

qualified for use in the transportation of hazardous materials, and who does not perform any other function subject to the requirements of this subchapter, is not subject to the training requirements of paragraphs (a)(3) and (a)(4) of this section.

* * * * *

PART 173—SHIPPERS—GENERAL REQUIREMENTS FOR SHIPMENTS AND PACKAGINGS

■ 9. The authority citation for part 173 continues to read as follows:

Authority: 49 U.S.C. 5101–5128, 44701; 49 CFR 1.81, 1.96 and 1.97.

■ 10. In § 173.315, revise paragraph (i)(13) to read as follows:

§ 173.315 Compressed gases in cargo tanks and portable tanks.

* * * * *

(i) * * *

(13) A pressure relief device on a chlorine cargo tank must conform to one of the drawings in Chlorine Institute, Inc. Pamphlet 49, “Recommended Practices for Handling Chlorine Bulk Highway Transports” (IBR, see § 171.7 of this subchapter).

* * * * *

PART 178—SPECIFICATIONS FOR PACKAGINGS

■ 11. The authority citation for Part 178 continues to read as follows:

Authority: 49 U.S.C. 5101–5128; 49 CFR 1.81 and 1.97.

■ 12. In § 178.337–1, revise paragraph (d) to read as follows:

§ 178.337–1 General Requirements.

* * * * *

(d) *Reflective design.* Every uninsulated cargo tank permanently attached to a cargo tank motor vehicle shall, unless covered with a jacket made of aluminum, stainless steel, or other bright non-tarnishing metal, be white, aluminum, or a similar reflecting color on the upper two-thirds of area of the cargo tank.

* * * * *

PART 180—CONTINUING QUALIFICATION AND MAINTENANCE OF PACKAGINGS

■ 13. The authority citation for Part 180 continues to read as follows:

Authority: 49 U.S.C. 5101–5128; 49 CFR 1.81 and 1.97.

■ 14. In § 180.407, add paragraph (a)(7) to read as follows:

§ 180.407 Requirements for test and inspection of specification cargo tanks.

(a) * * *

(7) The use of video cameras or fiber optic equipment is authorized for any test or inspection, or portion thereof, provided all the required areas and elements can be viewed and evaluated in accordance with this subpart.

* * * * *

Issued in Washington, DC, on January 12, 2026, under authority delegated in 49 CFR 1.97.

Paul J. Roberti,

Administrator.

[FR Doc. 2026–00578 Filed 1–13–26; 8:45 am]

BILLING CODE 4910–60–P

SURFACE TRANSPORTATION BOARD

49 CFR Part 1022

[Docket No. EP 716 (Sub-No. 11)]

Civil Monetary Penalties—2026 Adjustment

AGENCY: Surface Transportation Board.
ACTION: Final rule.

SUMMARY: The Surface Transportation Board (Board) is issuing a final rule to implement the annual inflationary adjustment to its civil monetary penalties, pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015.

DATES: This final rule is effective January 14, 2026.

FOR FURTHER INFORMATION CONTACT: Amanda Gorski at (202) 915–8453. If you require an accommodation under the Americans with Disabilities Act, please call (202) 245–0245.

SUPPLEMENTARY INFORMATION:

I. Background

The Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (2015 Act), enacted as part of the Bipartisan Budget Act of 2015, Public Law 114–74, 701, 129 Stat. 584, 599–601, requires agencies to adjust their civil penalties for inflation annually, beginning on July 1, 2016, and no later than January 15 of every year thereafter. In accordance with the 2015 Act, annual inflation adjustments are to be based on the percent change between the Consumer Price Index for all Urban Consumers (CPI–U) for October of the previous year and the October CPI–U of the year before that. Penalty level adjustments should be rounded to the nearest dollar. Due to the lapse in Federal government appropriations from October 1, 2025, through November 12, 2025, the Bureau of Labor Statistics,

which is responsible for production of the CPI–U, did not release a CPI–U for October 2025. Therefore, the Board is basing its annual inflation adjustment for 2026 on the percent change between the CPI–U for November 2025 and the CPI–U for November 2024. Should additional guidance or data relevant to this calculation be released following the issuance of this decision, the Board will issue an amended decision, as appropriate.

