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BUREAU OF CONSUMER FINANCIAL PROTECTION

12 CFR Part 1091

[Docket No. CFPB–2022–0024]

Supervisory Authority Over Certain Nonbank Covered Persons Based on Risk Determination; Public Release of Decisions and Orders

AGENCY: Bureau of Consumer Financial Protection.

ACTION: Procedural rule; request for public comment.

SUMMARY: The Consumer Financial Protection Bureau (Bureau) is amending an aspect of procedures for establishing supervisory authority based on a risk determination. Specifically, the Bureau is adding a mechanism for the Bureau to make final decisions and orders in these proceedings public. The Bureau welcomes comments on this rule, and the Bureau may make further amendments if it receives comments warranting changes.

DATES: This procedural rule is effective on April 29, 2022. Comments must be received on or before May 31, 2022.

ADDRESSES: You may submit comments, identified by Docket No. CFPB–2022–0024, by any of the following methods:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments.
- *Email: 2022-Amendment-to-Part-1091@cfpb.gov.* Include Docket No. CFPB–2022–0024 in the subject line of the message.
- *Mail/Hand Delivery/Courier:* Comment Intake—Supervisory Authority Over Certain Nonbank Covered Persons Based on Risk Determination; Public Release of Decisions and Orders, Consumer Financial Protection Bureau, 1700 G Street NW, Washington, DC 20552.

Instructions: The Bureau encourages the early submission of comments. All submissions should include the agency name and docket number for this rulemaking. Because paper mail in the Washington, DC area and at the Bureau is subject to delay, and in light of difficulties associated with mail and hand deliveries during the COVID–19 pandemic, commenters are encouraged to submit comments electronically. In general, all comments received will be posted without change to *https://www.regulations.gov.* In addition, once the Bureau's headquarters reopens, comments will be available for public inspection and copying at 1700 G Street NW, Washington, DC 20552, on official business days between the hours of 10 a.m. and 5 p.m. Eastern Time. At that time, you can make an appointment to inspect the documents by telephoning 202–435–7275.

All comments, including attachments and other supporting materials, will become part of the public record and subject to public disclosure. Proprietary information or sensitive personal information, such as account numbers or Social Security numbers, or names of other individuals, should not be included. Comments will not be edited to remove any identifying or contact information.

FOR FURTHER INFORMATION CONTACT: Christopher Shelton, Senior Counsel, Legal Division, at 202–435–7700. If you require this document in an alternative electronic format, please contact *CFPB_Accessibility@cfpb.gov.*

SUPPLEMENTARY INFORMATION:

I. Discussion

Among other sources of supervisory authority, the Bureau can supervise a nonbank covered person that the Bureau ''has reasonable cause to determine, by order, after notice to the covered person and a reasonable opportunity for such covered person to respond . . . is engaging, or has engaged, in conduct that poses risks to consumers with regard to the offering or provision of consumer financial products or services.'' [1] The Bureau issued a procedural rule in 2013 to govern these proceedings.[2] Section 1091.115(c) of the existing rule provides, in summary, that documents, records or other items in connection with a proceeding under part 1091 shall be deemed confidential supervisory information.

The Bureau is now adding a new § 1091.115(c)(2), which provides an exception regarding final decisions and orders by the Director. A central principle of the supervisory process is confidentiality. At the same time, these decisions and orders present unique considerations compared to other supervisory activity. There is a public interest in transparency when it comes to these potentially significant rulings by the Director as head of the agency. Also, if a decision or order is publicly released, it would be available as a precedent in future proceedings. Accordingly, the Bureau believes that there should be a procedural mechanism to determine whether all or part of a decision or order should be publicly released. The process established in § 1091.115(c)(2) is a straightforward one. In summary, within seven days of service of the decision or order, the respondent has the option of filing a submission on this issue, and then the Director will determine whether the decision or order will be released on the Bureau's website, in whole or in part.[3]

In this rule, the Bureau is not endeavoring to codify a standard on the issue of public release. However, the Bureau generally anticipates applying Exemptions 4 and 6 of the Freedom of Information Act to information submitted by respondents that is reflected in final decisions and orders.[4] Exemption 4 applies to ''trade secrets and commercial or financial information obtained from a person and privileged or confidential,'' while Exemption 6 applies to ''personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted

[1] 12 U.S.C. 5514(a)(1)(C). The Bureau must base such reasonable-cause determinations on complaints collected by the Bureau under 12 U.S.C. 5493(b)(3), or on information collected from other sources. *Id.*

[2] 78 FR 40351 (July 3, 2013); *see also* 85 FR 75194 (Nov. 24, 2020) (updating certain cross-references to 12 CFR part 1070).

[3] The Bureau also notes three features of this provision. First, the computation of ''days'' is governed by existing § 1091.114. Second, the Director's authority regarding public release could be delegated to a designee of the Director under existing § 1091.101. Third, the Bureau is not extending the staff separation-of-functions requirement in § 1091.109(c), which applies to the Director's final decision and order, to the Director's subsequent determination regarding public release. Doing so would not be required by law, and the routine determination of whether to post material on the Bureau's website is not sufficiently significant to warrant doing so.

[4] 5 U.S.C. 552(b)(4), (b)(6).

invasion of personal privacy.'' [5] The Bureau would also consider whether there are other reasons to not publicly release a final decision or order, in whole or in part. The Bureau welcomes any comments on whether it should amend the rule to codify a standard for determinations regarding public release.

The Bureau notes that this rule will have limited effects on the public. Nonbank covered persons that are respondents may incur incidental costs, if they choose to prepare submissions on the issue of public release. The rule itself will not trigger public release of decisions and orders, since it simply establishes a procedure to consider that issue. If the Bureau does ultimately decide to release a decision or order, that should generally benefit covered persons, consumers, and other members of the public by giving them a better understanding of the Bureau's decisionmaking.

In formulating this rule, the Bureau has consulted or offered to consult with the prudential regulators and the Federal Trade Commission.

II. Regulatory Requirements

As a rule of agency organization, procedure, or practice, this rule is exempt from the notice-and-comment rulemaking requirements of the Administrative Procedure Act.[6]

Because no notice of proposed rulemaking is required, the Regulatory Flexibility Act does not require an initial or final regulatory flexibility analysis.[7] Moreover, the Bureau's Director certifies that this rule will not have a significant economic impact on a substantial number of small entities. Therefore, an analysis is also not required for that reason.[8] As a result of the rule, respondents in the relevant proceedings may choose to make submissions on the issue of public release. Some of these respondents may be small entities under the Regulatory Flexibility Act, but they would represent a very small fraction of small entities in consumer financial services markets. Accordingly, the number of small entities affected is not substantial.

The Bureau has also determined that this rule does not impose any new or revise any existing recordkeeping, reporting, or disclosure requirements on covered entities or members of the public that would be collections of information requiring approval by the Office of Management and Budget under the Paperwork Reduction Act.[9]

List of Subjects in 12 CFR Part 1091

Administrative practice and procedure, Consumer protection, Credit, Trade practices.

Authority and Issuance

For the reasons set forth above, the Bureau amends 12 CFR part 1091 as set forth below:

PART 1091—PROCEDURAL RULE TO ESTABLISH SUPERVISORY AUTHORITY OVER CERTAIN NONBANK COVERED PERSONS BASED ON RISK DETERMINATION

■ 1. The authority citation for part 1091 continues to read as follows:

Authority: 12 U.S.C. 5512(b)(1), 5514(a)(1)(C), 5514(b)(7).

■ 2. In § 1091.115, add headings to paragraphs (a) and (b) and revise paragraph (c) to read as follows:

§ 1091.115 Change of time limits and confidentiality of proceedings.

(a) *Change of time limits.* * * *

(b) *No substantive rights.* * * *

(c) *Confidentiality*—(1) *General rule.* In connection with a proceeding under this part, including a petition for termination under § 1091.113, all documents, records or other items submitted by a respondent to the Bureau, all documents prepared by, or on behalf of, or for the use of the Bureau, and any communications between the Bureau and a person, shall be deemed confidential supervisory information under 12 CFR 1070.2(i)(1). However, this paragraph does not apply to the version of a document that is released on the Bureau's website under paragraph (c)(2).

(2) *Publication of final decisions and orders by the Director.* The Director will make a determination regarding whether a decision or order under § 1091.103(b)(2), § 1091.109(a), or § 1091.113(e) will be publicly released on the Bureau's website, in whole or in part. The respondent may file a submission regarding that issue, within seven days after service of the decision or order. The Director may also decide that the Director's determination regarding public release will itself be released on the website, in whole or in part. Section 1091.109(c) is not applicable to determinations under this paragraph.

Rohit Chopra,

Director, Consumer Financial Protection Bureau.

[FR Doc. 2022–09107 Filed 4–28–22; 8:45 am]

BILLING CODE 4810–AM–P

[5] *Id.*

[6] 5 U.S.C. 553(b).

[7] 5 U.S.C. 603, 604.

[8] 5 U.S.C. 605(b).

[9] 44 U.S.C. 3501–3521.

SMALL BUSINESS ADMINISTRATION

13 CFR Parts 120 and 121

[Docket No. SBA–2022–0003]

Community Advantage Pilot Program

AGENCY: Small Business Administration.

ACTION: Notification of changes to Community Advantage Pilot Program, impact on regulations, and request for comments.

SUMMARY: The Small Business Administration (SBA) continues to refine and improve the design of the Community Advantage (CA) Pilot Program. SBA is issuing this document to revise the CA Pilot Program requirements to encourage increased lending in historically underserved markets.

DATES: The changes identified in this document take effect May 31, 2022. *Comment date:* Comments must be received on or before May 31, 2022.

ADDRESSES: You may submit comments, identified by SBA docket number SBA-2022–0003, by any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Darrel Eddingfield, Office of Financial Assistance, U.S. Small Business Administration, 409 Third Street SW, Washington, DC 20416.

SBA will post all comments on *https://www.regulations.gov.*

If you wish to submit confidential business information (CBI) as defined in the User Notice at *https://www.regulations.gov,* please submit the information to Darrel Eddingfield, Office of Financial Assistance, U.S. Small Business Administration, 409 Third Street SW, Washington, DC 20416, or send an email to *communityadvantage@sba.gov.* Highlight the information that you consider to be CBI and explain why you believe SBA should hold this information as confidential. SBA will review the information and make the final determination as to whether it will publish the information.

FOR FURTHER INFORMATION CONTACT: Darrel Eddingfield, Office of Financial

Assistance, U.S. Small Business Administration, 409 Third Street SW, Washington, DC 20416; telephone: (202) 516–6676; email: *darrel.eddingfield@sba.gov.*

SUPPLEMENTARY INFORMATION:

1. Background

SBA has the authority to suspend, modify, or waive certain regulations in establishing and testing pilot loan initiatives under 13 CFR 120.3. On February 18, 2011, SBA issued a notice and request for comments introducing the CA Pilot Program (76 FR 9626), which was created to meet the credit needs of small businesses in underserved markets. In that notice, SBA modified or waived as appropriate certain regulations which otherwise apply to 7(a) loans for the CA Pilot Program.

Subsequent notices revised the CA Pilot Program to improve the program experience for participants, improve CA Lenders' ability to deliver capital to underserved markets, and appropriately manage risk to the Agency. These notices were issued on the following dates: September 12, 2011 (76 FR 56262), February 8, 2012 (77 FR 6619), November 9, 2012 (77 FR 67433), December 28, 2015 (80 FR 80872), September 12, 2018 (83 FR 46237), March 2, 2020 (85 FR 12369), and July 15, 2020 (85 FR 42964). On April 1, 2022 (87 FR 19165), SBA issued a notice extending the CA Pilot Program until September 30, 2024 and lifting the moratorium previously imposed on SBA accepting new CA Lender applications.

2. Comments

Although the changes take effect May 31, 2022, comments are solicited from interested members of the public on all aspects of the CA Pilot Program. Comments must be submitted on or before the deadline for comments listed in the **DATES** section. SBA will consider these comments and the need for making any future revisions to the CA Pilot Program.

3. Changes to the CA Pilot Program

Under 13 CFR 120.3, SBA has the authority to test new programs or ideas in pilot programs that are limited in size and duration to protect SBA from undue risk of loss. Testing new ideas in a limited pilot program provides SBA with an opportunity to collect data to determine which ideas most effectively accomplish the intended goals and can be introduced as permanent rule changes versus other ideas that can be quickly terminated when data indicates they produce poor results. SBA has determined there is a gap in funding to underserved markets and in small dollar loans. Because the CA Pilot Program is specifically focused on making small loans in underserved markets, SBA is using its authority under 13 CFR 120.3 to implement the following modifications to determine their effectiveness in expanding capital to underserved markets and increasing small dollar loans.

a. Modification of 13 CFR 120.410 and 120.440 for Participation in and Use of Delegated Authority in the CA Pilot Program

To close the gap in funding for small businesses in underserved markets by expediting loan decisions for small dollar loans, SBA is modifying the regulations at 13 CFR 120.410 and 120.440, using the term modify as contemplated under 13 CFR 120.3, for lender participation in the CA Pilot Program and the conditions under which SBA will grant delegated authority to CA Lenders to make CA loans without prior SBA review of eligibility or creditworthiness. Subject to SBA's review and prior approval, SBA may authorize certain CA Lenders to make CA revolving lines of credit. Until receiving written authorization from SBA, CA Lenders will not be permitted to approve revolving lines of credit, under either delegated or non-delegated authority.

New lenders: A lender that is not an existing CA Lender as of April 1, 2022, must be approved by SBA to participate in the CA Pilot Program before it can begin making CA loans. A new lender applying to participate as a CA Lender must demonstrate at the time of its application that it currently has at least 20 similarly-sized commercial or business loans in its portfolio. This level of experience is necessary because SBA will be granting delegated authority if the Lender is approved to participate in the pilot.

Existing CA Lenders that have delegated authority: These CA Lenders do not have to take any action and may begin using the procedures in the updated CA Participant Guide when it is published.

Existing CA Lenders that do not have delegated authority as of April 1, 2022: Notwithstanding the new authorities stated above, these CA Lenders must continue to submit loan applications through the Loan Guaranty Processing Center (LGPC) using nondelegated authority until that time as they qualify for and are approved for delegated authority. For these CA Lenders, SBA will grant delegated authority under the rules that were in effect at the time the CA Lender was approved to participate in the CA Pilot Program. Alternatively, a CA Lender may apply for delegated authority at any time if it can demonstrate that it currently has at least 20 similarly-sized commercial or business loans in its portfolio, which may include its CA loans.

b. Modification of 13 CFR 120.150 Relating to Lending Criteria

SBA is modifying the regulation at 13 CFR 120.150, using the term modify as contemplated under 13 CFR 120.3, which describes the lending criteria that SBA and participating lenders must consider when underwriting SBA-guaranteed loans. CA Lenders must ensure the Applicant (including an Operating Company) is creditworthy and loans are so sound as to reasonably assure repayment. CA Lenders must use appropriate and prudent generally acceptable commercial credit analysis processes and procedures consistent with those used for their similarly-sized, non-SBA guaranteed commercial loans. When approving CA loans, CA Lenders may consider any of the following criteria: Credit score or credit history of the Applicant (and the Operating Company, if applicable), its Associates and any guarantors; the earnings or cashflow of Applicant; or where applicable any equity or collateral of the Applicant.

Additionally, CA Lenders may use a business credit scoring model. CA Lenders may use the FICO® Small Business Scoring Service℠ Score (SBSS) credit scoring model used in SBA's 7(a) Small Loan Program or other credit scoring models. If a CA Lender uses a credit scoring model other than SBSS, the CA Lender must validate the model, document with appropriate statistical methodologies that their credit analysis procedures are predictive of loan performance and must provide that documentation to SBA upon request and during lender oversight reviews. Credit scoring models could incorporate, for example, the earnings and cashflow of an Applicant, equity, or collateral, in which case those factors would not necessarily be separately considered by a CA Lender unless otherwise specified by SBA Loan Program Requirements as defined in 13 CFR 120.10 (*e.g.,* where SBA requires an equity injection for certain project financing). SBA will continue to require new CA Lender Applicants to submit their credit policies at the time of application.

The use of credit scoring models will not replace the requirement for CA Lenders to comply with other SBA Loan Program Requirements, for example, ensuring the project meets program

eligibility requirements, adequate controls on disbursements are in place, providing accurate descriptions of uses of proceeds, and documenting that credit is not available elsewhere.

c. Modification of 13 CFR 120.110(n) for the Community Advantage Pilot Program

SBA is modifying the regulation at 13 CFR 120.110(n), using the term modify as contemplated under 13 CFR 120.3, to remove restrictions that make ineligible any business with an Associate who is incarcerated, on probation, on parole, or has been indicted for a felony or a crime of moral turpitude. CA Lenders may continue to conduct background checks and make risk-based lending decisions in accordance with their own policies. SBA is making this change to address concerns regarding equitable access under SBA programs and economic opportunities for these individuals. There are roughly as many Americans with criminal records as with college degrees,[1] and the criminal justice system disproportionally entangles Americans of color. Individuals with prior convictions often have difficulty finding jobs, many experience discrimination, others lack technical skillsets for the modern workforce, and all face 29,000 employment-related legal restrictions (*e.g.,* inability to acquire licenses).[2] Entrepreneurship may offer this population a strong alternative, but many formerly incarcerated individuals have little access to the credit necessary to start a business.

d. Modification of 13 CFR 120.151 To Increase Maximum Allowable CA Loan Size From $250,000 to $350,000

When SBA introduced the CA Pilot Program, it modified the maximum loan amount for 7(a) loans in 13 CFR 120.151 to establish a maximum CA loan size of $250,000. In this document, SBA is again modifying 13 CFR 120.151, using the term modify as contemplated under 13 CFR 120.3, to increase the maximum CA loan size to $350,000 to align with the current definition of a small loan as used in the regular 7(a) program. While still considered small dollar loans, the larger loan amount limit will allow Applicants to make necessary investments to start new businesses such as the purchase of commercial real estate, machinery and equipment, and inventory.

[1] Just Facts: As Many Americans Have Criminal Records as College Diplomas. Brennan Center for Justice.

[2] *The Price We Pay: Economic Costs of Barriers to Employment for Former Prisoners and People Convicted of Felonies.* Center For Economic And Policy Research, June 16, 2016.

e. Modification of 13 CFR 120.221(a) To Revise Maximum Allowable Fees a CA Lender May Charge

Currently, 13 CFR 120.221(a) permits Lenders to charge an Applicant a reasonable fee to assist the Applicant with the preparation of the application and supporting materials. However, SBA does not permit Lenders to charge an Applicant a commitment, broker, referral, or similar fee. SBA SOP 50 10 provides guidance on allowable fees and compensation all Lenders, including CA Lenders, may charge an Applicant. In a notice published on September 12, 2018 (83 FR 46237), SBA modified 13 CFR 120.221(a) to limit the fees that a CA Lender or Agent is permitted to collect from the Applicant to no more than $2,500.

SBA determined the limits on fees may negatively affect CA Lenders' willingness to make loans under the CA Pilot Program. Therefore, SBA is modifying the allowable fee structure to offset costs that may prevent CA lenders from making more loans, especially small loans under $50,000. One of the ways SBA 7(a) Lenders are permitted to charge a fee for packaging and other services is based on a percentage of the loan amount, which is 3 percent for loans of $50,000 and less, and 2 percent for larger loans. This allows a 7(a) Lender to charge a fee of up to $7,000 for a $350,000 7(a) loan where the CA Lender is currently permitted to charge a fee of up to $2,500 for all CA loans.

For these reasons, SBA is again modifying 13 CFR 120.221(a), using the term modify as contemplated under 13 CFR 120.3, and revising the method of calculating the maximum fee a CA Lender may charge the Applicant for packaging and other services as follows:

i. For CA loans up to $5,000: Fee may not exceed 10 percent of the loan amount;

ii. For CA loans greater than $5,000 and up to and including $10,000: Fee may not exceed $500;

iii. For CA loans greater than $10,000 up to and including $50,000: Fee may not exceed 5 percent of the loan amount or $1,750, whichever is less; and

iv. For CA loans greater than $50,000: Fee may not exceed 2.5 percent or $1,750, whichever is greater.

Except for necessary out-of-pocket costs such as filing or recording fees permitted in § 120.221(c), this is the only fee or compensation a CA Lender may directly or indirectly collect from an Applicant for assistance with obtaining a CA loan. In addition, the CA Lender may not split a loan into two loans for the purpose of charging an additional fee to an Applicant. Any fees the CA Lender or any Agent charges an Applicant must be disclosed to the Applicant and SBA by completion of the SBA Form 159, ''Fee Disclosure Form and Compensation Agreement,'' and the CA Lender must electronically submit a copy of the executed form and any supporting documentation through SBA's Capital Access Financial System (CAFS). SBA's Office of Credit Risk Management (OCRM) tracks fees and compensation Lenders and Agents collect from Applicants and Borrowers to allow SBA to monitor and track the actual costs to Borrowers in obtaining SBA-guaranteed loans.

SBA considers the revised fee structure to be reasonable. SBA will continue to monitor this fee structure and may revise this amount by publishing a notice with request for comment in the **Federal Register**.

f. Modification of 13 CFR 120.213, 120.214, and 120.215 To Revise Maximum Allowable Interest Rates a CA Lender May Charge

When SBA announced the CA Pilot Program and again in a subsequent notice, it modified the regulations at 13 CFR 120.213, 120.214, and 120.215 in order to permit CA Lenders to charge up to Prime plus 6 percent on loans of any size. (See, 79 FR 9626, February 18, 2011, and 77 FR 6619, February 8, 2012.) To incentivize CA Lenders to make more smaller dollar loans, SBA is again revising the regulations at 13 CFR 120.213, 120.214, and 120.215, using the term modify as contemplated under 13 CFR 120.3, by setting the maximum interest rates that CA Lenders may charge. For CA loans approved on or after the effective date of this document, CA Lenders may charge, for loans up to $50,000, Prime plus 6.5 percent; for loans greater than $50,000 up to and including $250,000, Prime plus 6 percent; for loans greater than $250,000 up to and including $350,000, Prime plus 4.5 percent.

g. Revise Collateral Requirements for CA Loans

SBA is making the following changes to collateral requirements to increase the speed with which CA Lenders may make small loans while also decreasing costs to the CA Lender and Borrower. Personal and/or corporate guaranties must still be obtained in accordance with 13 CFR 120.160(a) and SOP 50 10.

Loans $50,000 or less: CA Lenders currently are required to follow the guidance on collateral provided in the CA Participant Guide and in SBA SOP 50 10, which states that for loans of $25,000 or less, the CA Lender is not required to take collateral. For CA loans

approved on or after the effective date of this document, SBA will not require CA Lenders to take collateral on loans of $50,000 or less.

Loans greater than $50,000: SBA currently requires that for CA loans over $50,000, the CA Lender must follow the collateral policies and procedures it has established and implemented for its similarly-sized, non-SBA-guaranteed commercial loans; however, at a minimum, the CA Lender must require as collateral a first lien on all assets financed with the CA loan proceeds. The CA Lender is also required to take a lien on all the Borrower's fixed assets, including real estate, up to the point the CA loan is ''fully secured'' in accordance with the collateral valuations provided in SOP 50 10 6, Part 2, Section B, Chapter 1. Upon the effective date of this document, SBA will require the CA Lender to take real estate as collateral only if one of the following conditions are met:

i. The real estate is being acquired with the CA loan proceeds; or

ii. The CA loan proceeds will finance improvements to real estate owned by the Borrower or its Associates; or

iii. The CA loan proceeds will refinance debt originally used to acquire, or improve the real estate owned by the Borrower or its Associates.

h. Modification of 13 CFR 120.130(c) To Allow Certain CA Lenders To Provide Revolving Lines of Credit

Under the existing CA Pilot Program, CA Lenders are not authorized to make revolving lines of credit. To improve access to working capital in underserved markets, SBA is modifying the regulation at 13 CFR 120.130(c), using the term modify as contemplated under 13 CFR 120.3, which currently prohibits a borrower from using loan proceeds for floor plan financing or other revolving line of credit, except under the Export Working Capital Program or the CAPLines Program. Subject to SBA's review and prior approval, SBA may authorize certain CA Lenders to make CA revolving lines of credit. Until receiving written authorization from SBA, CA Lenders will not be permitted to approve revolving lines of credit, under either delegated or non-delegated authority.

i. Modification of 13 CFR 120.160(c) To Revise the Requirement for Hazard Insurance for CA Loans

As set forth in 13 CFR 120.160(c), SBA currently requires hazard insurance on all collateral and does not distinguish this requirement by loan size. SBA determined that the hazard insurance requirement is particularly burdensome and costly for businesses seeking small dollar loans. Therefore, SBA is modifying the regulation at 13 CFR 120.160(c), using the term modify as contemplated under 13 CFR 120.3, to permit CA Lenders to follow the hazard insurance policies and procedures they have established and implemented for their similarly-sized, non-SBA-guaranteed commercial loans.

CA Lenders must continue ensuring that Borrowers obtain flood insurance per 13 CFR 120.170 when required under the Flood Disaster Protection Act of 1973 (42 U.S.C. 4000 *et seq.*).

j. Modification of 13 CFR 121.301(f) To Modify the Affiliation Principles for Applicants for CA Loans

Currently, 13 CFR 121.301 states the size standards and affiliation principles that are applicable to SBA's financial assistance programs. Paragraph (f) details how affiliation principles are applied for the 7(a) Loan Program, among others. This paragraph has seven sub-paragraphs, each of which details a separate affiliation principle that must be applied to the applicant and other entities to determine whether the entities are affiliated. The determination of affiliation is necessary to ensure that an applicant is ''small'' for purposes of eligibility for SBA financial assistance and to ensure that the applicant (including affiliates) does not exceed the maximum guaranty amount available. The seven sub-paragraphs consider: (1) Affiliation based on ownership, including the principal of control of one entity over another; (2) affiliation arising under stock options, convertible securities, and agreements to merge, including the principal of control of one entity over another; (3) affiliation based on management, including the principal of control of one entity over another; (4) affiliation based on identity of interest between close relatives; (5) affiliation based on franchise and license agreements, including the principal of control of one entity over another; (6) determining the concern's size; and (7) exceptions to affiliation.

Participating CA Lenders and the public have requested simplification of the affiliation rules for SBA's financial assistance programs, and recent Congressional actions have streamlined the affiliation rules for certain circumstances. For example, certain temporary COVID–19 pandemic relief programs enacted by Congress streamlined SBA's financial assistance affiliation requirements to speed relief to small businesses in hard-hit industries. For example, the CARES Act created the Paycheck Protection Program (PPP), which is a temporary 7(a) Loan Program, and for that program, Congress waived affiliation requirements for businesses operating under North American Industry Classification System (NAICS) Code 72 (Accommodations and Food Services), for small businesses operating under a franchise agreement listed on SBA's Franchise Directory, and for small businesses that were financed by a Small Business Investment Company (SBIC).

Drawing on the successful experience of affiliation streamlining under the temporary pandemic relief programs and mindful of CA Lender and public comments requesting affiliation streamlining for the CA Pilot Program, SBA is modifying the regulation at 13 CFR 121.301(f), using the term modify as contemplated under 13 CFR 120.3, for Applicants for CA loans to simplify the program requirements, streamline the application process for CA loans, and facilitate the review of such applications. SBA is specifically removing the principal of control of one entity over another when determining affiliation because the concept of control has proven particularly burdensome for applicants and lenders to understand and implement.

Accordingly, for purposes of the CA Pilot Program, CA Lenders will apply the following principles of affiliation to Applicants for CA loans:

- Affiliation. Any of the circumstances described below establishes affiliation for applicants of the CA Pilot Program:

1. Ownership.

i. Considering what the applicant or applicant's owners own.

A. Entities the Applicant owns. An applicant is affiliated with another business entity where the applicant owns more than 50 percent of another business.

B. Entities owned by owners of the applicant. An applicant is affiliated with another business entity where no single individual or entity owns more than 50 percent of the applicant,

1. An owner of 20 percent or more of the applicant owns more than 50 percent of the other business entity, and

2. The applicant operates in the same 3-digit NAICS subsector as the other business entity.

ii. Considering who owns the applicant.

A. An applicant is affiliated with another business entity where the other business entity owns more than 50 percent of the applicant.

B. An applicant is affiliated with another business entity where no single

individual or entity owns more than 50 percent of the applicant,

1. The other business entity owns 20 percent or more of the applicant, and

2. The other business entity operates in the same 3-digit NAICS subsector as the applicant.

2. Stock options, convertible securities, and agreements to merge.

i. SBA considers stock options, convertible securities, and agreements to merge (including agreements in principle) to have a present effect on the ownership of the entity. SBA treats such options, convertible securities, and agreements as though the rights granted have been exercised.

ii. Agreements to open or continue negotiations towards the possibility of a merger or a sale of stock at some later date are not considered ''agreements in principle'' and are thus not given present effect.

iii. Options, convertible securities, and agreements that are subject to conditions precedent which are incapable of fulfillment, speculative, conjectural, or unenforceable under state or Federal law, or where the probability of the transaction (or exercise of the rights) occurring is shown to be extremely remote, are not given present effect.

iv. SBA will not give present effect to individuals', concerns', or other entities' ability to divest all or part of their ownership interest in order to avoid a finding of affiliation.

3. Determining the concern's size. In determining the concern's size, SBA counts the receipts, employees (§ 121.201), or the alternate size standard (if applicable) of the concern whose size is at issue and all of its domestic and foreign affiliates, regardless of whether the affiliates are organized for profit.

4. Exceptions to affiliation. For exceptions to affiliation, see 13 CFR 121.103(b). Additional guidance will be provided in the updated CA Participant Guide.

4. General Information

The changes in this document are limited to the CA Pilot Program only. All other SBA guidelines and regulatory modifications related to the CA Pilot Program remain unchanged. The regulatory modifications described in this document are authorized by 13 CFR 120.3, which provides that the SBA Administrator may suspend, modify, or waive rules for a limited period to test new programs or ideas. These modifications apply only to loans made under the CA Pilot Program, which expires September 30, 2024.

SBA has provided more detailed guidance in the form of a CA Participant Guide that is being updated to reflect these changes and will be available on SBA's website at *https://www.sba.gov.* SBA may provide additional guidance, through SBA notices, which may also be published on SBA's website at *https://www.sba.gov/category/lender-navigation/forms-notices-sops/notices.* Questions regarding the CA Pilot Program may be directed to the Lender Relations Specialist in the local SBA district office. The local SBA district office may be found at *https://www.sba.gov/about-offices-list/2.*

Authority: 15 U.S.C. 636(a)(25) and 13 CFR 120.3.

Isabella Casillas Guzman,

Administrator.

[FR Doc. 2022–09162 Filed 4–28–22; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. FAA–2022–0442; Special Conditions No. 25–823–SC]

Special Conditions: Commercial Aircraft Interiors, LLC, Boeing 767–300F Airplane; Installation of Main-Deck Crew-Rest Compartment

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special conditions; request for comments.

SUMMARY: These special conditions are issued for the Boeing Model 767–300F series airplane. This airplane, as modified by Commercial Aircraft Interiors, LLC (CAI), will have a novel or unusual design feature when compared to the state of technology envisioned in the airworthiness standards for transport category airplanes. This design feature is a crew-rest compartment that is a one piece self-contained unit for installation in the forward position of the Class E cargo compartment. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

DATES: This action is effective on Commercial Aircraft Interiors, LLC on April 29, 2022. Send comments on or before June 13, 2022.

ADDRESSES: Send comments identified by Docket No. FAA–2022–0442 using any of the following methods:

- *Federal eRegulations Portal:* Go to *https://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 (DOT), 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.

Privacy: Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in title 14, Code of Federal Regulations (14 CFR) 11.35, the FAA will post all comments received without change to *https://www.regulations.gov/,* including any personal information you provide. The FAA will also post a report summarizing each substantive verbal contact received about these special conditions.

Confidential Business Information: Confidential Business Information (CBI) is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to these special conditions contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to these special conditions, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as ''PROPIN.'' The FAA will treat such marked submissions as confidential under the FOIA, and the indicated comments will not be placed in the public docket of these special conditions. Send submissions containing CBI to John Shelden, Human Machine Interface, AIR–626, Technical Innovation Policy Branch, Policy and Innovation Division, Aircraft Certification Service, Federal Aviation Administration, 2200 South 216th Street, Des Moines, Washington 98198; telephone 206–231–3214; email *john.shelden@faa.gov.* Comments the FAA receives, which are not specifically designated as CBI, will be placed in the

public docket for these special conditions.

Docket: Background documents or comments received may be read at *https://www.regulations.gov/* at any time. Follow the online instructions for accessing the docket or go 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.

FOR FURTHER INFORMATION CONTACT: John Shelden, Human Machine Interface, AIR–626, Technical Innovation Policy Branch, Policy and Innovation Division, Aircraft Certification Service, Federal Aviation Administration, 2200 South 216th Street, Des Moines, Washington 98198; telephone 206–231–3214; email *john.shelden@faa.gov*.

SUPPLEMENTARY INFORMATION: The substance of these special conditions, as applied to the installation of crew-rest compartments in the upper and lower lobes of the airplane, has been published in the **Federal Register** for public comment in several prior instances. In the past decade, comments were received in 2013 and 2014, but did not affect the substance of these special conditions. In 2017, The FAA approved an identical special condition, 25–702–SC for TTF Aerospace. Comments were received but did not affect the substance of these special conditions. Therefore, the FAA finds, pursuant to § 11.38(b), that new comments are unlikely, and notice and comment prior to this publication are unnecessary and that is further unnecessary to delay the effective date.

Comments Invited

The FAA invites interested people to take part in this rulemaking by sending written comments, data, or views. The most helpful comments reference a specific portion of the special conditions, explain the reason for any recommended change, and include supporting data.

The FAA will consider all comments received by the closing date for comments. The FAA may change these special conditions based on the comments received.

Background

On June 18, 2021, CAI applied for a supplemental type certificate for the installation of crew-rest compartments on the Boeing Model 767–300F series airplanes. The Boeing Model 767–300F series airplane is a transport category, wide body freighter equipped with two General Electric CF6–80C2B6F or B7F engines, and a Class E cargo compartment. The airplane has a maximum takeoff weight of approximately 412,000 pounds.

Type Certification Basis

Under the provisions of title 14, Code of Federal Regulations (14 CFR) 21.101, CAI must show that the Boeing Model 767–300F series airplane, as changed, continues to meet the applicable provisions of the regulations listed in Type Certificate No. A1NM or the applicable regulations in effect on the date of application for the change, except for earlier amendments as agreed upon by the FAA.

If the Administrator finds that the applicable airworthiness regulations (*e.g.,* 14 CFR part 25) do not contain adequate or appropriate safety standards for the Boeing Model 767–300F series airplane because of a novel or unusual design feature, special conditions are prescribed under the provisions of § 21.16.

Special conditions are initially applicable to the model for which they are issued. Should the applicant apply for a supplemental type certificate to modify any other model included on the same type certificate, to incorporate the same novel or unusual design feature, these special conditions would also apply to the other model under § 21.101.

In addition to the applicable airworthiness regulations and special conditions, the Boeing Model 767–300F series airplane must comply with the fuel vent and exhaust emission requirements of 14 CFR part 34, and the noise certification requirements of 14 CFR part 36.

The FAA issues special conditions, as defined in 14 CFR 11.19, in accordance with § 11.38, and they become part of the type certification basis under § 21.101.

Novel or Unusual Design Features

The Boeing Model 767–300F series airplane, as modified by Commercial Aircraft Interiors, LLC, will incorporate the following novel or unusual design feature:

The installation of a crew-rest compartment that is a one piece self-contained unit for installation in the forward position of the Class E cargo compartment.

Discussion

The crew-rest compartment will be located in what is currently the Class E main deck cargo compartment of Boeing Model 767–300F series airplane. It will be designed as a one piece self-contained unit for installation in the forward portion of the cargo compartment. The crew-rest compartment will be attached to the existing cargo restraint system, and will interface with the left-hand wall of the cargo compartment, with a seal that will surround the access door that currently provides passage to and from the Class E cargo compartment. Crew-rest compartment occupancy will be limited to a maximum of four (4) occupants.

The crew-rest compartment will contain approved seats or sleeping berths, able to withstand the maximum flight loads when occupied, for each occupant permitted in the crew-rest compartment, and it will only be occupied in flight, not during taxi, takeoff or landing. A smoke detection system, manual firefighting system, oxygen supply and occupant amenities will be provided in the crew-rest compartment. The access door will provide entry to and from the crew-rest compartment.

Section 25.857(e) at amendment level 25–93, requires that, when a Class E cargo compartment is installed on the airplane, the airplane must be used for carriage of cargo only. However, consistent with Exemption No. 12805 regarding the Boeing Model 767–300F, the FAA found that a crew-rest compartment installed in a Class E cargo compartment is acceptable, provided that the crew-rest compartment is installed forward of a smoke barrier.

The FAA considers crew-rest compartment smoke or fire detection and fire suppression systems complex when the structured methods of analysis are needed for a thorough and valid safety assessment (refer to AC 25.1309–1A, titled ''System Design and Analysis'', paragraph 6.d). This complexity includes airflow management features that prevent hazardous quantities of smoke or fire extinguishing agents from entering any other compartment occupied by the crew or passengers.

The FAA considers failure of the crew-rest compartment fire protection systems (*i.e.,* smoke or fire detection and fire suppression systems), in conjunction with a crew-rest compartment fire to be a catastrophic event. Based on the ''Depth of Analysis Flowchart'' shown in Figure 2 of AC 25.1309–1A, the depth of analysis should include both qualitative and quantitative assessments (refer to paragraphs 8d, 9, and 10 of AC 25.1309–1A). In addition, flammable fluids, explosives, or other dangerous cargo are prohibited from the crew-rest compartment.

The requirements in this document are intended to enable crewmember(s) quick entry to the crew-rest compartment to locate a fire source, and

also inherently place limits on the size of the crew-rest area, as well as the amount of baggage that may be stored inside the crew-rest compartment. Baggage in the crew-rest compartment must be limited to the crews' personal luggage, and must not be used for cargo storage or other baggage. The design of a system to include cargo storage or other baggage would require additional requirements to ensure safe operation.

The addition of galley equipment or a kitchenette incorporating a heat source (*e.g.,* cook tops, microwaves, coffee pots, etc.), other than a conventional lavatory or kitchenette water heater, within the crew-rest compartment, may require additional special conditions, and is prohibited until such conditions are approved. A water heater is acceptable without additional special conditions.

These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

Applicability

As discussed above, these special conditions are applicable to the Boeing Model 767–300F series airplane. Should Commercial Aircraft Interiors, LLC apply at a later date for a supplemental type certificate to modify any other model included on Type Certificate No. A1NM, to incorporate the same novel or unusual design feature, these special conditions would apply to that model as well.

Conclusion

This action affects only certain novel or unusual design feature on one model of airplane. It is not a rule of general applicability and affects only the applicant who applied to the FAA for approval of these features on the airplane.

List of Subjects in 14 CFR Part 25

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

Authority Citation

The authority citation for these special conditions is as follows:

Authority: 49 U.S.C. 106(f), 106(g), 40113, 44701, 44702, 44704.

The Special Conditions

Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the type certification basis for Boeing Model 767–300F series airplanes, as modified by Commercial Aircraft Interiors, LLC. The maximum occupancy of the crew-rest compartment must be added to the limitations section of the airplane flight manual. The operating procedures, warnings, alarms and alerts listed below must be added to the normal and emergency procedures sections of the airplane flight manual as appropriate.

(a) Occupancy of the crew-rest compartment is limited to the total number of installed sleeping berths and seats in each compartment. Each occupant permitted in the crew-rest compartment must be provided an approved seat or sleeping berth able to withstand the maximum flight loads when occupied. The maximum occupancy is four in the crew-rest compartment, accounting for two sleeping berths and two seats.

(1) An appropriate placard must be displayed in a conspicuous location at each entrance to the crew-rest compartment to indicate the following:

(i) The maximum number of occupants allowed.

(ii) That occupancy is restricted to crewmembers who are trained in evacuation procedures for the crew-rest compartment.

(iii) That occupancy is prohibited during taxi, takeoff, and landing.

(iv) That smoking is prohibited in the crew-rest compartment.

(v) That hazardous quantities of flammable fluids, explosives, or other dangerous cargo are prohibited from the crew-rest compartment.

(vi) That stowage in the crew-rest compartment must be limited to emergency equipment, airplane supplied equipment (*e.g.,* bedding), and crew personal luggage. Cargo and other baggage is not allowed.

(2) At least one ashtray must be located conspicuously on or near the entry side of any entrance to the crew-rest compartment.

(3) If access to the remainder of the Class E cargo compartment is required from the crew-rest compartment, doors must be designed to be easily opened from both within and outside of the crew-rest compartment. If a locking mechanism is installed, it must be capable of being unlocked from the outside without the aid of special tools. The lock must not prevent opening from the inside of the compartment at any time.

(4) For all doors installed in the evacuation routes, they must be designed such that they do not allow anyone to be trapped inside the crew-rest compartment. If a locking mechanism is installed on an evacuation route door, it must be capable of being unlocked from the outside without the aid of special tools. The lock must not prevent opening the door from the inside of the crew-rest compartment at any time.

(b) An emergency evacuation route must be available for occupants of the crew-rest compartment to rapidly evacuate forward to the flight deck/seating area. The crew-rest compartment access must be able to be closed from the flight deck/seating area after evacuation. In addition—

(1) The route must be designed to minimize the possibility of blockage, which might result from fire, mechanical or structural failure, or persons standing on top of or against the escape route. The use of evacuation routes must not be dependent on any powered device. If an evacuation route has low headroom, provisions must be made to prevent, or protect crew-rest compartment occupants from, head injury.

(2) Emergency evacuation procedures, including the emergency evacuation of an incapacitated occupant from the crew-rest compartment, must be established. All of these procedures must be transmitted to the operators for incorporation into their training programs and appropriate operational manuals.

(3) The airplane flight manual, or other suitable means, must include a limitation requiring that crewmembers be trained in the use of evacuation routes.

(c) A means must be provided for the evacuation of an incapacitated person (representative of a 95th percentile male) from the crew-rest compartment to the flight deck/seating area. The evacuation must be demonstrated for all evacuation routes.

(d) The following signs and placards must be provided in the crew-rest compartment:

(1) At least one exit sign, located near each exit, meeting the requirements of § 25.812(b)(1)(i) at Amendment level 25–58, except that a sign with reduced background area of no less than 5.3 square inches (excluding the letters) may be utilized, provided that it is installed such that the material surrounding the exit sign is light in color (*e.g.,* white, cream, light beige). If the material surrounding the exit sign is not light in color, a sign with a minimum of a one inch wide background border around the letters would also be acceptable.

(2) An appropriate placard located near each exit defining the location and the operating instructions for each evacuation route.

(3) Placards must be readable from a distance of 30 inches under emergency lighting conditions.

(4) The exit handles and evacuation path operating instruction placards must be illuminated to at least 160 micro lamberts under emergency lighting conditions.

(e) In the event of failure of the airplane's main power system, or of the normal crew-rest compartment lighting system, emergency illumination must automatically be provided for the crew-rest compartment, and must be met with the door open or closed. In addition—

(1) This emergency illumination must be independent of the main lighting system.

(2) The sources of general cabin illumination may be common to both the emergency and the main lighting systems, if the power supply to the emergency lighting system is independent of the power supply to the main lighting system.

(3) The illumination level must be sufficient for the occupants of the crew-rest compartment to evacuate to the flight deck/seating area by means of each evacuation route.

(4) The illumination level must be sufficient, with the privacy curtains in the closed position, for each occupant of the crew-rest compartment to locate an oxygen mask.

(f) A means must be provided for two-way voice communications between crewmembers on the flight deck and occupants of the crew-rest compartment. The public address system must allow two-way voice communications between the flight crew and the occupants of the crew-rest compartment.

(g) A means must be provided for manual activation of an aural emergency alarm system, audible during normal and emergency conditions, to enable occupants on the flight deck to alert the occupants in the crew-rest compartment of an emergency situation. Use of a public address or crew interphone system is acceptable, provided an adequate means of differentiating between normal and emergency communications is incorporated. The system must maintain power in-flight for at least ten minutes after the shutdown or failure of all engines and auxiliary power units (APUs), or the disconnection or failure of all power sources dependent on their continued operation of the engines and APUs.

(h) A readily detectable means must be provided, for seated or standing occupants of the crew-rest compartment that indicates when seatbelts should be fastened. In the absence of seats, at least one means must be provided to accommodate anticipated turbulence (*e.g.,* sufficient handholds). Seatbelt type restraints must be provided for sleeping berths, and be compatible with occupant sleeping attitude during cruise conditions. A placard must be located on each sleeping berth, stating it is a requirement that seatbelts be fastened when occupied. If compliance with any other requirement of these special conditions is based on a sleeping berth with a specific head location for occupants, a placard must identify the head position.

(i) In lieu of the requirements of § 25.1439(a) at Amendment level 25–38, that pertain to isolated compartments, and providing occupants a level of safety equivalent to occupants of a small, isolated galley, the following equipment must be provided in the crew-rest compartment:

(1) At least one approved hand held fire extinguisher, appropriate for the kinds of fires likely to occur;

(2) Two protective-breathing equipment (PBE) devices, approved to Technical Standard Order C116A or equivalent, suitable for firefighting, or one PBE for each hand held fire extinguisher, whichever is greater; and

(3) One flashlight.

Note: Additional PBEs and fire extinguishers in specific locations, beyond the minimum requirements prescribed in paragraph (i) of these special conditions, may be required as a result of any egress analysis completed to meet the requirements of paragraph (b)(1) of these special conditions.

(j) A smoke or fire detection system (or systems) must be provided to monitor each area that can be occupied within the crew-rest compartment, including those areas partitioned by curtains. Flight tests must be conducted to show compliance with this requirement. Each system (or systems) must provide:

(1) A visual indication to the flight deck within one minute after the start of a fire;

(2) An aural warning in the crew-rest compartment; and

(3) A warning in the main seating area. This warning must be readily detectable by an occupant of this area.

