within a 100-yard radius of the SS WRIGHT and all towing vessels supporting its operations until the vessel completes mooring at Detyens Shipyards on the Cooper River in North Charleston, SC. It is categorically excluded from further review under paragraph L60(c) because of the inherent dangers of a dead ship tow occurring throughout the Sector Charleston AOR and the need for immediate response of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A Record of Environmental Consideration supporting this determination is available in the docket.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

Authority: 46 U.S.C. 70034, 70051, 70124; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; DHS Delegation No. 00170.1, Revision No. 01.4.

■ 2. Add § 165.T07–0626 to read as follows:

§ 165.T07–0626 Safety Zone; Charleston Harbor, Charleston, SC.

(a) *Location.* The following area is a safety zone: The moving safety zone will include all navigable waters of the Atlantic Ocean at the Charleston Harbor Entrance Channel, Charleston Harbor, and Cooper River, within a 100-yard radius of the SS WRIGHT and all towing vessels supporting its operations, while transiting to berthing at Detyens Shipyards on the Cooper River in North Charleston, SC.

(b) *Definitions.* As used in this section, *designated representative* means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officer operating a Coast Guard vessel and a Federal, State, and local officer designated by or assisting the Captain of the Port Charleston (COTP) in the enforcement of the safety zone.

(c) *Regulations.* (1) Under the general safety zone regulations in subpart C of this part, you may not enter the safety zone described in paragraph (a) of this section unless authorized by the COTP or the COTP's designated representative.

(2) To seek permission to enter, contact the COTP or the COTP's representative on VHF–FM channel 16 or by telephone at (833) 453–1621. Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(d) *Enforcement period.* This section will be enforced from 5 a.m. to 5 p.m. on July 15, 2026, while the SS WRIGHT is making way through the Charleston Harbor.

S.A. Lansing,

Captain, U.S. Coast Guard, Captain of the Port Sector Charleston.

[FR Doc. 2026–14127 Filed 7–13–26; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA–HQ–OPP–2024–0329; FRL–13363–01–OCSPP]

Bacteriophage Active Against Xanthomonas campestris pv. vesicatoria_EcoPhage and Bacteriophage Active Against Pseudomonas syringae pv. tomato_EcoPhage; Exemptions from the Requirement of a Pesticide Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation establishes exemptions from the requirement of a tolerance for residues of Bacteriophage active against *Xanthomonas campestris* pv. *vesicatoria*_EcoPhage and Bacteriophage active against *Pseudomonas syringae* pv. *tomato*_EcoPhage in or on all food or feed commodities. Under the Federal Food, Drug, and Cosmetic Act (FFDCA), EcoPhage Ltd. submitted a petition to EPA requesting exemptions from the requirement of a tolerance. This regulation eliminates the need to establish a maximum permissible level for residues of these pesticides when used in accordance with the terms of the exemptions.

DATES: This rule is effective on July 14, 2026. Objections and requests for hearings must be received on or before September 14, 2026, and must be filed in accordance with the instructions provided in 40 CFR part 178 (see also Unit I.C. of this document).

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA–HQ–OPP–2024–0329, is available online at *https://www.regulations.gov.* Additional information about dockets generally, along with instructions for visiting the docket center in person, is available at *https://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT: Shannon Borges, Biopesticides and Pollution Prevention Division (7511M), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave NW, Washington, DC 20460–0001; telephone number: (202) 566–2422; email address: *Borges.Shannon@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Executive Summary

A. Does this action apply to me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document might apply to them:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

B. What is EPA's authority for taking this action?

EPA is issuing this rulemaking under section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a. FFDCA section 408(c)(2)(A)(i) allows EPA to establish an exemption from the requirement for a tolerance (the legal limit for a pesticide chemical residue in or on a food) only if EPA determines that the exemption is ''safe.'' FFDCA section 408(c)(2)(A)(ii) defines ''safe'' to mean that ''there is a reasonable certainty that no harm will result from aggregate exposure to the pesticide chemical residue, including all anticipated dietary exposures and all other exposures for which there is reliable information.'' This includes exposure through drinking water and in residential settings but does not include occupational exposure. Pursuant to FFDCA section 408(c)(2)(B), in establishing or maintaining in effect an exemption from the requirement of a tolerance, EPA must take into account the factors set forth in FFDCA section

408(b)(2)(C), which require EPA to give special consideration to exposure of infants and children to the pesticide chemical residue in establishing a tolerance and to ''ensure that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to the pesticide chemical residue. . . .'' Additionally, FFDCA section 408(b)(2)(D) requires that the Agency consider, among other things, ''available information concerning the cumulative effects of a particular pesticide's residues'' and ''other substances that have a common mechanism of toxicity.''

