adding paragraph (f)(6)(iii) to read as follows:

§ 73.6029 Class A television simulcasting during the ATSC 3.0 (Next Gen TV) transition.

* * * * *

(f) * * *

(6) * * *

(iii) If an application in paragraph (f)(2) of this section includes a request to air an ATSC 1.0 signal on the facilities of a host station and does not meet the 95 percent standard in paragraph (f)(6)(ii) of this section, the application must contain, in addition to the information in paragraphs (f)(6)(i) and (ii) of this section, the following information:

(A) Whether there is another possible host station(s) in the market that would result in less service loss to existing viewers and, if so, why the Next Gen TV broadcaster chose to partner with a host station creating a larger service loss;

(B) What steps, if any, the station plans to take to minimize the impact of the service loss (e.g., providing ATSC 3.0 dongles, set-top boxes, or gateway devices to viewers in the loss area); and

(C) The public interest benefits of the simulcasting arrangement and a showing of why the benefit(s) of granting the application would outweigh the harm(s). These applications will be considered on a case-by-case basis.

* * * * *

PART 74—EXPERIMENTAL RADIO, AUXILIARY, SPECIAL BROADCAST AND OTHER PROGRAM DISTRIBUTIONAL SERVICES

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

Authority: 47 U.S.C. 154, 302a, 303, 307, 309, 310, 325, 336 and 554.

■ 5. Section 74.782 is amended by adding paragraph (g)(6)(iii) to read as follows:

§ 74.782 Low power television and TV translator simulcasting during the ATSC 3.0 (Next Gen TV) transition.

* * * * *

(g) * * *

(6) * * *

(iii) If an application in paragraph (g)(2) of this section includes a request to air an ATSC 1.0 signal on the facilities of a host station and does not meet the 95 percent standard in paragraph (g)(6)(ii) of this section, the application must contain, in addition to the information in paragraphs (g)(6)(i) and (ii) of this section, the following information:

(A) Whether there is another possible host station(s) in the market that would result in less service loss to existing viewers and, if so, why the Next Gen TV broadcaster chose to partner with a host station creating a larger service loss;

(B) What steps, if any, the station plans to take to minimize the impact of the service loss (e.g., providing ATSC 3.0 dongles, set-top boxes, or gateway devices to viewers in the loss area); and

(C) The public interest benefits of the simulcasting arrangement and a showing of why the benefit(s) of granting the application would outweigh the harm(s). These applications will be considered on a case-by-case basis.

* * * * *

[FR Doc. 2025-16990 Filed 9-4-25; 8:45 am]

BILLING CODE 6712-01-P

SURFACE TRANSPORTATION BOARD

49 CFR Part 1002

[Docket No. EP 542 (Sub-No. 33)]

Fees for Services Performed in Connection With Licensing and Related Services—2025 Update

AGENCY: Surface Transportation Board.

ACTION: Final rule.

SUMMARY: The Board updates for 2025 the fees that the public must pay to file certain cases and pleadings with the Board. Pursuant to this update, 60 of the Board's 135 fees will increase, two will decrease, and 73 fees will remain at their current levels.

DATES: This final rule is effective October 5, 2025.

FOR FURTHER INFORMATION CONTACT: Laura Mizner, (202) 914-1059, or Andrea Pope-Matheson, (202) 900-5240. If you require accommodation under the Americans with Disabilities Act, please call (202) 245-0245.

SUPPLEMENTARY INFORMATION: The Board's regulations at 49 CFR 1002.3(a) provide for an annual update of the Board's entire user-fee schedule. Fees are generally revised based on the cost study formula set forth at 49 CFR 1002.3(d), which looks to changes in salary costs, publication costs, and