(k) The crew-rest compartment must be designed such that fires within the compartment can be controlled without a crewmember having to enter the compartment, or the design of the access provisions must allow crewmembers equipped for firefighting to have unrestricted access to the compartment. The time for a crewmember on the main deck to react to the fire alarm, to don the firefighting equipment, and to gain access must not exceed the time for the compartment to become smoke filled, making it difficult to locate the fire source.

(l) A means must be provided to exclude hazardous quantities of smoke or extinguishing agent, originating in the crew-rest compartment, from entering any other area that can be occupied. A means must also be provided to exclude hazardous quantities of smoke or extinguishing agent originating in the Class E cargo compartment from entering the crew-rest compartment. This means must include the time periods during the evacuation of the crew-rest compartment and, if applicable, when accessing the crew-rest compartment to manually fight a fire. Smoke entering any other occupied compartment, when the access to the crew-rest compartment is opened during an emergency evacuation, must dissipate within five minutes after the access to the crew-rest compartment is closed. Hazardous quantities of smoke may not enter any other occupied compartment during subsequent access to manually fight a fire in the crew-rest compartment (the amount of smoke entrained by a firefighter exiting the crew-rest compartment through the access is not considered hazardous). During the one minute smoke detection time, penetration of a small quantity of smoke from the crew-rest compartment, into an occupied area, is acceptable. Flight tests must be conducted to show compliance with this requirement. If a built-in fire extinguishing system is used in lieu of manual firefighting, then the fire extinguishing system must be designed so that no hazardous quantities of extinguishing agent will enter other occupied compartments. The system must have adequate capacity to suppress any fire occurring in the crew-rest compartment, considering the fire threat, volume of the compartment, and the ventilation rate.

(m) In lieu of providing a supplemental oxygen system in accordance with § 25.1447(c)(1), a portable oxygen unit meeting the requirements in paragraph (n) of these special conditions must be available for each seat and sleeping berth in the crew-rest compartment. An aural and visual warning must be provided to warn the occupants of the crew-rest compartment to don oxygen masks in the event of decompression. The warning must activate before the cabin pressure altitude exceeds 15,000 feet. The aural warning must sound continuously for a minimum of five minutes or until a reset push-button in the crew-rest compartment is pressed for reset. Procedures for decompression events must be established for crew-rest compartment occupants. These

procedures must be transmitted to the operator for incorporation into their training programs and appropriate operational manuals.

(n) The portable oxygen unit must meet the performance requirements of either §§ 25.1443(a) or 25.1443(b), or the equipment must be shown to protect the occupants from hypoxia at an activity level required to return to their seat following a rapid decompression to 25,000 feet cabin pressure altitude. In addition, the portable oxygen equipment must:

(1) Meet § 25.1439(b)(1), (2), and (4).

(2) Be designed to prevent any inward leakage to the inside of the mask.

(3) Prevent any outward leakage causing significant increase in the oxygen content of the local atmosphere.

(4) Be sized adequately for continuous and uninterrupted use during a worst case flight duration following a decompression, or must be of sufficient duration to allow the occupant(s) to return to their seat where additional oxygen is readily accessible for the remainder of the decompression event.

(o) If the airplane contains a destination area, such as a crewmember changing area, a portable oxygen unit meeting the requirements in paragraph (n) of these special conditions, must be readily available for each occupant who may reasonably be expected to be in the destination area.

(1) An aural and visual warning must be provided to alert the occupants in the crew-rest compartment to don oxygen masks in the event of decompression, a fire in the Class E cargo compartment, or in cases in which a decompression and subsequent climb are required. The warning must activate before the cabin pressure altitude exceeds 15,000 feet. The aural warning must sound continuously for a minimum of five minutes or until a reset push button in the crew-rest compartment is pressed for reset.

(2) Procedures for decompression events must be established for crew-rest compartment occupants. These procedures must be transmitted to the operator for incorporation into their training programs and appropriate operational manuals. In addition, a decompression panel must be incorporated into the crew-rest compartment construction.

(p) The following requirements apply to crew-rest compartments that are divided into several sections by the installation of curtains or partitions:

(1) To accommodate sleeping occupants, an aural alert must be available, that can be heard in each section of the crew-rest compartment. A visual indicator showing how occupants must don an oxygen mask is required in each section where seats or sleeping berths are installed. A minimum of one portable oxygen unit, meeting the requirements in paragraph (n) of these special conditions, is required for each seat or sleeping berth.

(2) A placard is required, adjacent each curtain that visually divides or separates, for privacy purposes, the crew-rest compartment into small sections. The placard must require that the curtains remain open when the private sections they create are unoccupied.

(3) For each crew-rest compartment section created by the installation of a curtain, the following requirements must be met with the curtain open or closed:

(i) Emergency illumination (refer to paragraph (e) of these special conditions).

(ii) Emergency alarm system (refer to paragraph (g) of these special conditions).

(iii) Fasten seatbelt signal, or return-to-seat signal, as applicable (refer to paragraph (h) of these special conditions).

(iv) A smoke or fire detection system (refer to paragraph (j) of these special conditions).

(4) Compartments visually divided, to the extent that evacuation could be affected, must have exit signs that direct occupants to the primary exit. The exit signs must be provided in each separate section of the crew-rest compartment, and must meet the requirements of § 25.812(b)(1)(i) at Amendment level 25–58. An exit sign with reduced background area, as described in paragraph (d)(1) of these special conditions may be used to meet this requirement.

(5) For sections within a crew-rest compartment that are created by the installation of a partition with a door separating the sections, the following requirements must be met with the door open or closed:

(i) It must be shown that any door between the sections has been designed to preclude anyone from being trapped inside the compartment. Removal of an incapacitated occupant from within this area must be considered. A secondary evacuation route from a small room, such as a changing area or lavatory designed for only one occupant for a short duration, is not required. However, removal of an incapacitated occupant from within this area must be considered.

(ii) Each section must contain exit signs that meet the requirements of § 25.812(b)(1)(i) at Amendment level 25–58, directing occupants to the primary exit. An exit sign with reduced background area, as described in paragraph (d)(1) of these special conditions, may be used to meet this requirement.

(iii) Paragraph (e) (emergency illumination), paragraph (g) (emergency alarm system), paragraph (h) (fasten-seatbelt signal, or return-to-seat signal, as applicable), and paragraph (j) (smoke- or fire-detection system) of these special conditions, must be met with the door open or closed.

(iv) Paragraph (f) (two-way voice communication), and paragraph (i) (emergency firefighting and protective equipment) of these special conditions, must be met independently for each separate section, except for lavatories or other small areas that are not intended to be occupied for extended duration.

(q) Where a waste disposal receptacle is installed, it must be equipped with a built-in fire extinguisher designed to discharge automatically upon occurrence of a fire in the receptacle.

(r) Materials, including finishes or decorative surfaces applied to the materials, must comply with the flammability requirements of § 25.853 at Amendment level 25–116 or later. Seat cushions and mattresses must comply with the flammability requirements of § 25.853(c) at Amendment level 25–116 or later, and the test requirements of part 25, appendix F, part II, or other equivalent methods.

(s) When a crew-rest compartment is installed or enclosed as a removable module in part of a cargo compartment, or is located directly adjacent to a cargo compartment without an intervening cargo compartment wall, the following applies:

(1) Any wall of the module (container) forming part of the boundary of the reduced cargo compartment, subject to direct flame impingement from a fire in the cargo compartment, and including any interface item between the module (container) and the airplane structure or systems, must meet the applicable requirements of § 25.855 at Amendment level 25–60.

(2) Means must be provided so that the fire protection level of the cargo compartment meets the applicable requirements of § 25.855 at Amendment level 25–60, § 25.857 at Amendment level 25–60, and § 25.858 at Amendment level 25–54 when the module (container) is not installed.

(3) Use of an emergency evacuation route must not require occupants of the crew-rest compartment to enter the cargo compartment as a means to return to the flight deck/seating area.

(4) The aural warning in paragraph (g) of these special conditions, must sound

in the crew-rest compartment in the event of a fire in the cargo compartment.

(t) All enclosed stowage compartments within the crew-rest compartment that are not limited to stowage of emergency equipment or airplane-supplied equipment (*e.g.,* bedding) must meet the design criteria provided in the table below. As indicated in the table, these special conditions do not address enclosed stowage compartments greater than 200 ft^3 in interior volume. The inflight accessibility of very large, enclosed stowage compartments, and the subsequent impact on crewmembers' ability to effectively reach any part of the compartment with the contents of a hand held fire extinguisher, requires additional fire protection considerations similar to those required for inaccessible compartments such as Class C cargo compartments.

STOWAGE COMPARTMENT INTERIOR VOLUMES

Fire protection features	Less than 25 ft^3	25 ft^3 to 57 ft^3	57 ft^3 to 200 ft^3
Materials of Construction [1]	Yes	Yes	Yes.
Detectors [2]	No	Yes	Yes.
Liner [3]	No	No	Yes.
Locating Device [4]	No	Yes	Yes.

[1] *Compliant Materials of Construction:* The material used in constructing each enclosed stowage compartment must at least be fire resistant and must meet the flammability standards established for interior components (*i.e.,* 14 CFR part 25 Appendix F, Parts I, IV, and V) per the requirements of § 25.853. For compartments less than 25 ft^3 in interior volume, the design must ensure the ability to contain a fire likely to occur within the compartment under normal use.

[2] *Smoke or Fire Detectors:* Enclosed stowage compartments equal to or exceeding 25 ft^3 in interior volume must be provided with a smoke- or fire-detection system to ensure that a fire can be detected within a one-minute detection time. Flight tests must be conducted to show compliance with this requirement. Each system (or systems) must provide:

(a) A visual indication in the flight deck within one minute after the start of a fire;

(b) An aural warning in the crew-rest compartment; and

(c) A warning in the supernumerary seating area.

[3] *Liner:* If it can be shown that the material used to construct the stowage compartment meets the flammability requirements of a liner for a Class B cargo compartment, then no liner would be required for enclosed stowage compartments equal to or greater than 25 ft^3 in interior volume but less than 57 ft^3 in interior volume. For all enclosed stowage compartments equal to or greater than 57 ft^3 in interior volume but less than or equal to 200 ft^3, a liner must be provided that meets the requirements of § 25.855 at Amendment 25–60 for a Class B cargo compartment.

[4] *Fire-Location Detector:* Crew-rest compartments that contain enclosed stowage compartments exceeding 25 ft^3 interior volume and which are located away from one central location, such as the entry to the crew-rest compartment or a common area within the crew-rest compartment, would require additional fire-protection features or related devices to assist a firefighter in determining the location of a fire.

Issued in Kansas City, Missouri, on April 25, 2022.

Patrick R. Mullen,

Manager, Technical Innovation Policy Branch, Policy and Innovation Division, Aircraft Certification Service.

[FR Doc. 2022–09207 Filed 4–28–22; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket No. USCG–2022–0150]

Special Local Regulations; Seventh Coast Guard District, Blessing of the Fleet—Brunswick

AGENCY: Coast Guard, DHS.

ACTION: Notification of enforcement of regulation.

SUMMARY: The Coast Guard will enforce special local regulations for the 84th Annual Brunswick Blessing of the Fleet on May 7, 2022, to provide for the safety of life on navigable waterways during this event. Our regulation for marine events within the Seventh Coast Guard District identifies the regulated area for this event in Brunswick, GA. During the enforcement periods, the operator of any vessel in the regulated area must comply with directions from the Patrol Commander or any Official Patrol displaying a Coast Guard ensign.

DATES: The regulations in 33 CFR 100.701 will be enforced for the location identified in paragraph (d) Item 1 of Table 1 to § 100.701, from 11 a.m. until 4 p.m. on May 7, 2022.

FOR FURTHER INFORMATION CONTACT: If you have questions about this notification of enforcement, call or email MST1 Ashley Schad, Marine Safety Unit Savannah Office of Waterways Management, Coast Guard, 912–652–4188 extension 242, or email *Ashley.M.Schad@uscg.mil.*

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce special local regulations in 33 CFR 100.701, Table 1 to § 100.701, paragraph (d), Item 1, for the 84th Annual Brunswick, Blessing of the Fleet regulated area from 11:00 a.m. to 4:00 p.m. on May 7, 2022. This action is being taken to provide for the safety of life on navigable waterways during this event. Our regulation for marine events within the Seventh Coast Guard District, § 100.701, Table 1 to § 100.701, paragraph (d), Item 1, specifies the location of the regulated area for the Annual Brunswick Blessing of the Fleet which encompasses portions of the Brunswick River from the start of the East branch of the Brunswick River (East Brunswick River) to the Golden Isles Parkway Bridge. During the enforcement periods, as reflected in § 100.701, if you are the operator of a vessel in the regulated area you must comply with directions from the Patrol Commander or any Official Patrol displaying a Coast Guard ensign.

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

K.A. Broyles,

Commander, U.S. Coast Guard, Captain of the Port Savannah, GA.

[FR Doc. 2022–09230 Filed 4–28–22; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 160

[Docket No. USCG–2022–0282]

Special Local Regulations; Charleston Race Week, Charleston, SC

AGENCY: Coast Guard, DHS.

ACTION: Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce special local regulations for the

Charleston Race Week from April 28 through May 1, 2022. This action is necessary to ensure the safety of life on navigable waters of the United States during the Charleston Race Week event. Our regulation for marine events within the Seventh Coast Guard District identifies the regulated area for this event in Charleston, SC. During the enforcement period, no person or vessel may enter, transit through, anchor in, or remain within the designated area unless authorized by the Captain of the Port Charleston (COTP) or a designated representative.

DATES: The regulations in 33 CFR 100.704, Table 1 to § 100.704, Item No. 2 will be enforced from 9 a.m. until 5 p.m. from April 28 to May 1, 2022.

FOR FURTHER INFORMATION CONTACT: If you have questions about this notice of enforcement, call or email LCDR Chad Ray, Sector Charleston Office of Waterways Management, Coast Guard; telephone (843) 740–3184, email *Chad.L.Ray@uscg.mil.*

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce 33 CFR 100.704, Table 1 to § 100.704, Item No. 2 for the Charleston Race Week regulated area from 9 a.m. to 5 p.m. from April 28 to May 1, 2022. This action is being taken to provide for the safety of life on navigable waterways during this 4-day event. Our regulation for marine events within the Captain of the Port Charleston, § 100.704, specifies the locations of the regulated areas for the Charleston Race Week which encompasses portions of the Charleston Harbor. During the enforcement periods, as reflected in § 100.100(c), if you are the operator of a vessel in the regulated area you must comply with directions from the Patrol Commander or any Official Patrol displaying a Coast Guard ensign.

Dated: April 22, 2022.

J.D. Cole,

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

[FR Doc. 2022–09213 Filed 4–28–22; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2022–0295]

RIN 1625–AA00

Safety Zone; Motus Myrtle Beach Triathlon, Myrtle Beach, SC

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone on certain waters of the Atlantic Intracoastal Waterway, near Myrtle Beach, SC. This action is necessary to ensure the safety of life on navigable waters of the United States during the Motus Myrtle Beach Triathlon Swim event. During the enforcement period, no person or vessel may enter, transit through, anchor in, or remain within the designated area unless authorized by the Captain of the Port Charleston (COTP) or a designated representative.

DATES: This rule is effective from 7:30 a.m. to 9:30 a.m., on May 1, 2022.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to *https://www.regulations.gov,* type USCG–2022–0295 in the search box and click ''Search.'' Next, in the Document Type column, select ''Supporting & Related Material.''

FOR FURTHER INFORMATION CONTACT: If you have questions about this temporary final rule, call or email LCDR Chad Ray, Sector Charleston Office of Waterways Management, Coast Guard; telephone (843) 740–3184, email *Chad.L.Ray@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of proposed rulemaking
§ Section
U.S.C. United States Code

II. Background Information and Regulatory History

The Coast Guard is issuing this temporary rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are ''impracticable, unnecessary, or contrary to the public interest.'' The primary justification for this action is that the Coast Guard was given short notice from the event sponsor, that the dates would not align with the dates of the event in the special local regulation. Therefore, it is impracticable to publish an NPRM because we lack sufficient time to provide a reasonable comment period and then consider those comments before issuing the rule. It would be impracticable and contrary to the public interest to delay promulgating this rule, as it is necessary to protect the safety of participants, spectators, and vessels transiting near the race area during the Motus Myrtle Beach Triathalon event on May 1, 2022.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. Delaying the effective date of this rule would be impracticable because the safety zone must be established by May, 1, 2022 to ensure the safety of life on navigable waters of the United States during the event.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70034. The Captain of the Port Charleston (COTP) has determined that potential hazards associated with the large number of participants and spectators during the swim will be a safety concern. The purpose of the rule is to ensure the safety of participants, spectators, the general public, vessels and the navigable waters in the safety zone before, during and after the scheduled swim.

IV. Discussion of the Rule

This rule establishes a safety zone from 7:30 a.m. until 9:30 a.m., on May 1, 2022. The safety zone will cover certain waters of the Atlantic Intracoastal Waterway near near Myrtle Beach, South Carolina during the Motus Myrtle Beach Triathalon event. The duration of the safety zone is intended to ensure the safety of the participants, spectators, and the general public during the scheduled 7:30 a.m. to 9:30 a.m. race. No vessel or person will be permitted to enter, transit through, anchor in or remain within the safety zone without obtaining permission from the COTP or a designated representative. If authorization to enter, transit through, anchor in, or remain within the saftey zone is granted by the COTP or a designated representative, all persons and vessels receiving such authorization must comply with the instructions of the COTP or a designated representative. The COTP will inform the public of the safety zone by Local Notice to Mariners, Broadcast Notice to Mariners, or by on-scene designated representatives.

V. Regulatory Analyses

We developed this rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and

Executive orders, and we discuss First Amendment rights of protestors.

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. This rule has not been designated a ''significant regulatory action,'' under Executive Order 12866. Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based on the following reasons: (1) The safety zone only being enforced for a total of two hours; (2) although persons and vessels may not enter, transit through, anchor in, or remain within the zone without authorization from the COTP or a designated representative, they may operate in the surrounding area during the enforcement period; and (3) persons and vessels may still enter, transit through, anchor in, or remain within the areas during the enforcement period if authorized by the COTP or a designated representative.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

While some owners or operators of vessels intending to transit the safety zone may be small entities, for the reasons stated in section V.A above, this rule will not have a significant economic impact on any vessel owner or operator.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

C. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

D. Federalism and Indian Tribal Governments

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect 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. We have analyzed this rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, this rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

F. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves a safety zone that will prohibit persons and vessels from entering, transiting through, anchoring in, or remaining within a limited area along the Atlantic Intracoastal Waterway, near Myrtle Beach, SC during a swim event lasting two hours. It is categorically excluded from further review under paragraph L60(a) 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. For instructions on locating the docket, see the **ADDRESSES** section of this preamble.

G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

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: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 0170.1, Revision No. 01.2.

■ 2. Add § 165.T07–0295 to read as follows:.

§ 165.T07–0295 Safety Zone; Motus Myrtle Beach; Myrtle Beach, SC.

(a) *Location.* The following is a safety zone: Certain waters of the Atlantic Intracoastal Waterway within the

following two points of position and the North shore: 33°45′03″ N, 78°50′47″ W to 33°45′18″ N, 78°50′14″ W, located in Myrtle Beach, South Carolina.

(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) All persons and vessels are prohibited from entering, transiting through, anchoring in, or remaining within the safety zone unless authorized by the COTP Charleston or a designated representative.

(2) Persons and vessels desiring to enter, transit through, anchor in, or remain within the regulated area may contact the COTP Charleston by telephone at (843) 740–7050, or a designated representative via VHF radio on channel 16, to request authorization. If authorization is granted, all persons and vessels receiving such authorization must comply with the instructions of the COTP Charleston or a designated representative.

(d) *Enforcement period.* This rule will be enforced from May 1, 2022 from 7:30 a.m. until 9:30 a.m.

Dated: April 22, 2022.

J.D. Cole,

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

[FR Doc. 2022–09220 Filed 4–28–22; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 81

[EPA–R05–OAR–2022–0008; FRL–9609–02–R5]

Air Plan Approval; Wisconsin; Redesignation of the Revised Door County (Partial) Area to Attainment of the 2015 Ozone Standard

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) finds that the revised Door County (partial) nonattainment area in Wisconsin is attaining the 2015 ozone National Ambient Air Quality Standard (NAAQS) and is approving, in accordance with a request from the Wisconsin Department of Natural Resources (WDNR), the redesignation of the area to attainment for the 2015 ozone NAAQS, because the request meets the statutory requirements for redesignation under the Clean Air Act (CAA). WDNR submitted this request on January 5, 2022. EPA is also proposing to approve, as a revision to the Wisconsin SIP, the State's maintenance plan for the area. The maintenance plan is designed to keep the area in attainment of the 2015 ozone NAAQS through 2035. Additionally, EPA is approving the emissions inventory for this area, which satisfies the emissions inventory requirement for the area under the 2015 ozone NAAQS. The CAA requires emission inventories for all areas that were designated nonattainment. Finally, EPA is approving the 2030 and 2035 motor vehicle emissions budgets for the area.

DATES: This final rule is effective on April 29, 2022.

ADDRESSES: EPA has established dockets for this action under Docket ID No. EPA–R05–OAR–2022–0008. All documents in the docket are listed on the *www.regulations.gov* website. Although listed in the index, some information is not publicly available, *i.e.,* 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 either through *www.regulations.gov* or at the Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. This facility is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding Federal holidays and facility closures due to COVID–19. We recommend that you telephone Jenny Liljegren, Physical Scientist, at (312) 886–6832 before visiting the Region 5 office.

FOR FURTHER INFORMATION CONTACT: Jenny Liljegren, Physical Scientist, Attainment Planning and Maintenance Section, Air Programs Branch (AR–18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886–6832, *Liljegren.Jennifer@epa.gov.*

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

I. Background Information

On March 3, 2022 (87 FR 12020), EPA proposed to approve the 2015 ozone NAAQS redesignation, maintenance plan, emission inventory, and motor vehicle emissions budgets for the area. An explanation of the CAA requirements, a detailed analysis of the revisions, and EPA's reasons for proposing approval were provided in the notice of proposed rulemaking and will not be restated here. The public comment period for this proposed rule ended on April 4, 2022.

During the comment period, EPA received one supportive comment, which is included in the docket for this action. EPA did not receive any adverse comments. In this rulemaking, we are finalizing our action as proposed.

II. What action is EPA taking?

EPA finds that the area [1] is attaining the 2015 ozone NAAQS based on quality-assured and certified monitoring data for 2019–2021 showing that the area has met the requirements for redesignation under section 107(d)(3)(E) of the CAA. EPA is thus approving a change in the legal designation of the area from nonattainment to attainment for the 2015 ozone NAAQS. EPA is also approving, as a revision to the Wisconsin SIP, the State's maintenance plan for the area. The maintenance plan is designed to keep the area in attainment of the 2015 ozone NAAQS through 2035. EPA also finds adequate and is approving the newly established 2030 and 2035 volatile organic compounds (VOC) and oxides of nitrogen (NO_X) motor vehicle emission budgets for the area. EPA is also approving the base year emissions inventories for the area under the 2015 ozone NAAQS.

In accordance with 5 U.S.C. 553(d) of the Administrative Procedure Act (APA), EPA finds there is good cause for this action to become effective immediately upon publication. The immediate effective date for this action is authorized under 5 U.S.C. 553(d)(1).

Section 553(d)(1) of the APA provides that final rules shall not become effective until 30 days after publication in the **Federal Register** ''except . . . a substantive rule which grants or recognizes an exemption or relieves a restriction.'' The purpose of this provision is to ''give affected parties a reasonable time to adjust their behavior before the final rule takes effect.'' *Omnipoint Corp.* v. *Fed. Commc'n Comm'n,* 78 F.3d 620, 630 (D.C. Cir. 1996); *see also United States* v. *Gavrilovic,* 551 F.2d 1099, 1104 (8th Cir. 1977) (quoting legislative history).

[1] The portion of Door County, Wisconsin, north of the Sturgeon Bay Canal (excluding Newport State Park) is the ''Revised Door County'' nonattainment area (or area) and is the subject of this notice.

However, when the agency grants or recognizes an exemption or relieves a restriction, affected parties do not need a reasonable time to adjust because the effect is not adverse. EPA has determined that this rule relieves a restriction because this rule relieves sources in the area of Nonattainment New Source Review (NNSR) permitting requirements. Upon the effective date of this action, sources will be subject to less restrictive Prevention of Significant Deterioration (PSD) permitting requirements. For this reason, EPA finds good cause under 5 U.S.C. 553(d)(1) for this action to become effective on the date of publication of this action.

III. Statutory and Executive Order Reviews

Under the CAA, redesignation of an area to attainment and the accompanying approval of a maintenance plan under section 107(d)(3)(E) are actions that affect the status of a geographical area and do not impose any additional regulatory requirements on sources beyond those imposed by state law. A redesignation to attainment does not in and of itself create any new requirements, but rather results in the applicability of requirements contained in the CAA for areas that have been redesignated to attainment. Moreover, 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, EPA's role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this 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 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) and 13563 (76 FR 3821, January 21, 2011);
- 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 an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- 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; and
- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where 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).

This action is subject to the Congressional Review Act, 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).

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 June 28, 2022. Filing a petition for reconsideration by the Administrator of this final rule 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, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (*See* section 307(b)(2).)

List of Subjects

40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, and Volatile organic compounds.

40 CFR Part 81

Environmental protection, Air pollution control, National parks, Wilderness areas.

Dated: April 20, 2022.

Debra Shore,

Regional Administrator, Region 5.

For the reasons stated in the preamble, 40 CFR parts 52 and 81 are amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

■ 1. The authority citation for part 52 continues to read as follows:

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

■ 2. Section 52.2585 is amended by adding paragraph (tt) to read as follows:

§ 52.2585 Control strategy: Ozone.

* * * * *

(tt) *Redesignation.* Approval—On January 5, 2022, Wisconsin submitted a request to redesignate the revised Door County (partial) area to attainment of the 2015 8-hour ozone standard. As part of the redesignation request, the State submitted a maintenance plan as required by section 175A of the Clean Air Act. Elements of the section 175 maintenance plan include a contingency plan and an obligation to submit a subsequent maintenance plan revision in eight years as required by the Clean Air Act. The ozone maintenance plan also establishes 2030 and 2035 motor vehicle emission budgets for the area. The 2030 MVEBs for the area are 0.1349 tons per summer day for VOC and 0.2995 tons per summer day for NO_X. The 2035 MVEBs for the area are 0.1153 tons per summer day for VOC and 0.2586 tons per summer day for NO_X.

* * * * *

PART 81—DESIGNATION OF AREAS FOR AIR QUALITY PLANNING PURPOSES

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

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

■ 4. In § 81.350, the table entitled ''Wisconsin—2015 8-Hour Ozone NAAQS [Primary and Secondary]'' is amended by:

■ a. Revising the entry for ''Door County-Revised (part)''; and

■ b. Removing footnote 4.

The revisions read as follows:

§ 81.350 Wisconsin.

* * * * *

WISCONSIN—2015 8-HOUR OZONE NAAQS

[Primary and secondary]

Designated area [1]	Designation		Classification	
	Date [2]	Type	Date [2]	Type
* * *	*	*	*	*
Door County-Revised (part)	4/29/2022	Attainment		Marginal (Rural Transport).
The portion of Door County north of Sturgeon Bay Canal excluding Newport State Park.				
* * *	*	*	*	*

* * * * *

[FR Doc. 2022–08978 Filed 4–28–22; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Chapter I

[EPA–HQ–OAR–2022–0129; FRL–9735–01–OAR]

Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act; Final Action on Petitions

AGENCY: Environmental Protection Agency.

ACTION: Notice of final action denying petitions.

SUMMARY: The Environmental Protection Agency (EPA) received four petitions for reconsideration, rulemaking, or reopening of the Endangerment and Cause or Contribute Findings for Greenhouse Gases under Section 202(a) of the Clean Air Act (CAA), published in the **Federal Register** on December 15, 2009. The agency is providing notification of its action denying all four petitions. The basis for EPA's action is set out fully in the accompanying decision document, available in the docket for this action.

DATES: Effective April 29, 2022.

FOR FURTHER INFORMATION CONTACT: Mr. Jeremy Martinich, Environmental Protection Agency, Office of Air and Radiation, Office of Atmospheric Programs, Climate Change Division, (202) 343–9871, *climatechange@epa.gov.* For additional information regarding this Notice, please go to the website *https://www.epa.gov/climate-change/endangerment-and-cause-or-contribute-findings-greenhouse-gases-under-section-202a.*

SUPPLEMENTARY INFORMATION:

I. How can I get copies of this document and other related information?

A copy of this **Federal Register** document, the petitions,[1] the letters denying the four petitions and the decision document [2] describing the full basis for the denial of these petitions, and other materials related to this action are available in the docket for this action (Docket ID No. EPA–HQ–OAR–2022–0129). Publicly available docket materials are available electronically through *www.regulations.gov.* In addition, following signature, an electronic copy of this final action and the decision document will be available on the internet at *https://www.epa.gov/climate-change/2022-denial-petitions-reconsideration-rulemaking-or-reopening-endangerment-and-cause.* Due to the ongoing COVID–19 pandemic, public access to the EPA Docket Center and Reading Room may be limited: Please check the website at *https://www.epa.gov/dockets* for the most up to date information on operating status. Our Docket Center staff will continue to provide remote customer service via email, phone, and webform. We encourage the public to obtain docket information via *https://www.regulations.gov/.* For further information on EPA Docket Center services and the current status, please visit us online at *https://www.epa.gov/dockets.*

II. Judicial Review

The decision to deny the four petitions is a final agency action for purposes of section 307(b)(1) of the CAA, which governs judicial review of final actions by the EPA. This action is not a rulemaking and is not subject to the various statutory and other provisions applicable to a rulemaking.

Section 307(b)(1) provides, in part, that petitions for review must be filed in the United States Court of Appeals for the District of Columbia Circuit (D.C. Circuit): (i) When the agency action consists of ''nationally applicable regulations promulgated, or final actions taken, by the Administrator,'' or (ii) when such action is locally or regionally applicable, but ''such action is based on a determination of nationwide scope or effect and if in taking such action the Administrator finds and publishes that such action is based on such a determination.'' For locally or regionally applicable final actions, the CAA reserves to the EPA complete discretion whether to invoke the exception in (ii).

This final action is ''nationally applicable'' within the meaning of CAA section 307(b)(1). In the alternative, to the extent a court finds this final action to be locally or regionally applicable, the Administrator is exercising the complete discretion afforded to him under the CAA to make and publish a finding that this action is based on a determination of ''nationwide scope or effect'' within the meaning of CAA

[1] The four petitions are styled respectively as: Petition for Reconsideration of ''Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(A) of the Clean Air Act,'' submitted on behalf of the Concerned Household Electricity Consumers Council (CHECC); Petition for Rulemaking on the Issue of Greenhouse Gases and Public Health and Welfare, submitted on behalf of the Competitive Enterprise Institute, the Science and Environmental Policy Project, and four individual members of the latter's Board of Directors (CEI); Petition to Reopen and Reconsider ''Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act,'' filed by the FAIR Energy Foundation (FAIR); and Petition to Reconsider Endangerment and Cause or Contribute Findings for Greenhouse Gases under Section 202(a) of the Clean Air Act, 74 FR. 66496 (December 15, 2009) Docket No. EPA–HQ–OAR–2009–0171; FRL–9091–8; RIN 2060–ZA14 (''Endangerment Finding'') submitted by the Texas Public Policy Foundation on behalf of Liberty Packing Company LLC, Nuckles Oil Co., Inc. dba Merit Oil Company, Norman R. ''Skip'' Brown, Dalton Trucking Company, Inc., Loggers Association of Northern California, Construction Industry Air Quality Coalition, and Robinson Industries, Inc (TPP).

[2] *See* ''EPA's Denial of Petitions Relating to the Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act.''

section 307(b)(1).[3] This action relates to the 2009 Endangerment and Cause or Contribute Findings for Greenhouse Gases under Section 202(a) of the Clean Air Act (''2009 Endangerment Finding''), which are nationally applicable, 74 FR 66496 (December 15, 2009). The 2009 Endangerment Finding concerns risks from greenhouse gas pollution and contributions to such pollution that occur across the nation, and the result of the denial of these four petitions is that the existing nationally applicable 2009 Endangerment Finding remains in place and undisturbed. Further, both the 2009 Endangerment Finding and EPA's previous denial of petitions for reconsideration of that Finding were previously reviewed by the D.C. Circuit, *see Coal. for Responsible Regul., Inc.* v. *EPA,* 684 F.3d 102 (D.C. Cir. 2012) (per curiam) (subsequent history omitted). Moreover, the 2009 Endangerment Finding triggered EPA's statutory duty to promulgate motor vehicle standards under section 202(a) of the CAA, for which judicial review is also only available in the D.C. Circuit and which have effects in more than one federal judicial circuit.[4] For these reasons, this final action is nationally applicable or, alternatively, the Administrator is exercising the complete discretion afforded to him by the CAA and hereby finds that this final action is based on a determination of nationwide scope or effect for purposes of CAA section 307(b)(1) and is hereby publishing that finding in the **Federal Register**.

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 District of Columbia Circuit within 60 days from the date this final action is published in the **Federal Register**.

Michael S. Regan,

Administrator.

[FR Doc. 2022–08925 Filed 4–28–22; 8:45 am]

BILLING CODE 6560–50–P

[3] In deciding whether to invoke the exception by making and publishing a finding that this final action is based on a determination of nationwide scope or effect, the Administrator has also taken into account a number of policy considerations, including his judgment balancing the benefit of obtaining the D.C. Circuit's authoritative centralized review versus allowing development of the issue in other contexts and the best use of Agency resources.

[4] In the report on the 1977 Amendments that revised section 307(b)(1) of the CAA, Congress noted that the Administrator's determination that the ''nationwide scope or effect'' exception applies would be appropriate for any action that has a scope or effect beyond a single judicial circuit. *See* H.R. Rep. No. 95–294 at 323, 324, reprinted in 1977 U.S.C.C.A.N. 1402–03.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

42 CFR Parts 410, 414, 488, and 493

[CMS–3368–F]

RIN 0938–AT83

Medicare Program; Accrediting Organizations—Changes of Ownership

AGENCY: Centers for Medicare & Medicaid Services (CMS), HHS.

ACTION: Final rule.

SUMMARY: This final rule adds new requirements and a specified process to address change of ownership (CHOW) for Accrediting Organizations (AOs) in regard to the transfer of the existing Centers for Medicare & Medicaid Services (CMS) approval for the AO's accreditation programs to the new AO owner. These regulations are intended to provide CMS with the ability to receive notice when an AO is undergoing or negotiating a CHOW, as well as to review the prospective new AO owner's capability to perform its tasks after a CHOW has occurred, in order to ensure the ongoing effectiveness of the transferred accreditation program(s) and to minimize risk to patient safety.

DATES: This final rule is effective June 28, 2022.

FOR FURTHER INFORMATION CONTACT: Caroline Gallaher, (410) 786–8705.

SUPPLEMENTARY INFORMATION:

I. Background

Medicare-certified providers and suppliers participate in the Medicare program by entering into a provider agreement with the Medicare program. Medicare-certified providers and suppliers include hospitals; ambulatory surgical centers (ASCs); skilled nursing facilities (SNFs; home health agencies (HHAs); hospice programs, rural health clinics (RHCs); critical access hospitals (CAHs); comprehensive outpatient rehabilitation facilities (CORFs); laboratories; clinics, rehabilitation agencies and public health agencies; and End Stage Renal Disease (ESRD) dialysis facilities.. To participate in the Medicare program, Medicare-certified providers and suppliers of health care services must among other things, be substantially in compliance with specified statutory requirements of the Social Security Act (the Act), as well as additional regulatory requirements related to, among other things, the health and safety of patients specified by the Secretary of the Department of Health and Human Services (the Secretary). These health and safety requirements are generally called conditions of participation (CoPs) for most providers, requirements for SNFs, conditions for coverage (CfCs) for ASCs and other suppliers, and conditions for certification for RHCs and FQHCs. A Medicare-certified provider or supplier that does not substantially comply with the applicable health and safety requirements risks having its Medicare provider agreement terminated.

Section 1865(a) of the Act allows most types of Medicare-certified providers and suppliers to demonstrate compliance with the applicable health and safety requirements through accreditation by a Centers for Medicare & Medicaid Services (CMS)-approved accreditation program of a national accreditation body, known as an Accrediting Organization (AO). This is referred to as ''deemed'' accreditation, because, if an AO is recognized by the Secretary as having standards for accreditation that meet or exceed Medicare requirements, any provider or supplier accredited by that AO's CMS-approved accreditation program is deemed by CMS to be complying with the applicable Medicare conditions or requirements.

We are responsible for providing continued oversight of national AOs' Medicare accreditation programs to ensure that providers or suppliers accredited by the AO meet the required quality and patient safety standards. We must ensure that the AOs have formalized procedures to determine whether the healthcare facilities deemed under their accreditation programs meet the AO's accreditation standards (which must meet or exceed the applicable Medicare program requirements). We are also responsible for ensuring that the AO's accreditation standards and practices for surveying providers and suppliers meet or exceed our standards and practices for granting approval.

Additionally, while accreditation by an AO is generally voluntary on the part of Medicare-certified providers or suppliers, accreditation is mandated by statute for four supplier-types in order to receive payment from Medicare for the services furnished to Medicare beneficiaries. These four supplier types are Advanced Diagnostic Imaging (ADI) suppliers, Home Infusion Therapy (HIT) suppliers, Diabetic Self-Management Training (DSMT) entities, and Durable Medical Equipment, Prosthetics, Orthotics and Supplies (DMEPOS) suppliers. We describe these supplier types as ''non-certified'' because they are enrolled in the Medicare program

but do not formally enter into a participation agreement with Medicare.

These requirements will affect all of the AOs that accredit providers and suppliers, including those that are enrolled in the Medicare program, and those that enter into a participation agreement with Medicare. We believe that a change of ownership (CHOW) could occur with an AO that accredits any category of provider or supplier.

Any national AO seeking approval of an accreditation program in accordance with section 1865(a) of the Act must apply for and be approved by us for a period not to exceed 6 years (See 42 CFR 488.5(e)(2)(i)). The AO must also reapply for renewed CMS approval of its accreditation program(s) before the date the existing approval period expires. This requirement ensures that accreditation provided by these AOs continue to indicate that the providers or suppliers accredited are meeting or exceeding Medicare standards. Regulations implementing these provisions are found at 42 CFR 488.1 through 488.9.

We have an established process for the CHOW of Medicare-certified providers and suppliers set forth at § 489.18 and in Chapters 2 and 3 of the State Operations Manual (SOM), Publication 100–07. Although the existing provider and supplier CHOW process does not apply to the sale and transfer of AOs, it has served as an appropriate model for what we are requiring for changes of ownership of AOs.

The Medicare regulations at § 489.18, as well as the CMS SOM (CMS Pub. 100–07), outline processes concerning how a CHOW of a Medicare certified provider or supplier affects Medicare participation, such as how a provider agreement is automatically assigned to a new owner unless the new owner rejects assignment of the provider agreement. A CHOW takes place when the responsible legal entity has changed, and typically occurs when a Medicare provider has been purchased (or leased) by another organization.

Section 489.18 and interpretive guidance in the SOM (Chapters 2 and 3) define what constitutes a CHOW, the required notice to be provided by the current provider to CMS and contains a provision regarding the automatic assignment of the provider agreement to the new owner. This regulation also sets out the conditions that apply to assignment of the provider agreement to the new owner. Section 489.18(a)(1) provides that in the case of a partnership, the removal, addition, or substitution of a partner, (unless the partners expressly agree otherwise) as permitted by applicable state law, constitutes a CHOW. Section 489.18(a)(2) provides that in the case of an unincorporated sole proprietorship, the transfer of title and property to another party constitutes a CHOW. Section 489.18(a)(3) provides that, in the case of a corporation, the merger of the provider corporation into another corporation, or the consolidation of two or more corporations, resulting in the creation of a new corporation constitutes a CHOW. Transfer of corporate stock or the merger of another corporation into the provider corporation does not constitute a CHOW. In the new regulations at § 488.5(f), which would govern the CHOW process for AOs, we are incorporating via cross-reference the definitions at § 489.18(a)(1) through (3) of what constitutes a CHOW, and applying them to AOs.

Section 489.18(d) provides that where there is a CHOW, the provider agreement under the new owner is subject to all applicable statutes and regulations, and to the terms and conditions under which it was originally issued. This includes successor liability for Medicare overpayments and penalties.

Generally, under the existing CHOW processes, with certain limited exceptions, if a facility's new owner accepts the assignment of the provider agreement and CMS Certification Number (CCN), the new owner retains all the benefits and liabilities of that agreement. In such a case the provider's Medicare participation continues without interruption. If the purchaser (or lessee) elects not to accept automatic assignment or transfer of the provider agreement, then that rejection is considered to be a voluntary termination of the existing provider agreement. Therefore, the purchaser or lessee is considered a new applicant and must request initial certification as a new provider and obtain a new provider agreement.

It is important to clarify that CMS does not approve the actual business transaction between entities that result in the change of the responsible legal entity. Instead, our role when a provider's or supplier's ownership changes is to ensure that a new owner, who accepts the automatic assignment of the existing provider agreement (a CHOW), is eligible for Medicare participation. If so, we continue to treat the provider as the same entity, with only the owner having changed. If the new owner rejects automatic assignment of the provider agreement, then it must seek initial Medicare enrollment and certification for the facility, which may take several months. Pursuant to § 489.18, a new owner who rejects automatic assignment of the provider agreement, cannot receive payment for any services it may provide for Medicare beneficiaries between the date it acquires the facility and the date we determine that it meets all Medicare requirements (including any of the CoPs, CfCs, or other requirements).

The principles that apply when a Medicare-certified provider or supplier undergoes a CHOW provide a general framework as to how CMS will treat situations involving a CHOW for an AO, though there are some important differences. For example, in a CHOW of a Medicare-certified provider or supplier, CMS approval is not needed to transfer the Medicare agreement of the provider or supplier that undergoes a CHOW, if the new owner decides to accept assignment of the Medicare agreement. The Medicare agreement is automatically transferred to the new owner unless the new owner affirmatively rejects assignment, and the new owner will accept the assigned agreement subject to all applicable requirements, including health and safety standards and liability for overpayments. However, in the case of a CHOW for an AO, under this regulation, CMS' affirmative approval will be needed to transfer the existing CMS approval for the AO's accreditation program to a new owner. This policy reflects CMS' desire to ensure that an AO's CHOW does not adversely impact its survey and accreditation procedures, a change which could impact the health and safety of patients receiving services from providers and suppliers.

Currently, the regulations governing AOs do not include any provisions related to the CHOW process, including a process for notifying CMS of pending CHOWs for AOs, or other procedures which would allow us to review information about the proposed transfer of ownership of accreditation program(s). The current regulations also do not provide us with the authority to approve or deny the transfer of the existing CMS approval for the accreditation program(s) to be transferred. Under our current regulations, we are not typically made aware of a sale or transfer of an AO until that AO applies for renewal of CMS approval of the accreditation program(s) or unless we are voluntarily notified of the CHOW by the AO (although we retain the right to conduct comparability or validation surveys in accordance with § 488.8).

After review of the existing CMS regulations related to CHOWs, we did not believe that we had the explicit

regulatory authority to prospectively review and approve or deny the transfer of the existing Medicare-approval of accreditation programs. The purpose of such a review would be to ensure that, after transfer, the AO would continue to ensure that the entities it accredits met or exceeded CMS requirements.

On May 2, 2019, we published in the **Federal Register** a proposed rule entitled ''Accrediting Organizations—Changes to Change of Ownership'' (84 FR 18748) (2019 proposed rule). In the proposed rule, we stated that the current situation, whereby a change in ownership of CMS-approved accreditation programs may occur without notice to CMS does not provide an opportunity for us to review and approve or deny the transfer of the existing CMS-approval of the accreditation programs to be transferred. We further stated that this scenario had to be addressed so that we could assure Medicare beneficiaries that the standards and conditions for surveying facilities would continue to be met by the accreditation programs that were transferred to new ownership. We also stated that it was possible that the AO, after a CHOW transaction, might not be viable or equipped to accredit facilities under the transferred CMS-approved accreditation program(s), due to the new owner's inability to enforce the health and safety requirements of CMS. Without the authority to require AOs to provide us with notice when they are contemplating or negotiating a CHOW, and the authority to review the ability of the prospective new owner's capability to perform the required accreditation tasks after a CHOW, we are unable to confirm the ongoing effectiveness of the transferred CMS-approved accreditation program(s).

This final rule adds new requirements and a specified process to address CHOWs for AOs in regard to the transfer of the existing CMS approval for the AO's accreditation programs to the new AO owner. These regulations are intended to provide CMS with the ability to receive notice when an AO is undergoing or negotiating a CHOW, as well as to review the prospective new AO owner's capability to perform its tasks after a CHOW has occurred, in order to ensure the ongoing effectiveness of the transferred accreditation program(s) and to minimize risk to patient safety.

To date, there have been two (2) AO CHOW requests submitted to CMS. One was submitted approximately 20 years ago, and the other was submitted on November 19, 2020. While we cannot predict the frequency with which AO CHOW transactions will occur in the future, we believe that they could occur more frequently than they have in the past.

Requirements for Issuance of Regulations

Section 902 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (MMA) amended section 1871(a) of the Act and requires the Secretary, in consultation with the Director of the Office of Management and Budget, to establish and publish timelines for the publication of Medicare final regulations based on the previous publication of a Medicare proposed or interim final regulation. Section 902 of the MMA also states that the timelines for these regulations may vary but shall not exceed 3 years after publication of the preceding proposed or interim final regulation except under exceptional circumstances.

This final rule finalizes provisions set forth in the May 2, 2019 proposed rule. In addition, this final rule has been published within the 3-year time limit imposed by section 902 of the MMA. Therefore, this final rule is in accordance with the Congress' intent to ensure timely publication of final regulations.

II. Provisions of the Proposed Regulations

In the 2019 proposed rule, we proposed new procedures for the CHOW process for accrediting organizations. This proposed procedure would enable CMS to determine whether the new AO would be able to meet the appropriate Medicare requirements to be eligible for transfer of the existing CMS-approval for the accreditation programs to be transferred in the CHOW.