C. How can I file an objection or hearing request?

Under FFDCA section 408(g), 21 U.S.C. 346a(g), any person may file an objection to any aspect of this regulation and may also request a hearing on those objections. If you fail to file an objection to the final rule within the time period specified in the final rule, you will have waived the right to raise any issues resolved in the final rule. You must file your objection or request a hearing on this regulation in accordance with the instructions provided in 40 CFR part 178. To ensure proper receipt by EPA, you must identify the docket ID number EPA–HQ–OPP–2024–0329 in the subject line on the first page of your submission. All objections and requests for a hearing must be in writing and must be received by the Hearing Clerk on or before September 14, 2026.

EPA's Office of Administrative Law Judges (OALJ), in which the Hearing Clerk is housed, urges parties to file and serve documents by electronic means only, notwithstanding any other particular requirements set forth in other procedural rules governing those proceedings. *See* ''Revised Order Urging Electronic Filing and Service,'' dated December 3, 2025, which can be found at *https://www.epa.gov/system/files/documents/2025-12/2025-12-03-order-urging-electronic-filing-and-service.pdf.* Although EPA's regulations require submission via U.S. Mail or hand delivery, EPA intends to treat submissions filed via electronic means as properly filed submissions; therefore, EPA believes the preference for submission via electronic means will not be prejudicial. When submitting documents to the OALJ electronically, a person should utilize the OALJ e-filing system at *https://yosemite.epa.gov/oa/eab/eab-alj_upload.nsf.*

In addition to filing an objection or hearing request with the Hearing Clerk as described in 40 CFR part 178, please submit a copy of the filing (excluding any Confidential Business Information (CBI)) for inclusion in the public docket at *https://www.regulations.gov.* Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be CBI or other information whose disclosure is restricted by statute. If you wish to include CBI in your request, 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. Information not marked confidential pursuant to 40 CFR part 2 may be disclosed publicly by EPA without prior notice.

II. Petitioned for Exemptions

In the **Federal Register** of August 27, 2024 (89 FR 68571) [EPA–HQ–OPP–2024–0059; FRL–11682–07–OCSPP], EPA issued a document pursuant to FFDCA section 408, 21 U.S.C. 346a, announcing the filing of a pesticide petition (PP 4F9112) by EcoPhage Ltd., 3 Pinchas Sapir St., Ness Ziona, Israel 7403626 (c/o Spring Regulatory Sciences, 6620 Cypresswood Dr., Suite 250, Spring, TX 77379). The petition requested that 40 CFR part 180 be amended by establishing exemptions from the requirement of a tolerance for residues of Bacteriophage active against *Xanthomonas campestris* pv. *vesicatoria*_EcoPhage and Bacteriophage active against *Pseudomonas syringae* pv. *tomato*_EcoPhage in or on all food or feed commodities. That document referenced a summary of the petition prepared by the petitioner and was included in the docket for this action.

There was one comment received in response to the notice of filing that was not relevant to bacteriophage in general or to either Bacteriophage active against *Xanthomonas campestris* pv. *vesicatoria*_EcoPhage or Bacteriophage active against *Pseudomonas syringae* pv. *tomato*_EcoPhage specifically.