II. Discussion

The statutory definition of civil monetary penalty covers various civil penalty provisions under the Rail (Part A); Motor Carriers, Water Carriers, Brokers, and Freight Forwarders (Part B); and Pipeline Carriers (Part C) provisions of the Interstate Commerce Act, as amended. The Board’s civil (and criminal) penalty authority related to rail transportation is codified at 49 U.S.C. 11901–11908. The Board’s penalty authority related to motor carriers, water carriers, brokers, and freight forwarders appears at 49 U.S.C. 14901–14916. The Board’s penalty authority related to pipeline carriers is codified at 49 U.S.C. 16101–16106.¹ The Board has regulations at 49 CFR part 1022 that codify the method set forth in the 2015 Act for annually adjusting for inflation the civil monetary penalties within the Board’s jurisdiction.

As set forth in this final rule, the Board is amending 49 CFR part 1022 to make an annual inflation adjustment to the civil monetary penalties in conformance with the requirements of the 2015 Act. The adjusted penalties set forth in the rule will apply only to violations that occur after the effective date of this regulation.

The annual adjustment adopted here is calculated by multiplying each current penalty by a cost-of-living adjustment factor of 1.02735, which reflects the percentage change between the November 2025 CPI–U (324.122) and the November 2024 CPI–U (315.493). The table at the end of this decision shows the statutory citation for each civil penalty, a description of the provision, the adjusted statutory civil penalty level for 2025, and the adjusted statutory civil penalty level for 2026.

III. Final Rule

The final rule set forth at the end of this decision is being issued without notice and comment pursuant to the

¹ The Board also has various criminal penalty authority, enforceable in a federal criminal court. Congress has not, however, authorized federal agencies to adjust statutorily prescribed criminal penalty provisions for inflation, and this rule does not address those provisions.

rulemaking provision of the Administrative Procedure Act (APA), 5 U.S.C. 553(b)(B), which does not require that process “when the agency for good cause finds” that public notice and comment are “unnecessary.” Here, Congress has mandated that the agency make an annual inflation adjustment to its civil monetary penalties. The Board has no discretion to set alternative levels of adjusted civil monetary penalties because the amount of the inflation adjustment must be calculated in accordance with the statutory formula.² Given the absence of discretion, the Board has determined that there is good cause to promulgate this rule without soliciting public comment and to make this regulation effective immediately upon publication.

IV. Regulatory Flexibility Statement

The Regulatory Flexibility Act (RFA), as amended by the Small Business Regulatory Enforcement Fairness Act of 1996, 5 U.S.C. 601–612, generally requires an agency to prepare a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements, unless the agency certifies that the rule will not have a significant economic impact on

a substantial number of small entities. Because the Board has determined that notice and comment are not required under the APA for this rulemaking, the requirements of the RFA do not apply.

V. Congressional Review Act

Pursuant to the Congressional Review Act, 5 U.S.C. 801–808, the Office of Information and Regulatory Affairs has designated this rule as a non-major rule, as defined by 5 U.S.C. 804(2).

VI. Paperwork Reduction Act

This final rule does not contain a new or amended information collection requirement subject to the Paperwork Reduction Act of 1995, 44 U.S.C. 3501–3521.

It is ordered:

1. The Board amends its rules as set forth in this decision. Notice of the final rule will be published in the **Federal Register**.

2. This decision is effective on its date of publication in the **Federal Register**.

Decided: January 9, 2026.

By the Board, Board Members Fuchs, Hedlund, and Schultz.

List of Subjects in 49 CFR Part 1022

Administrative practice and procedures, Brokers, Civil penalties,

Freight forwarders, Motor carriers, Pipeline carriers, Rail carriers, Water carriers.

Jeffrey Herzig,
Clearance Clerk.