At § 488.5, we proposed to add a new paragraph (f) that would set out the requirements and processes for CMS review and approval or denial of a transfer of the existing CMS-approval for accreditation program(s) in a CHOW event.

We proposed at § 488.5(f)(1)(i) that any CMS-approved AOs negotiating or engaging in a CHOW transaction would have to provide notice of this CHOW transaction to CMS. At proposed § 488.5(f)(1)(ii) and (iii), we would require that this notice be provided to CMS in writing no less than 90 days prior to the effective date of the transfer of ownership. This notice requirement would allow CMS to perform an evaluation of whether the AO, under the new ownership, would (1) be viable or equipped to accredit facilities under its existing CMS approval; (2) be able to enforce the health and safety requirements of CMS for that program; (3) operate effectively; and (4) continue to meet or exceed the Medicare standards.

We would further require the prospective new owner or transferee to submit certain information to CMS in support of their request that the existing CMS-approval for the accreditation programs to be transferred in the CHOW. We proposed at § 488.5(f)(2)(iii) to require the prospective new owner or transferee to submit the following information: (1) The name and address of the legal entity that would be the owner of the new AO after the transfer was completed; (2) the three most recent audited financial statements of the organization that demonstrate that the organization's staffing, funding, and other resources would be adequate to perform the required surveys and related activities; (3) a transition plan that would summarize the details of how the accreditation functions will be transitioned to the new owner. Section 488.5(f)(2)(iii)(C) would require that the prospective new AO's transition plan include the following information: (1) Changes to management and governance structures including current and proposed organizational charts; (2) a list of the CMS-approved accreditation programs that will be transferred to the purchaser/buyer/transferee; (3) employee changes, if applicable; (4) anticipated timelines for action; (5) plans for notification to employees; and (6) any other relevant information that CMS finds necessary.

At § 488.5(f)(3)(i), we proposed to require the purchaser or transferee to provide a written acknowledgement, which states that if CMS approves the transfer of the existing CMS-approval of the accreditation programs that are part of the CHOW transaction, the new owner will become managerially, legally, and financially responsible for the operations of all CMS-approved accreditation programs being transferred. Upon the finalization of the CHOW transaction, the purchaser or transferee would be completely responsible for the management of the business operations of the AO, including, but not limited to the day to day business operations, the survey and accreditation processes, the oversight of accredited providers and suppliers, the handling of complaints regarding accredited suppliers, and compliance with all CMS requirements.

Furthermore, we proposed at § 488.5(f)(3)(ii), to require the purchaser or transferee to provide written acknowledgment stating that they agree to operate the transferred CMS-approved accreditation program(s)

under all the terms and conditions found at §§ 488.5 through 488.9.

We proposed at § 488.5(f)(3)(iii), that the purchaser or transferee would be required to provide a written acknowledgement that it would not operate the accreditation program(s) it acquired as CMS-approved accreditation program(s) until it received a notice of approval.

We proposed at § 488.5(f)(4)(i), that the parties to the CHOW would be required to notify the providers and suppliers affected by the CHOW within 15 calendar days after being notified of CMS's approval or disapproval for transfer of the existing CMS-approval for the accreditation program(s) to be transferred in the CHOW. Additionally, we proposed at § 488.5(f)(4)(ii), that if the AO or accreditation program(s) being acquired were under a performance review or under probationary status at the time the CHOW notice was submitted, the purchaser or transferee would have to acknowledge such status in writing. We believe that the purchaser or transferee must understand that when the CMS-approved accreditation program(s) are transferred under the CHOW, all current terms and conditions, and responsibilities are included in the transfer.

We proposed at § 488.5(f)(5), that we would publish a notice in the **Federal Register**, which would acknowledge the transfer of the CMS-approved accreditation program(s) through a CHOW event. This notice would also state that the purchaser would retain this CMS-approval for the transferred accreditation programs under the new ownership. This notice would be only intended to inform the public of the ownership change; therefore, the notice would not solicit public comments. Section 488.5(f)(5) would further provide that we would not publish this notice after we have issued approval for the transfer, without first receiving written confirmation that the CHOW has taken place.

We proposed at § 488.5(f)(6), that in the event we did not approve the transfer of the existing CMS approval for the accreditation programs to be transferred, we would notify all parties to the CHOW transaction in writing. The parties to the CHOW would include the relevant staff of the transferor and the transferee. Therefore, this notice would be sent to the relevant parties at the existing AO and the prospective transferee but not to the providers and suppliers accredited by the AO.

We proposed at § 488.5(f)(7)(i), that, in the event we were not made aware of a CHOW transaction, or did not approve the transfer of the existing CMS approval for the accreditation program(s) that were to be transferred, so long as the CHOW transaction was not completed, the transferor AO (existing AO) would be able to continue operating their accreditation programs under the existing CMS approval for said accreditation programs. The exception to this policy would be in the event that our review of the pending CHOW transaction revealed performance and/or compliance issues with the transferor AO that were previously unknown to CMS.

We also proposed at § 488.5(f)(7)(ii), that CMS would be able to withdraw the CMS approval of an AO's accreditation programs in accordance with § 488.8(c)(3)(ii) and (iii), if a CHOW transaction was completed without notice to CMS and/or without obtaining CMS' approval for the transfer the existing CMS approval of the accreditation program(s) to the new owner.

We proposed at § 488.5(f)(8), that in the event parties completed the CHOW transaction, and the purchaser or transferee attempted to operate the transferred accreditation programs under the CMS-approval granted to the previous owner of the accreditation program(s), notwithstanding CMS disapproval of the request to transfer, CMS would withdraw the approval of the accreditation programs in accordance with the procedures set out at § 488.8(c)(3)(ii) and (iii).

We proposed at § 488.5(f)(9), that, in accordance with § 488.8(g), if CMS withdrew the existing approval of transferred accreditation program(s) because a CHOW transaction was completed without notice to or the approval of CMS, an affected Medicare-certified provider's or supplier's deemed status would continue in effect for 180 calendar days after the removal of the existing CMS accreditation approval, if the provider or supplier took the steps stated in § 488.8(g). First, the Medicare-certified provider or supplier would be required to submit an application to another CMS-approved accreditation program within 60 calendar days from the date of publication of the removal notice in the **Federal Register**. Second, the Medicare-certified provider or supplier would be required to provide written notice to the State Survey Agency (SA) stating that it has submitted an application for accreditation under another CMS-approved accreditation program within the 60-calendar day timeframe specified in § 488.8(g). Failure to comply with the timeframe requirements specified in § 488.8(g) would place the affected Medicare-certified provider or supplier under the SA's authority for continued participation in Medicare and on-going monitoring.

The provisions of § 488.8(g) would not apply to non-certified suppliers, because the statute does not authorize SAs to engage in oversight of these supplier types. Therefore, we proposed at § 488.5(f)(10) that if CMS withdrew the existing approval of transferred non-certified accreditation program(s) because a CHOW transaction was completed without notice to or the approval of CMS, an affected non-certified supplier's deemed status would continue in effect for 1 year after the removal of the existing CMS accreditation approval if the non-certified supplier submitted an application to another CMS-approved accreditation program within 60 calendar days from the date of publication of the removal notice in the **Federal Register** and provided written notice of such application to the CMS within such timeframe. Failure to comply with the timeframe requirements would result in a CMS determination that the provider or supplier was no longer accredited.

For non-certified suppliers such as ADI and DSMT suppliers, CMS-approved accreditation is required as a condition for receipt of CMS reimbursement for the services furnished to Medicare beneficiaries. If these suppliers were suddenly left without CMS-approved accreditation they would have to seek new accreditation from a CMS-approved AO. We estimated that it would take no less than 6 to 9 months for these suppliers to complete the reaccreditation process and obtain new CMS-approved accreditation. We were concerned that during the time that these suppliers were undergoing the reaccreditation process, they would not be able to receive reimbursement from Medicare for any services furnished to Medicare beneficiaries. For many of these suppliers, Medicare beneficiaries make up a large portion of their client population and provides a large source of revenue for them. Therefore, these suppliers would be likely to suffer significant hardship if left without CMS-approved accreditation for a 6 to 9 month period. Also, if these suppliers were not able to provide services to Medicare beneficiaries for an extended period of time, it could create access to care issue for Medicare beneficiaries for the services provided by these suppliers. For this reason, we proposed accreditation for a 1 year period after **Federal Register** notification that CMS's approval of the non-certified supplier's

accreditation organization was being withdrawn. Because we proposed to add the same requirements for ADI, HIT, DSMT suppliers, and clinical laboratories, we would add cross references to the provisions in § 488.5(f) for these suppliers so that they would be subject to the same proposed requirements for a CHOW. Specifically, for DSMT suppliers at § 410.142, we proposed to add a new paragraph (k); for ADI suppliers at § 414.68, we proposed to add a new paragraph (j); for HIT suppliers at § 488.1030, we proposed to add a new paragraph (g); and for laboratories at § 493.553, we proposed to add a new paragraph (e).

III. Analysis of and Responses to Public Comments

We received 8 public comments from an individual, accrediting organizations and a hospital association. We have reviewed all of the public comments received and considered the concerns raised by all stakeholders. As a result, we have made several revisions to the proposed regulation at § 488.5(f) in response to public comments. Specifically, we have modified §§ 488.5(f)(1)(iii) and (iv) and § 488.5(f)(2)(iii)(D). See section IV ''Provisions of the Final Regulations'' for detail description of these changes. A summary of the comments received and our responses to those comments appear in the paragraphs below.

A. Notification Requirements

1. Notice to CMS Requirements—§ 488.5(f)(1)

Comment: One commenter expressed support for the 90-day written notification of intention to change ownership of an AO. The commenter stated that this requirement reflects a reasonable timeframe for the organization to notify CMS of whether negotiation or engagement in the intent to change ownership is taking place.

Response: We thank this commenter for their support on the written notification requirements.

Comment: One commenter recommended that CMS require AOs to notify CMS of any ownership change within 15 days following the effective date of ownership transfer. This commenter stated that, by that point, CMS would have the authority to review characteristics of the new business entity and make decisions regarding whether the new entity has the necessary resources and structure to retain deeming authority.

Response: We thank this commenter for their comment, however, we respectfully disagree with the commenter's position that CMS would not have the authority to review characteristics of the new business entity and make decisions regarding whether the new entity has the necessary resources and structure to retain deeming authority until after the AO is sold or transferred to the new owner. We believe that in the case of a CHOW for an AO, the new owner might have an expectation that CMS's approval of an accreditation program would be a transferable business asset or an intrinsic part of the accreditation program that would automatically transfer, along with the accreditation programs, to the new owner as part of the CHOW process. However, this rule clarifies that CMS approval of accreditation programs is not freely transferable, without regulatory oversight, qualifications or conditions.

CMS approval is not a transferrable business asset, but a governmental regulatory agency approval. Our approval of an accreditation program is granted to the existing owner of the AO based on that AOs ongoing circumstances, as described in the AO's initial and renewal applications for deeming authority. Before we could agree to transfer the existing approval of CMS accreditation program(s) to a new AO owner, we would require information which provides us with the assurance that the AO, under new ownership, would: (1) Be viable or equipped to accredit facilities under its existing CMS approval; (2) be able to enforce the health and safety requirements of CMS for that program; (3) operate effectively; and (4) continue to meet or exceed the Medicare standards. If CMS finds that these conditions are met, then we would approve the transfer of the existing CMS approval for the accreditation programs to be transferred to the new owner. We believe that section 1865(a)(2) of the Act permits us to look at an AO's resources and procedures at any time. Consequently, CMS has the authority to perform a prospective review of the new owner's ability to run the AO prior to the time of sale or transfer. The purpose of this review is to ensure that the AO will have financial longevity, will provide safe and effective accreditation that meets the CMS requirements, and ensure that the providers and suppliers accredited by the AO, under new ownership, will continue to provide safe and effective healthcare to patients.

Further, we note that waiting until after the CHOW has occurred to perform our review of the new owner's circumstances and qualifications will likely be burdensome as well as a disservice to the AO itself. If we were to find that an AO under new ownership was not accrediting facilities in accordance with the CMS requirements, we will terminate our approval for the transferred accreditation programs. Also, we will investigate the providers and suppliers that were accredited between the time that the new owner took over and the time that the CMS approval for the accreditation programs was terminated. We will perform this investigation because these providers and suppliers would have been accredited under accreditation programs during the time the programs were not being properly administered by the AO under the new owner. These additional surveys will be burdensome for the providers or suppliers being surveyed a second time, as well as for CMS and our contractors.

Comment: One commenter suggested that the rule should require the AO to notify CMS when an AO is contemplating undergoing or negotiating a CHOW.

Response: We agree with this commenter. Sections 488.5(f)(1)(ii) and 488.5(f)(1)(iii) require that written notice of the CHOW must be provided by the AO to CMS no less than 90 days prior to the anticipated effective date of the CHOW transaction.

2. Notification Requirements—§ 488.5(f)(4)

Comment: One commenter stated that if CMS approved the transfer of ownership of an AO, the required 15 day notice that providers would receive would be an inadequate amount of time for hospitals to review and enter into new contracts with the new AO owner. This commenter requested that CMS provide at least 3 months' notice to hospitals prior to the change in ownership going into effect, to allow hospitals time to engage with the new owner. This commenter also suggested that CMS should consider both print and electronic communications to satisfy these efforts (that is, U.S. mail, email, voicemail follow up by AOs).

Response: We understand this commenter's concern but respectfully disagree. The purpose of the notice required by § 488.5(f)(4) is to notify the providers and suppliers that have been accredited by that AO that CMS has approved the transfer of the existing CMS-approval for the accreditation programs to be transferred in the CHOW to the new owner. An approved transfer will not terminate any facility's existing accreditation, which will expire at the end of the term set by the transferor AO.

We are hopeful that requirements imposed under these proposed new regulations will not affect the contracts

between the providers and suppliers and the AO. We are also hopeful that the accredited providers and suppliers will not be required to immediately enter into new contracts with the new AO since the new owner will assume ownership of the AO subject to the AO's existing contractual obligations. However, it will be up to the parties involved to examine their own agreements prior to the CHOW. Unless the CHOW agreement between the existing AO and transferee AO states otherwise, we believe the CHOW will not affect the term of accreditation that was granted to the providers and suppliers by the existing AO ownership, provided that CMS does not withdraw approval for the accrediting programs to be transferred. CMS' approval for the transfer of the approval for the accreditation program(s) being transferred in a CHOW will be contingent upon the new AO owners agreement to continue the periods of accreditation for any providers or suppliers accredited under those accreditation programs, prior to the time the CHOW transaction took place. In other words, the new AO owner will be required to assume ownership of the AO subject to the terms of existing accreditations granted by the existing AO.

The caveat to this rule would be if CMS were to not approve the transfer of the approval for the accreditation program to be transferred in the CHOW. In such a case, if the CHOW still occurred, the new AO would not have approval for the transferred accreditation programs and the providers and suppliers accredited by the previous owner of the AO would be required to seek accreditation from another AO. Also, there is a possibility that a transferor's poor performance could trigger withdrawal of the AO's deeming authority in accordance with § 488.8(g). In this case, as in all cases of involuntary termination of an AO's accreditation program, an affected provider's or supplier's deemed status would continue in effect for 180 calendar days after the removal of the approval if the provider or supplier submitted an application to another CMS—approved accreditation program within 60 calendar days from the date of publication of the removal notice in the **Federal Register**.

3. Notification to Parties in the Event That CMS Does Not Approve the Transfer of the Existing CMS Approval—§ 488.5(f)(6)

Comment: One commenter stated that it was important to include this step in the provision; however, they stated that the language of § 488.5(f)(6) was vague. This commenter suggested that § 488.5(f)(6) be revised to include language stating that CMS would notify all providers and suppliers to the CHOW transaction in writing. The commenter stated that the notice to the providers and suppliers should include information about an AO program's current status.

Response: We appreciate the need for providers and suppliers to have transparency about their AO's ownership, but believe that the policies in this rule are sufficient to reach that end. Section 488.5(f)(4) provides that all parties to the CHOW transaction must notify the providers and suppliers affected by such change within 15 calendar days of being notified of CMS's approval to transfer of the existing CMS-approval for the accreditation programs to be transferred in the CHOW transaction. We believe that this notice to providers and suppliers required by § 488.5(f)(4) is adequate because it must be provided within 15 days after CMS has approved the transfer of the CMS approval for the accreditation programs to be transferred in the CHOW.

Also, § 488.5(f)(5) requires that, after CMS receives written confirmation from the new owner that the CHOW has taken place, CMS publishes a notice of approval in the **Federal Register** of the transfer of the existing CMS approval for the accreditation program(s) to a new owner. However, the notice required by § 488.5(f)(5) will be published only after CMS receives written confirmation from the new owner that the CHOW has taken place because providers and suppliers should not be notified by CMS of the CHOW until after it is approved by CMS. If CMS does not approve the transfer of the CMS approval for the accreditation programs or if the parties to the CHOW decide not to proceed with the sale or transfer transaction, such premature notice could cause providers and suppliers to panic or worry unnecessarily.

We believe between these two forms of notice, there is no reason that the affected providers and suppliers would not be notified of the CHOW. In addition AOs contemplating a CHOW may choose to notify providers and suppliers at any time on their own.

We further disagree with this commenter's suggestion that the notice required by § 488.5(f)(6) should include information about the current status of the AOs' programs. The purpose of this notice is to inform the parties to the CHOW that CMS has disapproved the transfer of the approval for the accreditation programs to be transferred in the CHOW. This is outside the purpose of the notice required by § 488.5(f)(6). Also, we believe that it would not be CMS's place to provide information about the AO's current status to its accredited providers and suppliers; CMS generally does not maintain current information on accreditation organizations' client lists.

B. Documentation Requirements

Comment: One commenter stated that a transition plan plays no role in the contemplated business negotiation and may not be readily available 90 days prior to the effective date of ownership transfer.

Response: We thank the commenter for their input but respectfully disagree. We believe that the new owner should have a transition plan fully developed at least 90 days prior to the time that the CHOW takes place so that it can be put into place immediately upon the sale or transfer of the AO. We believe that it will be shortsighted of the new owner to not develop a transition plan well in advance of the anticipated effective date of the CHOW. We also believe that it will have potentially negative consequences, not only for the AO but for the providers and/or suppliers it accredits, for the new owner to wait until after the CHOW takes place to develop the transition plan. If this were the case, the AO under new ownership would lack organization and direction until the transition plan was developed and implemented.

Comment: One commenter stated that the development of a transition plan will engage employees in both the business operations and accreditation operations departments within the AO(s).

Response: We agree with this commenter regarding this aspect of the request for approval process and thank them for their comment.

C. Written Acknowledgements

1. Written Acknowledgement From the Purchaser/Buyer/Transferee—§ 488.5(f)(3)(ii)

Comment: One commenter stated that the requirement of § 488.5(f)(3)(ii) that requires the purchaser/buyer/transferee to agree to operate the transferred CMS approved accreditation program(s) under all of the CMS imposed terms and conditions (to include program reviews and probationary status terms) is an important step. This commenter supports the expectation of the purchaser or transferee to provide full disclosure of the understanding of specific conditions related to operating a CMS-approved AO.

Response: We thank this commenter for their support of the written acknowledgement provision.

2. Written Acknowledgement From the Purchaser/Buyer/Transferee—§ 488.5(f)(3)(iii)

Comment: This commenter stated that the requirement of § 488.5(f)(3)(iii) that requires the purchaser/buyer/transferee to agree not to operate the accreditation program(s) it acquired in the CHOW as CMS approved accreditation programs until the effective date set forth within the notice of approval from CMS expands on the importance of full disclosure. The commenter supported the continued protection of the process included in the transfer of ownership of an AO.

Response: We thank this commenter for their support of the proposed written acknowledgement provision.

D. Proposed Regulatory Requirements

1. General Comments About the Proposed Regulatory Requirements

Comments: Several commenters expressed full support for our proposal to establish the regulations at § 488.5(f). One commenter stated that being certain a process is in place so that CMS approves new ownership of AOs is essential to mitigating risks to patients and that proposal will establish even greater accountability for the AO and will highlight CMS' role in the oversight of AOs. This commenter further stated that our proposals exemplify the ongoing efforts CMS has in order to safeguard patients by guaranteeing AOs are upholding the standards required to maintain an approved accreditation program.

One commenter stated CMS should establish a standard process for review and approval of a CHOW of an accrediting organization and that this rule would provide important clarity for accrediting organizations seeking to undergo an ownership change. Another commenter stated that, generally, the proposed changes provide for increased oversight and strengthen the program without placing extraordinary burden on AOs and prospective merger or acquisition partners.

Response: We thank these commenters for their support of our proposals.

Comment: One commenter did not support our proposal to establish regulations related to CHOW of AOs. This commenter stated that the proposed notification requirements regarding contemplated ownership changes amount to unwarranted regulatory interference.

Response: We thank the commenter for sharing their concern but respectfully disagree that this regulation amounts to unwarranted interference. It is important to note that transfer of the CMS approval of the accreditation programs held by the original owner of an accreditation program is not a right that could automatically accrue to the new owner of an AO. It is also not something that could be sold or transferred to another owner like a piece of property or business asset. Such CMS approval is granted to the original owner of the AO accreditation programs based on the circumstances of the AO that exist at the time of approval.

Therefore, transfer of the CMS approval for the accreditation programs being transferred in a CHOW must be approved by CMS. In order to give this approval, CMS must receive assurance that the AO under the new ownership will be financially viable, and have long term stability of operations. CMS must also ensure that the accreditation provided by the AO, under new ownership, meets the CMS standards to ensure that the healthcare providers and suppliers accredited by that AO are providing safe and effective healthcare. This means that CMS would need to be provided with specific information about the proposed new ownership in order to obtain such assurance prior to the CHOW taking place.

The regulations at § 488.5(f) allow CMS to obtain information prior to the CHOW that will allow us to determine whether the AO, under the new ownership, will maintain continuity of operations, will be able to accredit facilities using the CMS accreditation standards, and whether the facilities accredited by the new AO will provide safe and effective patient care. CMS is finalizing these regulations in order to create fair and transparent standards for the transfer of the CMS approval for the accreditation programs to be transferred in a CHOW and avoid any potential lapses in deeming authority that may come from a post-transfer review. Without this regulatory authority, the new AO would not be allowed to operate using the existing CMS approval for the accreditation programs that were transferred in the CHOW. The new AO owner/transferee will be required to submit an application to CMS seeking approval of the transferred accreditation programs. During the time frame that the application was pending CMS approval, the new AO owner/transferee would not be able to provide accreditation services to any providers or suppliers. The requirements of § 488.5(f) will enable us to decide whether to approve the transfer of the existing CMS approval for the accreditation programs to be transferred, thus avoiding a lapse in the CMS approval for these accreditation programs.

Comment: A commenter stated that CMS is inappropriately inserting itself into the AO's financial transactions, which would interfere with the AOs' ability to conduct business.

Response: We thank the commenter for their concern but respectfully disagree. The purpose of this regulation is not to approve or deny the sale or transfer transaction that takes place. The purpose of these regulations is (1) to receive documents from the prospective new owner of the AO, prior to the time that the CHOW takes place, in order for CMS to determine whether the AO's accreditation programs under new ownership would meet or exceed the CMS requirements; (2) to make a prospective determination as to whether the AO, under the new ownership, can assure us that the providers and suppliers accredited by the AO, are providing safe and effective care; and (3) to determine whether to transfer the existing CMS approval for an AO's accreditation program to the prospective new owner of the AO. We believe these functions are integral to CMS' ability to effectively regulate AOs and ensure quality in Medicare-certified suppliers and providers. Beyond ensuring accreditation program integrity and adherence to CMS' requirements under the new ownership, we will have no part in AO financial business.

Comment: One commenter stated that this proposed notification process could create unnecessary work for CMS. They explained that not all negotiations end in a successful transaction and that in the event that a potential ownership change never came to fruition, CMS would have spent resources reviewing documentation for a transaction that was never finalized.

Response: We appreciate this commenter's concern on CMS' behalf. We are primarily concerned with making sure there are assurances that an AO's accreditation programs under new ownership would meet or exceed our requirements and determine whether the providers and suppliers accredited by that AO provide safe and effective care. If a sale or transfer for the AO were to fall through, we expect the existing or prospective new owner of the AO to notify CMS as soon as possible. This will allow us to cease our review of the documents as early as possible and thus limit any unnecessary work.

2. Deadline Requirement—§ 488.5(f)(1)

Comment: One commenter suggested that CMS specify in the final regulation whether the timeframes are measured in business or calendar days.

Response: We agree with this commenter and believe that the distinction between calendar and business days has a significant impact on the amount of time allowed.

In reviewing § 488.5(f)(1)(iii) in the 2019 proposed rule, we noted that only the 90 day deadline was listed but did not specify whether this deadline was for calendar or business days. However, the remainder of the deadlines contained in § 488.5(f) did specify whether these deadline are for calendar or business days. Therefore, we have revised the requirement at § 488.5(f)(1)(iii) by adding ''calendar days'' to the 90 day deadline.

Comment: One commenter pointed out that the proposed regulations do not include a timeline related to the CMS review and approval or denial of the proposed transfer. This commenter requested that CMS amend the proposal to add that CMS will notify the parties of approval or denial no more than 30 days after receipt of a complete application for approval of transfer of the existing Medicare approval.

This commenter stated that a timeline should be in place because, should the AO contemplate a CHOW arrangement, there would be implications on planning, forecasting, and budgeting. The AO would face significant costs throughout the duration of transition planning including ongoing accounting, public relations, legal, and other professional fees. In addition, in a CHOW, an AO may have other operational issues to consider, including staffing requirements and support before and after the ownership change.

Response: We agree with this commenter that having a deadline for CMS' review of their request for approval of the CHOW would be helpful for the planning, forecasting, and budgeting process related to a CHOW and also for transitioning the AO to the new ownership. Therefore we have added a provision at § 488.5(f)(1)(iv) which requires that CMS will complete their review of the AO's request for approval for the transfer of the existing CMS approval for the accreditation programs to be transferred in the CHOW within 90 days from receipt of said request.

3. Federal Register Notice Requirement—§ 488.5(f)(5)

We received no comments in regards to this section of the proposed regulation, and are therefore adopting it without change.

4. Withdrawal of CMS Approval Due to Failure To Notify CMS of Intent To Transfer Accreditation Programs—§ 488.5(f)(7).

Comment: One commenter stated that the provisions of § 488.5(f)(7) serve an important role. This commenter further expressed their support for the provision at § 488.5(f)(7)(i) regarding CMS' authority to withdraw approval if further review of the pending transaction reveals issues with performance and/or compliance. This commenter stated that if an AO does not notify CMS of the CHOW, but has started the process, the AO may continue to operate under their current approval but that this violation should prompt a CMS review of their current approval status.

Response: We thank this commenter for their support regarding the requirements in § 488.5(f)(7). We further note that there are several types of reviews that CMS can use when an AO attempts to or does complete a CHOW without notice to and approval from CMS.

First, proposed § 488.5(f)(7)(i) will allow CMS to perform a review of a pending CHOW transaction of which CMS has not been made aware. As in the case of other CHOW reviews, per § 488.5(f)(7)(ii), if our review revealed issues with the AO that were previously unknown to CMS, CMS would take action accordingly.

Second, proposed § 488.5(f)(8) provides that in the event that the parties complete the CHOW, notwithstanding CMS disapproval, and the purchaser/buyer/transferee attempts to operate the transferred accreditation program(s) under the CMS-approval granted to the previous owner, CMS will withdraw the existing approval of the transferred accreditation program(s) in accordance with the procedures set out at § 488.8(c)(3)(ii) and (iii). Existing § 488.8(c) provides the standards for CMS-approved accreditation program review, including the timeline for the AO's probationary period and withdrawal of CMS approval at § 488.8(c)(3)(ii) and (iii).

Therefore, in addition to the ability to cite the AO's failure to meet Medicare's conditions and requirements under § 488.5(f)(7)(i), CMS can also initiate a program review under proposed § 488.5(f)(8). We do not believe that any additional review processes are necessary.

5. Withdrawal of CMS Approval for Accreditation Programs Which Are Transferred Notwithstanding CMS' Disapproval of the Transfer—§ 488.5(f)(8)

Comment: One commenter supported the provision for the withdrawal of CMS' approval for the accreditation program if the transfer is disapproved, as proposed at § 488.5(f)(8).

Response: We thank this commenter for their support of the proposed withdrawal provision.

Comment: One commenter suggested that the notice of withdrawal of an AO's Medicare approval should be provided directly to affected providers by CMS and the AO. This commenter stated that this would make this notice process consistent with the notice requirement when a CHOW is approved.

Response: We understand this commenter's concern. We would like to point out that if CMS does not approve a CHOW, we will not withdraw or terminate an AO's Medicare participation, but instead will withdraw the CMS approval for that AO's accreditation programs to be transferred in the CHOW. If the transferee were to proceed with the CHOW, the AO, under new ownership, will be permitted to file a new application seeking CMS approval for these accreditation programs.

We do not believe that it is necessary to modify the regulations at § 488.5(f) to require CMS to provide notice of the disapproval of the CHOW directly to the affected providers and suppliers for several reasons. First, if the transferee elected not to proceed with the CHOW, then the CMS approval would remain unchanged as per § 488.5(f)(7)(i) Second, there are other AO oversight regulations which require that such notice be given to providers and suppliers when CMS withdraws approval for an AO's accreditation program. Existing § 488.8(g)(1) provides that we will publish a notice in the **Federal Register** if we were to withdraw the CMS approval of an AO. Also, existing § 488.8(e) provides that an AO whose CMS approval has been withdrawn must notify, in writing, each of its accredited providers or suppliers of the withdrawal and the implications for the providers' or suppliers' deemed status no later than 30 calendar days after the notice is published in the **Federal Register**. We believe that the notice provided pursuant to §§ 488.8(e)(1) and 488.8(g) are adequate to ensure providers and suppliers receive timely notification of the withdrawal of an AO's CMS approval.

We are therefore finalizing § 488.5(f)(8) without change.

6. Requirements for Continuation of a Deemed Status Accreditation of Medicare-Certified Providers and Suppliers After CMS Withdraws the Existing Approval of the Transferred Accreditation Program(s)—§ 488.5(f)(9)

Comment: One commenter stated that if CMS proceeds in codifying this process, it should extend the proposed timeframes for providers, to allow sufficient time for providers to negotiate new contracts and have orderly transitions from one AO to another AO, or to a SA.

Response: We appreciate this commenter's concern. The timeframes set forth in § 488.5(f)(9) are the same as those that are set forth in § 488.8(g) entitled ''*Continuation of deemed status*'' which provides that ''[a]fter CMS removes approval of an accrediting organization's accreditation program, an affected provider's or supplier's deemed status continues in effect for 180 calendar days after the removal of the approval if the provider or supplier submits an application to another CMS-approved accreditation program within 60 calendar days from the date of publication of the removal notice in the **Federal Register**.'' We believe that having different timeframes in § 488.5(f)(9) for the same activities that are set forth in § 488.8(g) for Medicare-certified providers and suppliers would be inconsistent and confusing to providers and suppliers.

Comment: One commenter noted that the proposed rule provided that if an AO did not appropriately seek approval from CMS prior to a change in ownership, providers accredited by the now-former AO would only have 180 days of deemed status remaining. As an example, a hospital may have only recently gone through their AO's survey process and could have just recently been reaccredited for 3 years. Through no fault of their own, they would have only 6 months prior to their loss of Medicare certification status. By contrast, the proposed rule would provide 1 year of accreditation status to non-certified suppliers. This commenter recommended that CMS grant Medicare-certified providers and suppliers at least the same amount of time as non-certified suppliers (that is, 1 year) and allow for an extension process if additional time is needed. This commenter further stated that the Ligature Risk Extension Request process in CMS' draft guidance, DRAFT–QSO–19–12-Hospitals—Clarification of Ligature Risk Interpretive Guidelines, released April 19, 2019, may provide a helpful model for seeking an extension.

Response: We appreciate this commenter's concern. The timeframe set forth in § 488.5(f)(9) for Medicare-certified providers and suppliers are the same as those that are set forth in § 488.8(g) titled ''*Continuation of deemed status.*'' In fact, § 488.8(g) are referenced in § 488.5(f)(9)(iii). As noted previously, we believe using different timeframes would be inconsistent and confusing.

We proposed at § 488.5(f)(10) that if CMS withdrew AO approval of transferred non-certified accreditation program(s) because a CHOW was completed without notice to CMS or receipt of CMS approval, an affected non-certified supplier's deemed status would continue in effect for 1 year after the removal of the existing CMS accreditation approval if the non-certified supplier submitted an application to another CMS approved accreditation program within 60 calendar days from the date of publication of the removal notice in the **Federal Register** and provided written notice of such application to the CMS within such timeframe. Failure to comply with the timeframe requirements would result in a CMS determination that the supplier was no longer accredited.

We proposed a 1 year period of time for the continuation of accreditation for non-certified suppliers for several reasons. First, the provisions of § 488.8(g) do not apply to non-certified suppliers. Second, in our view, giving non-certified suppliers additional time compared to Medicare-certified provider and suppliers (1 year as opposed to 180 days of continued accreditation status, respectively), is appropriate due to the different circumstances of Medicare and Medicare certified providers and suppliers as compared to those of the non-certified suppliers. More specifically, non-certified suppliers are not subject to inspection by the SA, because there is no legal authority for the SA to do so. Therefore, they are not able to use the SA for approval to participate in Medicare in the event that they cannot obtain accreditation from an AO. We believe it is necessary to grant the non-certified suppliers a longer period of extended accreditation in which to achieve reaccreditation from another AO, since they do not have the safety net of being certified by the state.

For non-certified suppliers such as ADI, DSMT, and HIT suppliers, the accreditation process typically takes longer because it's usually performed by a ''desk audit'' process. With a desk audit, the non-certified supplier would be given a period of time in which to collect and submit the information required for the desk audit. For example, ADI suppliers must submit images for specific ADI procedures. They must either gather images from procedures that have already been performed or perform new procedures to obtain these images.

After the ADI supplier has obtained all of the images required for accreditation, they would submit their accreditation package to the AO. We estimate that the ADI AO's review the ADI supplier's accreditation package takes up to one to several weeks, depending on the AO's workload. Whereas, for Medicare-certified providers and suppliers, accreditation is based on an on-site survey, which can be scheduled and performed within a short period of time. Therefore, the accreditation can be completed more quickly.

In addition, accreditation is a condition for receipt of Medicare payment for non-certified suppliers, while this is not the case for Medicare certified providers and suppliers. If their Medicare accreditation lapses, the non-certified suppliers would no longer be eligible to receive payment for services furnished to Medicare beneficiaries. This could lead to financial hardship for these non-certified suppliers that could cause them to refuse to serve Medicare beneficiaries or cause them to go out of business. Both of these scenarios would result in an access to care issues for Medicare beneficiaries. For these reasons, we believe it is important that we allow the non-certified suppliers a longer period of time in order to obtain re-accreditation from another AO.

Comment: One commenter suggested that both the 60-day timeframe to submit an application to a new AO and the 120-day timeframe to be surveyed be extended. Another commenter expressed the belief that an affected provider's or supplier's deemed status should continue for longer than 180 days to allow sufficient time for them to make decisions, establish budgets, prepare for and address findings on the path to an accreditation determination by a new AO.

Response: This commenter seems to suggests that §§ 488.5(f)(9) and 488.8(g) provide for 2 separate and distinct periods of time or deadlines, consisting of an initial 60 day period in which the provider or supplier must submit their application to another AO and second and subsequent 120 day period in which the provider or supplier must be surveyed.

We note that providers and suppliers actually have 180, rather than 120, days in which to receive accreditation. Section 488.5(f)(9) provides that ''an affected Medicare-certified provider or supplier's deemed status will continue in effect for 180 calendar days if the Medicare-Certified provider or supplier takes the following steps set forth is § 488.8(g).'' Those steps include the provider or supplier is required to file an application with another AO and provide notice to the SA of the filing of this application within 60 days of the date of receipt of notice of the withdrawal of the AOs CMS approval. This deadline does not separate the 180 day period of continued accreditation into two separate and distinct periods. Rather, healthcare provider or supplier can file their application with another AO as soon possible after being notified of withdrawal of their AO's CMS approval. Conceivably, this application could be filed the day after the provider or supplier received such notification. We believe that if a provider or supplier has filed an AO application in the past, they should be familiar with the information and documentation required and therefore, should not wait until near the 60 day deadline to notify the SA of the filing of their application with another AO.

We further believe that the 180-day timeframe is an adequate amount of time for a Medicare-certified provider or supplier to obtain reaccreditation from a new AO. In fact, the timeframes in § 488.8(g) are referenced in § 488.5(f)(9)(iii).

E. Change of Ownership of AOs

Comment: One commenter suggested that, CMS should also require written disclosure of any potential or actual conflicts of interests related to the new owner, as part of the documentation required to request approval of a transfer to a new owner. This commenter expressed the opinion that requiring this information would do the following: (1) Give CMS the authority to review conflicts and, if necessary, require corrective action as a condition of approval; (2) be an opportunity to consider conflicts based on paid consultative services (the subject of the Request for Information published in December 20, 2018, ''Accrediting Organizations Conflict of Interest and Consulting Services'', CMS–3367–NC (83 FR 65331)); and (3) help CMS ensure that the primary focus of accreditation by the new owner is to recognize quality and that accreditation decisions will continue to be made in an objective manner independent of the new owner's other financial or programmatic interests.

Response: We agree with this commenter. Therefore, we have added a requirement at § 488.5(f)(2)(iii)(D) that requires the prospective new owner of the AO to provide policies and procedures to avoid conflicts of interest, including the appearance of conflicts of interest, involving individuals who conduct surveys or participate in accreditation decisions, as required by § 488.5(f)(10) with the information to be submitted with the AO's request for approval.

Comment: Several commenters expressed concern regarding the confidentiality of proprietary merger/acquisition information and the open-ended review timeline. Other commenters expressed concerned that the proposed regulation did not include provisions protecting against disclosure of sensitive information related to the potential CHOW.

Another commenter explained that parties to a merger or acquisition have significant interest in maintaining the confidentiality of related deliberations because uncontrolled disclosure could cause significant harm to the interests of the parties involved and other stakeholders, including CMS. This commenter expressed concern that if the CHOW information is disclosed prematurely, it could create concern amongst customers, potentially impacting the transaction, and creating operational issues for both the accreditation organization and CMS who may not yet be ready to field customer inquiries about the pending change.

Another commenter expressed concern that the proposed rule contains no explicit guarantee of the confidentiality of proprietary information and intellectual property shared with CMS. This commenter stated that as part of the valuation process in any ownership change, AOs will share proprietary information and intellectual property that must remain protected. Another commenter recommended that CMS consider confidentiality concerns of the involved parties in any rulemaking that requires advance notice to CMS. Several other commenters requested that CMS modify the proposal with consideration for these concerns.

Response: We understand the concern expressed by these commenters. We will make every effort to keep the information submitted by the buyer/transferee in support of their request for transfer of the existing CMS approval for the accreditation programs strictly confidential. There is a possibility that CMS could receive a Freedom of Information Act (FOIA) request for this information, however the FOIA contains several statutory exemptions that allow agencies to withhold records in responding to a FOIA request. Exemption 4 protects ''trade secrets and commercial or financial information'' that is ''privileged or confidential.'' *See* 5 U.S.C. 552(b)(4). CMS will withhold or release information in accordance with applicable federal law and its regulations at 45 CFR subpart D.

Comment: One commenter stated that CMS should consider ''change of control'' principles in addition to ''CHOW'' as part of the proposed rule.

Response: We thank the commenter for their input. We note that the term ''change of control'' could refer to a change in the day-to-day AO management activities, or a change to the managing control of the AO. This term could also refer to a change in the ownership or partnership interests in the AO. A change of management or managing control could involve a change in the day-to day management staff, board of director members or managing partners of the AO. A change in the ownership interest in the AO could involve a change in the number of persons who own an interest in the AO and/or a change in their percentage of ownership of interest in the AO. A change in a partnership interest in an AO could involve the addition of or removal of partners or a change in the percentage of their partnership interest.

We do not believe that change of control should be included in the regulations at § 488.5(f) because, if a change of control issue were to occur, we would not expect the daily operations of the AO to change. We say this because, an AO undergoes a change of control they are required to notify CMS of this change. Also if, as a result of the change of control, the AO were to decide to make changes to its accreditation standards and/or survey processes, the AO will be required to submit these revised accreditation standards and/or survey processes to CMS for a comparability review and CMS approval pursuant to § 488.8((b)(2). In addition, the AO will be required by § 488.5(a)(19) to provide, with their initial or renewal application, a statement that, in response to a written notice from CMS to the organization of a change in the applicable conditions or requirements or in the survey process, the organization will provide CMS with proposed corresponding changes in the organization's requirements for its CMS approved accreditation program to ensure continued comparability with the CMS conditions or requirements or

survey process. These proposed changes must be submitted within 30 days after CMS's written notice and the AO may not implement them without CMS approval. We believe that these requirements will be sufficient to provide notice to CMS of any changes, in the event that an AO undergoes a change of control.

Comment: One commenter suggested that the regulation should set out the criteria CMS uses to assess an AO's ability to perform its tasks after a CHOW has occurred.

Response: We appreciate this commenter's concern but respectfully disagree. The regulation at § 488.5(f)(2) states the specific information the AO must submit to CMS for review. As we have noted throughout this preamble, we review transaction information in order to assess the new AO's financial resources and its ability to perform its tasks after a CHOW has occurred, in order to insure the ongoing effectiveness of the approved accreditation program(s) and to minimize risks to patient safety. We believe that stating the information and documents that will be reviewed and the purpose for this review provides the AOs with enough information about CMS' intent for the review and approval or disapproval of the transfer of the existing CMS-approval for the accreditation programs to be transferred in the CHOW. The review of the application to be submitted by the prospective new owner of the AO is similar to the requirements at § 488.5 in which we request information to be submitted with an AO's initial or renewal application for CMS approval of the AOs accreditation programs. We do not state specific review criteria to be used for this application review.

IV. Provisions of the Final Regulations

In this final rule, we are adopting the provisions in the May 2, 2019 proposed rule, with the following changes:

- Revised § 488.5(f)(1)(iii) to specify that the 90 day deadline refers to calendar days.
- Revised § 488.5(f)(1)(iv) to specify that we will complete our review of the AO's request for approval for the transfer of the existing approval for the accreditation programs to be transferred CHOW within 90 days from receipt of the request.
- Revised § 488.5(f)(2)(iii)(D) to require that the prospective new owner of an AO provide us with policies and procedures to avoid conflicts of interest, including the appearance of conflicts of interest, involving individuals who conduct surveys or participate in accreditation decisions, as required by § 488.5(f)(10).

V. Collection of Information Requirements

Under the Paperwork Reduction Act of 1995, we are required to provide 30-day notice in the **Federal Register** and solicit public comment before a collection of information requirement is submitted to the Office of Management and Budget (OMB) for review and approval. In order to fairly evaluate whether an information collection should be approved by OMB, section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 requires that we solicit comment on the following issues:

- The need for the information collection and its usefulness in carrying out the proper functions of our agency.
- The accuracy of our estimate of the information collection burden.
- The quality, utility, and clarity of the information to be collected.
- Recommendations to minimize the information collection burden on the affected public, including the use of automated collection techniques.

We solicited public comment on each of the section 3506(c)(2)(A)-required issues for the following information collection requirements (ICRs).

A. Wage Data

In the 2019 proposed rule, to derive average costs, we used data from the U.S. Bureau of Labor Statistics' (BLS) May 2020 ''National Occupational Employment and Wage Estimates'' for all salary estimates (*http://www.bls.gov/oes/current/oes_nat.htm*). In this final rule we have updated the wage information to reflect the most current wage information from the BLS for the May 2020 ''National Occupational Employment and Wage Estimates'' (*https://www.bls.gov/oes/current/oes_nat.htm*).

In this regard, the following table presents the updated mean hourly wage, the employer's benefits and other indirect costs (calculated at 100 percent of salary), and the adjusted hourly wage.

TABLE—NATIONAL OCCUPATIONAL EMPLOYMENT AND WAGE ESTIMATES

BLS occupation title	Occupation code	Mean hourly wage	Hourly wage adjusted for benefits & other indirect costs
Registered Nurse [1]	29–1141	$38.47	$76.94
Medical or Health Services Manager [2]	11–9111	57.12	114.24
Accountant or Auditor [3]	13–2011	39.26	78.52

As indicated, we are adjusting our employee hourly wage estimates by a factor of 100 percent. This is necessarily a rough adjustment, both because the employer's benefits and other indirect costs vary significantly from employer to employer, and because methods of estimating these costs vary widely from study to study. Nonetheless, there is no practical alternative and we believe that doubling the hourly wage to estimate total cost is a reasonably accurate estimation method.

B. Documentation Requirements

At § 488.5(f)(1), we require that the AO that is the subject of the transaction provide notice to CMS that it intends to request approval for a CHOW. This initial notice will be minimal, such as a coversheet, email, or any type of formal notice and will be included in the additional documentation requirements of § 488.5(f)(2).

At § 488.5(f)(2)(i) and (ii), we specify that the prospective purchaser or transferee provide three most recent audited financial statements of the organization that demonstrate that the organization's staffing, funding, and other resources are adequate to perform the required surveys and related activities. Additionally, we require the name and address of the legal entity that would be the owner of the new AO. We believe that this information is

[1] *https://www.bls.gov/oes/current/oes291141.htm.*

[2] *https://www.bls.gov/oes/current/oes119111.htm.*

[3] *https://www.bls.gov/oes/current/oes132011.htm.*

documentation that will be easily accessible and require minimal time to gather and submit. Therefore, we have considered that the cost burden for the AO to submit the financial statements and other information deemed necessary by CMS will be approximately $76.94. We believe it is likely that the AOs use a registered nurse (RN) to gather information and we estimate the time to gather the financial statements will not exceed 1 hour. The AO will incur a cost burden in the amount of $76.94 for the preparation of the response to CMS (1 hour × $76.94).