III. Final Tolerance Actions

A. EPA's Safety Determination

EPA evaluated the available toxicological and exposure data on Bacteriophage active against *Xanthomonas campestris* pv. *vesicatoria*_EcoPhage and Bacteriophage active against *Pseudomonas syringae* pv. *tomato*_EcoPhage and considered their validity, completeness, and reliability, as well as the relationship of this information to human risk. A full explanation of the data upon which EPA relied and its risk assessment based on those data can be found within the document titled, ''Human Health Risk Assessment of Bacteriophages Active Against *Xanthomonas campestris* pv. *vesicatoria*_ECOPHAGE and *Pseudomonas syringae* pv. *tomato*_ECOPHAGE, New Active Ingredients in the End-use Product 102839–R Golden-Eco 1000 Proposed for Registration and an Associated Petition Requesting a Tolerance Exemption'' or the Bacteriophage active against *Xanthomonas campestris* pv. *vesicatoria*_EcoPhage and Bacteriophage active against *Pseudomonas syringae* pv. *tomato*_EcoPhage Human Health Risk Assessment. This document, as well as other relevant information, is available in the docket for this action as described under **ADDRESSES**.

The available data and information demonstrated that, with regard to humans, Bacteriophage active against *Xanthomonas campestris pv. vesicatoria*_EcoPhage and Bacteriophage active against *Pseudomonas syringae pv. tomato*_EcoPhage are not anticipated to be toxic, pathogenic, or infective via any route of exposure. Furthermore, humans, including infants and children, have been exposed to bacteriophage through food and water, where they are commonly found, with no known adverse effects. Significant dietary and non-occupational exposures to residues of Bacteriophage active against *Xanthomonas campestris pv. vesicatoria*_EcoPhage and Bacteriophage active against *Pseudomonas syringae pv. tomato*_EcoPhage are not expected due to the inability of bacteriophage to persist when the specific bacterial hosts are not present and the sensitivity of bacteriophage to environmental conditions (*e.g.,* ultraviolet light and heat). Even if dietary and non-occupational exposures to residues of Bacteriophage active against *Xanthomonas campestris pv. vesicatoria*_EcoPhage and Bacteriophage active against *Pseudomonas syringae pv. tomato*_EcoPhage were to occur, there is not a concern due the lack of potential for adverse effects. Because there are no threshold levels of concern with the toxicity, pathogenicity, or infectivity of Bacteriophage active against *Xanthomonas campestris pv. vesicatoria*_EcoPhage and Bacteriophage active against *Pseudomonas syringae pv. tomato*_EcoPhage, EPA determined that the additional margin of safety referred to as the Food Quality Protection Act Safety Factor is not necessary to protect infants and children as part of the qualitative assessment conducted.

Based upon its evaluation in the Bacteriophage active against *Xanthomonas campestris* pv. *vesicatoria*_EcoPhage and Bacteriophage active against *Pseudomonas syringae* pv. *tomato*_EcoPhage Human Health Risk Assessment, which concludes that

there are no potential risks of concern from aggregate exposure to Bacteriophage active against *Xanthomonas campestris* pv. *vesicatoria*_EcoPhage and Bacteriophage active against *Pseudomonas syringae* pv. *tomato*_EcoPhage, EPA determines that there is a reasonable certainty that no harm will result to the U.S. population, including infants and children, from aggregate exposure to residues of Bacteriophage active against *Xanthomonas campestris* pv. *vesicatoria*_EcoPhage and Bacteriophage active against *Pseudomonas syringae* pv. *tomato*_EcoPhage. Therefore, exemptions from the requirement of a tolerance are established for residues of Bacteriophage active against *Xanthomonas campestris* pv. *vesicatoria*_EcoPhage and Bacteriophage active against *Pseudomonas syringae* pv. *tomato*_EcoPhage in or on all food or feed commodities when used in accordance with label directions and good agricultural practices.

B. Analytical Enforcement Methodology

An analytical method is not required because EPA is establishing exemptions from the requirement of a tolerance without any numerical limitation.

C. Conclusion

Therefore, exemptions from the requirement of a tolerance are established for residues of Bacteriophage active against *Xanthomonas campestris* pv. *vesicatoria*_EcoPhage and Bacteriophage active against *Pseudomonas syringae* pv. *tomato*_EcoPhage in or on all food or feed commodities when used in accordance with label directions and good agricultural practices.