For the reasons set forth in the preamble, part 1022 of title 49, chapter X, of the Code of Federal Regulations is amended as follows:

PART 1022—CIVIL MONETARY PENALTY INFLATION ADJUSTMENT

■ 1. The authority citation for part 1022 continues to read as follows:

Authority: 5 U.S.C. 551–557; 28 U.S.C. 2461 note; 49 U.S.C. 11901, 14901, 14903, 14904, 14905, 14906, 14907, 14908, 14910, 14915, 14916, 16101, 16103.

■ 2. Revise § 1022.4(b) to read as follows:

§ 1022.4 Cost-of-living adjustments of civil monetary penalties.

* * * * *

(b) The cost-of-living adjustment required by the statute results in the following adjustments to the civil monetary penalties within the jurisdiction of the Board:

TABLE 1 TO PARAGRAPH (b)

U.S. Code citation	Civil monetary penalty description	2025—Penalty amount	2026—Adjusted penalty amount ¹
		EP 716_10 (2025)	EP 716_11 (2026)
Rail Carrier			
49 U.S.C. 11901(a)	Unless otherwise specified, maximum penalty for each knowing violation under this part, and for each day.	9,970	10,243
49 U.S.C. 11901(b)	For each violation under sec. 11124(a)(2) or (b)	998	1,025
49 U.S.C. 11901(b)	For each day violation continues	51	52
49 U.S.C. 11901(c)	Maximum penalty for each knowing violation under secs. 10901–10906.	9,970	10,243
49 U.S.C. 11901(d)	For each violation under sec. 11123 or 11124(a)(1)	198–998	203–1,025
49 U.S.C. 11901(d)	For each day violation continues	100	103
49 U.S.C. 11901(e)(1), (4)	For each violation under secs. 11141–11145, for each day	998	1,025
49 U.S.C. 11901(e)(2), (4)	For each violation under sec. 11144(b)(1), for each day	198	203
49 U.S.C. 11901(e)(3)–(4)	For each violation of reporting requirements, for each day	198	203
Motor and Water Carrier			
49 U.S.C. 14901(a)	Minimum penalty for each violation and for each day	1,365	1,402
49 U.S.C. 14901(a)	For each violation under sec. 13901 or 13902(c)	13,647	14,020
49 U.S.C. 14901(a)	For each violation related to transportation of passengers	34,116	35,049
49 U.S.C. 14901(b)	For each violation of the hazardous waste rules under sec. 3001 of the Solid Waste Disposal Act.	27,293–54,586	28,039–56,079
49 U.S.C. 14901(d)(1)	Minimum penalty for each violation of household good regulations, and for each day.	1,992	2,046
49 U.S.C. 14901(d)(2)	Minimum penalty for each instance of transportation of household goods if broker provides estimate without carrier agreement.	19,941	20,486
49 U.S.C. 14901(d)(3)	Minimum penalty for each instance of transportation of household goods without being registered.	49,848	51,211
49 U.S.C. 14901(e)	Minimum penalty for each violation of a transportation rule	3,988	4,097

² As noted above, the Board is using November CPI-U data because October CPI-U data for 2025

was not available by the January 15 statutory deadline for this decision.