At § 488.5(f)(2)(iii), we require the prospective purchaser or transferee to submit a transition plan that summarizes the details of how the accreditation functions will be transitioned to the new owner. While most existing AOs engaged in business transactions such as a CHOW would have already developed a transition plan as proposed under section II of the 2019 proposed rule, this process will be more time consuming. The development of a transition plan will take approximately 45 hours of time to gather, obtain, or prepare all documentation for submission. We estimate that the AO will have a total of three staff work on transition plan. One of these staff persons will likely be clinicians such as a RN. We further believe that the other will be in a management position and serve in a management position. We believe that this person's position will be equivalent to the U.S. Bureau of Labor Statistics job category of Medical and Health Services Manager. We believe that the other staff person working on this task will be accountant or auditor.

We estimate that the RN, medical or health services manager, and accountant or auditor would each spend 45 hours performing this task. We estimate that the total time burden for this task will be 135 hours.

We further estimate that the cost burden for the work performed by the RN will be $3,462.30 (45 hours × $76.94). We believe that the cost burden for the work performed by the Medical and Health Services Manager will be $5,140.80 (45 hours × $114.24 per hour). Also, we estimate that the cost burden for the work performed by the auditor or account will be $3,533.40 (45 hours × $78.52 per hour).

Finally, we estimate that the total cost burden for this task will be $12,136.50 ($3,462.30 + $5,140.80 + $3,533.40).

Section 488.5(f)(2)(iii)(C)(6) requires the prospective new owner of the AO to submit any other relevant information that CMS finds necessary. This task would involve the following: (1) Review of CMS' request for information regarding the CHOW; (2) collecting and preparing this information for sending to CMS; and (3) sending the requested information to CMS. In the 2019 proposed rule we had estimate the time burden for this task to be 1 hour. However, in response to a public comment received. We are increasing the time burden for this task to 3 hours.

We believe that this task will be performed be a clinician such as RN, as is generally the case in AO applications seeking deeming authority. We estimate that the total cost burden incurred by the AO for this task will be $230.82 (3 hours × $76.94).

C. Written Acknowledgements

At § 488.5(f)(3), we specify that the purchasing AO to provide several written acknowledgements. At § 488.5(f)(3)(i), we require the purchaser or transferee to provide written acknowledgement that it understands the financial and legal responsibilities involved with the CHOW process. We believe this written acknowledgement will be developed by a health services manager, as they currently serve in roles for submission of general accrediting approvals. We believe this will not take more than 1 hour to prepare the required written notice.

We estimate that the total cost burden associated with this task will be $114.24. ($114.24 × 1 hour).

At § 488.5(f)(3)(ii), we require the purchasing AO to provide written acknowledgement that it agrees to operate the new AO as defined by CMS' standards under §§ 488.5 and 488.9, as well as include acknowledgements on any program reviews or probationary terms. This will be a minimal cost burden as we are not defining a specific format for the written acknowledgement. We believe that it will take no more than 1 hour to prepare this written notice. We believe that this task will be performed by a medical or health services manager. We estimate that the cost burden associated with this task will be $114.24 (1 hour × $114.24).

At § 488.5(f)(3)(iii), we require the purchasing AO to provide written acknowledgement that would not operate the accreditation program until it received a notice of approval of the transfer of the CMS approved accreditation program from CMS. Given this requirement is minimal and the purchasing AO is already required to include a written acknowledgment as outlined at proposed § 488.5(f)(3)(ii), it is likely that this written notice will include both acknowledgements; therefore, we will include this in the hour of burden and cost described under § 488.5(f)(3)(ii).

At § 488.5(f)(5), we require the purchasing AO to provide documentation within 15 days after the sale confirming the CHOW. We believe that it is a standard business practice that the sale or transfer of a business and its assets be confirmed with some type of documentation such as a bill of sale, deed, or financial documents. Therefore, we believe that the burden to the AO for providing the required proof of the sale of transfer of the AO will be minimal. This will require the AO to provide CMS with a copy of already existing sales documentation. Also, because the existing owner of the AO and prospective new owner will be in the process of negotiating the sale or transfer of the AO, we believe that the AO will have this information readily available and easily accessible.

We estimate that it will require 30 minutes for the staff of the new AO to provide a copy of the existing sales documentation to CMS via an electronic method such as email. We believe that this task will be performed by a medical or health services manager. We estimate that the total cost burden for this requirement will be $57.12 (0.5 hour × $114.24).

We want to emphasize that these anticipated costs and burdens are only subject to those AOs seeking a CHOW. To date, there has been one CHOW request of an AO submitted approximately 20 years and another submitted in November 2020. While we cannot predict the frequency with which AO CHOW transactions will occur in the future, we believe that they should occur more frequently than they have in the past.

The requirements and burden will be submitted to OMB under (OMB control number 0938–New).

D. Description of Time and Cost Burdens

Description of burden	Time per response (hours)	Number of potential respondents per every 3 years	Triennial hour burden per response (hours)	Cost per response	Triennial cost burden
Burden Associated with proposed § 488.5(f)(1) [4] (See footnote 4 below)	0	1	0	$0	$0
Burden Associated with proposed § 488.5(f)(2)(iii)	135	1	135	12,136.50	12,136.50
Burden Associated with proposed § 488.5(f)(2)(iii)(C)(6)	3	1	3	230.82	230.82
Burden Associated with proposed § 488.5(f)(3)(i)	1	1	1	114.24	114.24
Burden Associated with proposed § 488.5(f)(3)(ii) & 488.5(f)(3)(iii)	1	1	1	114.24	114.24
Burden Associated with proposed § 488.5(f)(5)	0.5	1	0.5	57.12	57.12
Total	140.5	1	140.5	12,652.92	12,652.92

E. Response to Public Comments

We received the following public comments in response to the burden estimates:

Comment: One commenter stated that the development of a transition plan will engage employees in both the business operations and accreditation operations departments within the AO(s). This commenter suggested that the estimated time and cost burden of $8,014 to allow for the work performed by business operations.

Response: We agree with this commenter that there could be a business person such as an accountant or auditor involved in the preparation of the transition plan. Therefore, we have revised the burden estimate for this task to include a time burden of 45 hours for an additional person who would be an accountant or auditor. This change increased the hourly burden estimate for the preparation of the transition plan from 90 to 135 hours.

Comment: One commenter suggested that the estimated time burden of 1 hour for a development of a response to a CMS request for additional information be increased to 8 hours. The commenter stated that while one individual will prepare the response, it will require multiple layers of internal review, approval, and communication as well as delivery to CMS.

Response: We appreciate this commenter's input. We agree that there will be layers of administrative review for any documentation requirements. However, we do not believe that this administrative review should be included in the burden estimate, because this is a task that is performed in the normal course of business and therefore will not be considered burden. Given the unpredictable nature of the ''CMS request for additional information'' we believe that the current burden estimate of 1 hour to perform this task is too low.

If the AO provides all of the information required by § 488.5(f)(2)(iii), CMS would need to request little, if any, additional information. However, if the AO fails to provide some of the information required by § 488.5(f)(2)(iii), we believe that the time spent by the AO to provide this information in response to a request from CMS for additional information will still be covered under our initial burden estimate for § 488.5(f)(2)(iii). Therefore, we do not agree with this commenter that the time required for the prospective owner to submit ''additional documentation'' should be increased to 8 hours. This request for additional information and/or documentation would occur only after CMS has received and reviewed the required documentation from the prospective new owner and found that there was missing or incomplete information or that we needed additional clarifying information.

We have increased the estimated time burden for this task to 3 hours. However, we note that this requirement would not be a regularly occurring burden under these regulations but would only be required when and if CMS needs additional information from the AO.

Comment: One commenter stated that the hours assigned for the preparation of the CHOW application was estimated to be two staff (one RN and one health services manager) for 2 hours each for a total of 4 hours. This commenter suggested that the amount of staff working in this task should be increased to three (two RNs and one health services manager), and the time spent on this task should be increased to 8 hours per each person for each a total of 24 hours.

Response: We thank the commenter for their concern. However, we did not provide a specific burden estimate for the task of preparing an application which will be performed by two RNs for a period of 2 hours each. We did provide specific time and cost burden estimates for the gathering and submission of required documentation set forth in § 488.5(f)(1) and § 488.5(f)(2)(iii). We have revised this burden estimate in response to public comments received. We believe that this burden estimates, as revised, provide an accurate estimate of the burden related to the requirements of § 488.5(f)(2).

VI. Regulatory Impact Statement

A. Overall Impact

We have examined the impact of this rule as required by Executive Order 12866 on Regulatory Planning and Review (September 30, 1993), Executive Order 13563 on Improving Regulation and Regulatory Review (January 18, 2011), the Regulatory Flexibility Act (RFA) (September 19, 1980, Pub. L. 96–354), section 1102(b) of the Act, section 202 of the Unfunded Mandates Reform Act of 1995 (March 22, 1995; Pub. L. 104–4), Executive Order 13132 on Federalism (August 4, 1999), and the Congressional Review Act (5 U.S.C. 804(2)).

Executive Orders 12866 and 13563 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 (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). A Regulatory Impact Analysis (RIA) must be prepared for major rules with economically significant effects ($100 million or more in any 1 year). This rule does not reach the economic threshold and thus is not considered a major rule.

[4] The time and cost burden related to § 488.4(f)(1) are minimal have been combined with the time and cost burden for § 488.5(f)(2) because the notification required by § 488.5(f)(1) would be submitted together with the documentation required by § 488.5(f)(2).

B. Burden for Change of Ownership Among Accrediting Organizations

The AOs which seek to sell or transfer or purchase another AO and undergo a CHOW will incur time and cost burdens associated with the preparation of the information they submit to CMS to request approval of their new accreditation program under the CHOW. This includes the preparation, gathering or obtaining of all the documentation required at § 488.5(f).

While we recognize that most existing AOs are familiar and have majority of the documentation CMS is requesting at § 488.5(f), we believe that due to the need for the selling or transferring and purchasing AOs to submit documentation for both entities, that this will take approximately 2 hours of time to gather, obtain or prepare all documentation required by § 488.5(f). We believe that this task will take approximately 2 hours because the AOs have previously submitted an application to CMS requesting approval of their accreditation program; therefore, will already be familiar with the application process and requirements and should have the required documentation readily available.

The AOs (selling or transferring and purchasing) will incur costs associated with the preparation and submission of the requested documents, development of the written acknowledgement letters, and submission of the documents. The AO will incur costs for the wages of all AO staff that work on the preparation of the CHOW application. We estimate that the AO will have a total of three staff work on the preparation of the application. We believe that two of the AO staff that perform this task will be clinicians such as RN or medical or health services manager, as they currently serve in roles for submission of general accrediting approvals. We further believe that the third AO staff person will be an accountant or auditor.

We estimate that the RN, medical or health services manager, and accountant or auditor will each spend 45 hours performing this task. The total estimated time burden for this task is 135 hours.

The mean hourly wage for a RN is $38.47 (*https://www.bls.gov/oes/current/oes291141.htm*). This wage, adjusted for the employer's benefits and other indirect costs, is $76.94. We estimate that the total wages incurred by the AO for the 45 hours spent by the RN performing this task will be $3,462.30 ($76.94 × 45 hours).

The mean hourly wage for a medical or health services manager is $57.12 (*https://www.bls.gov/oes/current/oes119111.htm*). This wage adjusted for the employer's benefits and other indirect costs is $114.24. We estimate that the total wages incurred by the AO for the 45 hours spent by the Medical or Health Services Manager performing this task will be $5,140.80 ($114.24 × 45 hours).

The mean hourly wage for an accountant or auditor is $37.89. (*https://www.bls.gov/oes/current/oes132011.htm*). This wage adjusted to include employer's benefits and other indirect costs is $78.52. We estimate that the total wages incurred by the AO for the 45 hours spent by the Accountant performing this task will be $3,533.40 ($78.52 × 45).

We estimate that the total cost burden for this task will be $11,598, which is calculated as follows:

- 45 hours × $76.94 per hour = $3,462.30
- 45 hours × $114.24 per hour = $5,140.80
- 45 hours × $78.52 per hour = $3,533.40

Total = $12,136.50

Furthermore, at § 488.5(e)(8), we require the AOs to provide additional information as requested by CMS to ensure the continuity of oversight for facilities currently accredited. Therefore, there is potential for AOs to incur a cost burden for the wages of the AO staff that are involved with reviewing our additional requests for information and the preparation of the documents and program standards. The AO staff that review information requested by CMS regarding the CHOW will be a clinician such as RN, as is generally the case with the AO's preparation and submission of application materials. We estimate that it will take 3 hours for the RN to perform this task.

As, stated previously, the adjusted wage for an RN is $76.94. We estimate that the AO will incur a cost burden in the amount of $230.82 (3 hours × $76.94 per hour) for the preparation of the response to CMS.

We want to emphasize that these anticipated costs and burdens are only subject to those AOs seeking a CHOW. To date, there has only been one AO CHOW request submitted approximately 20 years ago and another submitted in November 2020. While we cannot predict the frequency with which AO CHOW transactions will occur in the future, we believe that they should occur more frequently than they have in the past.

We solicited comments, specifically from stakeholders and AOs and request AOs to submit their comments to include a breakdown of potential costs they would estimate for this to be completed.

A summary of the comment received and our response to that comment follow:

Comment: One commenter stated that they disagree with the conclusion that the burden would not be substantial for the AO and any other parties involved in a proposed CHOW because the cost estimates provided based on hours are probably low.

Response: We have revised our time and cost burden estimates in section V ''Collection of Information'' and section VI ''Regulatory Impact Statement'' of this rule.

C. Anticipated Effects

The RFA requires agencies to analyze options for regulatory relief of small entities. For purposes of the RFA, small entities include small businesses, nonprofit organizations, and small governmental jurisdictions. Most hospitals and most other providers and suppliers are small entities, either by nonprofit status or by having revenues of less than $8.0 million to $41.5 million in any 1 year. Individuals and states are not included in the definition of a small entity. We are not preparing an analysis for the RFA because we have determined, and the Secretary certifies, that this final rule will not have a significant economic impact on a substantial number of small entities.

In addition, section 1102(b) of the Act requires us to prepare an RIA if a rule may have a significant impact on the operations of a substantial number of small rural hospitals. This analysis must conform to the provisions of section 604 of the RFA. For purposes of section 1102(b) of the Act, we define a small rural hospital as a hospital that is located outside of a Metropolitan Statistical Area for Medicare payment regulations and has fewer than 100 beds. We are not preparing an analysis for section 1102(b) of the Act because we have determined, and the Secretary certifies, that this final rule will not have a significant impact on the operations of a substantial number of small rural hospitals.

Section 202 of the Unfunded Mandates Reform Act of 1995 also requires that agencies assess anticipated costs and benefits before issuing any rule whose mandates require spending in any 1 year of $100 million in 1995 dollars, updated annually for inflation. In 2022, that threshold is approximately $165 million. This rule will have no consequential effect on state, local, or tribal governments or on the private sector.

Executive Order 13132 establishes certain requirements that an agency must meet when it promulgates a proposed rule (and subsequent final rule) that imposes substantial direct requirement costs on state and local governments, preempts state law, or otherwise has Federalism implications. Since this regulation does not impose any costs on state or local governments, the requirements of Executive Order 13132 are not applicable.

Chiquita Brooks-LaSure, Administrator of the Centers for Medicare & Medicaid Services, approved this document on April 20, 2022.

List of Subjects

42 CFR Part 410

Diseases, Health facilities, Health professions, Laboratories, Medicare, Reporting and recordkeeping requirements, Rural areas, X-rays.

42 CFR Part 414

Administrative practice and procedure, Biologics, Diseases, Drugs, Health facilities, Health professions Medicare, Reporting and recordkeeping requirements.

42 CFR Part 488

Administrative practice and procedure, Health facilities, Health professions, Medicare, Reporting and recordkeeping requirements.

42 CFR Part 493

Administrative practice and procedure, Grant programs-health, Health facilities, Laboratories, Medicaid, Medicare, Penalties, Reporting and recordkeeping requirements.

For the reasons stated in the preamble, the Centers for Medicare & Medicaid Services amends 42 CFR chapter IV as set forth below:

PART 410—SUPPLEMENTARY MEDICAL INSURANCE (SMI) BENEFITS

■ 1. The authority citation for part 410 continues to read as follows:

Authority: 42 U.S.C. 1302, 1395m, 1395hh, 1395rr, and 1395ddd.

■ 2. Section 410.142 is amended by adding paragraph (k) to read as follows:

§ 410.142 CMS process for approving national accreditation organizations.

* * * * *

(k) *Change of ownership.* An accreditation organization whose accreditation program(s) is (are) approved and recognized by CMS that wishes to undergo a change of ownership is subject to the requirements set out at § 488.5(f) of this chapter.

PART 414—PAYMENT FOR PART B MEDICAL AND OTHER HEALTH SERVICES

■ 3. The authority citation for part 414 continues to read as follows:

Authority: 42 U.S.C. 1302, 1395hh, and 1395rr(b)(l).

■ 4. Section 414.68 is amended by adding paragraph (j) to read as follows:

§ 414.68 Imaging accreditation.

* * * * *

(j) *Change of ownership.* An accreditation organization whose accreditation program(s) is (are) approved and recognized by CMS that wishes to undergo a change of ownership are subject to the requirements set out at § 488.5(f) of this chapter.

PART 488—SURVEY, CERTIFICATION, AND ENFORCEMENT PROCEDURES

■ 5. The authority citation for part 488 continues to read as follows:

Authority: 42 U.S.C. 1302 and 1395hh.

■ 6. Section 488.5 is amended by adding paragraph (f) to read as follows:

§ 488.5 Application and re-application procedures for national accrediting organizations.

* * * * *

(f) *Change of ownership. What Constitutes Change of Ownership.* A description of what could constitute a change of ownership with respect to a national accrediting organization are those activities described in § 489.18(a)(1) through (3) of this chapter.

(1) *Notice to CMS.* Any CMS-approved accrediting organization that is contemplating or negotiating a change of ownership must notify CMS of the change of ownership.

(i) This notice requirement applies to any national accrediting organization with CMS-approved accreditation program(s) that is the subject of a potential or actual change of ownership transaction, including accrediting organizations for Advanced Diagnostic Imaging (ADI) suppliers; Home Infusion Therapy (HIT) suppliers; Diabetic Self-Management Training (DSMT) entities, and clinical laboratories.

(ii) This notice must be provided to CMS in writing.

(iii) This notice must be provided to CMS no less than 90 calendar days prior to the anticipated effective date of the change of ownership transaction.

(iv) CMS will complete their review of the AO's request for approval for the transfer of the existing CMS approval for the accreditation programs to be transferred in the change of ownership within 90 days from receipt of said AO's request.

(2) *Information submitted with the request for approval for change of ownership transaction.* The person(s) or organization(s) acquiring an existing CMS-approved accrediting organization or accreditation programs (that is, purchaser, buyer or transferee) through a change of ownership transaction must do the following:

(i) Seek approval from CMS for the purchase or transfer of the existing CMS approval for the accreditation program(s) to be transferred in the change of ownership event; and

(ii) Meet the requirements of paragraphs (f)(2)(iii) through (f)(4) of this section to demonstrate that the entities that will be accredited with the transferred accrediting program(s) continue to meet or exceed the applicable Medicare conditions or requirements.

(iii) The following information must be submitted to CMS in the purchaser's/buyer's/transferee's request for approval of a transfer of the existing CMS approval for the accreditation program(s) to be transferred in the change or ownership transaction:

(A) The legal name and address of the new owner;

(B) The three most recent audited financial statements of the organization that demonstrate the organization's staffing, funding and other resources are adequate to perform the required surveys and related activities;

(C) A transition plan that summarizes the details of how the accreditation functions will be transitioned to the new owner, including:

(*1*) Changes to management and governance structures including current and proposed organizational charts;

(*2*) A list of the CMS-approved accreditation programs that will be transferred to the purchaser/buyer/transferee,

(*3*) Employee changes, if applicable,

(*4*) Anticipated timelines for action;

(*5*) Plans for notification to employees; and

(*6*) Any other relevant information that CMS finds necessary.

(D) The prospective new AO's policies and procedures to avoid conflicts of interest, including the appearance of conflicts of interest, involving individuals who conduct surveys or participate in accreditation decisions, as required by paragraph (f)(10) of this section.

(3) *Written acknowledgements.* The purchaser/buyer/transferee must provide a written acknowledgement to CMS, which states the following:

(i) If the application for the transfer of the existing CMS-approval for the accreditation program(s) to be transferred in the change of ownership transaction is approved by CMS, said purchaser/buyer/transferee must assume complete responsibility for the operations (that is, managerial, financial, and legal) of the CMS-approved accreditation programs transferred, immediately upon the finalization of the change of ownership transaction;

(ii) The purchaser/buyer/transferee agrees to operate the transferred CMS-approved accreditation program(s) under all of the CMS imposed terms and conditions, to include program reviews and probationary status terms, currently approved by CMS; and

(iii) The purchaser/buyer/transferee must not operate the accreditation program(s) it acquired in the change in ownership transaction as CMS approved accreditation programs, until the effective date set forth within the notice of approval from CMS.

(iv) The purchaser/buyer/transferee agrees to operate the transferred CMS-approved accreditation program(s) under all of the terms and conditions found at §§ 488.5 through 488.9.

(4) *Notification.* The following written notifications are required after the change of ownership transaction has been approved by CMS:

(i) All parties to the change of ownership transaction must notify the providers and suppliers affected by such change within 15 calendar days after being notified of CMS's approval of the transfer of the existing CMS-approval for the accreditation programs to be transferred in the change of ownership transaction.

(ii) If applicable, the purchaser/buyer/transferee must acknowledge in writing to CMS that the accrediting organization or accreditation program(s) being acquired through a purchase or transfer of ownership was under a performance review or under probationary status at the time the change of ownership notice was submitted.

(5) ***Federal Register*** *notice.* CMS will publish a notice of approval in the **Federal Register** of the transfer of the existing CMS approval for the accreditation program(s) to be transferred to the new owner, only after CMS receives written confirmation from the new owner that the change of ownership has taken place.

(6) *Notification to parties in the event that CMS does not approve the transfer of the existing CMS approval.* In the event that CMS does not approve the transfer of the existing CMS approval for the accreditation program(s) to be transferred in the change of ownership transaction, CMS will notify all parties to the change of ownership transaction of such in writing.

(7) *Withdrawal of CMS approval for transferred accreditation programs due to failure to notify CMS of intent to transfer accreditation programs.* In the event that CMS was not made aware of or did not approve the transfer of the existing CMS-approval for the accreditation program(s) to be transferred under a change of ownership:

(i) The existing AO would be permitted to continue operating their existing CMS-approved accreditation programs, if the change of ownership transaction was not completed, unless our review of the transaction revealed issues with the AO that were the subject of the un-finalized change of ownership transaction that was previously unknown to CMS.

(ii) If a change of ownership transaction was completed without notice to CMS or the approval of CMS, CMS would be able to withdraw the existing approval of the AO's accreditation programs in accordance with § 488.8(c)(3)(ii) and (iii).

(8) *Withdrawal of CMS approval for accreditation programs which are transferred notwithstanding CMS' disapproval of the transfer.* In the event that the parties complete the change of ownership transaction, notwithstanding CMS disapproval and the purchaser/buyer/transferee attempts to operate the transferred accreditation program(s) under the CMS-approval granted to the previous owner, CMS will withdraw the existing approval of the transferred accreditation program(s) in accordance with the procedures set out at §§ 488.8(c)(3)(ii) and (iii).

(9) *Requirements for continuation of a deemed status accreditation of Medicare-certified providers and suppliers after CMS withdraws the existing approval of the transferred accreditation program(s).* If CMS withdraws the existing approval of the transferred accreditation program(s) because the change of ownership transaction was completed without notice to CMS or the approval of CMS, an affected Medicare-Certified provider or supplier's deemed status will continue in effect for 180 calendar days if the Medicare-Certified provider or supplier takes the following steps set forth is § 488.8(g).

(i) The Medicare-certified provider or supplier must submit an application to another CMS-approved accreditation program within 60 calendar days from the date of publication of the removal notice in the **Federal Register**; and

(ii) The Medicare-certified provider or supplier must provide written notice to the SA that it has submitted an application for accreditation under another CMS-approved accreditation program within this same 60-calendar day timeframe in accordance with § 488.8(g).

(iii) Failure to comply with the timeframe requirements specified in § 488.8(g) will place the provider or supplier under the SA's authority for continued participation in Medicare and on-going monitoring.

(10) *Requirements for continuation of accreditation for non-certified suppliers when CMS withdraws the existing approval of the transferred accreditation program(s).* If CMS withdraws its existing approval from a transferred non-certified accreditation program for Advanced Diagnostic Imaging (ADI) suppliers; Home Infusion Therapy (HIT) suppliers; Diabetic Self-Management Training (DSMT) entities; or clinical laboratories, because a change of ownership transaction was completed without notice to or the approval of CMS, such affected non-certified supplier's deemed status would continue in effect for 1 year after the removal of the existing CMS accreditation approval, if such non-certified supplier take the steps specified paragraphs (f)(10)(i) and (ii) of this section—

(i) The non-certified supplier must submit an application to another CMS-approved accreditation program within 60 calendar days from the date of publication of the removal notice in the **Federal Register**; and

(ii) The non-certified supplier must provide written notice to CMS stating that it has submitted an application for accreditation under another CMS-approved accreditation program within the 60-calendar days from the date of publication of the removal notice in the **Federal Register**.

(iii) Failure to comply with the above-stated timeframe requirements will result in de-recognition of such provider or supplier's accreditation.

■ 7. Section 488.1030 is amended by adding paragraph (g) to read as follows:

§ 488.1030 Ongoing review of home infusion therapy accrediting organizations.

* * * * *

(g) *Change of ownership.* An accrediting organization that wishes to undergo a change of ownership is subject to the requirements set out at § 488.5(f).

PART 493—LABORATORY REQUIREMENTS

■ 8. The authority citation for part 493 is revised to read as follows:

Authority: 42 U.S.C. 263a, 1302, 1395x(e), the sentence following 1395x(s)(11) through 1395x(s)(16).

■ 9. Section 493.553 is amended by adding paragraph (e) to read as follows:

§ 493.553 Approval process (application and reapplication) for accreditation organizations and State licensure programs.

* * * * *

(e) *Change of ownership.* An accrediting organization that wishes to undergo a change of ownership is subject to the requirements set out at § 488.5(f) of this chapter.

Dated: April 25, 2022.

Xavier Becerra,

Secretary, Department of Health and Human Services.

[FR Doc. 2022–09102 Filed 4–27–22; 4:15 pm]

BILLING CODE 4120–01–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[Docket No. 220425–0104]

RIN 0648–BK43

Fisheries Off West Coast States; West Coast Salmon Fisheries; Federal Salmon Regulations for Overfished Species Rebuilding Plans

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

ACTION: Final rule.

SUMMARY: NMFS is revising regulations that implement the Pacific Fishery Management Council's (Council) Pacific Coast Salmon Fishery Management Plan (FMP). This action removes a rebuilding plan for Sacramento River fall-run Chinook salmon (SRFC) from regulation, as this stock has been rebuilt and is no longer required to be managed under a rebuilding plan; and updates language to reflect the 2013 merger of NMFS' Northwest Region (NWR) and Southwest Region (SWR), which created NMFS' West Coast Region (WCR).

DATES: Effective May 31, 2022.

FOR FURTHER INFORMATION CONTACT: Shannon Penna, Fishery Management Specialist, at 562–676–2148, or *Shannon.Penna@noaa.gov.*

SUPPLEMENTARY INFORMATION: Regulations at 50 CFR part 660, subpart H implement the management of West Coast salmon fisheries under the FMP in the exclusive economic zone (3 to 200 nautical miles (5.6–370.4 kilometers)) off the coasts of the states of Washington, Oregon, and California.

In 2018, NMFS determined that SRFC was overfished under the Magnuson-Stevens Fishery and Conservation Management Act (MSA). The Council developed a rebuilding plan for SRFC, which it transmitted to NMFS on August 14, 2019. The Council recommended as the rebuilding plan the existing control rule for SRFC, which is described in the FMP and referenced in codified regulation at 50 CFR 660.410(c). The Council determined that the existing control rule met the MSA requirement to rebuild the stock as quickly as possible, taking into account the status and biology of any overfished stock and the needs of fishing communities (50 CFR 600.310(j)(3)(i)). NMFS approved and implemented the Council's recommended rebuilding plan for SRFC through rulemaking. 50 CFR 660.413(b), (85 FR 75920; November 27, 2020).

In 2021, NMFS determined that SRFC met the criteria in the FMP for being rebuilt and notified the Council (Letter from Barry A. Thom, NMFS West Coast Regional Administrator, to Charles A. Tracy, Pacific Fishery Management Council Executive Director, dated July 23, 2021). As the stock is rebuilt, it is no longer required to be managed under a rebuilding plan and the SRFC rebuilding plan should be removed from regulation to avoid confusion regarding the stock's status. Additionally, removing the SRFC rebuilding plan from regulation will avoid confusion should NMFS make a future determination that the SRFC stock is overfished again, in which case the MSA requires the Council to prepare and implement a rebuilding plan within two years of that determination (50 CFR 600.310(j)(2)(ii)). Leaving the current rebuilding plan in regulation could be confused as being the default rebuilding plan for SRFC, which is the intention of neither the Council nor of NMFS. Therefore, to avoid confusion, it is necessary to remove the existing SRFC rebuilding plan from regulation. Because the rebuilding plan adopted the existing harvest control rule for SRFC described in the Pacific Coast Salmon Fishery Management Plan, removing the rebuilding plan from regulation will not change the management of salmon fisheries that affect SRFC. NMFS determined that a 15-day comment period for the proposed rule was appropriate to allow adequate time for public comment while also allowing for the final rule to be in effect prior to the annual preseason management process for the 2022 ocean salmon fisheries, thereby avoiding confusion about the status of SRFC prior to the fishing season.

In 2013, NMFS implemented a realignment that merged the NWR and SWR to create the WCR. This change was made in order to more effectively manage resources, decision-making, and policy from a holistic West Coast perspective. NMFS is revising the regulations at 50 CFR 660, subpart H, to reflect the 2013 merger of NMFS' NWR and SWR by replacing mentions of NWR and SWR with WCR, and by replacing mention of the Northwest and Southwest Regional Administrators with West Coast Regional Administrator.

Public Comment

No comments were received during the public comment period.

Classification

NMFS is issuing this rule pursuant to section 305(d) of the MSA. The reason for using this regulatory authority is: Pursuant to section 305(d) of the MSA section, this action is necessary to carry out administrative actions, because it will revise outdated regulations.

This final rule has been determined to be not significant for purposes of Executive Order 12866.

The Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration during the proposed rule stage that this action would not have a significant economic impact on a substantial number of small entities. The factual basis for the certification was published in the proposed rule and is not repeated here. No comments were received regarding this certification. As a result, a regulatory flexibility analysis was not required and none was prepared.

This Final rule contains no information collection requirements under the Paperwork Reduction Act of 1995.

List of Subjects in 50 CFR Part 660

Fisheries, Fishing, and Recording and reporting requirements.

Dated: April 25, 2022.

Samuel D. Rauch, III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

For the reasons set out in the preamble, NMFS amends 50 CFR part 660 as follows:

PART 660—FISHERIES OFF WEST COAST STATES

■ 1. The authority citation for part 660 continues to read as follows:

Authority: 16 U.S.C. 1801 *et seq.,* 16 U.S.C. 773 *et seq.,* and 16 U.S.C. 7001 *et seq.*

■ 2. In § 660.402, revise the definition of ''Regional Administrator'' to read as follows:

§ 660.402 Definitions.

* * * * *

Regional Administrator means the Administrator, West Coast Region, NMFS.

* * * * *

§ 660.408 [Amended]

■ 3. In § 660.408, paragraph (m), footnote 2, remove ''Director, Southwest'' and add in its place ''West Coast''.

■ 4. In § 660.411, revise paragraph (c) to read as follows:

§ 660.411 Notification and publication procedures.

* * * * *

(c) *Availability of data.* The Regional Administrator will compile in aggregate form all data and other information relevant to the action being taken and will make them available for public review upon request. Contact information will be published annually in the **Federal Register**, posted on the NMFS website, and announced on the telephone hotline.

■ 5. In § 660.413;

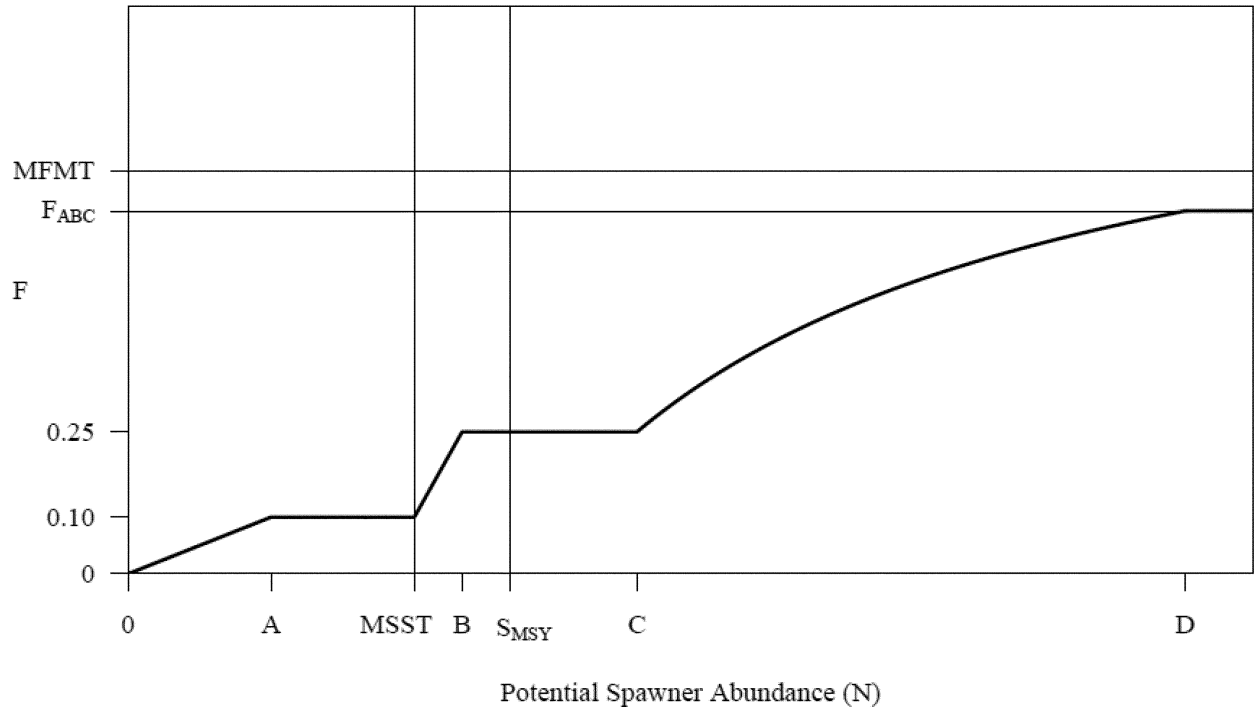
■ a. Remove and reserve paragraph (b); and

■ b. Revise Figure 1 to § 660.413.

§ 660.413 Overfished species rebuilding plans.

* * * * *

Figure 1 to § 660.413 – Harvest Control Rule for Klamath River Fall-Run Chinook Salmon.



* * * * *

[FR Doc. 2022–09139 Filed 4–28–22; 8:45 am]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register
Vol. 87, No. 83
Friday, April 29, 2022

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.

NUCLEAR REGULATORY COMMISSION

10 CFR Chapter I

[NRC–2018–0185]

Use of Electronic Signatures by Medical Licensees on Internal Documents

AGENCY: Nuclear Regulatory Commission.

ACTION: Draft regulatory issue summary; discontinuation.

SUMMARY: The U.S. Nuclear Regulatory Commission is discontinuing the publication of draft regulatory issue summary (RIS), ''Use of Electronic Signatures by Medical Licensees on Internal Documents,'' because the guidance no longer provides useful information as the contents are now considered standard practice.

DATES: The effective date for discontinuation of the draft RIS is April 29, 2022.

ADDRESSES: Please refer to Docket ID NRC–2018–0185 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- *Federal Rulemaking Website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2018–0185. Address questions about Docket IDs in *Regulations.gov* to Stacy Schumann; telephone: 301–415–0624; email: *Stacy.Schumann@nrc.gov.* For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at *https://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''Begin Web-based ADAMS Search.'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *PDR.Resource@nrc.gov.* The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in this document.
- *NRC's PDR:* You may examine and purchase copies of public documents, by appointment, at the NRC's Public Document Room (PDR), Room P1 B35, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852. To make an appointment to visit the PDR, please send an email to *PDR.Resource@nrc.gov* or call 1–800–397–4209 or 301–415–4737, between 8:00 a.m. and 4:00 p.m. (ET), Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Said Daibes Figueroa, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–6863, email: *Said.Daibes@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

On October 20, 2010, the NRC published a notice in the **Federal Register** (75 FR 64749) requesting public comment on specific issues related to the use of electronic signatures in medical licensee documents. Many of the commenters supported the view that the NRC should be receptive to licensees' use of electronic signatures and adopt its use for licensees' internal documents because the use of electronic medical records has become standard practice in medical facilities. The NRC assessed public comment responses to identify means by which medical licensees can use electronic signatures to satisfy NRC's signature requirements. The comments are publicly available in ADAMS under Accession No. ML21131A034. A draft RIS ''Use of Electronic Signatures by Medical Licensees on Internal Documents,'' was developed summarizing the findings and published in the **Federal Register** (83 FR 44247) on August 30, 2018, seeking public comment. The comments received were supportive of the adoption of the use of electronic signatures by NRC medical licensees. The comments are publicly available through ADAMS Accession Nos. ML21105A813 and ML21105A812.

II. Additional Information

The NRC is discontinuing the issuance of the draft RIS, ''Use of Electronic Signatures by Medical Licensees on Internal Documents,'' because the use of electronic signatures within the medical community, including electronic signatures that uniquely identify the signed individual, provide authentications and non-repudiation, and assure data integrity, has become such common practice that the guidance in this RIS no longer provides useful information.

The draft RIS was published in the **Federal Register** for comment on August 30, 2018 (83 FR 44247). The draft RIS described one means by which medical licensees can use electronic signatures to satisfy NRC's signature requirements on internal records that the NRC requires the licensee to maintain. The comments received during the public comment period on the draft RIS may be considered by the NRC staff for the development of any future related guidance. Should such guidance be developed, the NRC will inform the public through a new notice of availability of the documents for public comment in the **Federal Register**.

This notice documents final staff action on docket NRC–2018–0185. No further action is expected for this docket.

As noted in ''Relocation of Regulatory Issue Summary Notices in the **Federal Register**'' (May 8, 2018, 83 FR 20858), this document is being published in the Proposed Rules section of the **Federal Register** to comply with publication requirements under chapter I of title 1 of the *Code of Federal Regulations.*

Dated: April 25, 2022.

For the Nuclear Regulatory Commission.

Christian E. Einberg,

Chief, Medical Safety and Events Assessments Branch, Division of Materials Safety, Security, State and Tribal Programs, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 2022–09172 Filed 4–28–22; 8:45 am]

BILLING CODE 7590–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 1

[Docket No. FDA–2022–D–0370]

The Accredited Third-Party Certification Program: Questions and Answers; Draft Guidance for Industry; Availability

AGENCY: Food and Drug Administration, Health and Human Services (HHS).

ACTION: Notification of availability.

SUMMARY: The Food and Drug Administration (FDA, the Agency, or we) is announcing the availability of a draft guidance for industry entitled ''The Accredited Third-Party Certification Program: Questions and Answers.'' The draft guidance, when finalized, will answer frequently asked questions relating to the requirements of the Accredited Third-Party Certification Program, and is intended to assist accreditation bodies', third-party certification bodies', and eligible entities' understanding of the regulation and program requirements.

DATES: Submit either electronic or written comments on the draft guidance by July 28, 2022 to ensure that the Agency considers your comment on the draft guidance before it begins work on the final version of the guidance.

ADDRESSES: You may submit comments on any guidance 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–2022–D–0370 for ''The Accredited Third-Party Certification Program: Questions and Answers.'' 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)).

Submit written requests for single copies of the draft guidance to the Center for Food Safety and Applied Nutrition, Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740. Send two self-addressed adhesive labels to assist that office in processing your request. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the draft guidance.

FOR FURTHER INFORMATION CONTACT: Doriliz De Leon, Center for Food Safety and Applied Nutrition (HFS–607), Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 240–402–2772.

SUPPLEMENTARY INFORMATION:

I. Background

We are announcing the availability of a draft guidance for industry entitled ''The Accredited Third-Party Certification Program: Questions and Answers.'' We are issuing the draft guidance consistent with our good guidance practices regulation (21 CFR 10.115). The draft guidance, when finalized, will represent the current thinking of FDA on this topic. It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternate approach if it satisfies the requirements of the applicable statutes and regulations.

The FDA Food Safety Modernization Act (Pub. L. 111–353) added section 808 to the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 384d), which directs FDA to establish a program for accreditation of third-party certification bodies to conduct food safety audits and to certify that eligible foreign food entities (including registered foreign food facilities) and food produced by such entities meet applicable FDA requirements for purposes of sections 801(q) (21 U.S.C. 381(q)) and 806 (21 U.S.C. 384b) of the FD&C Act. On November 27, 2015, FDA issued the final rule, ''Accreditation of Third-Party Certification Bodies to Conduct Food Safety Audits and to Issue Certifications'' (also referred to as the TPP regulation) (80 FR 74569; 21 CFR part 1, subpart M). This draft guidance,

when finalized, will answer frequently asked questions relating to the requirements of the Accredited Third-Party Certification Program established in 21 CFR part 1, subpart M (21 CFR 1.600 through 1.695, 21 CFR 1.700 through 1.725), and is intended to assist the accreditation bodies', third-party certification bodies', and eligible entities' understanding of the TPP regulation and program requirements.

II. Paperwork Reduction Act of 1995

While this guidance contains no collection of information, it does refer to previously approved FDA collections of information. Therefore, clearance by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3521) is not required. The previously approved collections of information are subject to review by OMB under the PRA. The collections of information under the TPP regulation in 21 CFR part 1, subpart M have been approved under OMB control number 0910–0750.

III. Electronic Access

Persons with access to the internet may obtain the draft guidance at either *https://www.fda.gov/regulatory-information/search-fda-guidance-documents* or *https://www.regulations.gov.* Use the FDA website listed in the previous sentence to find the most current version of the guidance.

Dated: April 25, 2022.

Lauren K. Roth,

Associate Commissioner for Policy.

[FR Doc. 2022–09232 Filed 4–28–22; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 913

[SATS No. IL–111–FOR; Docket ID: OSM–2022–0002; S1D1S SS08011000 SX064A000 222S180110; S2D2S SS08011000 SX064A000 22XS501520]

Illinois Regulatory Program

AGENCY: Office of Surface Mining Reclamation and Enforcement, Interior.

ACTION: Proposed rule; public comment period and opportunity for public hearing on proposed amendment.

SUMMARY: We, the Office of Surface Mining Reclamation and Enforcement (OSMRE), are announcing receipt of a proposed amendment to the Illinois regulatory program (hereinafter, the Illinois program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA or the Act). The amendment proposes the removal of revegetation success standards and statistically valid sampling techniques from inclusion in the approved regulatory program as allowed by the 2006 *Topsoil Redistribution and Revegetation Success Standards Final Rule.* This amendment also updates references and makes minor editorial changes. This document gives the times and locations that the Illinois program and this proposed amendment to that program are available for your inspection, the comment period during which you may submit written comments on the amendment, and the procedures that we will follow for the public hearing, if one is requested.

DATES: We will accept written comments on this amendment until 4:00 p.m., Central Standard Time (c.s.t.), May 31, 2022. If requested, we may hold a public hearing or meeting on the amendment on May 24, 2022. We will accept requests to speak at a hearing until 4:00 p.m., c.s.t. on May 16, 2022.

ADDRESSES: You may submit comments, identified by SATS No. IL–111–FOR, by any of the following methods:

- *Mail/Hand Delivery:* William L. Joseph, Chief, Alton Field Division, Office of Surface Mining Reclamation and Enforcement, 501 Belle Street, Suite 216, Alton, Illinois 62002–6169.
- *Fax:* (618) 463–6470.
- *Federal eRulemaking Portal:* The amendment has been assigned Docket ID: OSM–2022–0002. If you would like to submit comments, go to *https://www.regulations.gov.* Follow the instructions for submitting comments.

Instructions: All submissions received must include the agency name and docket number for this rulemaking. For detailed instructions on submitting comments and additional information on the rulemaking process, see the ''Public Comment Procedures'' heading of the **SUPPLEMENTARY INFORMATION** section of this document.

Docket: For access to the docket to review copies of the Illinois program, this amendment, a listing of any scheduled public hearings or meetings, and all written comments received in response to this document, you must go to the address listed below during normal business hours, Monday through Friday, excluding holidays. You may receive one free copy of the amendment by contacting OSMRE's Alton Field Division or the full text of the program amendment is available for you to read at *www.regulations.gov.*

William L. Joseph, Chief, Alton Field Division, Office of Surface Mining Reclamation and Enforcement, 501 Belle Street, Suite 216, Alton, Illinois 62002–6169, Telephone: (618) 463–6463, Email: *bjoseph@osmre.gov.*

In addition, you may review a copy of the amendment during regular business hours at the following location: Office of Mines and Minerals, Illinois Department of Natural Resources, One Natural Resources Way, Springfield, IL 62702–1271, Telephone: (618) 439–9111.

FOR FURTHER INFORMATION CONTACT: William L. Joseph, Chief, Alton Field Division. Telephone (618) 463–6463, Email: *bjoseph@osmre.gov.*

SUPPLEMENTARY INFORMATION:

I. Background on the Illinois Program

Subject to OSMRE's oversight, Section 503(a) of the Act permits a State to assume primacy for the regulation of surface coal mining and reclamation operations on non-Federal and non-Indian lands within its borders by demonstrating that its approved, State program includes, among other things, State laws and regulations that govern surface coal mining and reclamation operations in accordance with the Act and consistent with the Federal regulations. See 30 U.S.C. 1253(a)(1) and (7).