IV. Statutory and Executive Order Reviews

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

A. Executive Order 12866: Regulatory Planning and Review

This action is exempt from review under Executive Order 12866 (58 FR 51735, October 4, 1993), because it establishes or modifies a pesticide tolerance or a tolerance exemption under FFDCA section 408 in response to a petition submitted to the Agency. The Office of Management and Budget (OMB) has exempted these types of actions from review under Executive Order 12866.

B. Executive Order 14192: Unleashing Prosperity Through Deregulation

Executive Order 14192 (90 FR 9065, February 6, 2025) does not apply because actions that establish a tolerance or tolerance exemption under FFDCA section 408 are exempted from review under Executive Order 12866.

C. Paperwork Reduction Act (PRA)

This action does not impose an information collection burden under the PRA 44 U.S.C. 3501 *et seq.,* because it does not contain any information collection activities.

D. Regulatory Flexibility Act (RFA)

This action is not subject to the RFA, 5 U.S.C. 601 *et seq.* The RFA applies only to rules subject to notice and comment rulemaking requirements under the Administrative Procedure Act (APA), 5 U.S.C. 553, or any other statute. This rule is not subject to the APA but is subject to FFDCA section 408(d), which does not require notice and comment rulemaking to take this action in response to a petition.

E. Unfunded Mandates Reform Act (UMRA)

This action does not contain an unfunded mandate of $100 million or more (in 1995 dollars and adjusted annually for inflation) 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 as specified in Executive Order 13132 (64 FR 43255, August 10, 1999), because 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.

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

This action does not have Tribal implications as specified in Executive Order 13175 (65 FR 67249, November 9, 2000), because it will not have substantial direct effects on tribal governments, on the relationship between the Federal Government and the Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes.

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

This action is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because it is not a significant regulatory action under section 3(f)(1) of Executive Order 12866, and because EPA does not believe the environmental health or safety risks addressed by this action present a disproportionate risk to children.

However, EPA's 2026 *Policy on Children's Health* applies to this action. This rule finalizes tolerance actions under the FFDCA, which requires EPA to give special consideration to exposure of infants and children to the pesticide chemical residue in establishing a tolerance or tolerance exemption and to ''ensure that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to the pesticide chemical residue . . .'' (FFDCA 408(b)(2)(C)). The Agency's consideration is documented in the pesticide-specific review documents, located in the applicable docket at *https://www.regulations.gov.*

I. Executive Order 13211: Actions Concerning Regulations 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 Advancement Act (NTTAA)

This action does not involve technical standards that would require Agency consideration under NTTAA section 12(d), 15 U.S.C. 272.

K. Congressional Review Act (CRA)

This action is subject to the CRA, 5 U.S.C. 801 *et seq.,* and EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: July 7, 2026.

Edward Messina,

Director, Office of Pesticide Programs.

For the reasons set forth in the preamble, EPA is amending 40 CFR chapter I as follows:

PART 180—TOLERANCES AND EXEMPTIONS FOR PESTICIDE CHEMICAL RESIDUES IN FOOD

■ 1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 321(q), 346a and 371.

■ 2. Add §§ 180.1426 and 180.1427 to subpart D to read as follows:

§ 180.1426 Bacteriophage active against *Xanthomonas campestris* pv. *vesicatoria*_EcoPhage; exemption from the requirement of a tolerance.

An exemption from the requirement of a tolerance is established for residues of bacteriophage active against *Xanthomonas campestris* pv. *vesicatoria*_EcoPhage in or on all food or feed commodities when used in accordance with label directions and good agricultural practices.

§ 180.1427 Bacteriophage active against *Pseudomonas syringae* pv. *tomato*_EcoPhage; exemption from the requirement of a tolerance.

An exemption from the requirement of a tolerance is established for residues of bacteriophage active against *Pseudomonas syringae* pv. *tomato*_EcoPhage in or on all food or feed commodities when used in accordance with label directions and good agricultural practices.

[FR Doc. 2026–14114 Filed 7–13–26; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

45 CFR Part 1355

RIN 0970–AD19

Designated Placement Requirements Under Titles IV–E and IV–B for LGBTQI+ Children; Rescission

AGENCY: Children's Bureau (CB), Administration on Children, Youth and Families (ACYF), Administration for Children and Families (ACF), Department of Health and Human Services (HHS).