TABLE 1 TO PARAGRAPH (b)—Continued

U.S. Code citation	Civil monetary penalty description	2025—Penalty amount	2026—Adjusted penalty amount ¹
		EP 716 10 (2025)	EP 716 11 (2026)
49 U.S.C. 14901(e)	Minimum penalty for each additional violation	9,970	10,243
49 U.S.C. 14903(a)	Maximum penalty for undercharge or overcharge of tariff rate, for each violation.	199,408	204,862
49 U.S.C. 14904(a)	For first violation, rebates at less than the rate in effect	398	409
49 U.S.C. 14904(a)	For all subsequent violations	500	514
49 U.S.C. 14904(b)(1)	Maximum penalty for first violation for undercharges by freight forwarders.	998	1,025
49 U.S.C. 14904(b)(1)	Maximum penalty for subsequent violations	3,988	4,097
49 U.S.C. 14904(b)(2)	Maximum penalty for other first violations under sec. 13702	998	1,025
49 U.S.C. 14904(b)(2)	Maximum penalty for subsequent violations.	3,988	4,097
49 U.S.C. 14905(a)	Maximum penalty for each knowing violation of sec. 14103(a), and knowingly authorizing, consenting to, or permitting a violation of sec. 14103(a) or (b).	19,941	20,486
49 U.S.C. 14906	Minimum penalty for first attempt to evade regulation	2,730	2,805
49 U.S.C. 14906	Minimum amount for each subsequent attempt to evade regulation	6,823	7,010
49 U.S.C. 14907	Maximum penalty for recordkeeping/reporting violations	9,970	10,243
49 U.S.C. 14908(a)(2)	Maximum penalty for violation of sec. 14908(a)(1)	3,988	4,097
49 U.S.C. 14910	When another civil penalty is not specified under this part, for each violation, for each day.	998	1,025
49 U.S.C. 14915(a)(1)–(2)	Minimum penalty for holding a household goods shipment hostage, for each day.	15,846	16,279
49 U.S.C. 14916(c)(1)	Maximum penalty for each knowing violation under sec. 14916(a) for unlawful brokerage activities.	13,647	14,020
Pipeline Carrier			
49 U.S.C. 16101(a)	Maximum penalty for violation of this part, for each day	9,970	10,243
49 U.S.C. 16101(b)(1), (4)	For each recordkeeping violation under sec. 15722, each day	998	1,025
49 U.S.C. 16101(b)(2), (4)	For each inspection violation liable under sec. 15722, each day	198	203
49 U.S.C. 16101(b)(3)–(4)	For each reporting violation under sec. 15723, each day	198	203
49 U.S.C. 16103(a)	Maximum penalty for improper disclosure of information	1,992	2,046

¹ Because October 2025 Consumer Price Index data was not available by the January 15 statutory deadline for publishing adjusted penalty amounts, the cost-of-living adjustment for 2026 reflects the percentage by which the November 2025 Consumer Price Index exceeds the November 2024 Consumer Price Index.

[FR Doc. 2026–00535 Filed 1–13–26; 8:45 am]
 BILLING CODE 4915–01–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 223

[Docket No. 260109–0027; RTID 0648–XR124]

Endangered and Threatened Wildlife and Plants; 12-Month Finding on a Petition To List the Olympic Peninsula Steelhead Distinct Population Segment Under the Endangered Species Act

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

ACTION: Notification of 12-month petition finding.

SUMMARY: We, NMFS, have completed a comprehensive status review for the

Olympic Peninsula (OP) Distinct Population Segment (DPS) of steelhead, *Oncorhynchus mykiss*, in response to a petition to list this species as threatened or endangered under the Endangered Species Act (ESA). We have determined that OP steelhead is a DPS under the ESA and that listing is not warranted at this time. Accordingly, NMFS will continue to monitor the OP steelhead DPS status, including working closely with Tribal and State co-managers.

DATES: This finding was made available on January 14, 2026.

ADDRESSES: The petition, status review, Federal Register notices, and the list of references can be accessed electronically online at: <https://www.fisheries.noaa.gov/species/steelhead-trout>. The peer review plan and charge to peer reviewers are available at <https://www.noaa.gov/information-technology/biological-status-of-olympic-peninsula-steelhead-distinct-population-segment-dps-id478>.

FOR FURTHER INFORMATION CONTACT: Robert Markle, NMFS West Coast

Region, at robert.markle@noaa.gov, (971) 710–8155.

SUPPLEMENTARY INFORMATION:

Background

On August 1, 2022, we received a petition from The Conservation Angler and Wild Fish Conservancy (hereafter, the Petitioners) to list the OP steelhead (*Oncorhynchus mykiss*) DPS as a threatened or endangered species under the ESA. On February 10, 2023, we published a positive 90-day finding (88 FR 8774) announcing that the petition presented substantial scientific or commercial information indicating that the petitioned action may be warranted. We also announced the initiation of a status review of the species, as required by section 4(b)(3)(A) of the ESA, and requested information to inform the agency’s decision on whether this species warrants listing as threatened or endangered.