On the basis of these criteria, the Secretary of the Interior conditionally approved the Illinois program on June 1, 1982. You can find background information on the Illinois program, including the Secretary's findings, the disposition of comments, and conditions of approval of the Illinois program in the June 1, 1982, **Federal Register** (47 FR 23858). You can also find later actions concerning the Illinois program and program amendments at 30 CFR 913.10, 913.15, and 913.17.

II. Description of the Proposed Amendment

By letter dated February 4, 2022 (Administrative Record No. IL–5119), Illinois sent us an amendment to its program under SMCRA (30 U.S.C. 1201 *et seq.*). The amendment proposes the removal of revegetation success standards and sampling techniques from inclusion in the approved regulatory program as allowed by the 2006 *Topsoil Redistribution and Revegetation Success Standards Final Rule* (71 FR 51684). This change was driven by recent fluctuations in available datasets for their Agricultural Lands Productivity Formula. No longer including these standards and techniques in their regulations and providing them as a

separate publicly available document as approved in the 2006 OSMRE rule will provide the ability to be more responsive to changes in dataset availability. Illinois would not be required to process a formal regulation amendment in order to remain compliant if data for a particular crop and/or area is not available. Illinois could process changes to their locally available document instead. This amendment also updates references and makes minor editorial changes. The full text of the program and/or plan amendment is available for you to read at the locations listed above under **ADDRESSES** or at *www.regulations.gov.*

III. Public Comment Procedures

Under the provisions of 30 CFR 732.17(h), we are seeking your comments on whether the amendment satisfies the applicable program approval criteria of 30 CFR 732.15. If we approve the amendment, it will become part of the State program.

Electronic or Written Comments

If you submit written or electronic comments on the proposed rule during the 30-day comment period, they should be specific, confined to issues pertinent to the proposed regulations, and explain the reason for any recommended change(s). We appreciate any and all comments, but those most useful and likely to influence decisions on the final regulations will be those that either involve personal experience or include citations to and analyses of SMCRA, its legislative history, its implementing regulations, case law, other pertinent State or Federal laws or regulations, technical literature, or other relevant publications.

We cannot ensure that comments received after the close of the comment period (see **DATES**) or sent to an address other than those listed (see **ADDRESSES**) will be included in the docket for this rulemaking and considered.

Public Availability of Comments

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 us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Public Hearing

If you wish to speak at the public hearing, contact the person listed under **FOR FURTHER INFORMATION CONTACT** by 4:00 p.m., c.s.t. on May 16, 2022. If you are disabled and need reasonable accommodations to attend a public hearing, contact the person listed under **FOR FURTHER INFORMATION CONTACT**. We will arrange the location and time of the hearing with those persons requesting the hearing. If no one requests an opportunity to speak, we will not hold a hearing.

To assist the transcriber and ensure an accurate record, we request, if possible, that each person who speaks at the public hearing provide us with a written copy of his or her comments. The public hearing will continue on the specified date until everyone scheduled to speak has been given an opportunity to be heard. If you are in the audience and have not been scheduled to speak and wish to do so, you will be allowed to speak after those who have been scheduled. We will end the hearing after everyone scheduled to speak and others present in the audience who wish to speak, have been heard.

Public Meeting

If only one person requests an opportunity to speak, we may hold a public meeting rather than a public hearing. If you wish to meet with us to discuss the amendment, please request a meeting by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**. All such meetings are open to the public and, if possible, we will post notices of meetings at the locations listed under **ADDRESSES**. We will make a written summary of each meeting a part of the administrative record.

IV. Statutory and Executive Order Reviews

Executive Order 12866—Regulatory Planning and Review and Executive Order 13563—Improving Regulation and Regulatory Review

Executive Order 12866 provides that the Office of Information and Regulatory Affairs in the Office of Management and Budget (OMB) will review all significant rules. Pursuant to OMB guidance, dated October 12, 1993, the approval of State program amendments is exempted from OMB review under Executive Order 12866. Executive Order 13563, which reaffirms and supplements Executive Order 12866, retains this exemption.

Other Laws and Executive Orders Affecting Rulemaking

When a State submits a program amendment to OSMRE for review, our regulations at 30 CFR 732.17(h) require us to publish a notice in the **Federal Register** indicating receipt of the proposed amendment, its text or a summary of its terms, and an opportunity for public comment. We conclude our review of the proposed amendment after the close of the public comment period and determine whether the amendment should be approved, approved in part, or not approved. At that time, we will also make the determinations and certifications required by the various laws and executive orders governing the rulemaking process and include them in the final rule.

List of Subjects in 30 CFR Part 913

Intergovernmental relations, Surface mining, Underground mining.

Alfred L. Clayborne,

Regional Director, Interior Regions 3, 4, and 6.

[FR Doc. 2022–09190 Filed 4–28–22; 8:45 am]

BILLING CODE 4310–05–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket Number USCG–2022–0161]

RIN 1625–AA08

Special Local Regulation; Back River, Baltimore County, MD

AGENCY: Coast Guard, Homeland Security (DHS).

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard is proposing to establish temporary special local regulations for certain waters of Back River. This action is necessary to provide for the safety of life on these navigable waters located in Baltimore County, MD, during a high-speed power boat event on July 16, 2022 (alternate date on July 17, 2022). This proposed rulemaking would prohibit persons and vessels from being in the regulated area unless authorized by the Captain of the Port Maryland-National Capital Region or the Coast Guard Event Patrol Commander. We invite your comments on this proposed rulemaking.

DATES: Comments and related material must be received by the Coast Guard on or before May 31, 2022.

ADDRESSES: You may submit comments identified by docket number USCG–2022–0161 using the Federal eRulemaking Portal at *https://www.regulations.gov.* See the ''Public Participation and Request for Comments'' portion of the

SUPPLEMENTARY INFORMATION section for further instructions on submitting comments.

FOR FURTHER INFORMATION CONTACT: If you have questions about this proposed rulemaking, call or email Mr. Ron Houck, U.S. Coast Guard Sector Maryland-National Capital Region; telephone 410–576–2674, email *D05-DG-SectorMD-NCR-MarineEvents@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
COTP Captain of the Port
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of proposed rulemaking
PATCOM Patrol Commander
§ Section
U.S.C. United States Code

II. Background, Purpose, and Legal Basis

Tiki Lee's Dock Bar of Sparrows Point, MD, notified the Coast Guard that they will be conducting the 2nd Annual Tiki Lee's Shootout on the River from 10 a.m. to 5 p.m. on July 16, 2022. The individually-timed power boat speed runs event consists of approximately 50 participants competing on a designated, marked linear course located on Back River between Porter Point to the south and Stansbury Point to the north. The event is being staged out of Tiki Lee's Dock Bar, 4309 Shore Road, Sparrows Point, in Baltimore County, MD. In the event of inclement weather on July 16, 2022, the event will be conducted from 10 a.m. to 5 p.m. on July 17, 2022. Hazards from the high-speed power boat event include participants operating within and adjacent to the designated navigation channel and interfering with vessels intending to operate within that channel, as well as operating within approaches to local marinas and boat facilities and waterfront residential communities. The COTP Maryland-National Capital Region has determined that potential hazards associated with the high-speed power boat event would be a safety concern for anyone intending to participate in this event and for vessels that operate within specified waters of Back River.

The purpose of this rulemaking is to protect event participants, non-participants, and transiting vessels before, during, and after the scheduled event. The Coast Guard is proposing this rulemaking under authority in 46 U.S.C. 70041.

III. Discussion of Proposed Rule

The COTP Maryland-National Capital Region proposes to establish special local regulations from 9 a.m. on July 16, 2022, through 6 p.m. on July 17, 2022. The regulations would be enforced from 9 a.m. to 6 p.m. on July 16, 2022, and if necessary due to inclement weather on July 16, 2022, from 9 a.m. to 6 p.m. on July 17, 2022. The regulated area would cover all navigable waters of Back River within an area bounded by a line connecting the following points: From the shoreline at Lynch Point at latitude 39°14′46″ N, longitude 076°26′23″ W, thence northeast to Porter Point at latitude 39°15′13″ N, longitude 076°26′11″ W, thence north along the shoreline to Walnut Point at latitude 39°17′06″ N, longitude 076°27′04″ W, thence southwest to the shoreline at latitude 39°16′41″ N, longitude 076°27′31″ W, thence south along the shoreline to the point of origin, located in Baltimore County, MD. The regulated area is approximately 4,200 yards in length and 1,200 yards in width.

This proposed rule provides additional information about areas within the regulated area and their definitions. These areas include ''Course Area,'' ''Buffer Area,'' and ''Spectator Areas.''

The proposed duration of the special local regulations and size of the regulated area are intended to ensure the safety of life on these navigable waters before, during, and after the high-speed power boat event, scheduled from 10 a.m. to 5 p.m. on July 16, 2022 (alternate date on July 17, 2022). The COTP and the Coast Guard Event PATCOM would have authority to forbid and control the movement of all vessels and persons, including event participants, in the regulated area. When hailed or signaled by an official patrol, a vessel or person in the regulated area would be required to immediately comply with the directions given by the COTP or Event PATCOM. If a person or vessel fails to follow such directions, the Coast Guard may expel them from the area, issue them a citation for failure to comply, or both.

Except for 2nd Annual Tiki Lee's Shootout on the River participants and vessels already at berth, a vessel or person would be required to get permission from the COTP or Event PATCOM before entering the regulated area. Vessel operators would be able to request permission to enter and transit through the regulated area by contacting the Event PATCOM on VHF–FM channel 16. Vessel traffic would be able to safely transit the regulated area once the Event PATCOM deems it safe to do so. A vessel within the regulated area must operate at safe speed that minimizes wake. A person or vessel not registered with the event sponsor as a participant or assigned as official patrols would be considered a spectator. Official Patrols are any vessel assigned or approved by the Commander, Coast Guard Sector Maryland-National Capital Region with a commissioned, warrant, or petty officer on board and displaying a Coast Guard ensign. Official Patrols enforcing this regulated area can be contacted on VHF–FM channel 16 and channel 22A.

If permission is granted by the COTP or Event PATCOM, a person or vessel would be allowed to enter the regulated area or pass directly through the regulated area as instructed. Vessels would be required to operate at a safe speed that minimizes wake while within the regulated area in a manner that would not endanger event participants or any other craft. A spectator vessel must not loiter within the navigable channel while within the regulated area. Official patrol vessels would direct spectators to the designated spectator area. Only participant vessels would be allowed to enter the aerobatics box. The Coast Guard would publish a notice in the Fifth Coast Guard District Local Notice to Mariners and issue a marine information broadcast on VHF–FM marine band radio announcing specific event dates and times.

The regulatory text we are proposing appears at the end of this document.

IV. Regulatory Analyses

We developed this proposed rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive orders, and we discuss First Amendment rights of protestors.

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. This NPRM has not been designated a ''significant regulatory action'' under Executive Order 12866. Accordingly, the NPRM has not been reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based on the size and duration of the regulated area, which would impact a small designated area of Back River for 18 total enforcement hours. This waterway supports mainly recreational vessel traffic, which at its peak, occurs during the summer season. Although this regulated area extends across the entire width of the waterway, the rule

would allow vessels and persons to seek permission to enter the regulated area, and vessel traffic would be able to transit the regulated area as instructed by Event PATCOM. Such vessels must operate at safe speed that minimizes wake and not loiter within the navigable channel while within the regulated area. Moreover, the Coast Guard would issue a Broadcast Notice to Mariners via VHF–FM marine channel 16 about the status of the regulated area.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule would not have a significant economic impact on a substantial number of small entities.

While some owners or operators of vessels intending to transit the safety zone may be small entities, for the reasons stated in section IV.A above, this proposed rule would not have a significant economic impact on any vessel owner or operator.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this proposed rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section. The Coast Guard will not retaliate against small entities that question or complain about this proposed rule or any policy or action of the Coast Guard.

C. Collection of Information

This proposed rule would not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

D. Federalism and Indian Tribal Governments

A rule has implications for federalism under Executive Order 13132 (Federalism), if it has a substantial direct effect 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. We have analyzed this proposed rule under that order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, this proposed rule does not have tribal implications under Executive Order 13175 (Consultation and Coordination with Indian Tribal Governments) because it would not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes. If you believe this proposed rule has implications for federalism or Indian tribes, please call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 (adjusted for inflation) or more in any one year. Though this proposed rule would not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

F. Environment

We have analyzed this proposed rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have made a preliminary determination that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This proposed rule involves implementation of regulations within 33 CFR part 100 applicable to organized marine events on the navigable waters of the United States that could negatively impact the safety of waterway users and shore side activities in the event area lasting for 18 total enforcement hours. Normally such actions are categorically excluded from further review under paragraph L61 of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. For instructions on locating the docket, see the **ADDRESSES** section of this preamble. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places, or vessels.

V. Public Participation and Request for Comments

We view public participation as essential to effective rulemaking, and will consider all comments and material received during the comment period. Your comment can help shape the outcome of this rulemaking. If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation.

Submitting comments. We encourage you to submit comments through the Federal Decision Making Portal at *https://www.regulations.gov.* To do so, go to *https://www.regulations.gov,* type USCG–2022–0161 in the ''SEARCH'' box and click ''SEARCH.'' Next, look for this document in the Search Results column, and click on it. Then click on the Comment option. If you cannot submit your material by using *https://www.regulations.gov,* call or email the person in the **FOR FURTHER INFORMATION CONTACT** section of this proposed rule for alternate instructions.

Viewing material in docket. To view documents mentioned in this proposed rule as being available in the docket, find the docket as described in the previous paragraph, and then select ''Supporting & Related Material'' in the Document Type column. Public comments will also be placed in our online docket and can be viewed by following instructions on the *https://www.regulations.gov* Frequently Asked Questions web page. We review all comments received, but we will only post comments that address the topic of

the proposed rule. We may choose not to post off-topic, inappropriate, or duplicate comments that we receive.

Personal information. We accept anonymous comments. Comments we post to *https://www.regulations.gov* will include any personal information you have provided. For more about privacy and submissions to the docket in response to this document, see DHS's eRulemaking System of Records notice (85 FR 14226, March 11, 2020).

List of Subjects in 33 CFR Part 100

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

For the reasons discussed in the preamble, the Coast Guard is proposing to amend 33 CFR part 100 as follows:

PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS

■ 1. The authority citation for part 100 continues to read as follows:

Authority: 46 U.S.C. 70041; 33 CFR 1.05–1.

■ 2. Add § 100.T05–0161 to read as follows:

§ 100.T05–0161 2nd Annual Tiki Lee's Shootout on the River, Back River, Baltimore County, MD.

(a) *Locations.* All coordinates are based on datum NAD 1983.

(1) *Regulated area.* All navigable waters of Back River, within an area bounded by a line connecting the following points: From the shoreline at Lynch Point at latitude 39°14′46″ N, longitude 076°26′23″ W, thence northeast to Porter Point at latitude 39°15′13″ N, longitude 076°26′11″ W, thence north along the shoreline to Walnut Point at latitude 39°17′06″ N, longitude 076°27′04″ W, thence southwest to the shoreline at latitude 39°16′41″ N, longitude 076°27′31″ W, thence south along the shoreline to and terminating at the point of origin. The aerobatics box and spectator areas are within the regulated area.

(2) *Course area.* The course area is a polygon in shape measuring approximately 1,400 yards in length by 50 yards in width. The area is bounded by a line commencing at position latitude 39°16′14.98″ N, longitude 076°26′57.38″ W, thence east to latitude 39°16′15.36″ N, longitude 076°26′55.56″ W, thence south to latitude 39°15′33.40″ N, longitude 076°26′49.70″ W, thence west to latitude 39°15′33.17″ N, longitude 076°26′51.60″ W, thence north to and terminating at the point of origin.

(3) *Buffer area.* The buffer area is a polygon in shape measuring approximately 100 yards in east and west directions and approximately 150 yards in north and south directions surrounding the entire course area described in paragraph (a)(2) of this section. The area is bounded by a line commencing at position latitude 39°16′18.72″ N, longitude 076°27′01.74″ W, thence east to latitude 39°16′20.36″ N, longitude 076°26′52.39″ W, thence south to latitude 39°15′29.27″ N, longitude 076°26′45.36″ W, thence west to latitude 39°15′28.43″ N, longitude 076°26′54.94″ W, thence north to and terminating at the point of origin.

(4) *Spectator areas*—(i) *East spectator fleet area.* The area is a polygon in shape measuring approximately 2,200 yards in length by 450 yards in width. The area is bounded by a line commencing at position latitude 39°15′20.16″ N, longitude 076°26′17.99″ W, thence west to latitude 39°15′17.47″ N, longitude 076°26′27.41″ W, thence north to latitude 39°16′18.48″ N, longitude 076°26′48.42″ W, thence east to latitude 39°16′25.60″ N, longitude 076°26′27.14″ W, thence south to latitude 39°15′40.90″ N, longitude 076°26′31.30″ W, thence south to and terminating at the point of origin.

(ii) *Northwest spectator fleet area.* The area is a polygon in shape measuring approximately 750 yards in length by 150 yards in width. The area is bounded by a line commencing at position latitude 39°16′01.64″ N, longitude 076°27′11.62″ W, thence south to latitude 39°15′47.80″ N, longitude 076°27′06.50″ W, thence southwest to latitude 39°15′40.11″ N, longitude 076°27′08.71″ W, thence northeast to latitude 39°15′45.63″ N, longitude 076°27′03.08″ W, thence northeast to latitude 39°16′01.19″ N, longitude 076°27′05.65″ W, thence west to and terminating at the point of origin.

(iii) *Southwest spectator fleet area.* The area is a polygon in shape measuring approximately 400 yards in length by 175 yards in width. The area is bounded by a line commencing at position latitude 39°15′30.81″ N, longitude 076°27′05.58″ W, thence south to latitude 39°15′21.06″ N, longitude 076°26′56.14″ W, thence east to latitude 39°15′21.50″ N, longitude 076°26′52.59″ W, thence north to latitude 39°15′29.75″ N, longitude 076°26′56.12″ W, thence west to and terminating at the point of origin.

(b) *Definitions.* As used in this section—

Aerobatics box is an area described by a line bound by coordinates provided in latitude and longitude that outlines the boundary of a aerobatics box within the regulated area defined by this section.

Captain of the Port (COTP) Maryland-National Capital Region means the Commander, U.S. Coast Guard Sector Maryland-National Capital Region or any Coast Guard commissioned, warrant or petty officer who has been authorized by the COTP to act on his behalf.

Event Patrol Commander or *Event PATCOM* means a commissioned, warrant, or petty officer of the U.S. Coast Guard who has been designated by the Commander, Coast Guard Sector Maryland-National Capital Region.

Official patrol means any vessel assigned or approved by Commander, Coast Guard Sector Maryland-National Capital Region with a commissioned, warrant, or petty officer on board and displaying a Coast Guard ensign.

Participant means a person or vessel registered with the event sponsor as participating in the ''2nd Annual Tiki Lee's Shootout on the River'' event, or otherwise designated by the event sponsor as having a function tied to the event.

Spectator means a person or vessel not registered with the event sponsor as participants or assigned as official patrols.

Spectator area is an area described by a line bound by coordinates provided in latitude and longitude within the regulated area defined by this section that outlines the boundary of an area reserved for non-participant vessels watching the event.

(c) *Special local regulations.* (1) The COTP Maryland-National Capital Region or Event PATCOM may forbid and control the movement of all vessels and persons, including event participants, in the regulated area described in paragraph (a)(1) of this section. When hailed or signaled by an official patrol, a vessel or person in the regulated area shall immediately comply with the directions given by the patrol. Failure to do so may result in the Coast Guard expelling the person or vessel from the area, issuing a citation for failure to comply, or both. The COTP Maryland-National Capital Region or Event PATCOM may terminate the event, or a participant's operations at any time the COTP Maryland-National Capital Region or Event PATCOM believes it necessary to do so for the protection of life or property.

(2) Except for participants and vessels already at berth, a person or vessel within the regulated area at the start of enforcement of this section must immediately depart the regulated area.

(3) A spectator must contact the Event PATCOM to request permission to either enter or pass through the regulated area. The Event PATCOM, and official patrol vessels enforcing this regulated area can be contacted on marine band radio VHF–FM channel 16

(156.8 MHz) and channel 22A (157.1 MHz). If permission is granted, the spectator must enter a designated spectator area or pass directly through the regulated area as instructed by Event PATCOM. A vessel within the regulated area must operate at safe speed that minimizes wake. A spectator vessel must not loiter within the navigable channel while within the regulated area.

(4) Only participant vessels are allowed to enter and remain within the aerobatics box.

(5) A person or vessel that desires to transit, moor, or anchor within the regulated area must obtain authorization from the COTP Maryland-National Capital Region or Event PATCOM. A person or vessel seeking such permission can contact the COTP Maryland-National Capital Region at telephone number 410–576–2693 or on Marine Band Radio, VHF–FM channel 16 (156.8 MHz) or the Event PATCOM on Marine Band Radio, VHF–FM channel 16 (156.8 MHz).

(6) The Coast Guard will publish a notice in the Fifth Coast Guard District Local Notice to Mariners and issue a marine information broadcast on VHF–FM marine band radio announcing specific event dates and times.

(d) *Enforcement officials.* The Coast Guard may be assisted with marine event patrol and enforcement of the regulated area by other Federal, state, and local agencies.

(e) *Enforcement periods.* This section will be enforced from 9 a.m. to 6 p.m. on July 16, 2022, and, if necessary due to inclement weather on July 16, 2022, from 9 a.m. to 6 p.m. on July 17, 2022.

Dated: April 25, 2022.

David E. O'Connell,

Captain, U.S. Coast Guard, Captain of the Port Maryland-National Capital Region.

[FR Doc. 2022–09197 Filed 4–28–22; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

RIN 0648–BL09

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coral, Coral Reefs, and Live/Hard Bottom Habitats of the South Atlantic Region; Coral Amendment 10

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

ACTION: Announcement of the availability of a proposed fishery management plan amendment; request for comments.

SUMMARY: The South Atlantic Fishery Management Council (Council) has submitted Amendment 10 to the Fishery Management Plan (FMP) for the Coral, Coral Reefs, and Live/Hard Bottom Habitats of the South Atlantic Region (Coral FMP) for review, approval, and implementation by NMFS. If approved by the Secretary of Commerce (Secretary), Amendment 10 to the Coral FMP (Coral Amendment 10) would establish a shrimp fishery access area (SFAA) along the eastern boundary of the northern extension of the Oculina Bank Habitat Area of Particular Concern (OHAPC), where trawling for rock shrimp is currently prohibited. Coral Amendment 10 would increase access to historic rock shrimp fishing grounds while maintaining protection of the *Oculina* deep-water coral ecosystems, provide increased socio-economic benefits to fishers, and increase the likelihood of achieving optimum yield (OY) in the rock shrimp portion of the South Atlantic shrimp fishery.

DATES: Written comments must be received on or before June 28, 2022.

ADDRESSES: You may submit comments on Coral Amendment 10, identified by ''NOAA–NMFS–2021–0126,'' by either of the following methods:

- *Electronic Submission:* Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to *www.regulations.gov* and enter ''*NOAA–NMFS–2021–0126*'' in the Search box. Click the ''Comment'' icon, complete the required fields, and enter or attach your comments.
- *Mail:* Submit written comments to Frank Helies, Southeast Regional Office, NMFS, 263 13th Avenue South, St. Petersburg, FL 33701.
- *Instructions:* Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on *www.regulations.gov* without change. All personal identifying information (*e.g.,* name, address), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter ''N/A'' in the required fields if you wish to remain anonymous).

Electronic copies of Coral Amendment 10, which includes a fishery impact statement, a Regulatory Flexibility Act analysis, and a regulatory impact review, may be obtained from the Southeast Regional Office website at *https://www.fisheries.noaa.gov/action/amendment-10-establish-shrimp-fishery-access-area/.*

FOR FURTHER INFORMATION CONTACT: Frank Helies, telephone: 727–824–5305, or email: *Frank.Helies@noaa.gov.*

SUPPLEMENTARY INFORMATION: The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) requires each regional fishery management council to submit any FMP or FMP amendment to the Secretary for review and approval, partial approval, or disapproval. The Magnuson-Stevens Act also requires that the Secretary, upon receiving an FMP or FMP amendment, publish an announcement in the **Federal Register** notifying the public that the FMP or FMP amendment is available for review and comment.

The Council prepared the Coral FMP that is being revised by Coral Amendment 10. If approved, Coral Amendment 10 would be implemented by NMFS through regulations at 50 CFR part 622 under the authority of the Magnuson-Stevens Act.

Background

In 1984, the Council designated a 92-nm^2 portion of the Oculina Bank as the OHAPC (49 FR 29607; August 22, 1984). Additionally, the Council prohibited the use of bottom trawls, bottom longlines, dredges, fish traps, and fish pots within the OHAPC to mitigate the risk of damage by fishing gear to *Oculina* coral. In 2000, the Council further expanded the protected area in the OHAPC through Amendment 4 to the Coral FMP (65 FR 37292; June 14, 2000). In 2014, Amendment 8 to the Coral FMP (Coral Amendment 8) extended the OHAPC northward, including the area considered in this notification (80 FR 42423; July 17, 2015).

Information on the concentrated shrimp fishing effort in the area and its economic value to the rock shrimp portion of the shrimp fishery was discussed by the Council very late in the development of Coral Amendment 8. During these discussions, rock shrimp fishermen requested adjustment of the OHAPC boundary and provided coordinates that comprised the important fishing grounds in that area. Coral Amendment 10 was developed by the Council to explore options to establish an SFAA within the northern extension of the OHAPC. The Council also developed Coral Amendment 10 in response to the Presidential Executive Order on Seafood Competitiveness and

Economic Growth (E.O. 13921) (85 FR 28471; May 7, 2020). Coral Amendment 10 would address the recommendation to reduce burdens on domestic fishing and to increase production within sustainable fisheries contained in E.O. 13921. This would be accomplished by re-opening a closed area to commercial fishermen who have lost access to areas that have been traditionally fished.

While landings and revenue from rock shrimp are highly variable, peak landings from recent years have fallen far short of maximum sustainable yield (MSY) and OY levels. Thus, the rock shrimp portion of the shrimp fishery has been consistently operating well below OY/MSY levels during this time. The purpose of Coral Amendment 10 is to increase economic and social benefits to rock shrimp fishermen by allowing access to historic rock shrimp fishing grounds.

Action Contained in Coral Amendment 10

Coral Amendment 10 would establish an approximately 22-mi^2 SFAA along the eastern boundary of the northern extension of the OHAPC, where fishing for and possessing rock shrimp is currently prohibited. Within the proposed SFAA, a shrimp vessel with a valid Federal limited access commercial vessel permit for rock shrimp would be allowed to bottom trawl for rock shrimp. All other existing restrictions, including prohibitions on anchoring and the use of bottom longline, dredge, pot, or trap gear, would remain.

Proposed Rule for Coral Amendment 10

A proposed rule to implement Coral Amendment 10 has been drafted. In accordance with the Magnuson-Stevens Act, NMFS is evaluating the proposed rule to determine whether it is consistent with the Coral FMP, Coral Amendment 10, the Magnuson-Stevens Act, and other applicable law. If that determination is affirmative, NMFS will submit the proposed rule for publication in the **Federal Register** for public review and comment.

Consideration of Public Comments

The Council has submitted Coral Amendment 10 for Secretarial review, approval, and implementation. Comments on Coral Amendment 10 must be received by June 28, 2022. Comments received during the respective comment periods, whether specifically directed to Coral Amendment 10 or the proposed rule, will be considered by NMFS in the decision to approve, disapprove, or partially approve Coral Amendment 10. Comments received after the comment periods will not be considered by NMFS in this decision. NMFS will address all comments received on the amendment or on the proposed rule during their respective comment periods in the final rule.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: April 26, 2022.

Jennifer M. Wallace,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2022–09211 Filed 4–28–22; 8:45 am]

BILLING CODE 3510–22–P

Notices

Federal Register
Vol. 87, No. 83
Friday, April 29, 2022

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

Submission for OMB Review; Comment Request

The Department of Agriculture will submit the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13 on or after the date of publication of this notice. Comments are requested regarding: (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 the agency's estimate of burden 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) ways to 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.

Comments regarding these information collections are best assured of having their full effect if received by May 31, 2022. 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.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

National Agricultural Statistics Service (NASS)

Title: Agricultural Resource Management and Chemical Use Surveys—Substantive Change.

OMB Control Number: 0535–0218.

Summary of Collection: General authority for these data collection activities is granted under U.S. Code Title 7, Section 2204 which specifies that ''The Secretary of Agriculture shall procure and preserve all information concerning agriculture which he can obtain . . . by the collection of statistics . . .''. The primary objective of the National Agricultural Statistics Service (NASS) is to provide data users with timely and reliable agricultural production and economic statistics, as well as environmental and specialty agricultural related statistics. To accomplish this objective, NASS relies on the use of diverse surveys that show changes within the farming industry over time.

The National Agricultural Statistics Service (NASS) is requesting a substantive change to the ARMS and Chemical Use Survey information collection request (OMB No. 0535–0218) for the 2022 ARMS Phase 1 (Screening Survey), ARMS Phase 2, Chemical Use, and ARMS Phase 3 (Costs and Returns Survey). The change is needed for two purposes:

- Announce target commodities for the 2022 cycle, and
- To collect data from additional historically underserved farm producer groups.

The target commodities for the 2022 cycle are: Wheat (winter, Durum, and other spring wheat), potatoes, and vegetable chemical use. Collecting data from additional historically underserved farm producer groups is in response to the Biden Administration's top priority of advancing equity for all Americans.

The changes to these surveys will increase burden hours by 7,035 for a new total of 127,863 hours for this information collection request.

Need and Use of the Information: USDA's Economic Research Service will likely incorporate the data in their standard publications which will adhere to their normal publication schedules. In addition, ERS has the expectation that the data will be used to generate additional reports, bulletins, and journal articles.

Description of Respondents: Farms and Ranches.

Number of Respondents: 131,930.

Frequency of Responses: Reporting: Less than five times per year.

Total Burden Hours: 127,863.

Dated: April 26, 2022.

Levi Harrell,

Departmental Information Collection Clearance Officer.

[FR Doc. 2022–09236 Filed 4–28–22; 8:45 am]

BILLING CODE 3410–20–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS–2022–0020]

Notice of Request for Revision to and Extension of Approval of an Information Collection; Restricted, Prohibited, and Controlled Importation of Animal and Poultry Products and Byproducts Into the United States

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Revision to and extension of approval of an information collection; comment request.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Animal and Plant Health Inspection Service's intention to request a revision to and extension of approval of an information collection associated with the restricted, prohibited, and controlled importation of animal and poultry products and byproducts into the United States.

DATES: We will consider all comments that we receive on or before June 28, 2022.

ADDRESSES: You may submit comments by either of the following methods:

- *Federal eRulemaking Portal:* Go to *www.regulations.gov.* Enter APHIS–2022–0020 in the Search field. Select the Documents tab, then select the Comment button in the list of documents.
- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS–2022–0020, Regulatory Analysis and Development, PPD, APHIS, Station 3A–03.8, 4700 River Road Unit 118, Riverdale, MD 20737–1238.

Supporting documents and any comments we receive on this docket may be viewed at *regulations.gov* or in our reading room, which is located in Room 1620 of the USDA South Building, 14th Street and Independence Avenue SW, Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 799–7039 before coming.

FOR FURTHER INFORMATION CONTACT: For information on prohibited, restricted, and controlled importation of animal and poultry products and byproducts into the United States, contact the following individuals: For issues concerning meat, milk, eggs, and casings, Dr. Nathaniel Koval, Senior Staff Veterinary Medical Officer, Animal Product Imports, Strategy and Policy, VS, APHIS, 4700 River Road, Riverdale, MD; (301) 851–3300 option 4; *nathaniel.j.koval@usda.gov.* For issues concerning all other byproducts, Dr. David Pasnik, Senior Staff Veterinary Medical Officer, Animal Product Imports, Strategy and Policy, VS, APHIS, 4700 River Road, Riverdale, MD; (301) 851–3300 option 4; *david.j.pasnik@usda.gov.*

For information on the information collection process, contact Mr. Joseph Moxey, APHIS' Paperwork Reduction Act Coordinator, at (301) 851–2483; *joseph.moxey@usda.gov.*

SUPPLEMENTARY INFORMATION:

Title: Restricted, Prohibited, and Controlled Importation of Animal and Poultry Products and Byproducts Into the United States.

OMB Control Number: 0579–0015.

Type of Request: Revision to and extension of approval of an information collection.

Abstract: The Animal Health Protection Act (AHPA) of 2002 is the primary Federal law governing the protection of animal health. The AHPA gives the Secretary of the U.S. Department of Agriculture (USDA) broad authority to detect, control, or eradicate pests or diseases of livestock or poultry. The Secretary may also prohibit or restrict import or export of any animal or related material if necessary to prevent the spread of any livestock or poultry pest or disease.

Disease prevention is the most effective method for maintaining a healthy animal population and for enhancing USDA's Animal and Plant Health Inspection Service's (APHIS') ability to compete globally in animal and animal product and byproduct trade. In connection with this mission, APHIS enforces regulations regarding both the importation of controlled materials and the prevention of foreign animal disease incursions into the United States. These regulations are located in 9 CFR parts 94, 95, and 122.

APHIS engages in a number of information collection activities to prevent or control the spread of livestock diseases via the restricted, prohibited, and controlled importation of animal and poultry products and byproducts into the United States, including, but not limited to, certificates, applications, agreements, appeals and cancellations of agreements, placards and statements, permissions to import, notifications, government seals, and marking requirements.

We are asking the Office of Management and Budget (OMB) to approve our use of these information collection activities, as described, for an additional 3 years.

The purpose of this notice is to solicit comments from the public (as well as affected agencies) concerning our information collection. These comments will help us:

(1) Evaluate 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) Evaluate the accuracy of our estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;

(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, through use, as appropriate, of automated, electronic, mechanical, and other collection technologies; *e.g.,* permitting electronic submission of responses.

Estimate of burden: The public burden for this collection of information is estimated to average 1.76 hours per response.

Respondents: Importers, exporters, processing operators, foreign federal governments, foreign veterinarians, port personnel, museums, educational institutions, transportation operators, and carrier personnel.

Estimated annual number of respondents: 30,838.

Estimated annual number of responses per respondent: 2.

Estimated annual number of responses: 64,197.

Estimated total annual burden on respondents: 112,219 hours. (Due to averaging, the total annual burden hours may not equal the product of the annual number of responses multiplied by the reporting burden per response.)

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Done in Washington, DC, this 26th day of April 2022.

Anthony Shea,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2022–09229 Filed 4–28–22; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS–2022–0012]

Notice of Request for Revision to and Extension of Approval of an Information Collection; Irradiation Treatment; Location of Facilities in the United States

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Revision to and extension of approval of an information collection; comment request.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Animal and Plant Health Inspection Service's intention to request a revision to and extension of approval of an information collection associated with the regulations for the location of irradiation treatment facilities in the United States.

DATES: We will consider all comments that we receive on or before June 28, 2022.

ADDRESSES: You may submit comments by either of the following methods:

- *Federal eRulemaking Portal:* Go to *www.regulations.gov.* Enter APHIS–2022–0012 in the Search field. Select the Documents tab, then select the Comment button in the list of documents.
- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS–2022–0012, Regulatory Analysis and Development, PPD, APHIS, Station 3A–03.8, 4700 River Road, Unit 118, Riverdale, MD 20737–1238.

Supporting documents and any comments we receive on this docket may be viewed at *regulations.gov* or in our reading room, which is located in Room 1620 of the USDA South Building, 14th Street and Independence Avenue SW, Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except

holidays. To be sure someone is there to help you, please call (202) 799–7039 before coming.

FOR FURTHER INFORMATION CONTACT: For information on the regulations for the location of irradiation treatment facilities in the United States, contact Mr. Todd Dutton, Assistant Director, PPQ, APHIS, 4700 River Road, Riverdale, MD 20737–1231; (301) 851–2348. For information on the information collection process, contact Mr. Joseph Moxey, APHIS' Paperwork Reduction Act Coordinator, at (301) 851–2483.

SUPPLEMENTARY INFORMATION:

Title: Irradiation Treatment; Location of Facilities in the United States.

OMB Control Number: 0579–0383.

Type of Request: Revision to and extension of approval of an information collection.

Abstract: The regulations contained in 7 CFR part 305 (referred to below as the regulations) set out the general requirements for performing treatments and certifying or approving treatment facilities for fruits, vegetables, and other articles to prevent the introduction or dissemination of plant pests or noxious weeds into or through the United States. The Animal and Plant Health Inspection Service (APHIS) of the U.S. Department of Agriculture administers these regulations.

Section 305.9 provides generic criteria for new irradiation treatment facilities in the United States to be located anywhere in the United States, subject to approval. In addition, this section provides specific criteria for new irradiation treatment facilities located in the States of Alabama, Arizona, California, Florida, Georgia, Kentucky, Louisiana, Mississippi, Nevada, New Mexico, North Carolina, South Carolina, Tennessee, Texas, and Virginia.

The information collection activities associated with the location of irradiation facilities include request for initial certification and inspection of facility, certification and recertification, denial and withdrawal of certification, compliance agreements, irradiation facilities treating imported articles, irradiation treatment framework equivalency workplan, irradiation facilities notification, recordkeeping, facility contingency plan, letter of concurrence or non-agreement, treatment arrangements, pest management plan, and facility layout map. In addition, each facility must provide APHIS with an updated map identifying places where horticultural or other crops are grown within 4-square miles of the facility.

We are asking the Office of Management and Budget (OMB) to approve our use of these information collection activities, as described, for an additional 3 years.

The purpose of this notice is to solicit comments from the public (as well as affected agencies) concerning our information collection. These comments will help us:

(1) Evaluate 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) Evaluate the accuracy of our estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;

(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, through use, as appropriate, of automated, electronic, mechanical, and other collection technologies; *e.g.,* permitting electronic submission of responses.

Estimate of burden: The public burden for this collection of information is estimated to average 3.13 hours per response.

Respondents: Irradiation facilities in the United States, State governments, importers, and foreign government and national plant protection organization officials.

Estimated annual number of respondents: 28.

Estimated annual number of responses per respondent: 12.

Estimated annual number of responses: 315.

Estimated total annual burden on respondents: 988 hours. (Due to averaging, the total annual burden hours may not equal the product of the annual number of responses multiplied by the reporting burden per response.)

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Done in Washington, DC, this 26th day of April 2022.

Anthony Shea,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2022–09228 Filed 4–28–22; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Forest Service

Information Collection; Financial Information Security Request Form

AGENCY: Forest Service, USDA.

ACTION: Notice; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the Forest Service is seeking comments from all interested individuals and organizations on the extension of a currently approved information collection, *Financial Information Security Request Form.*

DATES: Comments must be received in writing on or before June 28, 2022 to be assured of consideration. Comments received after that date will be considered to the extent practicable.

ADDRESSES: Comments concerning this notice should be addressed to USDA—Forest Service, Attention: Stephen Wills, Financial Policy, Sidney Yates Federal Building: 201 14th Street SW, Washington, DC 20250. Comments also may be submitted via email to: *stephen.wills@usda.gov.* The public may inspect comments received at the above address during normal business hours. Visitors are encouraged to call 703–605–4938 to facilitate entry to the building.

Comments submitted in response to this notice may be made available to the public through relevant websites and upon request. For this reason, please do not include in your comments information of a confidential nature, such as sensitive personal information or proprietary information. If you send an email comment, your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the internet. Please note that responses to this public comment request containing any routine notice about the confidentiality of the communication will be treated as public comments that may be made available to the public notwithstanding the inclusion of the routine notice.

FOR FURTHER INFORMATION CONTACT: Stephen Wills, Director of Financial Policy, 703–605–4938. Individuals who use telecommunications for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339, twenty-four hours a day, every day of the year, including holidays.

SUPPLEMENTARY INFORMATION:

Title: Financial Information Security Request Form.

OMB Number: 0596–0204.

Expiration Date of Approval: February 28, 2023.

Type of Request: Extension without Revisions.

Abstract: The majority of the Forest Service's financial records are in databases stored at the National Finance Center (NFC). The Forest Service uses employees and contractors to maintain

these financial records. The employees and contractors must have access to NFC to perform their duties.

The Forest Service uses an electronic form FS–6500–214, Financial Information Security Request Form, to apply to NFC for access for a specific employee or contractor. Due to program management decisions and budget constraints, it has been determined that contractors will need to complete and submit the form.

The contractor and the Forest Service systems provide the information necessary to complete form FS–6500–214. The contractor verifies completion of two courses within the last year: Privacy Act Basics and IT (Information Technology) Security. The contractor then enters their short name assigned by the Forest Service. Using the short name, the screen is populated with information that the contractor can change if incorrect. The information includes: Name, work email, work telephone number, and job title. The contractor checks the box for a non-federal employee and provides the expiration date of the contract. The contractor then selects the databases and actions needed. Based on the database(s) selected, the contractor provides additional information regarding the financial systems, work location, access scope, etc. Once the form is submitted to the client security officer, a one-page agreement automatically prints, which the contractor and client security officer sign. The agreement is a certification statement that acknowledges the contractor's recognition of the sensitive nature of the information and agrees to use the information only for authorized purposes. The information collected is shared with those managing or overseeing the financial systems used by the Forest Service, this includes auditors.

Estimate of Burden per Response: 10 minutes.

Estimated Annual Number of Respondents: 9,549.

Estimated Annual Number of Responses per Respondent: 3.

Estimated Total Annual Burden on Respondents: 4,774 hours.

Comment is invited on: (1) Whether this collection of information is necessary for the stated purposes and the proper performance of the functions of the Agency, including whether the information will have practical or scientific utility; (2) the accuracy of the Agency's estimate of the burden of the 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) ways to minimize the burden of the collection of information on respondents, including the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

All comments received in response to this notice, including names and addresses when provided, will be a matter of public record. Comments will be summarized and included in the submission request toward Office of Management and Budget approval.

Robert Velasco,

Chief Financial Officer (CFO).

[FR Doc. 2022–09227 Filed 4–28–22; 8:45 am]

BILLING CODE 3411–15–P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the South Carolina Advisory Committee to the U.S. Commission on Civil Rights

AGENCY: U.S. Commission on Civil Rights.

ACTION: Notice of meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act, that the South Carolina Advisory Committee (Committee) to the U.S. Commission on Civil Rights will hold a business meeting via WebEx at 11:00 a.m. ET on Thursday, May 5, 2022, for the purpose of discussing the Committee's project on Civil Asset Forfeiture in South Carolina.

DATES: The meeting will take place on Thursday, May 5, 2022, at 11:00 a.m. ET.

- To join the meeting, please click the following link: *https://tinyurl.com/yc2df7rc.*
- To join by phone only, dial: 1 (800) 360–9505; Access code: 2762 353 5920.

FOR FURTHER INFORMATION CONTACT: Barbara Delaviez, DFO, at *ero@usccr.gov* or (202) 376–8473.

SUPPLEMENTARY INFORMATION: Committee meetings are available to the public through the meeting link above. Any interested member of the public may listen to the meeting. An open comment period will be provided to allow members of the public to make a statement as time allows. If joining via phone, callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Individuals who are deaf, deafblind, and hard of hearing may also follow the proceedings by first calling the Federal Relay Service at 1 (800) 877–8339 and providing the Service with the conference details found through registering at the web link above. To request additional accommodations, please email *ero@usccr.gov* at least ten (10) days prior to the meeting.

Members of the public are also entitled to submit written comments; the comments must be received in the regional office within 30 days following the meeting. Written comments may be emailed to Sarah Villanueva at *svillanueva@usccr.gov.* Persons who desire additional information may contact the Regional Programs Unit at (310) 464–7102.

Records generated from this meeting may be inspected and reproduced at the Regional Programs Coordination Unit Office, as they become available, both before and after the meeting. Records of the meeting will be available via *www.facadatabase.gov* under the Commission on Civil Rights, South Carolina Advisory Committee link. Persons interested in the work of this Committee are directed to the Commission's website, *http://www.usccr.gov,* or may contact the Regional Programs Coordination Unit at the above email or street address.

Agenda

I. Welcome and Roll Call
II. Discussion: Civil Asset Forfeiture in South Carolina
III. Next Steps
IV. Public Comment
V. Adjournment

Dated: April 26, 2022.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2022–09259 Filed 4–28–22; 8:45 am]

BILLING CODE 6335–01–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–16–2022]

Foreign-Trade Zone 21—Dorchester County, South Carolina; Application for Subzone; Patheon API, Inc., Florence, South Carolina

An application has been submitted to the Foreign-Trade Zones (FTZ) Board by the South Carolina State Ports Authority, grantee of FTZ 21, requesting subzone status for the facilities of Patheon API, Inc., located in Florence, South Carolina. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as

amended (19 U.S.C. 81a–81u), and the regulations of the FTZ Board (15 CFR part 400). It was formally docketed on April 25, 2022.

The proposed subzone would consist of the following sites: *Site 1* (1,398 acres) 6173 E Old Marion Highway, Florence; and, *Site 2* (11 acres) 101 Technology Place, Florence. No authorization for production activity has been requested at this time.

In accordance with the FTZ Board's regulations, Christopher Kemp of the FTZ Staff is designated examiner to review the application and make recommendations to the FTZ Board.

Public comment is invited from interested parties. Submissions shall be addressed to the FTZ Board's Executive Secretary and sent to: *ftz@trade.gov.* The closing period for their receipt is June 8, 2022. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to June 23, 2022.

A copy of the application will be available for public inspection in the ''Online FTZ Information Section'' section of the FTZ Board's website, which is accessible via *www.trade.gov/ftz.*

For further information, contact Christopher Kemp at *Christopher.Kemp@trade.gov.*

Dated: April 25, 2022.

Andrew McGilvray,

Executive Secretary.

[FR Doc. 2022–09201 Filed 4–28–22; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Interim Procedures for Considering Requests Under the Commercial Availability Provision of the United States-Panama Trade Promotion Agreement (U.S.-Panama TPA)

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of information collection, request for comment.

SUMMARY: On behalf of the Committee for the Implementation of Textile Agreements (CITA), the Department of Commerce, in accordance with the Paperwork Reduction Act of 1995 (PRA), invites 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. The purpose of this notice is to allow for 60 days of public comment preceding submission of the collection to OMB.