ACTION: Final rule.

SUMMARY: This rule finalizes the removal of the requirements issued in the *Designated Placement Requirements Under Titles IV–E and IV–B for LGBTQI+ Children* final rule that was published on April 30, 2024 (hereafter referred to as the 2024 final rule). The 2024 final rule required title IV–E/IV–B agencies to ensure that a Designated Placement is available for all children who self-identify with an alternative sexual orientation or self-identify as something other than their sex in foster care who request or would benefit from such a placement. Those requirements were never implemented as a result of the decision from the U.S. District Court for the Eastern District of Texas that vacated the 2024 final rule in its entirety. To ensure clarity for the public and regulated entities, ACF is removing the provisions from the Code of Federal Regulations (CFR).

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

FOR FURTHER INFORMATION CONTACT: Jennifer Haight, Children's Bureau, 202–329–6464, Administration for Children and Families, Department of Health and Human Services, *cbcomments@acf.hhs.gov.*

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Statutory Authority

This final rule is published under the authority granted to the Secretary of HHS (the Secretary) by Section 1102 of the Social Security Act (the Act), 42 U.S.C. 1302, which authorizes the Secretary to publish regulations, not inconsistent with the Act, as may be necessary for the efficient administration of the functions entrusted to the Secretary under the Act.

II. Background

2024 Designated Placements Final Rule

The 2024 final rule (89 FR 34818) added § 1355.22 to 45 CFR part 1355, requiring State and Tribal agencies administering or supervising the administration of titles IV–E and IV–B of the Act (''agencies'') to ensure that a Designated Placement is available for all children who self-identify with an alternative sexual orientation or self-identify as something other than their sex in foster care who request or would benefit from such a placement. It established procedural steps for agencies to implement Designated Placements and added requirements for foster care providers of these placements. The 2024 final rule also amended § 1355.34(c)(2)(i) requiring agencies to monitor compliance with Designated Placement requirements through the Child and Family Services Reviews (CFSR).

Legal Challenge

State of Texas v. United States Department of Health & Human Services, 770 F. Supp. 3d 940 (E.D. Tex. 2025)

On September 24, 2024, the State of Texas Attorney General's Office (State of Texas) filed a lawsuit against HHS alleging the 2024 final rule:

- Exceeds HHS's statutory authority,
- Violates the Spending Clause, and
- Is arbitrary and capricious.

The plaintiff asked the court to vacate that final rule and requested an immediate stay of the final rule's effective date under 5 U.S.C. 705. On March 13, 2025, the court concluded that the State of Texas was likely to succeed on the merits of the case because the final rule ''violates the [Administrative Procedure Act] APA in two independent ways.'' 770 F. Supp. 3d at 948. First, HHS ''lacked rulemaking authority to issue the Final Rule,'' and second, the 2024 final rule ''conflicts with the text of Title IV–E.'' *Id.* The court stayed the final rule in its entirety nationwide, pending the conclusion of proceedings in that case, finding that the final rule imposed requirements on agencies not authorized by the statutory provisions governing the title IV–E and IV–B programs. *Id.* at 948–50. HHS notified agencies of the nationwide stay through emails and an Information Memorandum (IM) ACF–ACYF–CB–IM–25–03 issued April 15, 2025.

On June 13, 2025, the U.S. District Court for the Eastern District of Texas issued a final judgment, vacating the 2024 final rule in its entirety. *See Texas* v. *U.S. Dep't of Health & Hum. Servs.,* Case No. 6:24–cv–348–JDK (E.D. Tex.), Doc. 37 (filed June 13, 2025) (Order and Final Judgment). For the reasons stated in the initial stay of the 2024 final rule, the court concluded that the rule exceeded HHS's statutory authority and conflicted with the text of title IV–E. The court's decision vacated the final rule in its entirety, meaning that the rule is no longer in effect and has no legal force. Due to the court's final judgment, ACF has not enforced the provisions of the 2024 final rule and notified agencies of the court's decision on November 19, 2025 through ACF–ACYF–CB–IM–25–06.