

Issued: December 23, 2025.

Lisa Barton,

Secretary to the Commission.

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DEPARTMENT OF JUSTICE

Notice of Proposed Settlement Agreement Under the Clean Air Act

On December 22, 2025, the Department of Justice lodged a proposed Amended Consent Decree in the civil action *United States v. Anchor Glass Container Corp., Inc.*, Civ. No. 3:18–cv–00943–BJD–JBT (M.D. Fla.). The complaint alleged that the defendant violated the Clean Air Act, and on September 18, 2018, the Court entered the original Consent Decree. The proposed Amended Consent Decree: (1) removes the requirement for a scrubber at the Georgia plant and instead requires taking two Florida furnaces out of service and adding other controls at the Georgia facility; (2) changes the control technology for the New York plant by switching to ceramic selective catalytic reduction; (3) swaps the controls on two furnaces at the Minnesota plant, and allows Anchor to opt to use SCR technology there; and (4) includes other minor changes.

The publication of this notice opens a period for public comment on the Settlement Agreement. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to Amended Consent Decree for *Anchor Glass Container Corp.*, D.J. Ref. No. 90–5–2–1–10406. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

<i>To submit comments:</i>	<i>Send them to:</i>
By email	<i>pubcomment-ees.enrd@usdoj.gov.</i>
By mail	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Any comments submitted in writing may be filed in whole or in part on the public court docket without notice to the commenter.

During the public comment period, the Amended Consent Decree may be examined at and downloaded from this Justice Department website: <https://www.justice.gov/enrd/consent-decrees>. If you require assistance accessing the Consent Decree you may request

assistance by email or by mail to the addresses provided above for submitting comments.

Scott Bauer,

Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

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DEPARTMENT OF LABOR

Employee Benefits Security Administration

Delinquent Filer Voluntary Compliance Program

AGENCY: Employee Benefits Security Administration, Department of Labor.

ACTION: Notice.

SUMMARY: This notice describes changes to the Department of Labor’s Delinquent Filer Voluntary Compliance Program (DFVC Program or Program).

DATES: The DFVC Program is effective on December 31, 2025. The Program adopted herein modifies, as of its effective date, the DFVC Program adopted on April 27, 1995 (60 FR 20874) and modified on March 28, 2002 (67 FR 15052) and Jan. 29, 2013 (78 FR 6135).

FOR FURTHER INFORMATION CONTACT: Scott C. Albert, Office of the Chief Accountant, Employee Benefits Security Administration; telephone (202) 693–8360. This is not a toll-free number.

SUPPLEMENTARY INFORMATION:

A. Background

The Department of Labor’s Employee Benefits Security Administration (EBSA) introduced the DFVC Program in 1995. It is intended to encourage, through the assessment of reduced civil penalties, delinquent plan administrators to comply with their reporting obligations under Title I of the Employee Retirement Income Security Act of 1974, as amended (ERISA). Administrators of multiple employer welfare arrangements (MEWAs), that are not group health plans but provide benefits that consist of medical care (non-plan MEWAs) and Entities Claiming Exception (ECEs), who fail to file a Form M–1 annually and upon the occurrence of specific events may be subject to civil penalties under ERISA section 502(c)(5). Administrators of MEWAs that are group health plans (plan MEWAs) who fail to file a Form M–1 annually and upon the occurrence of specific events may be subject to civil penalties under section 502(c)(2) of ERISA.

Following a review of the DFVC Program, as modified in 2002 and 2013, the Department has determined to expand the penalty relief to plan MEWAs, non-plan MEWAs, and ECEs who are required to file the Form M–1. As with prior DFVC modifications, because the modifications to the DFVC Program include lower civil penalty assessments, the modifications are being put into effect upon publication of this notice in the **Federal Register**. Like prior DFVC modifications, this document constitutes an enforcement policy of the Department and is not being issued as a general notice of proposed rulemaking.

The Secretary of Labor has the authority under sections 502(c)(2) and 502(c)(5) of ERISA and the Secretaries’ regulations to assess civil penalties against plan administrators who fail or refuse to file complete and timely reports as required under sections 101(b) and 101(g) of ERISA and related regulations. Pursuant to 29 CFR 2560.502c–2 and 2560.502c–5, EBSA has maintained a program for the assessment of civil penalties for noncompliance with ERISA’s reporting requirements. The Department may, in its discretion, waive all or part of a civil penalty assessed under sections 502(c)(2) or 502(c)(5) upon a showing by the administrator that there was reasonable cause for the failure to file a complete and timely report or that there was reasonable cause why the penalty, as calculated, should not be assessed.

To encourage delinquent filers to voluntarily comply with the annual reporting requirements under Title I of ERISA, the Department adopted, on April 27, 1995, the DFVC Program (60 FR 20874). The Program, as adopted in 1995, permitted administrators otherwise subject to the assessment of higher civil penalties for failing to file a timely annual report to pay reduced civil penalties for voluntarily complying with the requirement to file an annual report under Title I of ERISA. The 1995 DFVC Program provided reduced penalties for plan administrators filing the Form 5500, plan administrators filing annual reports for apprenticeship and training plans described in section 2520.104–22 and for “top hat” plans described in section 2520.104–23(a). Under the terms of the DFVC Program, the Department reserved the right to modify or terminate the Program upon publication of a notice in the **Federal Register**.

In 2002, the Department modified the Program by reducing civil penalty assessments. It capped the cumulative daily penalty amount for Form 5500 annual reports for a plan year at \$750