DATES: To ensure consideration, comments regarding this proposed information collection must be received on or before June 28, 2022.

ADDRESSES: Interested persons are invited to submit written comments to Ms. Laurie Mease, International Trade Specialist, International Trade Administration, by email to *OTEXA_Panama@trade.gov,* or *PRAcomments@doc.gov.* Please reference OMB Control Number 0625–0273 in the subject line of your comments. Do not submit Confidential Business Information or otherwise sensitive or protected information.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or specific questions related to collection activities should be directed to Ms. Laurie Mease, International Trade Specialist, International Trade Administration, by email at *Laurie.Mease@trade.gov*, or by phone at (202) 482–2043.

SUPPLEMENTARY INFORMATION:

I. Abstract

Title II, Section 203(o) of the United States-Panama Trade Promotion Agreement Implementation Act (the ''Act'') [Pub. L. 112–43] implements the commercial availability provision provided for in Article 3.25 of the United States-Panama Trade Promotion Agreement (the ''Agreement''). The Agreement entered into force on October 31, 2012. Subject to the rules of origin in Annex 4.1 of the Agreement, pursuant to the textile provisions of the Agreement, fabric, yarn, and fiber produced in Panama or the United States and traded between the two countries are entitled to duty-free tariff treatment. Annex 3.25 of the Agreement also lists specific fabrics, yarns, and fibers that the two countries agreed are not available in commercial quantities in a timely manner from producers in Panama or the United States. The items listed in Annex 3.25 are commercially unavailable fabrics, yarns, and fibers. Articles containing these items are entitled to duty-free or preferential treatment despite containing inputs not produced in Panama or the United States.

The list of commercially unavailable fabrics, yarns, and fibers may be changed pursuant to the commercial availability provision in Chapter 3, Article 3.25, Paragraphs 4–6 of the Agreement. Under this provision, interested entities from Panama or the United States have the right to request that a specific fabric, yarn, or fiber be added to, or removed from, the list of commercially unavailable fabrics, yarns, and fibers in Annex 3.25 of the Agreement.

Pursuant to Chapter 3, Article 3.25, paragraph 6 of the Agreement, which requires that the President publish procedures for parties to exercise the right to make these requests, Section 203(o)(4) of the Act authorizes the President to establish procedures to modify the list of fabrics, yarns, or fibers not available in commercial quantities in a timely manner in either the United States or Panama as set out in Annex 3.25 of the Agreement. The President delegated the responsibility for publishing the procedures and administering commercial availability requests to the Committee for the Implementation of Textile Agreements (''CITA''), which issues procedures and acts on requests through the U.S. Department of Commerce, Office of Textiles and Apparel (''OTEXA'') (See Proclamation No. 8894, 77 FR 66507, November 5, 2012).

The intent of the U.S.-Panama TPA Commercial Availability Procedures is to foster the use of U.S. and regional products by implementing procedures that allow products to be placed on or removed from a product list, on a timely basis, and in a manner that is consistent with normal business practice. The procedures are intended to facilitate the transmission of requests; allow the market to indicate the availability of the supply of products that are the subject of requests; make available promptly, to interested entities and the public, information regarding the requests for products and offers received for those products; ensure wide participation by interested entities and parties; allow for careful review and consideration of information provided to substantiate requests and responses; and provide timely public dissemination of information used by CITA in making commercial availability determinations.

CITA must collect certain information about fabric, yarn, or fiber technical specifications and the production capabilities of Panamanian and U.S. textile producers to determine whether certain fabrics, yarns, or fibers are available in commercial quantities in a timely manner in the United States or Panama, subject to Section 203(o) of the Act.

II. Method of Collection

Participants in a commercial availability proceeding must submit public versions of their Requests, Responses or Rebuttals electronically (via email) for posting on OTEXA's website. Confidential versions of those submissions which contain business confidential information must be delivered in hard copy to the Office of Textiles and Apparel (OTEXA) at the U.S. Department of Commerce.

III. Data

OMB Control Number: 0625–0273.

Form Number(s): None.

Type of Review: Regular submission, extension of a current information collection.

Affected Public: Business or for-profit organizations.

Estimated Number of Respondents: 16.

Estimated Time per Response: 8 hours per Request, 2 hours per Response, and 1 hour per Rebuttal.

Estimated Total Annual Burden Hours: 89.

Estimated Total Annual Cost to Public: $5,340.

Respondent's Obligation: Voluntary.

Legal Authority: Title II, Section 203(o) of the United States-Panama Trade Promotion Agreement Implementation Act (the ''Act'') [Pub. L. 112–43].

IV. Request for Comments

We are soliciting public comments to permit the Department/Bureau to: (a) Evaluate whether the proposed information collection is necessary for the proper functions of the Department, including whether the information will have practical utility; (b) Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used; (c) Evaluate ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our 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 may ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Sheleen Dumas,

Department PRA Clearance Officer, Office of the Chief Information Officer, Commerce Department.

[FR Doc. 2022–09287 Filed 4–28–22; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Interim Procedures for Considering Requests Under the Commercial Availability Provision of the United States-Peru Trade Promotion Agreement (US-PERU TPA)

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of information collection, request for comment.

SUMMARY: On behalf of the Committee for the Implementation of Textile Agreements (CITA), the Department of Commerce, in accordance with the Paperwork Reduction Act of 1995 (PRA), invites 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. The purpose of this notice is to allow for 60 days of public comment preceding submission of the collection to OMB.

DATES: To ensure consideration, comments regarding this proposed information collection must be received on or before June 28, 2022.

ADDRESSES: Interested persons are invited to submit written comments to Ms. Laurie Mease, International Trade Specialist, International Trade Administration, by email to *OTEXA-Peru@trade.gov* or *PRAcomments@doc.gov.* Please reference OMB Control Number 0625–0265 in the subject line of your comments. Do not submit Confidential Business Information or otherwise sensitive or protected information.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or specific questions related to collection activities should be directed to Ms. Laurie Mease, International Trade Specialist, International Trade Administration, by email to *Laurie.Mease@trade.gov,* or by phone at (202) 482–2043.

SUPPLEMENTARY INFORMATION:

I. Abstract

The United States and Peru negotiated the U.S.-Peru Trade Promotion Agreement (the ''Agreement''), which entered into force on February 1, 2009. Subject to the rules of origin in Annex 4.1 of the Agreement, and pursuant to the textile provisions of the Agreement, fabric, yarn, and fiber produced in Peru or the United States and traded between the two countries are entitled to duty-free tariff treatment. Annex 3–B of the Agreement also lists specific fabrics, yarns, and fibers that the two countries agreed are not available in commercial quantities in a timely manner from producers in Peru or the United States. The items listed are commercially unavailable fabrics, yarns, and fibers. Articles containing these items are entitled to duty-free or preferential treatment despite containing inputs not produced in Peru or the United States.

The list of commercially unavailable fabrics, yarns, and fibers may be changed pursuant to the commercial availability provision in Chapter 3, Article 3.3, Paragraphs 5–7 of the Agreement. Under this provision, interested entities from Peru or the United States have the right to request that a specific fabric, yarn, or fiber be added to, or removed from, the list of commercially unavailable fabrics, yarns, and fibers in Annex 3–B.

Chapter 3, Article 3.3, paragraph 7 of the Agreement requires that the President publish procedures for parties to exercise the right to make these requests. The President delegated the responsibility for publishing the procedures and administering commercial availability requests to the Committee for the Implementation of Textile Agreements (''CITA''), which issues procedures and acts on requests through the U.S. Department of Commerce, Office of Textiles and Apparel (''OTEXA'') (*See* Proclamation No. 8341, 74 FR 4105, January 22, 2009). Interim procedures to implement these responsibilities were published in the **Federal Register** on August 14, 2009. (*See* Interim Procedures for Considering Requests Under the Commercial Availability Provision of the United States-Peru Trade Promotion Agreement Implementation Act and Estimate of Burden for Collection of Information, 74 FR 41111, August 11, 2009).

The intent of the U.S.-Peru TPA Commercial Availability Procedures is to foster the use of U.S. and regional

products by implementing procedures that allow products to be placed on or removed from a product list, on a timely basis, and in a manner that is consistent with normal business practice. The procedures are intended to facilitate the transmission of requests; allow the market to indicate the availability of the supply of products that are the subject of requests; make available promptly, to interested entities and the public, information regarding the requests for products and offers received for those products; ensure wide participation by interested entities and parties; allow for careful review and consideration of information provided to substantiate requests and responses; and provide timely public dissemination of information used by CITA in making commercial availability determinations.

CITA must collect certain information about fabric, yarn, or fiber technical specifications and the production capabilities of Peruvian and U.S. textile producers to determine whether certain fabrics, yarns, or fibers are available in commercial quantities in a timely manner in the United States or Peru, subject to Section 203(o) of the Agreement.

II. Method of Collection

Participants in a commercial availability proceeding must submit public versions of their Requests, Responses or Rebuttals electronically (via email) for posting on OTEXA's website. Confidential versions of those submissions which contain business confidential information must be delivered in hard copy to the Office of Textiles and Apparel (OTEXA) at the U.S. Department of Commerce.

III. Data

OMB Control Number: 0625–0265.

Form Number(s): None.

Type of Review: Regular submission, extension of a current information collection.

Affected Public: Business or for-profit organizations.

Estimated Number of Respondents: 16 (10 for Requests; 3 for Responses; 3 for Rebuttals).

Estimated Time per Response: 8 hours per Request, 2 hours per Response, and 1 hour per Rebuttal.

Estimated Total Annual Burden Hours: 89.

Estimated Total Annual Cost to Public: $5,340.

Respondent's Obligation: Voluntary.

Legal Authority: Section 203(o) of the U.S.-Peru TPA and Proclamation No. 8341, 74 FR 4105 (Jan. 22, 2009).

IV. Request for Comments

We are soliciting public comments to permit the Department/Bureau to: (a) Evaluate whether the proposed information collection is necessary for the proper functions of the Department, including whether the information will have practical utility; (b) Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used; (c) Evaluate ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our 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 may ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Sheleen Dumas,

Department PRA Clearance Officer, Office of the Chief Information Officer, Commerce Department.

[FR Doc. 2022–09286 Filed 4–28–22; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–836]

Glycine From the People's Republic of China: Final Results of the Expedited Sunset Review of the Antidumping Duty Order

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: As a result of this sunset review, the Department of Commerce (Commerce) finds that revocation of the antidumping duty (AD) order on glycine from the People's Republic of China (China) would likely lead to continuation or recurrence of dumping at the levels indicated in the ''Final Results of Sunset Review'' section of this notice.

DATES: Applicable April 29, 2022.

FOR FURTHER INFORMATION CONTACT: Harrison Tanchuck, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Street and Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–7421.

SUPPLEMENTARY INFORMATION:

Background

On March 29, 1995, Commerce published the AD order on glycine from China.[1] On January 3, 2022, Commerce published a notice of initiation of the fifth sunset review of the *Order,* pursuant to section 751(c)(2) of the Tariff Act of 1930, as amended (the Act).[2] On January 10, 2022, Commerce received a timely notice of intent to participate in this sunset review from GEO Specialty Chemicals, Inc. (domestic interested party) within the deadline specified in 19 CFR 351.218(d)(1)(i).[3] The domestic interested party claimed interested party status under section 771(9)(C) of the Act, as a manufacturer of a domestic like product in the United States.

Commerce received a complete substantive response from the domestic interested party within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i).[4] We received no substantive responses from respondent interested parties. As a result, pursuant to section 751(c)(3) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), Commerce conducted an expedited (120-day) sunset review of the *Order.*

Scope of the Order

The merchandise subject to the *Order* is glycine. These imports are currently classified under subheading 2922.49.4020 of the Harmonized Tariff Schedule of the United States (HTSUS). The HTSUS subheading is provided for convenience and customs purposes. A full description of the scope of the *Order* is contained in the Issues and Decision Memorandum.[5] The written

[1] *See Antidumping Duty Order: Glycine from the People's Republic of China,* 60 FR 16116 (March 29, 1995) (*Order*).

[2] *See Initiation of Five-Year (Sunset) Reviews,* 87 FR 00076 (January 3, 2022) (*Initiation of Sunset*).

[3] *See* Domestic Interested Party's Letter, ''Sunset Review (5th Review) of the Antidumping Duty Order on Glycine from the People's Republic of China: Domestic Interested Party's Notification of Intent to Participate,'' dated January 10, 2022.

[4] *See* Domestic Interested Party's Letter, ''Sunset Review (5th Review) of the Antidumping Duty Order on Glycine from the People's Republic of China: Substantive Response to Notice of Initiation,'' dated February 1, 2022.

[5] *See* Memorandum, ''Issues and Decision Memorandum for the Expedited Sunset Review of the Antidumping Duty Order on Glycine from the People's Republic of China,'' dated concurrently

description of the scope of the *Order* is dispositive.

Analysis of Comments Received

All issues raised in this review are addressed in the Issues and Decision Memorandum, including the likelihood of continuation or recurrence of dumping, and the magnitude of the margins of dumping likely to prevail if this *Order* were revoked. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* A list of topics discussed in the Issues and Decision Memorandum is included as the appendix to this notice. In addition, a complete version of the Issues and Decision Memorandum can be accessed at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Final Results of Sunset Review

Pursuant to sections 751(c)(1) and 752(c)(3) of the Act, we determine that revocation of the *Order* would be likely to lead to continuation or recurrence of dumping, and that the magnitude of the margins of dumping likely to prevail would be up to 155.89 percent.

Administrative Protective Order (APO)

This notice also serves as the only reminder to parties subject to an APO of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely notification of the return or destruction of APO materials or conversion to judicial protective orders is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

Notification to Interested Parties

We are issuing and publishing these results and notice in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act and 19 CFR 351.218.

Dated: April 25, 2022.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

Appendix—List of Topics Discussed in the Issues and Decision Memorandum

[FR Doc. 2022–09242 Filed 4–28–22; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–475–844]

Emulsion Styrene-Butadiene Rubber From Italy: Preliminary Affirmative Determination of Sales at Less Than Fair Value

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The Department of Commerce (Commerce) preliminarily determines that emulsion styrene-butadiene rubber (ESBR) from Italy is being, or is likely to be, sold in the United States at less than fair value (LTFV). The period of investigation (POI) is October 1, 2020, through September 30, 2021. Interested parties are invited to comment on this preliminary determination.

DATES: Applicable April 29, 2022.

FOR FURTHER INFORMATION CONTACT: Zachary Le Vene, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–0056.

SUPPLEMENTARY INFORMATION:

Background

This preliminary determination is made in accordance with section 733(b) of the Tariff Act of 1930, as amended (the Act). Commerce published the notice of initiation of this investigation on December 10, 2021.[1] For a complete description of the events that followed the initiation of this investigation, *see* the Preliminary Decision Memorandum.[2] A list of topics included in the Preliminary Decision Memorandum is included as Appendix II to this notice. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Scope of the Investigation

The product covered by this investigation is ESBR from Italy. For a complete description of the scope of this investigation, *see* Appendix I.

Scope Comments

In accordance with the preamble to Commerce's regulations,[3] the *Initiation Notice* set aside a period of time for parties to raise issues regarding product coverage (*i.e.,* scope).[4] On January 10, 2022, we received timely-filed comments from the petitioner regarding the scope of this investigation that affirmed the scope published in the *Initiation Notice*.[5] We received no rebuttal comments regarding the scope of the investigation. Thus, Commerce is not preliminarily modifying the scope language as it appeared in the *Initiation Notice.*

Methodology

Commerce is conducting this investigation in accordance with section 731 of the Act. The only mandatory respondent, Versalis S.p.A. (Veralis), submitted a letter of non-participation for this investigation on January 7, 2022.[6] As a result, pursuant to section 776(a) and (b) of the Act, Commerce has preliminarily relied upon facts otherwise available, with adverse inferences for Versalis. For a full description of the methodology underlying the preliminary determination, *see* the Preliminary Decision Memorandum.

All-Others Rate

Sections 733(d)(1)(ii) and 735(c)(5)(A) of the Act provide that in the

with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[1] *See Emulsion Styrene-Butadiene Rubber from the Czech Republic, Italy, and the Russian Federation: Initiation of Less-Than-Fair-Value Investigations,* 86 FR 70447 (December 10, 2021) (*Initiation Notice*).

[2] *See* Memorandum, ''Emulsion Styrene-Butadiene Rubber from Italy: Decision Memorandum for the Preliminary Affirmative Determination of Sales at Less-Than-Fair-Value,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[3] *See Antidumping Duties; Countervailing Duties, Final Rule,* 62 FR 27296, 27323 (May 19, 1997).

[4] *See Initiation Notice*, 86 FR at 70451.

[5] *See* Petitioner's Letter, ''Emulsion Styrene-Butadiene Rubber from Czech Republic, Italy and Russian Federation: Petitioner's Comments on Scope and Product Characteristics,'' dated January 10, 2022.

[6] *See* Versalis's Letter, ''Emulsion Styrene-Butadiene Rubber from Italy: Notification of Non-Participation in Investigation,'' dated January 7, 2022.

preliminary determination Commerce shall determine an estimated all-others rate for all exporters and producers not individually examined. This rate shall be an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero and *de minimis* margins, and any margins determined entirely under section 776 of the Act.

Pursuant to section 735(c)(5)(B) of the Act, if the estimated weighted-average dumping margins established for all exporters and producers individually examined are zero, *de minimis* or determined based entirely on facts otherwise available, Commerce may use any reasonable method to establish the estimated weighted-average dumping margin for all other producers or exporters.

Commerce has preliminarily determined the estimated weighted-average dumping margin for the individually examined respondent under section 776 of the Act. Consequently, pursuant to section 735(c)(5)(B) of the Act, Commerce's normal practice under these circumstances has been to calculate the all-others rate as a simple average of the alleged dumping margin(s) from the petition.[7] For a full description of the methodology underlying Commerce's analysis, *see* the Preliminary Decision Memorandum.

Preliminary Determination

Commerce preliminarily determines that the following estimated weighted-average dumping margins exist:

Exporter/producer	Estimated weighted-average dumping margin (percent)
Versalis S.p.A	*28.97
All Others	*28.97

*(AFA).

Suspension of Liquidation

In accordance with section 733(d)(2) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to suspend liquidation of entries of subject merchandise, as described in Appendix I, entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**. Further, pursuant to section 733(d)(1)(B) of the Act and 19 CFR 351.205(d), Commerce will instruct CBP to require a cash deposit equal to the estimated weighted-average dumping margin or the estimated all-others rate, as follows: (1) The cash deposit rate for the respondent listed above will be equal to the company-specific estimated weighted-average dumping margin determined in this preliminary determination; (2) if the exporter is not a respondent identified above, but the producer is, then the cash deposit rate will be equal to the company-specific estimated weighted-average dumping margin established for that producer of the subject merchandise; and (3) the cash deposit rate for all other producers and exporters will be equal to the all-others estimated weighted-average dumping margin. These suspension of liquidation instructions will remain in effect until further notice.

Disclosure

Normally, Commerce discloses to interested parties the calculations performed in connection with a preliminary determination within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of the notice of preliminary determination in the **Federal Register**, in accordance with 19 CFR 351.224(b). However, because Commerce preliminarily applied AFA to the sole individually examined company, Versalis, in this investigation, in accordance with section 776 of the Act, and the applied AFA rate is based solely on the petition, there are no calculations to disclose.

Verification

Because the examined respondent in this investigation did not provide information requested by Commerce, and Commerce preliminarily determines the sole examined respondent to have been uncooperative, we will not conduct verification.

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than 30 days after the date of publication of the preliminary determination, unless the Secretary alters the time limit. Rebuttal briefs, limited to issues raised in case briefs, may be submitted no later than seven days after the deadline date for case briefs.[8] Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until further notice.[9] Pursuant to 19 CFR 351.309(c)(2) and (d)(2), parties who submit case briefs or rebuttal briefs in this investigation are encouraged to submit with each argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, limited to issues raised in the case and rebuttal briefs, must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, within 30 days after the date of publication of this notice. Requests should contain the party's name, address, and telephone number, the number of participants, whether any participant is a foreign national, and a list of the issues to be discussed. If a request for a hearing is made, Commerce intends to hold the hearing at a time and date to be determined. Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

Final Determination

Section 735(a)(1) of the Act and 19 CFR 351.210(b)(1) provide that Commerce will issue the final determination within 75 days after the date of its preliminary determination. Accordingly, Commerce will make its final determination no later than 75 days after the signature date of this preliminary determination.

[7] *See, e.g., Notice of Preliminary Determination of Sales at Less Than Fair Value: Sodium Nitrite from the Federal Republic of Germany,* 73 FR 21909, 21912 (April 23, 2008), unchanged in *Notice of Final Determination of Sales at Less Than Fair Value: Sodium Nitrite from the Federal Republic of Germany,* 73 FR 38986, 38987 (July 8, 2008), and accompanying Issues and Decision Memorandum at Comment 2; *Notice of Final Determination of Sales at Less Than Fair Value: Raw Flexible Magnets from Taiwan,* 73 FR 39673, 39674 (July 10, 2008); and *Steel Threaded Rod from Thailand: Preliminary Determination of Sales at Less Than Fair Value and Affirmative Preliminary Determination of Critical Circumstances,* 78 FR 79670, 79671 (December 31, 2013), unchanged in *Steel Threaded Rod from Thailand: Final Determination of Sales at Less Than Fair Value and Affirmative Final Determination of Critical Circumstances,* 79 FR 14476, 14477 (March 14, 2014).

[8] *See* 19 CFR 351.309; *see also* 19 CFR 351.303 (for general filing requirements).

[9] *See Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19,* 85 FR 17006 (March 26, 2020) (Temporary Rule); *see also Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19; Extension of Effective Period,* 85 FR 41363 (July 10, 2020).

International Trade Commission Notification

In accordance with section 733(f) of the Act, Commerce will notify the International Trade Commission (ITC) of its preliminary determination. If the final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after the final determination whether these imports are materially injuring, or threaten material injury to, the U.S. industry.

Notification to Interested Parties

This determination is issued and published in accordance with sections 733(f) and 777(i)(1) of the Act, and 19 CFR 351.205(c).

Dated: April 25, 2022.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The products covered by this investigation are cold-plymerized emulsion styrene-butadiene rubber (ESBR). The scope of the investigation includes, but is not limited to, ESBR in primary forms, bales, granules, crumbs, pellets, powders, plates, sheets, strip, *etc.* ESBR consists of non-pigmented rubbers and oil-extended non-pigmented rubbers, both of which contain at least one percent of organic acids from the emulsion polymerization process.

ESBR is produced and sold in accordance with a generally accepted set of product specifications issued by the Intenrnational Institute of Synthetic Rubber Producers (IISRP). The scope of the investigation covers grades of ESBR included in the IISRP 1500 and 1700 series of synthetic rubbers. The 1500 grades are light in color and are often described as ''Clear'' or ''White Rubber.'' The 1700 grades are oil-extended and thus darker in color, and are often called ''Brown Rubber.''

Specifically excluded from the scope of this investigation are products which are manufactured by blending ESBR with other polymers, high styrene resin master batch, carbon clack master batch (*i.e.,* IISRP 1600 series and 1800 series) and latex (an intermediate product).

The products subject to this investigation are currently classifiable under subheadings 4002.19.0015 and 4002.19.0019 of the Harmonized Tariff Schedule of the United States (HTSUS). ESBR is described by Chemical Abstracts Services (CAS) Registry No. 9003–55–8. This CAS number also refers to other types of styrene-butadiene rubber. Although the HTSUS subheadings and CAS registry number are provided for convenience and customs purposes, the written description of the scope of this investigation is dispositive.

Appendix II

List of Topics Discussed in the Preliminary Decision Memorandum

[FR Doc. 2022–09246 Filed 4–28–22; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XB943]

Fisheries of the South Atlantic; Southeast Data, Assessment, and Review (SEDAR); Public Meeting

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

ACTION: Notice of SEDAR 82 South Atlantic Gray Triggerfish data scoping webinar.

SUMMARY: The SEDAR 82 assessment of the South Atlantic stock of gray triggerfish will consist of a data workshop, a series of assessment webinars, and a review workshop. A SEDAR 82 Data Scoping Webinar is scheduled for May 27, 2022. See **SUPPLEMENTARY INFORMATION**.

DATES: The SEDAR 82 South Atlantic Gray Triggerfish Data Scoping Webinar will be held on May 27, 2022, from 10 a.m. to 1 p.m. Eastern. The established times may be adjusted as necessary to accommodate the timely completion of discussion relevant to the assessment process. Such adjustments may result in the meeting being extended from or completed prior to the time established by this notice.

ADDRESSES: The meeting will be held via webinar. The webinar is open to members of the public. Registration for the webinar is available by contacting the SEDAR coordinator via email at *Kathleen.Howington@safmc.net.*

SEDAR address: South Atlantic Fishery Management Council, 4055 Faber Place Drive, Suite 201, N Charleston, SC 29405; *www.sedarweb.org.*

FOR FURTHER INFORMATION CONTACT: Kathleen Howington, SEDAR Coordinator, 4055 Faber Place Drive, Suite 201, North Charleston, SC 29405; phone: (843) 571–4371; email: *Kathleen.Howington@safmc.net.*

SUPPLEMENTARY INFORMATION: The Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils, in conjunction with NOAA Fisheries and the Atlantic and Gulf States Marine Fisheries Commissions, have implemented the Southeast Data, Assessment and Review (SEDAR) process, a multi-step method for determining the status of fish stocks in the Southeast Region. SEDAR is a three-step process including: (1) Data Workshop; (2) Assessment Process utilizing webinars; and (3) Review Workshop. The product of the Data Workshop is a data report which compiles and evaluates potential datasets and recommends which datasets are appropriate for assessment analyses. The product of the Assessment Process is a stock assessment report which describes the fisheries, evaluates the status of the stock, estimates biological benchmarks, projects future population conditions, and recommends research and monitoring needs. The assessment is independently peer reviewed at the Review Workshop. The product of the Review Workshop is a Summary documenting panel opinions regarding the strengths and weaknesses of the stock assessment and input data. Participants for SEDAR Workshops are appointed by the Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils and NOAA Fisheries Southeast Regional Office, Highly Migratory Species Management Division, and Southeast Fisheries Science Center. Participants include: Data collectors and database managers; stock assessment scientists, biologists, and researchers; constituency representatives including fishermen, environmentalists, and non-governmental organizations (NGOs); international experts; and staff of Councils, Commissions, and state and federal agencies.

The items of discussion at the SEDAR 82 South Atlantic Gray Triggerfish Data Scoping Webinar are as follows: Discuss available data resources; points of contact; data delivery deadlines; potential new data sources; and any known data issues.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice that require emergency action under

section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the intent to take final action to address the emergency.

Special Accommodations

This meeting is accessible to people with disabilities. Requests for auxiliary aids should be directed to the South Atlantic Fishery Management Council office (see **ADDRESSES**) at least 10 business days prior to the meeting.

Note: The times and sequence specified in this agenda are subject to change.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: April 26, 2022.

Tracey L. Thompson,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2022–09249 Filed 4–28–22; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XB981]

Mid-Atlantic Fishery Management Council (MAFMC); Public Meeting

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

ACTION: Notice; public meeting.

SUMMARY: The Mid-Atlantic Fishery Management Council's (Council) Mackerel, Squid, and Butterfish Monitoring Committee will hold a public webinar meeting.

DATES: The meeting will be held on Friday, May 20, 2022, from 10 a.m. to 12 p.m., EDT. For agenda details, see **SUPPLEMENTARY INFORMATION**.

ADDRESSES: The meeting will be held via webinar. Information on how to connect to the webinar will be posted to *https://www.mafmc.org/council-events/.*

Council address: Mid-Atlantic Fishery Management Council, 800 N State Street, Suite 201, Dover, DE 19901; telephone: (302) 674–2331; *www.mafmc.org.*

FOR FURTHER INFORMATION CONTACT: Christopher M. Moore, Ph.D., Executive Director, Mid-Atlantic Fishery Management Council, telephone: (302) 526–5255.

SUPPLEMENTARY INFORMATION: The objectives of this meeting are for the Monitoring Committee to: (1) Review recent longfin squid and chub mackerel fishery performance and management measure recommendations from the Advisory Panel, the Scientific and Statistical Committee, and Council staff; (2) Review, and if appropriate, recommend changes to the previously implemented 2023 longfin squid specifications; and (3) recommend 2023–25 annual catch limits, annual catch targets, total allowable landings limits, and other management measures for chub mackerel. Meeting materials will be posted to *www.mafmc.org.*

Special Accommodations

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Shelley Spedden, (302) 526–5251 at least 5 days prior to the meeting date.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: April 26, 2022.

Tracey L. Thompson,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2022–09252 Filed 4–28–22; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XB971]

Fisheries of the South Atlantic, Gulf of Mexico, and Caribbean; Southeast Data, Assessment, and Review (SEDAR); Public Meeting

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

ACTION: Notice of SEDAR webinar VI for SEDAR Procedural Workshop 8: Fishery Independent Index Development under changing survey design.

SUMMARY: The SEDAR Procedural Workshop 8 for Fishery Independent Index Development will consist of a series of webinars, and an in-person workshop. See **SUPPLEMENTARY INFORMATION**.

DATES: The SEDAR Procedural Workshop 8 webinar VI will be held from 1 p.m. to 3 p.m. Eastern on May 19, 2022.

ADDRESSES:

Meeting address: The meeting will be held via webinar. The webinar is open to members of the public. Those interested in participating should contact Julie A. Neer at SEDAR (see **FOR FURTHER INFORMATION CONTACT**) to request an invitation providing webinar access information. Please request webinar invitations at least 24 hours in advance of each webinar.

SEDAR address: 4055 Faber Place Drive, Suite 201, North Charleston, SC 29405.

FOR FURTHER INFORMATION CONTACT: Julie A. Neer, SEDAR Coordinator; (843) 571–4366; email: *Julie.neer@safmc.net.*

SUPPLEMENTARY INFORMATION: The Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils, in conjunction with NOAA Fisheries and the Atlantic and Gulf States Marine Fisheries Commissions have implemented the Southeast Data, Assessment and Review (SEDAR) process, a multi-step method for determining the status of fish stocks in the Southeast Region. SEDAR is a multi-step process including: (1) Data Workshop; (2) Assessment Process utilizing webinars; and (3) Review Workshop. The product of the Data Workshop is a data report that compiles and evaluates potential datasets and recommends which datasets are appropriate for assessment analyses. The product of the Assessment Process is a stock assessment report that describes the fisheries, evaluates the status of the stock, estimates biological benchmarks, projects future population conditions, and recommends research and monitoring needs. The assessment is independently peer reviewed at the Review Workshop. The product of the Review Workshop is a Summary documenting panel opinions regarding the strengths and weaknesses of the stock assessment and input data. Participants for SEDAR Workshops are appointed by the Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils and NOAA Fisheries Southeast Regional Office, HMS Management Division, and Southeast Fisheries Science Center. Participants include data collectors and database managers; stock assessment scientists, biologists, and researchers; constituency representatives including fishermen, environmentalists, and NGO's; International experts; and staff of Councils, Commissions, and state and federal agencies.

The items of discussion in the webinar is as follows:

Participants will discuss data analysis for the SEDAR Procedural Workshop 8.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice that require emergency action under

section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the intent to take final action to address the emergency.

Special Accommodations

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to the Council office (see **ADDRESSES**) at least 10 business days prior to each workshop.

Note: The times and sequence specified in this agenda are subject to change.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: April 26, 2022.

Tracey L. Thompson,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2022–09251 Filed 4–28–22; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XB967]

Fisheries of the South Atlantic; Southeast Data, Assessment, and Review (SEDAR); Public Meeting

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

ACTION: Notice of SEDAR 77 HMS Hammerhead Sharks Assessment Webinar I.

SUMMARY: The SEDAR 77 assessment of the Atlantic stock of hammerhead sharks will consist of a stock identification (ID) process, data webinars/workshop, a series of assessment webinars, and a review workshop. See **SUPPLEMENTARY INFORMATION**.

DATES: The SEDAR 77 HMS Hammerhead Sharks Assessment Webinar I has been scheduled for Thursday, May 26, 2022, from 12 p.m. until 3 p.m. ET. The established times may be adjusted as necessary to accommodate the timely completion of discussion relevant to the assessment process. Such adjustments may result in the meeting being extended from or completed prior to the time established by this notice.

ADDRESSES: The meeting will be held via webinar. The webinar is open to members of the public. Registration for the webinar is available by contacting the SEDAR coordinator via email at *Kathleen.Howington@safmc.net.*

SEDAR address: South Atlantic Fishery Management Council, 4055 Faber Place Drive, Suite 201, N Charleston, SC 29405; *www.sedarweb.org.*

FOR FURTHER INFORMATION CONTACT: Kathleen Howington, SEDAR Coordinator, 4055 Faber Place Drive, Suite 201, North Charleston, SC 29405; phone: (843) 571–4371; email: *Kathleen.Howington@safmc.net.*

SUPPLEMENTARY INFORMATION: The Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils, in conjunction with NOAA Fisheries and the Atlantic and Gulf States Marine Fisheries Commissions, have implemented the Southeast Data, Assessment and Review (SEDAR) process, a multi-step method for determining the status of fish stocks in the Southeast Region. SEDAR is a three-step process including: (1) Data Workshop; (2) Assessment Process utilizing webinars; and (3) Review Workshop. The product of the Data Workshop is a data report which compiles and evaluates potential datasets and recommends which datasets are appropriate for assessment analyses. The product of the Assessment Process is a stock assessment report which describes the fisheries, evaluates the status of the stock, estimates biological benchmarks, projects future population conditions, and recommends research and monitoring needs. The assessment is independently peer reviewed at the Review Workshop. The product of the Review Workshop is a Summary documenting panel opinions regarding the strengths and weaknesses of the stock assessment and input data. Participants for SEDAR Workshops are appointed by the Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils and NOAA Fisheries Southeast Regional Office, Highly Migratory Species Management Division, and Southeast Fisheries Science Center. Participants include: Data collectors and database managers; stock assessment scientists, biologists, and researchers; constituency representatives including fishermen, environmentalists, and non-governmental organizations (NGOs); international experts; and staff of Councils, Commissions, and state and federal agencies.

The items of discussion at the SEDAR 77 HMS Hammerhead Shark Data Webinar 1 are as follows: Discuss any leftover data issues that were not cleared up during the data process, answer any questions that the analysts have, and introduce/discuss model development and model setup.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the intent to take final action to address the emergency.

Special Accommodations

This meeting is accessible to people with disabilities. Requests for auxiliary aids should be directed to the South Atlantic Fishery Management Council office (see **ADDRESSES**) at least 5 business days prior to the meeting.

Note: The times and sequence specified in this agenda are subject to change.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: April 26, 2022.

Tracey L. Thompson,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2022–09250 Filed 4–28–22; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

National Integrated Drought Information System (NIDIS) Executive Council Meeting

AGENCY: Office of Oceanic and Atmospheric Research (OAR), Climate Program Office (CPO), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

ACTION: Notice of open meeting.

SUMMARY: The National Integrated Drought Information System (NIDIS) Program Office will hold an organizational meeting of the NIDIS Executive Council on May 3, 2022.

DATES: The meeting will be held Tuesday, May 3, 2022 from 9:00 a.m. EST to 3:00 p.m. EST. These times and the agenda topics are subject to change.

ADDRESSES: The meeting will be held at the Hall of the States, Room 383/385, 444 North Capitol St. NW, Washington, DC 20001.

FOR FURTHER INFORMATION CONTACT: Veva Deheza, NIDIS Executive Director, David Skaggs Research Center, Room

GD102, 325 Broadway, Boulder, CO 80305. Phone: 303–487–3431. Email: *Veva.Deheza@noaa.gov;* or visit the NIDIS website at *www.drought.gov.*

SUPPLEMENTARY INFORMATION: The National Integrated Drought Information System (NIDIS) was established by Public Law 109–430 on December 20, 2006, and reauthorized by Public Law 113–86 on March 6, 2014 and Public Law 115–423 on January 7, 2019 , with a mandate to provide an effective drought early warning system for the United States; coordinate, and integrate as practicable, Federal research in support of a drought early warning system; and build upon existing forecasting and assessment programs and partnerships. *See* 15 U.S.C. 313d. The Public Law also calls for consultation with ''relevant Federal, regional, State, tribal, and local government agencies, research institutions, and the private sector'' in the development of NIDIS. 15 U.S.C. 313d(c). The NIDIS Executive Council provides the NIDIS Program Office with an opportunity to engage in individual consultation with senior resource officials from NIDIS's Federal partners, as well as leaders from state and local government, academia, nongovernmental organizations, and the private sector.

Status: This meeting will be open to public participation. Individuals interested in attending should register at *https://cpaess.ucar.edu/meetings/2022/nidis-executive-council-meeting-may-2022.* Please refer to this web page for the most up-to-date meeting times and agenda. Seating at the meeting will be available on a first-come, first-served basis.

Special Accommodations: This meeting is physically accessible to people with disabilities. Requests for special accommodations may be directed no later than 12:00 p.m. on April 28, 2022, to Elizabeth Ossowski, Program Coordinator, David Skaggs Research Center, Room GD102, 325 Broadway, Boulder, CO 80305; Email: *Elizabeth.Ossowski@noaa.gov.*

Matters To Be Considered: The meeting will include the following topics: (1) NIDIS implementation updates and 2022 priorities; (2) Executive Council member updates and 2022 priorities relevant to Drought, Climate Adaptation and Resilience, Water, Fire; (3) Long Term Drought and Aridification: Outcomes from the 2021 Southwest Drought Forum, including Priority Actions where NIDIS and partners have a critical role to play; (4) Climate Engine, OpenET, and Applications for Drought Monitoring and New Opportunities; (5) Fire, Water, and Resilience and the Bipartisan Infrastructure Law.

David Holst,

Chief Financial and Administrative Officer, Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration.

[FR Doc. 2022–09243 Filed 4–28–22; 8:45 am]

BILLING CODE 3510–KB–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XB895]

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Kitty Hawk Wind Marine Site Characterization Surveys, North Carolina and Virginia

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

ACTION: Notice; issuance of an incidental harassment authorization.

SUMMARY: In accordance with the regulations implementing the Marine Mammal Protection Act (MMPA) as amended, notification is hereby given that NMFS has issued an IHA to Kitty Hawk Wind, LLC (Kitty Hawk Wind), to incidentally harass marine mammals during marine site characterization surveys off North Carolina and Virginia in and around the area of Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf Lease Area (OCS)–A 0508.

DATES: The IHA is effective from August 1, 2022 through July 31, 2023.

FOR FURTHER INFORMATION CONTACT: Jaclyn Daly, Office of Protected Resources, NMFS, (301) 427–8401. Electronic copies of the IHA and supporting documents may be obtained online at: *https://www.fisheries.noaa.gov/permit/incidental-take-authorizations-under-marine-mammal-protection-act.* In case of problems accessing these documents, please call the contact listed above.

SUPPLEMENTARY INFORMATION:

Background

The MMPA prohibits the ''take'' of marine mammals, with certain exceptions. Sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce (as delegated to NMFS) to allow, upon request, the incidental, but not intentional, taking 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 either regulations are issued or, if the taking is limited to harassment, a notice of a proposed incidental take authorization may be provided to the public for review.

Authorization for incidental takings shall be granted if NMFS 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 the species or stocks for taking for certain subsistence uses (referred to in shorthand as ''mitigation''); and requirements pertaining to the mitigation, monitoring and reporting of the takings are set forth. The definitions of all applicable MMPA statutory terms cited above are included in the relevant sections below.

Summary of Request

On July 19, 2021, NMFS received a request from Kitty Hawk Wind, a subsidiary of Avangrid Renewables (Avangrid), for an IHA to take marine mammals incidental to conducting marine site characterization surveys off of the Atlantic Coast. Kitty Hawk Wind's overall lease area (OCS–A 0508) is located approximately 44 kilometers (km) offshore of Corolla, North Carolina, in Federal waters. The proposed survey activities will occur within the wind development area (WDA) and along the electric cable corridor (ECC) to landfall locations in North Carolina and Virginia. We received a final, revised version of Kitty Hawk Wind's application on January 12, 2022 and deemed it adequate and complete on January 13, 2022. Kitty Hawk Wind's request is for take of 17 species of marine mammals, by Level B harassment only. Neither Kitty Hawk Wind nor NMFS expects serious injury or mortality to result from this activity and, therefore, an IHA is appropriate.

NMFS previously issued an IHA to Avangrid, prior to it establishing Kitty Hawk Wind, for similar work in the same geographic area on June 3, 2019 (84 FR 31032) with effectives dates from June 1, 2019 through May 31, 2020 and to Kitty Hawk Wind specifically on July

21, 2021 with effective dates from July 23, 2021 through October 31, 2021 (86 FR 43212; August 6, 2021). Avangrid/Kitty Hawk Wind complied with all the requirements (*e.g.,* mitigation, monitoring, and reporting) of the previous IHAs and information regarding their monitoring results may be found in the Estimated Take section. Avangrid and Kitty Hawk Wind's final marine mammal monitoring reports submitted pursuant to those IHAs can be found at *https://www.fisheries.noaa.gov/action/incidental-take-authorization-avangrid-renewables-llc-marine-site-characterization-surveys.*

Description of Proposed Activity

Kitty Hawk Wind is planning to conduct marine site characterization surveys with the use of high-resolution geophysical (HRG) survey equipment in the Atlantic Ocean off of North Carolina and Virginia (we note only limited survey work will extend into waters off Virginia). Kitty Hawk will also conduct surveys in the inshore sounds of North Carolina, including Bogue, Pamlico, Albemarle, and Currituck Sounds (as part of the ECC); however, those surveys will use equipment operating at frequencies above 180 kilohertz (kHz) (outside marine mammal hearing range) and therefore will not result in harassment to marine mammals. For this reason, survey work in inshore sounds is not further discussed in this notice. In addition to Kitty Hawk South surveys, there will be a small amount of residual survey effort from the Kitty Hawk North WDA and ECC (the area surveyed under the previous IHAs) included in this survey effort due to inability to complete previous surveys as a result of unsuitable weather.

Dates and Duration

Kitty Hawk Wind plans to commence the surveys in August 2022 and continue for 1 year. Based on 24-hour operations, the HRG survey activities (excluding those in inshore sounds) are expected to require 273 vessel days which represents the sum of the total number of days each vessel operates (not calendar days). Three vessels using equipment that has the potential to result in harassment to marine mammals would operate during the survey.

A detailed description of the planned surveys by Kitty Hawk Wind are provided in the **Federal Register** notice of the proposed IHA (87 FR 7139; February 8, 2022). Since that time, no changes have been made to the project activities. Therefore, a detailed description is not provided here. Please refer to that **Federal Register** notice for the description of the specified activities. Here, we provide brief information on the effort and sound sources Kitty Hawk would use during the surveys (Table 1 and Table 2). We note that all decibel (dB) levels included in this notice are referenced to 1 microPascal (1 μPa). The root mean square decibel level (dB_{rms}) represents the square root of the average of the pressure of the sound signal over a given duration. The peak dB level (dB_{peak}) represents the range in pressure between zero and the greatest pressure of the signal. Operating frequencies are presented in kilohertz (kHz).

TABLE 1—SURVEY SEGMENT DETAILS

Vessel	Location and line kms *	Predominant HRG source	Duration
Vessel A	WDA: 7,562 kms; ECC: 590	Multi-channel Seismic (Sparker)	WDA: 42 days; ECC: 4.
Vessel A	ECC Alternative A: 3,107 kms	Single Channel Seismic (Boomer)	17 days.
Vessel A	Expanded OECC: 5,843	Single Channel Seismic (Boomer)	33 days.
Vessel B	WDA/ECC: 15,715 kms	Single Channel Seismic (Boomer)	80 days.
Vessel C	ECC Base Case: 16,071 kms	Single Channel Seismic (Boomer)	96 days.
Total			
3 vessels	48,888 km		273 days.

* Does not include survey transect line distance in Bogue, Pamlico, Albemarle, and Currituck Sounds.

TABLE 2—KITTY HAWK WIND HRG SOURCE CHARACTERISTICS

HRG system	Representative HRG survey equipment	Operating frequencies kilohertz (kHz)	Source level dB_{peak}	Source level dB_{rms}	Pulse duration (ms)	Beam width (degree)
Shallow penetration subbottom profiler.	EdgeTech 512i	0.4 to 12	[c] 186	[c] 180	1.8 to 65.8	51 to 80.
Medium penetration subbottom profiler [a].	Applied Acoustics SBoom 750J (Triple Plate Boomer).	0.9–14	[d] 206	[d] 198	0.8	30.[e]
Multi-channel Sparker (MCS) in flip/flop configuration [b].	Applied Acoustics Dura-Spark 1000J.	3.2	[f] 223	[f] 213	0.5 to 3 [f]	180.
Multi-channel Sparker (MCS) in flip/flop configuration.	GeoMarine Geo-Source 800J.	0.05 to 5	215	206	5.5	180.

[a] While three operational powers (500/750/1000J) were modeled for the Applied Acoustics S-Boom for comparison purposes, only the 750 joules (J) operational power is anticipated to be used.

[b] Although the entire MCS array would be mobilized, the sparker sources would be activated in an alternating flip/flop sequence.

[c] The source levels are based on data from Crocker and Frantantonio (2016) for the EdgeTech 512i for 75 percent power with a bandwidth of 0.5 to 8 kHz.

[d] The source levels are based on data from Crocker and Frantantonio (2016) for the Applied Acoustics S-Boom for source setting of 750J.

[e] The beamwidth was provided in email correspondence with Neil MacDonald of Modulus Technology Ltd.

[f] The source levels are based on data from Crocker and Frantantonio (2016).

Mitigation, monitoring, and reporting measures contained within the IHA are described in detail later in this document (please see Mitigation and Monitoring and Reporting).

Comments and Responses

A notice of NMFS' proposal to issue an IHA to Kitty Hawk Wind was published in the **Federal Register** on February 8, 2022 (87 FR 7139). That proposed notice described, in detail, Kitty Hawk Wind's activities, the marine mammal species that may be affected by the activities, and the anticipated effects on marine mammals. This proposed notice was available for a 30-day public comment period. During this period, NMFS received a comment letter from Oceana. A summary of Oceana's comments and NMFS' responses are as follows:

Comment 1: Oceana opposes NMFS' renewal process and suggested NMFS should end its approach to renewing IHAs with a 15-day comment period, instead providing a full 30-day comment period for a renewal notice to ensure adequate public engagement.

Response: Several statements provided by Oceana suggest it believes erroneously that NMFS is proposing to issue a renewal IHA to Kitty Hawk Wind and allowed a 15-day public comment period. The public comment period for issuance of the proposed IHA to Kitty Hawk Wind was February 8, 2022 through March 10, 2022 which constituted 30 days and the action is issuance of a new IHA to Kitty Hawk, not a renewal IHA. While NMFS also solicited public comments on the potential for issuance of a renewal IHA, should Kitty Hawk Wind request one, that action would come later in time. Should Kitty Hawk request, and NMFS propose, to issue a renewal IHA, NMFS will provide an additional 15-day public comment period on that action for a total of a 45-day public comment period. Because any renewal (as explained in the Request for Public Comments section of the proposed IHA) is limited to another year of identical or nearly identical activities in the same location (as described in the Description of the Proposed Activity section of the proposed IHA) or the same activities that were not completed within the 1-year period of the initial IHA, reviewers have the information needed to effectively comment on both the immediate proposed IHA and a possible 1-year renewal, should the IHA holder choose to request one.

While there are additional documents submitted with a renewal request, for a qualifying renewal these are limited to documentation that NMFS will make available and use to verify that the activities are identical to those in the initial IHA, are nearly identical such that the changes would have either no effect on impacts to marine mammals or decrease those impacts, or are a subset of activities already analyzed and authorized but not completed under the initial IHA. NMFS will also confirm, among other things, that the activities will occur in the same location; involve the same species and stocks; provide for continuation of the same mitigation, monitoring, and reporting requirements; and that no new information has been received that would alter the prior analysis. The renewal request must also contain a preliminary monitoring report, but that is to verify that effects from the activities do not indicate impacts of a scale or nature not previously analyzed. The additional 15-day public comment period provides the public an opportunity to review these few documents, provide any additional pertinent information, and comment on whether they think the criteria for a renewal have been met. NMFS also will provide direct notice of the proposed renewal to those who commented on the initial IHA, to provide an opportunity to submit any additional comments. Between the initial 30-day comment period on these same activities and the additional 15 days, the total comment period for a renewal is 45 days.

In addition to the IHA renewal process being consistent with all requirements under section 101(a)(5)(D), it is also consistent with Congress's intent for issuance of IHAs to the extent reflected in statements in the legislative history of the MMPA. Through the provision for renewals in the regulations, description of the process and express invitation to comment on specific potential renewals in the Request for Public Comments section of each proposed IHA, the description of the process on NMFS' website, further elaboration on the process through responses to comments such as this, posting of substantive documents on the agency's website, and provision of 30 or 45 days for public review and comment on all proposed initial IHAs and renewals, respectively, NMFS has ensured that the public ''is invited and encouraged to participate fully in the agency decision-making process.''

In prior responses to comments about IHA renewals (*e.g.,* 84 FR 52464, October 02, 2019; 85 FR 53342, August 28, 2020; 86 FR 33664, June 25, 2021; 87 FR 806, January 6, 2022), NMFS has explained how the renewal process, as implemented, is consistent with the statutory requirements contained in section 101(a)(5)(D) of the MMPA, provides additional efficiencies beyond the use of abbreviated notices, and, further, promotes NMFS' goals of improving conservation of marine mammals and increasing efficiency in the MMPA compliance process. Therefore, we intend to continue implementing the renewal process. For more information, NMFS has published a description of the renewal process on our website (available at *https://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-harassment-authorization-renewals*).

Comment 2: Oceana notes that the IHA must rely upon the most recent and best available science for the North Atlantic right whale (NARW), including updated population estimates, recent habitat use patterns for the study area, and a revised discussion of acute and cumulative stress of whales in the region, and asserts that NMFS does not do so. Specifically, for population estimates, Oceana suggests the NARW Consortium's Annual Report Card (Report Card) is the best available science.

Response: NMFS has used the best available science regarding population abundance and trends, habitat use of the survey area, and a sufficiently comprehensive review of existing stressors on NARWs, including data related to the ongoing unusual mortality event in issuing the IHA. NMFS also considers the best science available when considering renewals as well.

The **Federal Register** notice of proposed IHA (87 FR 7139, February 8, 2022) identifies that the NARW population is endangered, discusses habitat use of the survey area, identifies current stressors on the population (*e.g.,* entanglement in fishing gear and vessel strikes), and identifies potential impacts of the proposed survey, including effects of stress, on NARWs. The notice of proposed IHA cites the NMFS draft 2021 stock assessment report (SAR) as the best available science with respect to NARW population estimates (n = 356–368). The SARs are peer-reviewed by the Atlantic Scientific Review Group whereas the Report Card, available at *https://www.narwc.org/report-cards.html,* is published independently by Consortium members without peer review. Although the 2021 NARW Report Card is available and indicates the NARW population is slightly lower than indicated in the draft 2021 SAR, NMFS relies on the SAR. Recently (after publication of the notice of proposed IHA), NMFS has updated its species web page to recognize the population estimate for NARWs is now below 350 animals (*https://www.fisheries.noaa.gov/species/north-atlantic-right-*

whale). We anticipate that this information will be presented in the draft 2022 SAR. We note that this change in abundance estimate would not change the estimated take of NARWs or authorized take numbers, nor affect our ability to make the required findings under the MMPA for Kitty Hawk Wind's survey activities.

NMFS agrees with Oceana that both acute and chronic stressors are of concern for NARW conservation and recovery. We recognize that acute stress from acoustic exposure is one potential impact of these surveys, and that chronic stress can have fitness, reproductive, *etc.* impacts at the population-level scale. NMFS has carefully reviewed the best available scientific information in assessing impacts to marine mammals, and recognizes that the surveys have the potential to impact marine mammals through behavioral effects, stress responses, and auditory masking. However, NMFS does not expect that the generally short-term, intermittent, and transitory marine site characterization survey activities in a NARW migratory habitat would create conditions of acute or chronic acoustic exposure leading to stress responses that would result in meaningful impacts to marine mammals. NMFS has also prescribed a robust suite of mitigation measures, such as time-area limitations and extended distance shutdowns for certain species that are expected to further reduce the duration and intensity of acoustic exposure, while limiting the potential severity of any possible behavioral disruption. The potential for chronic stress was evaluated in making the determinations presented in NMFS's negligible impact analyses.

Comment 3: Oceana asserted that NMFS should fully consider the discrete effects of each activity and the cumulative effects of the suite of approved, proposed, and potential activities on marine mammals, including NARWs, and ensure that the cumulative effects are not excessive before issuing or renewing an IHA.

Response: Neither the MMPA nor NMFS' codified implementing regulations call for consideration of other unrelated activities and their impacts on populations. The preamble for NMFS' implementing regulations (54 FR 40338; September 29, 1989) states in response to comments that the impacts from other past and ongoing anthropogenic activities are to be incorporated into the negligible impact analysis via their impacts on the baseline. Consistent with that direction, NMFS has factored into its negligible impact analysis the impacts of other past and ongoing anthropogenic activities via their impacts on the baseline, *e.g.,* as reflected in the density/distribution and status of the species, population size and growth rate, and other relevant stressors. Section 101(a)(5)(D) of the MMPA requires NMFS to modify, suspend, or revoke the IHA if it finds that the activity is having more than a negligible impact on the affected species or stocks of marine mammals. NMFS will closely monitor baseline conditions before and during the period when the IHA is effective and will exercise this authority if appropriate. The 1989 final rule for the MMPA implementing regulations also addressed public comments regarding cumulative effects from future, unrelated activities. There NMFS stated that such effects are not considered in making findings under section 101(a)(5) concerning negligible impact. In this case, both this IHA, as well as other IHAs currently in effect or proposed within the specified geographic region, are appropriately considered unrelated activities relative to the others. The IHAs are unrelated in the sense that they are discrete actions under section 101(a)(5)(D), issued to discrete applicants.

Section 101(a)(5)(D) of the MMPA requires NMFS to make a determination that the take incidental to a ''specified activity'' will have a negligible impact on the affected species or stocks of marine mammals. NMFS' implementing regulations require applicants to include in their request a detailed description of the specified activity or class of activities that can be expected to result in incidental taking of marine mammals. 50 CFR 216.104(a)(1). Thus, the ''specified activity'' for which incidental take coverage is being sought under section 101(a)(5)(D) is generally defined and described by the applicant. Here, Kitty Hawk Wind was the applicant for the IHA, and we are responding to the specified activity as described in that application (and making the necessary findings on that basis). Through the response to public comments in the 1989 implementing regulations, we also indicated (1) that NMFS would consider cumulative effects that are reasonably foreseeable when preparing a NEPA analysis, and (2) that reasonably foreseeable cumulative effects would also be considered under section 7 of the ESA for ESA-listed species, as appropriate. Cumulative impacts regarding issuance of IHAs for site characterization survey activities such as those planned by Kitty Hawk Wind have been adequately addressed under NEPA in prior environmental analyses that support the basis for NMFS' determination that this action is appropriately categorically excluded from further NEPA analysis. NMFS independently evaluated the use of a categorical exclusion for issuance of Kitty Hawk Wind's IHA, which included consideration of extraordinary circumstances.

Comment 4: Oceana indicated the IHA must include conditions for the survey activities that will first avoid impacts on NARWs and then minimize and mitigate effects. Oceana suggested that NMFS should permit Kitty Hawk Wind to utilize lower impact techniques or technology if those provide information about the site without adverse effects.

Response: Kitty Hawk Wind has indicated the equipment needed to conduct the survey is that contained within the IHA application and NMFS has prescribed measures to reduce impacts to the maximum extent practicable. NMFS has included measures in the IHA measures that will minimize impacts on NARWs, including a 500-m clearance and shutdown zone. The takes of NARWs authorized are included as a precaution in recognition of potential circumstances where whales are not detected in time to shut down; however, upon detection, equipment would be shut down, limiting exposure time and potentially avoiding harassment. NMFS finds the measures prescribed through the IHA result in the least practicable adverse impacts on marine mammals.

Comment 5: Oceana suggested that during low light conditions, the IHA should require complimenting protected species observer (PSO) efforts with additional monitoring technologies such as infrared (IR) techology, a 500-m separation distance between vessels and NARWs, and requiring sources to ramp up.

Response: NMFS agrees with Oceana. The proposed IHA made available for public comment and the issued IHA include a requirement that during reduced visibility conditions, including nighttime operations, PSOs must utilize enhanced detection technology, that all vessels maintain a 500-m separation distance from NARWs at all times, and where technically feasible (*e.g.,* equipment is not on a binary on/off switch), a ramp-up procedure will be used for HRG survey equipment capable of adjusting energy levels at the start or restart of HRG survey activities. Kitty Hawk Wind has confirmed both the boomers and sparkers used during the survey have the capability to be ramped-up, thus, they will do so.

Comment 6: Oceana recommended that the IHA should limit all vessels of all sizes associated with the proposed survey activity to speeds less than 10 knots (kn; 18.5 kilometers (km)/hour) at all times with no exceptions.

Response: NMFS acknowledges that vessel strikes can result in injury, serious injury, or mortality and reducing the risk of vessel strikes to NARWs is a key priority. We have analyzed the potential for ship strike resulting from Kitty Hawk Wind's activity and have determined that based on the nature of the activity (*e.g.,* survey vessel speeds during operations are approximately 4 kn (4.6 miles per hour)) and the required mitigation measures specific to vessel strike avoidance included in the IHA, potential for vessel strike is so low as to be discountable. Specific to NARWs, these mitigation measures, all of which were included in the proposed IHA and are contained in the final IHA, include a requirement that: All vessel operators comply with 10 kn (18.5 km/hour) or less speed restrictions in any Seasonal Management Area (SMA; November 1 through April 30) or Dynamic Management Area (DMA) and check daily for information regarding the establishment of mandatory or voluntary vessel strike avoidance areas and information regarding NARW sighting locations; all vessel operators reduce vessel speed to 10 kn (18.5 km/hour) or less when any large whale, any mother/calf pairs, pods, or large assemblages of non-delphinid cetaceans are observed within 100 meters (m) of an underway vessel; all survey vessels maintain a separation distance of 500-m or greater from any ESA-listed whales or other unidentified large marine mammals visible at the surface while underway; vessels must steer a course away from any sighted ESA-listed whale at 10 kn or less until the 500-m minimum separation distance has been established; and, if an ESA-listed whale is sighted in a vessel's path, or within 500 m of an underway vessel, the underway vessel must reduce speed and shift the engine to neutral. We have determined that the ship strike avoidance measures in the IHA are sufficient to ensure the least practicable adverse impact on NARWs. Furthermore, no documented vessel strikes of any marine mammal species, including NARWs, have occurred during any marine site characterization surveys, including transiting, for which NMFS has issued an IHA.

Comment 7: Oceana recommended that, to support oversight and enforcement, the IHA should require all vessels to be equipped with and using a Class A Automatic Identification System (AIS) device at all times while on the water.

Response: NMFS is generally supportive of the idea that vessels involved with survey activities be equipped with and using Class A Automatic Identification System (devices) at all times while on the water. Indeed, there is a precedent for NMFS requiring such a stipulation for geophysical surveys in the Atlantic Ocean (83 FR 63268, December 7, 2018); however, these activities carried the potential for much more significant impacts than the marine site characterization surveys to be carried out by Kitty Hawk Wind, with the potential for both Level A and Level B harassment take. Given the small isopleths and small numbers of take authorized by this IHA, NMFS does not agree that the benefits of requiring AIS on all vessels associated with the survey activities outweighs and warrants the cost and practicability issues associated with this requirement.

The large majority of HRG vessels used by Kitty Hawk Wind have AIS onboard. There are some instances in which small vessels (approximately 10 m (33 feet (ft) or smaller) are used in shallow water and these may or may not have an AIS installed. These small vessels would primarily work in the inshore sounds and very shallow coastal waters where the larger vessels cannot access. NMFS does not agree it is necessary to install AIS on these small vessels.

Comment 8: Oceana recommended the IHA must require all vessels associated with the project, at all phases of development, follow the vessel plan and rules regardless of ownership, operator, contract and that developers are explicitly liable for behavior of all employees, contractors, subcontractors, consultants, and associated vessels and machinery.

Response: The conditions in the IHA are relevant to all vessels and personnel participating in Kitty Hawk Wind's survey activities for the time period that the IHA is effective.

Comment 8: Oceana asserts that the IHA should include a requirement for all phases of the site characterization to subscribe to the highest level of transparency, including frequent reporting to Federal agencies, requirements to report all visual and acoustic detections of NARWs and any dead, injured, or entangled marine mammals to NMFS or the Coast Guard as soon as possible and no later than the end of the PSO shift. They also recommend all reports and data be accessible on a publicly available website.

Response: NMFS agrees with the need for reporting and indeed, the MMPA calls for IHAs to incorporate reporting requirements. The proposed IHA and issued IHA include requirements for reporting that support Oceana's recommendations. Kitty Hawk Wind is required to submit a monitoring report to NMFS within 90 days after completion of survey activities that fully documents the methods and monitoring protocols, summarizes the data recorded during both visual and passive acoustic monitoring, estimates the number of marine mammals that may have been taken during survey activities, and describes, assesses and compares the effectiveness of monitoring and mitigation measures. PSO datasheets or raw sightings data must also be provided with the draft and final monitoring report. We note acoustic detections will not be reported as no passive acoustic monitoring is required in the IHA (see response to *Comment 10*).

Further, the IHA stipulates that if a NARW is observed at any time by any project vessels, during surveys or during vessel transit, Kitty Hawk Wind must immediately report sighting information to the NMFS NARW Sighting Advisory System and to the U.S. Coast Guard, and that any discoveries of injured or dead marine mammals be reported by Kitty Hawk Wind to the Office of Protected Resources, NMFS, and to the Southeast Regional Stranding Coordinator as soon as feasible. All reports and associated data submitted to NMFS are included available for public inspection at *https://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-other-energy-activities-renewable.*

Comment 9: Oceana recommended the IHA include requirements to use effective reactive restrictions that are triggered by detection of protected species by visual, acoustic, or other means before or during site characterization activities. Specifically, they suggested requiring a 1,000 m clearance zone and shutdown zone for NARWs with immediate notification to NMFS if this measure is triggered. Oceana did not provide reasoning for this zone size.

NMFS Response: NMFS disagrees with this recommendation. The 500-m clearance and shutdown zones for NARWs exceeds the modeled distance to the largest 160-dB Level B harassment isopleth distance at highest power (445 m). Given that calculated Level B harassment isopleths are likely conservative, and NMFS considers impacts from HRG survey activities to be near de minimis, the 500-m clearance

and shutdown zones is sufficiently protective to effect the least practicable adverse impact on NARWs. The issued IHA maintains the 500-m clearance and shutdown zone requirement, as contained within the proposed IHA. In addition, the IHA requires Kitty Hawk Wind to ramp-up sources prior to operating at full power when sources allow for such an action (sources with binary on/off switches cannot be ramped-up).

Comment 10: Oceana recommended Kitty Hawk Wind use passive acoustic monitoring (PAM) to aid in NARW detection and trigger mitigation measures such as shutdowns.

NMFS Response: There are several reasons why we do not agree that use of PAM is warranted for Kitty Hawk Wind's HRG surveys. While NMFS agrees that PAM can be an important tool for augmenting detection capabilities in certain circumstances, its utility in further reducing impact the proposed HRG survey activities is limited. Oceana's recommendation involves extremely costly and time consuming (*i.e.,* impracticable) monitoring and mitigation measures that are not warranted based on the best available science indicating extremely low densities of NARWs during the effective period of the IHA and the extremely small harassment zones which would likely not meaningfully enhance detection, and the practical limitations of identifying precise locations of whales to trigger mitigation at such close distances to the vessel. We explain below, in detail, why PAM is not warranted for this survey.

It is generally well-accepted that using towed passive acoustic sensors to detect baleen whales (including NARWs) is not typically effective because the noise from the vessel, the flow noise, and the cable noise are in the same frequency band and will mask the vast majority of baleen whale calls. Vessels produce low-frequency noise, primarily through propeller cavitation, with main energy in the 5–300 Hertz (Hz) frequency range. Source levels range from about 140 to 195 dB re 1 μPa (micropascal) at 1 m (NRC, 2003; Hildebrand, 2009), depending on factors such as ship type, load, and speed, and ship hull and propeller design. Studies of vessel noise show that it appears to increase background noise levels in the 71–224 Hz range by 10–13 dB (Hatch et al., 2012; McKenna *et al.,* 2012; Rolland *et al.,* 2012). PAM systems employ hydrophones towed in streamer cables approximately 500 m behind a vessel. Noise from water flow around the cables and from strumming of the cables themselves is also low-frequency and typically masks signals in the same range. Experienced PAM operators participating in a recent workshop (Thode *et al.,* 2017) emphasized that a PAM operation could easily report no acoustic encounters, depending on species present, simply because background noise levels rendered any acoustic detection impossible. The same workshop report stated that a typical eight-element array towed 500 m behind a vessel could be expected to detect delphinids, sperm whales, and beaked whales at the required range, but not baleen whales, due to expected background noise levels (including seismic noise, vessel noise, and flow noise).

There are several additional reasons why we do not agree that use of PAM is warranted for Kitty Hawk Wind's survey activities. While NMFS agrees that PAM can be an important tool for augmenting detection capabilities in certain circumstances, its utility in further reducing impact during HRG survey activities is limited. First, for this activity, the area expected to be ensonified above the Level B harassment threshold is relatively small (a maximum of 445 m)—this reflects the fact that, to start with, the source level is comparatively low and the intensity of any resulting impacts would be lower level and, further, it means that inasmuch as PAM will only detect a portion of any animals exposed within a zone, the overall probability of PAM detecting an animal in the harassment zone, alone and without a corresponding visual detection, is low—together these factors support the limited value of PAM for use in reducing take with smaller zones. PAM is only capable of detecting animals that are actively vocalizing, while many marine mammal species vocalize infrequently or during certain activities, which means that only a subset of the animals within the range of the PAM would be detected (and potentially have reduced impacts). Additionally, localization and range detection can be challenging under certain scenarios. For example, odontocetes are fast moving and often travel in large or dispersed groups which makes localization difficult.

Given that the effects to marine mammals from the types of surveys authorized in this IHA are expected to be limited to low level behavioral harassment, even in the absence of mitigation, the limited additional benefit anticipated by adding this detection method (especially for NARWs), and the cost and impracticability of implementing a full-time PAM program, we have determined the current requirements for visual monitoring are sufficient to ensure the least practicable adverse impact on the affected species or stocks and their habitat.

Changes From the Proposed IHA to Final IHA

In their application, Kitty Hawk Wind indicated they would start the proposed surveys in April 2022 with the goal of completing them prior to November 1, 2022. In the notice of proposed IHA, NMFS noted this survey schedule would reduce impacts to NARWs given their migratory patterns although we did not propose a mitigation measure that the surveys must be completed by November and the take estimates we calculated assuming year-round surveys. Since that time, Kitty Hawk has informed NMFS that due to unforeseen changes in the schedule, the surveys are now scheduled to start in August 2022 and surveys are likely to run through the winter. The schedule change does not impact take estimates for NARWs (n=2) or for any other marine mammal nor does this change our findings given the impacts from these types of surveys are already minimal and the authorized take of NARWs in only 2.

Since publication of the notice of proposed IHA, NMFS has acknowledged that the population estimate of NARWs in now under 350 animals (*https://www.fisheries.noaa.gov/species/north-atlantic-right-whale*). However, as discussed in our response to Comment #2 above, NMFS has determined that this change in abundance estimate would not change the estimated take of NARWs or authorized take numbers, nor affect our ability to make the required findings under the MMPA for Kitty Hawk Wind's survey activities. The status and trends of the NARW population remain unchanged.

Description of Marine Mammals in the Area of Specified Activities

Sections 3 and 4 of the application summarize available information regarding status and trends, distribution and habitat preferences, and behavior and life history, of the potentially affected species. NMFS fully considered all of this information, and we refer the reader to these descriptions, incorporated here by reference, instead of reprinting the information. Additional information regarding population trends and threats may be found in NMFS's Stock Assessment Reports (SARs; *https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-stock-assessments*) and more general information about these species (*e.g.,*

physical and behavioral descriptions) may be found on NMFS's website (*https://www.fisheries.noaa.gov/find-species*).

Table 3 lists all species or stocks that may occur within the survey area and summarizes information related to the population or stock, including regulatory status under the MMPA and Endangered Species Act (ESA) and potential biological removal (PBR), where known. For taxonomy, we follow Committee on Taxonomy (2021). PBR is defined by the MMPA as the maximum number of animals, not including natural mortalities, that may be removed from a marine mammal stock while allowing that stock to reach or maintain its optimum sustainable population (as described in NMFS's SARs). While no serious injury or mortality is anticipated or issued, PBR and annual serious injury and mortality from anthropogenic sources are included here as gross indicators of the status of the species and other threats.

Marine mammal abundance estimates presented in this document represent the total number of individuals that make up a given stock or the total number estimated within a particular study or survey area. NMFS's stock abundance estimates. For some species, this geographic area may extend beyond U.S. waters. All managed stocks in this region are assessed in NMFS's U.S. Atlantic and Gulf of Mexico SARs (*e.g.,* Hayes *et al.,* 2019, 2020). All values presented in Table 3 are the most recent available at the time of publication and are available in the draft 2021 SARs (available online at: *https://www.fisheries.noaa.gov/national/marine-mammal-protection/draft-marine-mammal-stock-assessment-reports*).

TABLE 3—SPECIES LIKELY IMPACTED BY THE SPECIFIED ACTIVITIES

Common name	Scientific name	Stock	ESA/ MMPA status; strategic (Y/N) [1]	Stock abundance (CV, N_{min}, most recent abundance survey) [2]	PBR	Annual M/SI [3]
Order Cetartiodactyla—Cetacea—Superfamily Mysticeti (baleen whales)						
Family Balaenidae:						
North Atlantic right whale	*Eubalaena glacialis*	Western North Atlantic	E/D; Y	368 (-; 356; 2020) [4]	0.8	18.6
Family Balaenopteridae (rorquals):						
Humpback whale	*Megaptera novaeangliae*	Gulf of Maine	-/-; Y	1,393 (0; 1,375; 2016)	22	58
Fin whale	*Balaenoptera physalus*	Western North Atlantic	E/D; Y	6,802 (0.24; 5,573; 2016)	11	2.35
Sei whale	*Balaenoptera borealis*	Nova Scotia	E/D; Y	6,292 (1.02; 3,098; 2016)	6.2	1.2
Minke whale	*Balaenoptera acutorostrata.*	Canadian East Coast	-/-; N	21,968 (0.31; 17,002; 2016)	170	10.6
Superfamily Odontoceti (toothed whales, dolphins, and porpoises)						
Family Ziphiidae:						
Cuvier's beaked Whale	*Ziphius cavirostris*	Western North Atlantic	-/-; N	5,744 (0.36, 4,282, 2016)	43	0.2
Blainville's beaked Whale	*Mesoplodon densirostris*	Western North Atlantic	-/-; N	10,107 (0.27, 8,085, 2016)	81	0
True's beaked whale	*Mesoplodon mirus*	Western North Atlantic	-/-; N	81	0	
Gervais' beaked whale	*Mesoplodon europaeus*	Western North Atlantic	-/-; N	81	0	
Sowerby's beaked whale	*Mesoplodon bidens*	Western North Atlantic	-/-; N	81	0	
Family Delphinidae:						
Long-finned pilot whale	*Globicephala melas*	Western North Atlantic	-/-; N	39,215 (0.30; 30,627; See SAR).	306	21
Short finned pilot whale	*Globicephala macrorhynchus.*	Western North Atlantic	-/-;Y	28,924 (0.24; 23,637; 2016)	236	160
Bottlenose dolphin	*Tursiops truncatus*	Western North Atlantic Offshore	-/-; N	62,851 (0.23; 51,914, 2016)	519	28
		W.N.A. Southern Migratory Coastal.	-/-;Y	6,639 (0.41, 4,759, 2016)	48	12.2–21.5
Common dolphin	*Delphinus delphis*	Western North Atlantic	-/-; N	172,947 (0.21; 145,216; 2016)	1,452	399
Atlantic spotted dolphin	*Stenella frontalis*	Western North Atlantic	-/-; N	39,921 (0.27; 32,032; 2012)	320	0
Risso's dolphin	*Grampus griseus*	Western North Atlantic	-/-; N	35,493 (0.19; 30,289; 2016)	303	54.3
Rough-toothed dolphin	*Steno bredanensis*	Western North Atlantic	-/-; N	136 (1; 67; 2016)	0	0.7
Family Phocoenidae (porpoises):						
Harbor porpoise	*Phocoena phocoena*	Gulf of Maine/Bay of Fundy	-/-; N	95,543 (0.31; 74,034; 2016)	851	217

[1] ESA status: Endangered (E), Threatened (T)/MMPA status: Depleted (D). A dash (-) indicates that the species is not listed under the ESA or designated as depleted under the MMPA. Under the MMPA, a strategic stock is one for which the level of direct human-caused mortality and serious injury (M/SI) exceeds PBR or which is determined to be declining and likely to be listed under the ESA within the foreseeable future. Any species or stock listed under the ESA is automatically designated under the MMPA as depleted and as a strategic stock.

[2] NMFS marine mammal stock assessment reports online at: *https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-stock-assessment-reports-region.* CV is coefficient of variation; N_{min} is the minimum estimate of stock abundance. In some cases, CV is not applicable.

[3] These values, found in NMFS's SARs, represent annual levels of human-caused M/SI plus serious injury from all sources combined (*e.g.,* commercial fisheries, ship strike). Annual M/SI often cannot be determined precisely and is in some cases presented as a minimum value or range. A CV associated with estimated mortality due to commercial fisheries is presented in some cases.

[4] The draft 2022 SARs have yet to be released; however, NMFS has updated its species webpage to recognize the population estimate for NARWs is now below 350 animals (*https://www.fisheries.noaa.gov/species/north-atlantic-right-whale*).

As indicated above, all 17 species (with 18 managed stocks) in Table 3 temporally and spatially co-occur with the activity to the degree that take is reasonably likely to occur. In addition to what is included in Sections 3 and 4 of the application, the SARs, and NMFS' website, further detail informing the baseline for select species (*i.e.,* information regarding current Unusual Mortality Events (UME) and important habitat areas) was provided in the notice of proposed IHA (87 FR 7139; February 8, 2022) and is not repeated here. No new information is available since publication of that notice.

Marine Mammal Hearing

Hearing is the most important sensory modality for marine mammals underwater, and exposure to

anthropogenic sound can have deleterious effects. To appropriately assess the potential effects of exposure to sound, it is necessary to understand the frequency ranges marine mammals are able to hear. Current data indicate that not all marine mammal species have equal hearing capabilities (*e.g.,* Richardson *et al.,* 1995; Wartzok and Ketten, 1999; Au and Hastings, 2008). To reflect this, Southall *et al.* (2007) recommended that marine mammals be divided into functional hearing groups based on directly measured or estimated hearing ranges on the basis of available behavioral response data, audiograms derived using auditory evoked potential techniques, anatomical modeling, and other data. Note that no direct measurements of hearing ability have been successfully completed for mysticetes (*i.e.,* low-frequency cetaceans). Subsequently, NMFS (2018) described generalized hearing ranges for these marine mammal hearing groups. Generalized hearing ranges were chosen based on the approximately 65 dB threshold from the normalized composite audiograms, with the exception for lower limits for low-frequency cetaceans where the lower bound was deemed to be biologically implausible and the lower bound from Southall *et al.* (2007) retained. Marine mammal hearing groups and their associated hearing ranges are provided in Table 4.

TABLE 4—MARINE MAMMAL HEARING GROUPS

[NMFS, 2018]

Hearing group	Generalized hearing range *
Low-frequency (LF) cetaceans (baleen whales)	7 Hz to 35 kHz.
Mid-frequency (MF) cetaceans (dolphins, toothed whales, beaked whales, bottlenose whales)	150 Hz to 160 kHz.
High-frequency (HF) cetaceans (true porpoises, *Kogia,* river dolphins, Cephalorhynchid, *Lagenorhynchus cruciger* & *L. australis*).	275 Hz to 160 kHz.
Phocid pinnipeds (PW) (underwater) (true seals)	50 Hz to 86 kHz.
Otariid pinnipeds (OW) (underwater) (sea lions and fur seals)	60 Hz to 39 kHz.

* Represents the generalized hearing range for the entire group as a composite (*i.e.,* all species within the group), where individual species' hearing ranges are typically not as broad. Generalized hearing range chosen based on ~65 dB threshold from normalized composite audiogram, with the exception for lower limits for LF cetaceans (Southall *et al.* 2007) and PW pinniped (approximation).

The pinniped functional hearing group was modified from Southall *et al.* (2007) on the basis of data indicating that phocid species have consistently demonstrated an extended frequency range of hearing compared to otariids, especially in the higher frequency range (Hemilä *et al.,* 2006; Kastelein *et al.,* 2009; Reichmuth and Holt, 2013).

For more detail concerning these groups and associated frequency ranges, please see NMFS (2018) for a review of available information.

Potential Effects of Specified Activities on Marine Mammals and Their Habitat

The effects of underwater noise from the deployed acoustic sources have the potential to result in behavioral harassment of marine mammals in the vicinity of the study area. The **Federal Register** notice for the proposed IHA (87 FR 7139; February 8, 2022) included a discussion of the effects of anthropogenic noise on marine mammals and their habitat, therefore that information is not repeated here; please refer to the **Federal Register** notice (87 FR 7139; February 8, 2022) for that information.

Estimated Take

This section provides the process by which the estimated takes were devised and the number of incidental takes NMFS authorized in the IHA, which informs both NMFS' consideration of ''small numbers'' and the negligible impact determinations.

Harassment is the only type of take expected to result from these activities. Except with respect to certain activities not pertinent here, section 3(18) of the MMPA defines ''harassment'' as any act of pursuit, torment, or annoyance, which (i) has the potential to injure a marine mammal or marine mammal stock in the wild (Level A harassment); or (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering (Level B harassment).

Authorized takes are by Level B harassment only, in the form of disruption of behavioral patterns for individual marine mammals resulting from exposure to noise from certain HRG acoustic sources. Based primarily on the characteristics of the signals produced by the acoustic sources planned for use, Level A harassment is neither anticipated (even absent mitigation), nor authorized. Consideration of the anticipated effectiveness of the mitigation measures (*i.e.,* exclusion zones and shutdown measures), discussed in detail below in the Mitigation section, further strengthens the conclusion that Level A harassment is not a reasonably anticipated outcome of the survey activity. As described previously, no serious injury or mortality is anticipated or authorized for this activity. Below we describe how the take is estimated.

Generally speaking, we estimate take by considering: (1) Acoustic thresholds above which NMFS believes the best available science indicates marine mammals will be behaviorally harassed or incur some degree of permanent hearing impairment; (2) the area or volume of water that will be ensonified above these levels in a day; (3) the density or occurrence of marine mammals within these ensonified areas; and, (4) and the number of days of activities. We note that while these basic factors can contribute to a basic calculation to provide an initial prediction of takes, additional information that can qualitatively inform take estimates is also sometimes available (*e.g.,* previous monitoring results or average group size). Below, we describe the factors considered here in more detail and present the take estimates.

Acoustic Thresholds

NMFS recommends the use of acoustic thresholds that identify the received level of underwater sound above which exposed marine mammals would be reasonably expected to be behaviorally harassed (equated to Level B harassment) or to incur PTS of some degree (equated to Level A harassment).

Level B Harassment for non-explosive sources—Though significantly driven by received level, the onset of behavioral disturbance from anthropogenic noise exposure is also informed to varying degrees by other factors related to the

source (*e.g.,* frequency, predictability, duty cycle), the environment (*e.g.,* bathymetry), and the receiving animals (hearing, motivation, experience, demography, behavioral context) and can be difficult to predict (Southall *et al.,* 2007, Ellison *et al.,* 2012). Based on what the available science indicates and the practical need to use a threshold based on a factor that is both predictable and measurable for most activities, NMFS uses a generalized acoustic threshold based on received level to estimate the onset of behavioral harassment. NMFS predicts that marine mammals are likely to be behaviorally harassed in a manner we consider Level B harassment when exposed to underwater anthropogenic noise above received levels of 160 dB re 1 µPa (rms) for the impulsive sources (*i.e.,* sparkers and boomers) evaluated here for Kitty Hawk Wind's proposed activity.

Level A Harassment—NMFS' Technical Guidance for Assessing the Effects of Anthropogenic Sound on Marine Mammal Hearing (Version 2.0) (Technical Guidance, 2018) identifies dual criteria to assess auditory injury (Level A harassment) to five different marine mammal groups (based on hearing sensitivity) as a result of exposure to noise from two different types of sources (impulsive or non-impulsive). For more information, see NMFS' 2018 Technical Guidance, which may be accessed at *www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-acoustic-technical-guidance.*

Kitty Hawk Wind's proposed activity includes the use of impulsive sources. However, as discussed above, NMFS has concluded that Level A harassment is not a reasonably likely outcome for marine mammals exposed to noise through use of the sources proposed for use here, and the potential for Level A harassment is not evaluated further in this document. Please see Kitty Hawk Wind's application for details of a quantitative exposure analysis exercise, *i.e.,* calculated Level A harassment isopleths and estimated Level A harassment exposures. Kitty Hawk Wind did not request authorization of take by Level A harassment, and no take by Level A harassment is authorized.

Ensonified Area

Here, we describe operational and environmental parameters of the activity that will feed into identifying the area ensonified above the acoustic thresholds, which include source levels and transmission loss coefficient.

Sources that have the potential to result in marine mammal harassment include sparkers and boomers. These are impulsive sources. The basis for the HRG survey take estimate is the number of marine mammals that would be exposed to sound levels in excess of Level B harassment criteria for impulsive and/or intermittent noise (160 dBrms). Distances to thresholds were calculated assuming a propagation loss rate of 15logR, also known as practical spreading. The resulting distances to NMFS Level B harassment isopleth (160 dBrms) are presented in Table 5.

Kitty Hawk then considered track line coverage and isopleth distance to estimate the maximum ensonified area over a 24-hr period, also referred to as the zone of influence (ZOI). The estimated distance of the daily vessel track line was determined using the estimated average speed of the vessel (4 kn (7.4 km/hr)) and the 24-hour operational period. Within each survey segment, the ZOI was calculated using the respective maximum distance to the Level B harassment threshold and estimated daily vessel track of 177.792 km. During the use of the Applied Acoustics Dura-Spark 1000J MCS, estimates of take have been based on a maximum Level B harassment distance of 445 m from the sound source resulting in an ensonified area (*i.e.,* ZOI) around the survey equipment of 158.857 km^2 per day over a projected survey period of 45 days (Table 5). During the use of Applied Acoustics S-Boom (boomer), estimates of take have been based on a maximum Level B harassment distance of 13.49 m from the sound source resulting in an ensonified area (*i.e.,* ZOI) around the survey equipment of 4.765 km^2 per day over a projected survey period of 273 days (Table 5).

The ZOI is a representation of the maximum extent of the ensonified area around a sound source over a 24-hr period. The ZOI was calculated per the following formula:

$ZOI = (Distance/day \times 2r) + \pi r^2$

TABLE 5—LEVEL B HARASSMENT THRESHOLD DISTANCES AND ENSONIFIED AREA

Dominant survey equipment	Number of active survey days	Estimated total line distance (km)	Estimated distance per day (km)	Distance to threshold	ZOI per day (km^2)
MCS	47	8,152	177.792	445	158.857
Boomer	226	42,059		13.4	4.765

Marine Mammal Occurrence

In this section we provide the information about the presence, density, or group dynamics of marine mammals that will inform the take calculations.

Habitat-based density models produced by the Duke University Marine Geospatial Ecology Laboratory (Roberts *et al.,* 2016, 2017, 2018, 2020) represent the best available information regarding marine mammal densities in the survey area. The density data presented by Roberts *et al.* (2016, 2017, 2018, 2020) incorporates aerial and shipboard line-transect survey data from NMFS and other organizations and incorporates data from 8 physiographic and 16 dynamic oceanographic and biological covariates, and controls for the influence of sea state, group size, availability bias, and perception bias on the probability of making a sighting. These density models were originally developed for all cetacean taxa in the U.S. Atlantic (Roberts *et al.,* 2016). In subsequent years, certain models have been updated based on additional data as well as certain methodological improvements. More information is available online at *https://seamap.env.duke.edu/models/Duke/EC/*. Marine mammal density estimates in the survey area (animals/km^2) were obtained using the most recent model results for all taxa (Roberts *et al.,* 2016, 2017, 2018, 2020). The updated models incorporate additional sighting data, including sightings from NOAA's Atlantic Marine Assessment Program for Protected Species (AMAPPS) surveys.

Monthly density grids (*e.g.,* rasters) for each species were overlain with the Survey Area and values from all grid cells that overlapped the Survey Area were averaged to determine monthly mean density values for each species. Monthly mean density values within the Survey Area were averaged by season (Winter (December, January, February), Spring (March, April, May), Summer

(June, July, August), Fall (September, October, November)) to provide seasonal density estimates. Within each survey segment (WDA and offshore export cable corridor), the highest seasonal density estimates during the duration of the survey were used to estimate take.

Take Calculation and Estimation

Here we describe how the information provided above is brought together to produce a quantitative take estimate.

For most species, the amount of take authorized is equal to the calculated take amount resulting from the following equation: $D \times ZOI \times d$ where d equals the number of days each source is dominant (*i.e.,* 47 days for the sparker and 226 days for the boomer). We note the densities provided in Table 5 represent the number of animals/100 km; therefore, the density is normalized to 1 km in the equation. However, for some species, this equation does not reflect those species that can travel in large groups—an important parameter to consider that is not captured by density values. The equation also does not capture the propensity of some delphinid species to be attracted to the vessel and bowride. Therefore, to account for these real-world situations, the authorized take is a product of group size. For large groups of spotted and common dolphins knowing their affinity for bow riding (and therefore coming very close to the vessel), Kitty Hawk Wind assumed one group could be taken each day of sparker and/or boomer operations (273). Based on marine mammal sighting data collected during previous survey efforts, as described in Avangrid's previous monitoring report, Kitty Hawk Wind assumes an average group size for spotted dolphins is 16 in the survey area. For common dolphins, the overall average reported group size was 4 in all survey areas but the average group size during prior geotechnical surveys was 17 individuals. For Risso's dolphin and pilot whales, average group size for these species are 25 and 20, respectively (Reeves *et al.* 2002).

For bottlenose dolphin densities, Roberts *et al.* (2016a, 2016b, 2017, 2018, 2020) does not differentiate by individual stock. The WDA is located within depths exceeding 20 m. Therefore, given the southern coastal migratory stock propensity to be found shallower than the 20 m depth isobath north of Cape Hatteras (Reeves *et al.,* 2002; Waring *et al.,* 2016), take of the southern coastal migratory stock would be unlikely. Therefore, all work in the WDA was allocated to the offshore stock.

Table 6 provides the total amount of take authorized in the IHA. For details of take per survey segment, please see Table 8 in Kitty Hawk's application.

TABLE 6—MARINE MAMMAL DENSITY AND TAKE ESTIMATES

Species	Stock	Calculated take	Authorized take	Percent of population
N Atlantic right whale	Western North Atlantic	2	2	<1
Humpback whale	Gulf of Maine	15	15	<1
Fin whale	Western North Atlantic	18	18	<1
Sei whale	Western North Atlantic	1	1	
Minke whale	Canadian East Coast	22	22	<1
Pilot whales	Western North Atlantic	32	32	<1
Cuvier's Beaked Whale	Western North Atlantic	5	5	<1
Mesoplodon spp [1]	Western North Atlantic	3	3	<1
Bottlenose dolphin	Western North Atlantic, offshore,	823	823	<1
	Western North Atlantic southern migratory coastal	226	226	6.0
Common dolphin [a]	Western North Atlantic	365	9,282	5.3
Atlantic spotted dolphin [a]	Western North Atlantic	418	8736	<1
Risso's dolphin [a]	Western North Atlantic	8	25	<1
Rough-toothed dolphin [a]	Western North Atlantic	1	20	14.7
Harbor porpoise	Gulf of Maine/Bay of Fundy	39	39	<1

[1] *Mesoplodon spp* represent Blainsville beaked whales (*Mesoplodon densirostris*), True's beaked whales (*Mesoplodon europaeus*), and/or Sowerby's beaked whales (*Mesoplodon bidens*).

[2] Multiplier applied to increase calculated take to account for two large group size, an average pod size of 16 individuals encountered in Survey Area (Milne 2019, 2021) has been included for spotted dolphin and 17 individuals have also been included for common dolphin (Milne 2019, 2021). Pod size adjustments of 25 and 20 individuals (average pod size from Reeves et al. [2002]) have been included for Risso's and rough-toothed dolphins, respectively.

Mitigation

In order to issue an IHA under section 101(a)(5)(D) of the MMPA, NMFS must set forth the permissible methods of taking pursuant to the activity, and other means of effecting the least practicable impact on the species or stock and its habitat, paying particular attention to rookeries, mating grounds, and areas of similar significance, and on the availability of the species or stock for taking for certain subsistence uses (latter not applicable for this action). NMFS regulations require applicants for incidental take authorizations to include information about the availability and feasibility (economic and technological) of equipment, methods, and manner of conducting the activity or other means of effecting the least practicable adverse impact upon the affected species or stocks and their habitat (50 CFR 216.104(a)(11)).

In evaluating how mitigation may or may not be appropriate to ensure the least practicable adverse impact on species or stocks and their habitat, as well as subsistence uses where applicable, we carefully consider two primary factors:

(1) The manner in which, and the degree to which, the successful implementation of the measure(s) is expected to reduce impacts to marine mammals, marine mammal species or stocks, and their habitat. This considers the nature of the potential adverse impact being mitigated (likelihood, scope, range). It further considers the likelihood that the measure will be effective if implemented (probability of accomplishing the mitigating result if implemented as planned), the likelihood of effective implementation (probability implemented as planned); and

(2) The practicability of the measures for applicant implementation, which may consider such things as cost and impact on operations.

Mitigation for Marine Mammals and Their Habitat

NMFS requires that the following mitigation measures be implemented during Kitty Hawk Wind's planned marine site characterization surveys.

Pre-Clearance of the Shutdown Zones

Kitty Hawk Wind must implement a 30-minute monitoring period of the clearance zones prior to the initiation of ramp-up of HRG equipment. During this period, the clearance zone will be monitored by the PSOs, using the appropriate visual technology. Ramp-up may not be initiated if any marine mammal(s) is within its respective zone. If a marine mammal is observed within the clearance zone during the pre-clearance period, ramp-up may not begin until the animal(s) has been observed exiting its respective clearance zone or until an additional time period has elapsed with no further sighting (*i.e.,* 15 minutes for small odontocetes and seals, and 30 minutes for all other species).

Ramp-Up

Where technically feasible (*e.g.,* equipment is not on a binary on/off switch), a ramp-up procedure will be used for HRG survey equipment capable of adjusting energy levels at the start or restart of HRG survey activities. A ramp-up will begin with the power of the smallest acoustic equipment at its lowest practical power output appropriate for the survey. When technically feasible the power willthen be turned up and other acoustic sources added in a way such that the source level would increase gradually. Ramp-up activities not begin if a marine mammal(s) enters a clearance zone(s) prior to initiating ramp-up. Ramp-up will commence when the animal has been observed exiting the exclusion zone or until an additional time period has elapsed with no further sighting (*i.e.,* 15 minutes for small dolphins and seals and 30 minutes for all other marine mammal species). The ramp-up procedure will be used at the beginning of HRG survey activities to provide additional protection to marine mammals near the survey area by allowing them to vacate the area prior to the commencement of survey equipment use.

Marine Mammal Shutdown Zones

An immediate shutdown of a sparker or boomer is required if a marine mammal is sighted entering or within its respective exclusion zone. The vessel operator must comply immediately with any call for shutdown by the Lead PSO. Any disagreement between the Lead PSO and vessel operator should be discussed only after shutdown has occurred. Subsequent restart of the survey equipment can be initiated if the animal has been observed exiting its respective exclusion zone or 30 minutes has passed without subsequent detection of a large whale or 15 minutes for a smaller cetacean or seal. Table 6 provides the required shutdown zones.

TABLE 6—CLEARANCE AND SHUTDOWN ZONES DURING SPARKER AND BOOMER USE

Species	Clearance zone (m)	Shutdown zone (m)
North Atlantic right whale	500	500
All other ESA-listed marine mammals	500	450
Non-ESA marine mammals [1]	100	100

[1] Shutdown is not required for a delphinid from specified genera *Delphinus, Stenella* (*frontalis* only), and *Tursiops.*

Shutdown Procedures

The vessel operator must comply immediately with any call for shutdown by the Lead PSO. Any disagreement between the Lead PSO and vessel operator should be discussed only after shutdown has occurred. Subsequent restart of the survey equipment can be initiated if the animal has been observed exiting its respective shutdown zone or the relevant time period has lapsed without re-detection (15 minutes for small odontocetes and seals, and 30 minutes for all other species).

The shutdown requirement is waived for small delphinids of the following genera: *Delphinus, Stenella (frontalis* only), and *Tursiops.* Furthermore, if there is uncertainty regarding identification of a marine mammal species (*i.e.,* whether the observed marine mammal(s) belongs to one of the delphinid genera for which shutdown is waived), PSOs must use best professional judgement in making the decision to call for a shutdown. Additionally, shutdown is required if a delphinid detected in the exclusion zone and belongs to a genus other than those specified.

If the acoustic source is shut down for reasons other than mitigation (*e.g.,* mechanical difficulty) for less than 30 minutes, it may be activated again only if the PSOs have maintained constant observation and the shutdown zone is clear of marine mammals. If the source is turned off for more than 30 minutes, it may only be restarted after PSOs have cleared the shutdown zones for 30 minutes.

If a species for which authorization has not been granted, or, a species for which authorization has been granted but the authorized number of takes have been met, approaches or is observed within the Level B harassment zone (445 m), shutdown is required.

Vessel Strike Avoidance

Kitty Hawk Wind will ensure that vessel operators and crew maintain a vigilant watch for marine mammals and slow down or stop their vessels to avoid striking these species. All personnel responsible for navigation and marine mammal observation duties will receive site-specific training on marine mammals sighting/reporting and vessel strike avoidance measures. Vessel strike avoidance measures would include the following, except under circumstances when complying with these requirements would put the safety of the vessel or crew at risk:

- Vessel operators and crews must maintain a vigilant watch for all protected species and slow down, stop their vessel, or alter course, as appropriate and regardless of vessel size, to avoid striking any protected species. A visual observer aboard the vessel must monitor a vessel strike avoidance zone based on the appropriate separation distance around the vessel (distances stated below). Visual observers monitoring the vessel strike avoidance zone may be third-party observers (*i.e.,* PSOs) or crew members, but crew members responsible for these duties must be provided sufficient training to (1) distinguish protected species from other phenomena and (2) broadly to identify a marine mammal as a right whale, other whale (defined in this context as sperm whales or baleen whales other than right whales), or other marine mammal;

• All vessel operators will monitor the NARW Reporting Systems (*e.g.*, the Early Warning System, Sighting Advisory System, and Mandatory Ship Reporting System) daily throughout the entire survey period for the presence of NARWs during activities conducted in support of plan submittal;

• All vessel operators will comply with the 10 knot (18.5 km/hr) or less speed restrictions when operating in any SMA from November 1 through April 30;

• All vessels, regardless of size, must observe a 10-knot speed restriction in a NARW DMA;

• All survey vessels will maintain a separation distance of 500 m or greater from any sighted NARW or other ESA-listed whale;

• If underway, vessels must steer a course away from any sighted NARW at 10 kn (18.5 km/hr) or less until the 500 m minimum separation distance has been established. If a NARW is sighted in a vessel's path, or within 100 m to an underway vessel, the underway vessel must reduce speed and shift the engine to neutral. Engines will not be engaged until the NARW has moved outside of the vessel's path and beyond 100 m. If stationary, the vessel must not engage engines until the NARW has moved beyond 100 m;

• All vessels will maintain a separation distance of 100 m or greater from any sighted non-delphinid cetacean. If sighted, the vessel underway must reduce speed and shift the engine to neutral, and must not engage the engines until the non-delphinid cetacean has moved outside of the vessel's path and beyond 100 m. If a survey vessel is stationary, the vessel will not engage engines until the non-delphinid cetacean has moved out of the vessel's path and beyond 100 m;

• All vessel operators will comply with 10 knot (18.5 km/hr) or less speed restrictions when mother/calf pairs, pods, or large assemblages of non-delphinid cetaceans are observed near an underway vessel;

• All vessels will maintain a separation distance of 50 m or greater from any sighted delphinid cetacean and pinniped. Any vessel underway will remain parallel to a sighted delphinid cetacean or pinniped's course whenever possible and avoid excessive speed or abrupt changes in direction. Any vessel underway reduces vessel speed to 10 kn (18.5 km/hr) or less when pods (including mother/calf pairs) or large assemblages of delphinid cetaceans are observed. Vessels may not adjust course and speed until the delphinid cetaceans have moved beyond 50 m and/or the abeam of the underway vessel;

• All vessels underway will not divert or alter course in order to approach any marine mammal. Any vessel underway will avoid excessive speed or abrupt changes in direction to avoid injury to the sighted cetacean or pinniped;

• All vessels must reduce their speed to 10 kn or less when mother/calf pairs, pods, or large assemblages of cetaceans are observed near a vessel underway;

• All vessels must maintain a minimum separation distance of 500 m from right whales. If a whale is observed but cannot be confirmed as a species other than a right whale, the vessel operator must assume that it is a right whale and take appropriate action;

• All vessels must maintain a minimum separation distance of 100 m from or greater from any sighted non-delphinid cetacean;

• All vessels shall attempt to maintain a separation distance of 50 m or greater from any sighted delphinid cetacean and pinniped, with an understanding that at times this may not be possible (*e.g.,* for animals that approach the vessel); and

• When marine mammals are sighted while a vessel is underway, the vessel shall take action as necessary to avoid violating the relevant separation distance (*e.g.,* attempt to remain parallel to the animal's course, avoid excessive speed or abrupt changes in direction until the animal has left the area). If marine mammals are sighted within the relevant separation distance, the vessel must reduce speed and shift the engine to neutral, not engaging the engines until animals are clear of the area. This does not apply to any vessel towing gear or any vessel that is navigationally constrained.

These requirements do not apply in any case where compliance would create an imminent and serious threat to a person or vessel or to the extent that a vessel is restricted in its ability to maneuver and, because of the restriction, cannot comply.

Project-specific training will be conducted for all vessel crew prior to the start of a survey and during any changes in crew such that all survey personnel are fully aware and understand the mitigation, monitoring, and reporting requirements. Prior to implementation with vessel crews, the training program will be provided to NMFS for review and approval. Confirmation of the training and understanding of the requirements will be documented on a training course log sheet. Signing the log sheet will certify that the crew member understands and will comply with the necessary requirements throughout the survey activities. In addition to the aforementioned measures, Kitty Hawk will abide by all marine mammal relevant conditions in the Greater Atlantic Regional Office's (GARFO) informal programmatic consultation, dated June 29, 2021 (revised September 2021), pursuant to section 7 of the ESA. These include the relevant best management practices of project design criteria (PDCs) 4, 5, and 7.

Based on our evaluation of the measures contained within the IHA, NMFS has determined that the mitigation measures provide the means of effecting the least practicable impact on marine mammal species or stocks and their habitat, paying particular attention to rookeries, mating grounds, and areas of similar significance.

Monitoring and Reporting

In order to issue an IHA for an activity, section 101(a)(5)(D) of the MMPA states that NMFS must set forth requirements pertaining to the monitoring and reporting of such taking. The MMPA implementing regulations at 50 CFR 216.104(a)(13) indicate that requests for authorizations must include the suggested means of accomplishing the necessary monitoring and reporting that will result in increased knowledge of the species and of the level of taking or impacts on populations of marine mammals that are expected to be present in the planned survey area. Effective reporting is critical both to compliance as well as ensuring that the most value is obtained from the required monitoring.

Monitoring and reporting requirements prescribed by NMFS should contribute to improved understanding of one or more of the following:

• Occurrence of marine mammal species or stocks in the area in which take is anticipated (*e.g.,* presence, abundance, distribution, density);

• Nature, scope, or context of likely marine mammal exposure to potential stressors/impacts (individual or cumulative, acute or chronic), through better understanding of: (1) Action or environment (*e.g.,* source characterization, propagation, ambient noise); (2) affected species (*e.g.,* life history, dive patterns); (3) co-occurrence of marine mammal species with the action; or (4) biological or behavioral context of exposure (*e.g.,* age, calving or feeding areas);

• Individual marine mammal responses (behavioral or physiological) to acoustic stressors (acute, chronic, or cumulative), other stressors, or

cumulative impacts from multiple stressors;

- How anticipated responses to stressors impact either: (1) Long-term fitness and survival of individual marine mammals; or (2) populations, species, or stocks;
- Effects on marine mammal habitat (*e.g.,* marine mammal prey species, acoustic habitat, or other important physical components of marine mammal habitat); and
- Mitigation and monitoring effectiveness.

Monitoring Measures

Visual monitoring will be performed by qualified, NMFS-approved PSOs, the resumes of whom will be provided to NMFS for review and approval prior to the start of survey activities. Kitty Hawk Wind would employ independent, dedicated, trained PSOs, meaning that the PSOs must (1) be employed by a third-party observer provider, (2) have no tasks other than to conduct observational effort, collect data, and communicate with and instruct relevant vessel crew with regard to the presence of marine mammals and mitigation requirements (including brief alerts regarding maritime hazards), and (3) have successfully completed an approved PSO training course appropriate for their designated task.

The PSOs will be responsible for monitoring the waters surrounding each survey vessel to the farthest extent permitted by sighting conditions, including exclusion zones, during all HRG survey operations. PSOs will visually monitor and identify marine mammals, including those approaching or entering the established exclusion zones during survey activities. It will be the responsibility of the Lead PSO on duty to communicate the presence of marine mammals as well as to communicate the action(s) that are necessary to ensure mitigation and monitoring requirements are implemented as appropriate.

During all HRG survey operations (*e.g.,* any day on which use of an HRG source is planned to occur), a minimum of one PSO must be on duty during daylight operations on each survey vessel, conducting visual observations at all times on all active survey vessels during daylight hours (*i.e.,* from 30 minutes prior to sunrise through 30 minutes following sunset). Two PSOs will be on watch during nighttime operations. The PSO(s) would ensure 360° visual coverage around the vessel from the most appropriate observation posts and would conduct visual observations using binoculars and/or night vision goggles and the naked eye while free from distractions and in a consistent, systematic, and diligent manner. PSOs may be on watch for a maximum of 4 consecutive hours followed by a break of at least 2 hours between watches and may conduct a maximum of 12 hours of observation per 24-hour period. In cases where multiple vessels are surveying concurrently, any observations of marine mammals would be communicated to PSOs on all nearby survey vessels.

PSOs must be equipped with binoculars and have the ability to estimate distance and bearing to detect marine mammals, particularly in proximity to exclusion zones. Reticulated binoculars must also be available to PSOs for use as appropriate based on conditions and visibility to support the sighting and monitoring of marine mammals. During nighttime operations, night-vision goggles with thermal clip-ons and infrared technology would be used. Position data would be recorded using hand-held or vessel GPS units for each sighting.

During good conditions (*e.g.,* daylight hours; Beaufort sea state 3 or less), to the maximum extent practicable, PSOs would also conduct observations when the acoustic source is not operating for comparison of sighting rates and behavior with and without use of the active acoustic sources. Any observations of marine mammals by crew members aboard any vessel associated with the survey would be relayed to the PSO team.

Data on all PSO observations would be recorded based on standard PSO collection requirements. This would include dates, times, and locations of survey operations; dates and times of observations, location and weather; details of marine mammal sightings (*e.g.,* species, numbers, behavior); and details of any observed marine mammal behavior that occurs (*e.g.,* noted behavioral disturbances).

Reporting Measures

Within 90 days after completion of survey activities or expiration of this IHA, whichever comes sooner, a final technical report will be provided to NMFS that fully documents the methods and monitoring protocols, summarizes the data recorded during monitoring, summarizes the number of marine mammals observed during survey activities (by species, when known), summarizes the mitigation actions taken during surveys (including what type of mitigation and the species and number of animals that prompted the mitigation action, when known), and provides an interpretation of the results and effectiveness of all mitigation and monitoring. Any recommendations made by NMFS must be addressed in the final report prior to acceptance by NMFS. All draft and final marine mammal and acoustic monitoring reports must be submitted to *PR.ITP.MonitoringReports@noaa.gov* and *ITP.Daly@noaa.gov.* The report must contain at minimum, the following:

- PSO names and affiliations;
- Dates of departures and returns to port with port name;
- Dates and times (Greenwich Mean Time) of survey effort and times corresponding with PSO effort;
- Vessel location (latitude/longitude) when survey effort begins and ends; vessel location at beginning and end of visual PSO duty shifts;
- Vessel heading and speed at beginning and end of visual PSO duty shifts and upon any line change;
- Environmental conditions while on visual survey (at beginning and end of PSO shift and whenever conditions change significantly), including wind speed and direction, Beaufort sea state, Beaufort wind force, swell height, weather conditions, cloud cover, sun glare, and overall visibility to the horizon;
- Factors that may be contributing to impaired observations during each PSO shift change or as needed as environmental conditions change (*e.g.,* vessel traffic, equipment malfunctions);
- Survey activity information, such as type of survey equipment in operation, acoustic source power output while in operation, and any other notes of significance (*i.e.,* pre-clearance survey, ramp-up, shutdown, end of operations, etc.).

If a marine mammal is sighted, the following information should be recorded:

- Watch status (sighting made by PSO on/off effort, opportunistic, crew, alternate vessel/platform);
- PSO who sighted the animal;
- Time of sighting;
- Vessel location at time of sighting;
- Water depth;
- Direction of vessel's travel (compass direction);
- Direction of animal's travel relative to the vessel;
- Pace of the animal;
- Estimated distance to the animal and its heading relative to vessel at initial sighting;
- Identification of the animal (*e.g.,* genus/species, lowest possible taxonomic level, or unidentified); also note the composition of the group if there is a mix of species;
- Estimated number of animals (high/low/best);

• Estimated number of animals by cohort (adults, yearlings, juveniles, calves, group composition, etc.);
• Description (as many distinguishing features as possible of each individual seen, including length, shape, color, pattern, scars or markings, shape and size of dorsal fin, shape of head, and blow characteristics);
• Detailed behavior observations (*e.g.,* number of blows, number of surfaces, breaching, spyhopping, diving, feeding, traveling; as explicit and detailed as possible; note any observed changes in behavior);
• Animal's closest point of approach and/or closest distance from the center point of the acoustic source;
• Platform activity at time of sighting (*e.g.,* deploying, recovering, testing, data acquisition, other);
• Description of any actions implemented in response to the sighting (*e.g.,* delays, shutdown, ramp-up, speed or course alteration, etc.) and time and location of the action.

If a NARW is observed at any time by PSOs or personnel on any project vessels, during surveys or during vessel transit, Kitty Hawk Wind must immediately report sighting information to the NMFS NARW Sighting Advisory System: (866) 755–6622. NARW sightings in any location must also be reported to the U.S. Coast Guard via channel 16.

In the event that Kitty Hawk Wind personnel discover an injured or dead marine mammal, Kitty Hawk Wind would report the incident to the NMFS Office of Protected Resources (OPR) and the NMFS Southeast Marine Mammal Stranding Network (1–877–942–5343) if the sighting is in North Carolina or the Northeast Stranding Network (1–866–755–6622) if the sighting is in Virginia as soon as feasible. The report would include the following information:
• Time, date, and location (latitude/longitude) of the first discovery (and updated location information if known and applicable);
• Species identification (if known) or description of the animal(s) involved;
• Condition of the animal(s) (including carcass condition if the animal is dead);
• Observed behaviors of the animal(s), if alive;
• If available, photographs or video footage of the animal(s); and
• General circumstances under which the animal was discovered.

In the unanticipated event of a ship strike of a marine mammal by any vessel involved in the activities covered by the IHA, Kitty Hawk Wind would report the incident to the NMFS OPR and the NMFS Southeast Marine Mammal Stranding Network (1–877–942–5343) if the sighting is in North Carolina or the Northeast Stranding Network (1–866–755–6622) if the sighting is in Virginia as soon as feasible but within 24 hours. The report would include the following information:
• Time, date, and location (latitude/longitude) of the incident;
• Species identification (if known) or description of the animal(s) involved;
• Vessel's speed during and leading up to the incident;
• Vessel's course/heading and what operations were being conducted (if applicable);
• Status of all sound sources in use;
• Description of avoidance measures/requirements that were in place at the time of the strike and what additional measures were taken, if any, to avoid strike;
• Environmental conditions (*e.g.,* wind speed and direction, Beaufort sea state, cloud cover, visibility) immediately preceding the strike;
• Estimated size and length of animal that was struck;
• Description of the behavior of the marine mammal immediately preceding and following the strike;
• If available, description of the presence and behavior of any other marine mammals immediately preceding the strike;
• Estimated fate of the animal (*e.g.,* dead, injured but alive, injured and moving, blood or tissue observed in the water, status unknown, disappeared); and
• To the extent practicable, photographs or video footage of the animal(s).

Negligible Impact Analysis and Determination

NMFS has defined negligible impact as an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival (50 CFR 216.103). A negligible impact finding is based on the lack of likely adverse effects on annual rates of recruitment or survival (*i.e.,* population-level effects). An estimate of the number of takes alone is not enough information on which to base an impact determination. In addition to considering estimates of the number of marine mammals that might be ''taken'' through harassment, NMFS considers other factors, such as the likely nature of any impacts or responses (*e.g.,* intensity, duration), the context of any impacts or responses (*e.g.,* critical reproductive time or location, foraging impacts affecting energetics), as well as effects on habitat, and the likely effectiveness of the mitigation. We also assess the number, intensity, and context of estimated takes by evaluating this information relative to population status. Consistent with the 1989 preamble for NMFS' implementing regulations (54 FR 40338; September 29, 1989), the impacts from other past and ongoing anthropogenic activities are incorporated into this analysis via their impacts on the baseline (*e.g.,* as reflected in the regulatory status of the species, population size and growth rate where known, ongoing sources of human-caused mortality and serious injury, or ambient noise levels).

To avoid repetition, the majority of our analysis applies to the species listed in Table 6, given that many of the anticipated effects of the survey to be similar in nature. Where there are meaningful differences between species or stocks, or groups of species, in anticipated individual responses to activities, impact of the authorized take on the population due to differences in population status, or impacts on habitat, they are included in a separate sub-section. For all species, NMFS does not anticipate that mortality, serious injury, or injury would occur as a result from HRG surveys, even in the absence of mitigation, and no serious injury or mortality is authorized.

As discussed in the Potential Effects of Specified Activities on Marine Mammals and their Habitat section above, non-auditory physical effects and vessel strike are not expected to occur. NMFS expects that all potential takes would be in the form of short-term Level B behavioral harassment in the form of temporary avoidance of the area or decreased foraging (if such activity was occurring), reactions that are considered to be of low severity and with no lasting biological consequences (*e.g.,* Southall *et al.,* 2007). Even repeated Level B harassment of some small subset of an overall stock is unlikely to result in any significant realized decrease in viability for the affected individuals, and thus would not result in any adverse impact to the stock as a whole. As described above, Level A harassment is not expected to occur given the nature of the operations, the estimated size of the Level A harassment zones, and the required shutdown zones for certain activities.

In addition to being temporary, the maximum expected harassment zone around a survey vessel from sparker use is 445 m and 13 m from boomer use. The ensonified area surrounding each vessel is relatively small compared to the overall distribution of the animals in

the area and their use of the habitat. Feeding behavior is not likely to be significantly impacted as the impacts of the surveys are limited to very small areas around each vessel, prey species are mobile and are broadly distributed throughout the survey area; therefore, marine mammals that may be temporarily displaced during survey activities are expected to be able to resume foraging once they have moved away from areas with disturbing levels of underwater noise. Because of the temporary nature of the disturbance and the availability of similar habitat and resources in the surrounding area, the impacts to marine mammals and the food sources that they utilize are not expected to cause significant or long-term consequences for individual marine mammals or their populations.

There are no rookeries, mating or calving grounds known to be biologically important to marine mammals within the survey area and there are no feeding areas known to be biologically important to marine mammals within the survey area. There is no designated critical habitat for any ESA-listed marine mammals in the survey area.

North Atlantic Right Whales

The status of the NARW population is of heightened concern and, therefore, merits additional analysis. As discussed in the notice of proposed IHA (87 FR 7139; February 8, 2022), elevated NARW mortalities began in June 2017 and there is an active UME. Overall, preliminary findings support human interactions, specifically vessel strikes and entanglements, as the cause of death for the majority of right whales. As noted previously, the survey area overlaps a migratory corridor BIA for NARWs. Due to the fact that the survey activities are temporary and the spatial extent of sound produced by the survey will be very small relative to the spatial extent of the available migratory habitat in the BIA, right whale migration is not expected to be impacted by the survey. Given the relatively small size of the ensonified area, it is unlikely that prey availability would be adversely affected by Kitty Hawk Wind's proposed survey operations. Required vessel strike avoidance measures would also decrease risk of ship strike during migration; no ship strike is expected to occur during Kitty Hawk Wind's proposed activities. Additionally, only very limited take by Level B harassment of NARWs has been authorized by NMFS and we anticipate a very low level of harassment, should it occur, because Kitty Hawk Wind would be required to maintain a shutdown zone of 500 m if a NARW is observed. The authorized take accounts for any missed animals wherein the survey equipment is not shutdown immediately. Because shutdown would occur immediately upon detection (if the whale is within 500 m), it is likely the exposure time would be very limited and received levels would not be much above harassment thresholds. Further, the 500 m shutdown zone for right whales is conservative, considering the Level B harassment isopleth for the most impactful acoustic source (*i.e.,* sparker-which may not be used on all survey days) is estimated to be 445 m, and thereby minimizes the potential for behavioral harassment of this species. As noted previously, Level A harassment is not expected due to the characteristics of the signals produced by the acoustic sources planned for use; this finding is further enforced by the proposed mitigation measures. NMFS does not anticipate NARW takes that would result from Kitty Hawk Wind's activities would impact annual rates of recruitment or survival. Thus, any takes that occur will not result in population level impacts.

Other Marine Mammal Species With Active UMEs

As discussed above, there are several active UMEs occurring in the vicinity of Kitty Hawk Wind's survey area. Elevated humpback whale mortalities have occurred along the Atlantic coast from Maine through Florida since January 2016. Of the cases examined, approximately half had evidence of human interaction (ship strike or entanglement). The UME does not yet provide cause for concern regarding population-level impacts. Despite the UME, the relevant population of humpback whales (the West Indies breeding population, or DPS) remains stable at approximately 12,000 individuals.

Beginning in January 2017, elevated minke whale strandings have occurred along the Atlantic coast from Maine through South Carolina, with highest numbers in Massachusetts, Maine, and New York. This event does not provide cause for concern regarding population level impacts, as the likely population abundance is greater than 20,000 whales.

The mitigation measures are expected to reduce the number and/or severity of takes for all species listed in Table 6, including those with active UMEs, to the level of least practicable adverse impact. In particular they would provide animals the opportunity to move away from the sound source throughout the survey area before HRG survey equipment reaches full energy, thus preventing them from being exposed to sound levels that have the potential to cause injury (Level A harassment) or more severe Level B harassment. No Level A harassment is anticipated, even in the absence of mitigation measures, or authorized.

NMFS expects that takes will be in the form of short-term Level B behavioral harassment by way of brief startling reactions and/or temporary vacating of the area, or decreased foraging (if such activity was occurring)—reactions that (at the scale and intensity anticipated here) are considered to be of low severity, with no lasting biological consequences. Since both the sources and marine mammals are mobile, animals will only be exposed briefly to a small ensonified area that might result in take. Additionally, the mitigation measures would further reduce exposure to sound that could result in more severe behavioral harassment.

In summary and as described above, the following factors support our determination that the impacts resulting from this activity are not expected to adversely affect the species or stock through effects on annual rates of recruitment or survival:

- No mortality or serious injury is anticipated or authorized;
- No Level A harassment (PTS) is anticipated, even in the absence of mitigation measures, or authorized;
- Foraging success is not likely to be significantly impacted as effects on species that serve as prey species for marine mammals from the survey are expected to be minimal;
- The availability of alternate areas of similar habitat value for marine mammals to temporarily vacate the survey area during the planned survey to avoid exposure to sounds from the activity;
- Take is anticipated to be by Level B behavioral harassment only consisting of brief startling reactions and/or temporary avoidance of the survey area;
- While the survey area is within areas noted as a migratory BIA for NARWs, the activities will occur in such a comparatively small area such that any avoidance of the survey area due to activities will not affect migration. In addition, the requirement to shut down at 500 m to minimize potential for Level B behavioral harassment would limit the effects of the action on migratory behavior of the species; and
- The mitigation measures, including visual monitoring and shutdowns, are expected to minimize potential impacts to marine mammals.

Based on the analysis contained herein of the likely effects of the specified activity on marine mammals and their habitat, and taking into consideration the implementation of the monitoring and mitigation measures, NMFS finds that the total marine mammal take from the activity will have a negligible impact on all affected marine mammal species or stocks.

Small Numbers

As noted above, only small numbers of incidental take may be authorized under sections 101(a)(5)(A) and (D) of the MMPA for specified activities other than military readiness activities. The MMPA does not define small numbers and so, in practice, where estimated numbers are available, NMFS compares the number of individuals taken to the most appropriate estimation of abundance of the relevant species or stock in our determination of whether an authorization is limited to small numbers of marine mammals. When the predicted number of individuals to be taken is fewer than one third of the species or stock abundance, the take is considered to be of small numbers. Additionally, other qualitative factors may be considered in the analysis, such as the temporal or spatial scale of the activities. For this IHA, take of all species or stocks is below one third of the estimated stock abundance (in fact, take of individuals is less than 7 percent of the abundance for all affected stocks).

Based on the analysis contained herein of the proposed activity (including the mitigation and monitoring measures) and the anticipated take of marine mammals, NMFS finds that small numbers of marine mammals would be taken relative to the population size of the affected species or stocks.

Unmitigable Adverse Impact Analysis and Determination

There are no relevant subsistence uses of the affected marine mammal stocks or species implicated by this action. Therefore, NMFS has determined that the total taking of affected species or stocks would not have an unmitigable adverse impact on the availability of such species or stocks for taking for subsistence purposes.

Endangered Species Act

Section 7(a)(2) of the Endangered Species Act 1973 (ESA; 16 U.S.C. 1531 *et seq.*) requires that each Federal agency insure 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.

NMFS is authorizing take, by Level B harassment only, of NARWs, fin whales, and sei whales which are listed under the ESA. On June 29, 2021 (revised September 2021), GARFO completed an informal programmatic consultation on the effects of certain site assessment and site characterization activities to be carried out to support the siting of offshore wind energy development projects off the U.S. Atlantic coast. Part of the activities considered in the consultation are geophysical surveys such as those proposed by Kitty Hawk Wind and for which we are proposing to authorize take. GARFO concluded site assessment surveys are not likely to adversely affect endangered species or adversely modify or destroy critical habitat. NMFS has determined issuance of the IHA is covered under the programmatic consultation; therefore, ESA consultation has been satisfied.

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 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 NOAA Administrative Order 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 the final IHA qualifies to be categorically excluded from further NEPA review.

Authorization

As a result of these determinations, NMFS has issued an IHA to Kitty Hawk Wind for conducting marine site characterization surveys off the coast of North Carolina and Virginia, provided the previously mentioned mitigation, monitoring, and reporting requirements are incorporated. The final IHA and supporting documents can be found at *https://www.fisheries.noaa.gov/permit/incidental-take-authorizations-under-marine-mammal-protection-act.*

Dated: April 25, 2022.

Kimberly Damon-Randall,

Director, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2022–09186 Filed 4–28–22; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XB990]

Spring Meeting of the Advisory Committee to the U.S. Section to the International Commission for the Conservation of Atlantic Tunas

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

ACTION: Notice of the Advisory Committee's 2022 spring meeting.

SUMMARY: The Advisory Committee to the U.S. Section to the International Commission for the Conservation of Atlantic Tunas (ICCAT) announces part II of its annual spring meeting, to be held May 12–13, 2022 in Miami, Florida. A virtual option for joining the meeting will also be available.

DATES: The open sessions of the Committee meeting will be held on May 12, 2022, 9:30 a.m. to 11:30 a.m. and May 13, 2022, 9 a.m. to 12 p.m. Closed sessions will be held on May 12, 2022, 1:30 p.m. to 4:30 p.m.

ADDRESSES: The meeting will be held at the Courtyard by Marriott Miami Coconut Grove, 2649 South Bayshore Drive, Miami, Florida 33133. For those attending virtually, please register at: *https://forms.gle/twa9SH3RSESLiDYBA.* Instructions will be emailed to those registered for virtual participation before the meeting occurs. Registration will close on May 8, 2022 at 5 p.m. EDT.

FOR FURTHER INFORMATION CONTACT: Bryan Keller, Office of International Affairs, Trade, and Commerce, 202–897–9208 or at *bryan.keller@noaa.gov.*

SUPPLEMENTARY INFORMATION: The Advisory Committee to the U.S. Section to ICCAT will meet in open session to receive and discuss information on recent Regional Fisheries Management Organization (RFMO) intersessional meetings of interest; the results of the meetings of the Committee's Species Working Groups; and other matters relating to the international management of ICCAT species. The public will have access to the open sessions of the meeting, but there will be no opportunity for public comment

during the meeting. An agenda is available from the Committee's Executive Secretary upon request (see **FOR FURTHER INFORMATION CONTACT**).

The Committee will meet in its Species Working Groups in closed session on the afternoon of May 12, 2022. These sessions are not open to the public, but the results of the Species Working Group discussions will be reported to the full Advisory Committee during the Committee's open session on May 13, 2022.

Special Accommodations

The virtual meeting is accessible to people with disabilities. Requests for auxiliary aids should be directed to Bryan Keller at 202–897–9208 or *bryan.keller@noaa.gov* at least 5 days prior to the meeting date.

Authority: 16 U.S.C. 971 *et seq.;* 16 U.S.C. 1801 *et seq.*

Dated: April 25, 2022.

Alexa Cole,

Director, Office of International Affairs, Trade, and Commerce, National Marine Fisheries Service.

[FR Doc. 2022–09188 Filed 4–28–22; 8:45 am]

BILLING CODE 3510–22–P

COMMODITY FUTURES TRADING COMMISSION

Agency Information Collection Activities: Notice of Intent To Extend Collection 3038–0024: Regulations and Forms Pertaining to the Financial Integrity of the Marketplace

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice.

SUMMARY: The Commodity Futures Trading Commission (''Commission'' or ''CFTC'') 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 existing collection of information pertaining to regulatory obligations for financial reporting and recordkeeping by various Commission registrants including swap dealers, futures commission merchants, introducing brokers and retail foreign exchange dealers.

DATES: Comments must be submitted on or before June 28, 2022.

ADDRESSES: You may submit comments, identified by ''OMB Control No. 3038–0024'' by any of the following methods:

- The Agency's website, at *https://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. All comments must be submitted in English, or if not, accompanied by an English translation. Comments will be posted as received to *https://www.cftc.gov.*

FOR FURTHER INFORMATION CONTACT: Jennifer Bauer, Special Counsel, Market Participants Division, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581; (202) 418–5472; email: *jbauer@cftc.gov.*

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 Commission is publishing notice of the proposed extension of the existing 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: Regulations and Forms Pertaining to the Financial Integrity of the Marketplace (OMB Control No. 3038–0024). This is a request for an extension of a currently approved information collection.

Abstract: The Commission is the independent federal regulatory agency charged with providing various forms of customer protection so that users of the commodity markets can be assured of the financial integrity of the markets and the intermediaries that they employ in their trading activities. Part 1 of the Commission's regulations requires, among other things, that commodity brokers—known as futures commission merchants (''FCMs''), or Introducing Brokers (''IBs''), comply with certain minimum financial requirements. In order to monitor compliance with these financial standards, the Commission has required FCMs and IBs to file financial reports with the Commission and with the designated self-regulatory organization of which they are members as well as to report to the Commission should certain financial requirements drop below prescribed minimums.

In 2008, the U.S. Congress passed the Food, Conservation, and Energy Act of 2008, Public Law 110–246, 122 Stat. 1651, 2189–2204 (2008), also known as the Farm Bill. The Farm Bill provided the Commission with new authority with regard to the regulation of off-exchange retail forex transactions. Among other things, it directed the Commission to draft rules effectuating registration provisions for a new category of registrant—the retail foreign exchange dealer (''RFED''). Under the terms of the legislation, RFEDs are subject to the same capital requirements as FCMs that are engaged in retail forex transactions, and, therefore, subject to the same reporting requirements. Accordingly, this collection was amended to reflect the financial reporting requirements of the new category of registrant, RFEDs.

In 2010, the US Congress passed the Wall Street Reform and Consumer Protection Act (the ''Dodd-Frank Act''), Public Law 111–203, 124 Stat. 1376 (2010), giving the Commission the authority to regulate certain swap markets and participants in those markets. Section 731 of the Dodd-Frank Act, amended the Commodity Exchange Act (''CEA''), 7 U.S.C. 1 *et seq.,* to add, as section 4s(e) thereof, provisions concerning the setting of capital and initial and variation margin requirements for swap dealers (''SDs'') and major swap participants (''MSPs''). In 2016 and 2020 respectively, the Commission finalized the Margin Requirements for Uncleared Swaps for Swap Dealers and Major Swap Participants rule and the Capital Requirements for Swap Dealers and Major Swap Participants rule to implement those requirements. Specifically, such rules include

[1] The OMB control numbers for the CFTC regulations were published on December 30, 1981. *See* 46 FR 63035 (Dec. 30, 1981).

financial reporting and recordkeeping, as well as application processes for model approval for both capital and margin models for SDs and MSPs that do not have a prudential regulator (''Covered Swap Entities'' or ''CSEs'').

Separately, in 2013, the Commission finalized rules in an effort to prevent unauthorized usage of customer funds by FCMs and RFEDs. The final rules included modifications to the reporting requirements required by the Commission which resulted in changes to the financial statements filed by FCMs and RFEDs, and made some of the recordkeeping requirements already contained in this OMB Collection Number 3038–0024 into reporting requirements. These rules added additional recordkeeping requirements by FCMs to assure the segregation of customer funds.

This collection, OMB Control No. 3038–0024, is needed for the Commission to continue its financial monitoring of its registrants. The burden hours are being revised to reflect the current number of various types of registrants and updated to reflect more accurate estimates regarding the number of financial reports filed, based on current historical data.

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.

You should submit only information that you wish to make available publicly. If you wish for 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 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 *https://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 approximately 61 FCMs and RFEDs, 53 CSEs and 1,019 IBs. The respondent burden for this collection is estimated to be as follows:

Respondents/Affected Entities: FCMs, RFEDs, IBs, SDs, and MSPs.

Estimated Number of Respondents: 1,133.

Estimated Average Burden Hours per Respondent: 251 hours.[3]

Estimated Total Annual Burden Hours: 284,124 hours.[4]

Frequency of Collection: At various intervals.[5]

There are no capital costs or operating and maintenance costs associated with this collection.

(Authority: 44 U.S.C. 3501 *et seq.*)

Dated: April 25, 2022.

Robert Sidman,

Deputy Secretary of the Commission.

[FR Doc. 2022–09166 Filed 4–28–22; 8:45 am]

BILLING CODE 6351–01–P

DEPARTMENT OF DEFENSE

Department of the Air Force

[Docket ID: USAF–2022–HQ–0006]

Proposed Collection; Comment Request

AGENCY: Department of the Air Force, Department of Defense (DoD).

ACTION: 60-Day information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Department of the Air Force announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by June 28, 2022.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

Federal eRulemaking Portal: https://www.regulations.gov. Follow the instructions for submitting comments.

Mail: Department of Defense, Office of the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency, Regulatory Directorate, 4800 Mark Center Drive, Attn: Mailbox 24, Suite 08D09, Alexandria, VA 22350–1700.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at *https://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to Headquarters Air Force, 1040 Air Force Pentagon, 5B349, Washington, DC 20330–1040, Dr. Julie LaRow, 617–877–6672.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Department of the Air Force Integrated Response Co-Location Pilot; OMB Control Number 0701–IRCP.

Needs and Uses: Per the Undersecretary of the Air Force's direction, this pilot program seeks to improve Department of Air Force (DAF) response to and outcomes for Victims/Survivors of sexual assault, sexual harassment, domestic violence, stalking, and cyber harassment by piloting co-locations of identified response services. Select DAF installations will physically

[2] 17 CFR 145.9.

[3] Rounded off from 250.7714033.

[4] This figure is derived from 250.7714033 (burden hours per respondent) × 1133 respondents = 284,124.

[5] For example, FCMs have both daily and monthly financial reporting obligations, annual certified financial and compliance report obligations, and periodic notice requirements.

co-locate the Sexual Assault Response Coordinator (SARC), Sexual Assault Victim Advocate (SA VA), Domestic Abuse Victim Advocate (DAVA), Sexual Harassment, Victim's Counsel (VC), and Religious Support Teams (RST). Co-locating these victim support services will increase awareness, accessibility, and support for Victims/Survivors of sexual assault, sexual harassment, domestic violence, stalking, and cyber harassment. To evaluate the effectiveness of an organizational change to victim services, a survey will be conducted with victims of interpersonal violence, Airmen and Guardians at select installations, command-team members, and helping agency members (SARC/SA VA/DAVA, SH VA/VC/RST).

Affected Public: Individuals or households.

Annual Burden Hours: 3,035.3 hours.

Number of Respondents: 9,106.

Responses per Respondent: 2.

Annual Responses: 18,212.

Average Burden per Response: 10 minutes.

Frequency: On occasion.

Dated: April 26, 2022.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2022–09272 Filed 4–28–22; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Department of the Air Force

[Docket ID USAF–2022–HQ–0005]

Proposed Collection; Comment Request

AGENCY: Department of the Air Force, Department of Defense (DoD).

ACTION: 60-Day information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Department of the Air Force announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by June 28, 2022.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

Federal eRulemaking Portal: http://www.regulations.gov. Follow the instructions for submitting comments.

Mail: Department of Defense, Office of the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency, Regulatory Directorate, 4800 Mark Center Drive, Attn: Mailbox 24, Suite 08D09, Alexandria, VA 22350–1700.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to Ms. Angela Duncan at the Department of Defense, Washington Headquarters Services, ATTN: Executive Services Directorate, Directives Division, 4800 Mark Center Drive, Suite 03F09–09, Alexandria, VA 22350–3100 or call 571–372–7574.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Emergency Mass Notification System; OMB Control Number 0701–0162.

Needs and Uses: The Air Force Life Cycle Management Center Command, Control, Communications, Intelligence, and Networks Directorate provides standardized enterprise capabilities across the entire U.S Air Force (AF) in accordance with AF Instruction 10–206, Operational Reporting, as authorized by 5 U.S.C. 7902—Safety Programs and 10 U.S.C. 9013—Secretary of the Air Force. This effort will implement and sustain a cloud based, enterprise-wide AF solution for the Emergency Mass Notification System (EMNS). The AF requires a single notification system to send alert notifications to assigned military personnel, family members, and contractors quickly and effectively in an emergent event. The EMNS will increase the situational awareness for Airmen families and contractors, regardless of their physical location, to enable protective measures when tragic events or emergencies occur. This effort will address the gaps in the notification process.

Affected Public: Individuals or households.

Annual Burden Hours: 16,667 hours.

Number of Respondents: 1,000,000.

Responses per Respondent: 1.

Annual Responses: 1,000,000.

Average Burden per Response: 1 minute.

Frequency: On occasion.

Dated: April 26, 2022.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2022–09202 Filed 4–28–22; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Department of the Army

[Docket ID USA–2022–HQ–0011]

Proposed Collection; Comment Request

AGENCY: U.S. Army Corps of Engineers, Department of Defense (DoD).

ACTION: 60-Day information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the U.S. Army Corps of Engineers announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by June 28, 2022.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

Federal eRulemaking Portal: http://www.regulations.gov. Follow the instructions for submitting comments.

Mail: Department of Defense, Office of the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency, Regulatory Directorate, 4800 Mark Center Drive, Attn: Mailbox

24, Suite 08D09, Alexandria, VA 22350–1700.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to U.S. Army Corps of Engineers, 441 G Street NW, Washington, DC 20314–1000, ATTN: Ms. Kathryn Nevins, or call 703–428–6440.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Interviews Assessing Community Awareness of Dam and Levee Risks and Benefits; OMB Control Number 0710–DAMS.

Needs and Uses: The U.S. Army Corps of Engineers (USACE) is requesting approval to collect information via interviews to inform strategic communications planning for the USACE Dam and Levee Safety Programs. The information collection will target a diverse sample of communities affected by dams and or levees. Information collected in interviews will inform USACE's understanding of communities' levels of awareness, knowledge, means of knowledge acquisition, and behavioral responses related to the risks and benefits of dams and/or levees. Engagement with community stakeholders and representatives of local populations will provide USACE with information on how best to communicate the benefits and risks of dams and levees with the goal of enhancing flood risk management. Insights from this information collection will be used to develop guidance and toolkits for the Dam and Levee Safety Programs.

Affected Public: Individuals or households; Businesses or other for-profit; Not-for-profit Institutions; State, Local or Tribal Government.

Annual Burden Hours: 75.

Number of Respondents: 60.

Responses per Respondent: 1.

Annual Responses: 60.

Average Burden per Response: 1.25 hours.

Frequency: One-time.

Dated: April 26, 2022.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2022–09262 Filed 4–28–22; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID DoD–2022–HA–0019]

Submission for OMB Review; Comment Request

AGENCY: The Office of the Assistant Secretary of Defense for Health Affairs (OASD(HA)), Department of Defense (DoD).

ACTION: 30-Day information collection notice.

SUMMARY: The Department of Defense has submitted to OMB for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act.

DATES: Consideration will be given to all comments received by May 31, 2022.

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: Angela Duncan, 571–372–7574, *whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil.*

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Statement of Personal Injury: Possible Third Party Liability; DD Form 2527; OMB Control Number 0720–0003.

Type of Request: Extension.

Number of Respondents: 188,090.

Responses per Respondent: 1.

Annual Responses: 188,090.

Average Burden per Response: 15 minutes.

Annual Burden Hours: 47,022.5.

Needs and Uses: When a claim for TRICARE benefits is identified as involving possible third party liability and the information is not submitted with the claim, the TRICARE contractors request that the injured party (or a designee) complete DD Form 2527. To protect the interests of the U.S. Government, the contractor suspends claims processing until the requested third party liability information is received. The contractor conducts a preliminary evaluation based upon the collection of information and refers the case to a designated appropriate legal officer of the Uniformed Services. The responsible Uniformed Services legal officer uses the information as a basis for asserting and settling the U.S. Government's claim. When appropriate, the information is forwarded to the Department of Justice as the basis for litigation.

Affected Public: Individuals or households.

Frequency: On occasion.

Respondent's Obligation: Voluntary.

OMB Desk Officer: Ms. Julie Wise.

You may also submit comments and recommendations, identified by Docket ID number and title, by the following method:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

Instructions: All submissions received must include the agency name, Docket ID number, and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

DoD Clearance Officer: Ms. Angela Duncan.

Requests for copies of the information collection proposal should be sent to Ms. Duncan at *whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil.*

Dated: April 25, 2022.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2022–09200 Filed 4–28–22; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID DoD–2022–HA–0020]

Submission for OMB Review; Comment Request

AGENCY: The Office of the Assistant Secretary of Defense for Health Affairs (OASD(HA)), Department of Defense (DoD).

ACTION: 30-Day information collection notice.

SUMMARY: The Department of Defense has submitted to OMB for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act.

DATES: Consideration will be given to all comments received by May 31, 2022.

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: Angela Duncan, 571–372–7574, *whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil.*

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Professional Qualifications Medical/Peer Reviewers; DHA Form 780; OMB Control Number 0720–0005.

Type of Request: Revision.

Number of Respondents: 60.

Responses per Respondent: 1.

Annual Responses: 60.

Average Burden per Response: 20 minutes.

Annual Burden Hours: 20.

Needs and Uses: The information collection requirement is necessary to obtain and record the professional qualifications of medical and peer reviewers utilized within TRICARE. The form is included as an exhibit in an appeal or hearing case file as evidence of the reviewer's professional qualifications to review the medical documentation contained in the case file.

Affected Public: Businesses or other for profit.

Frequency: On occasion.

Respondent's Obligation: Voluntary.

OMB Desk Officer: Ms. Julie Wise.

You may also submit comments and recommendations, identified by Docket ID number and title, by the following method:

• *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

Instructions: All submissions received must include the agency name, Docket ID number, and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

DoD Clearance Officer: Ms. Angela Duncan.

Requests for copies of the information collection proposal should be sent to Ms. Duncan at *whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil.*

Dated: April 25, 2022.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2022–09199 Filed 4–28–22; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID DoD–2022–OS–0049]

Proposed Collection; Comment Request

AGENCY: Defense Counterintelligence and Security Agency (DCSA), Department of Defense (DoD).

ACTION: 60-Day information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Defense Counterintelligence and Security Agency announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by June 28, 2022.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

Federal eRulemaking Portal: http://www.regulations.gov. Follow the instructions for submitting comments.

Mail: Department of Defense, Office of the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency, Regulatory Directorate, 4800 Mark Center Drive, Attn: Mailbox 24, Suite 08D09, Alexandria, VA 22350–1700.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to Defense Counterintelligence and Security Agency, 1137 Branchton Road, Boyers, PA 16018, ATTN: Ms. Michele DeMarion, or call 724–794–5612 ext. 5274.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Interview Survey Form (INV 10); INV Form 10; OMB Control Number 0705–0004.

Needs and Uses: The Interview Survey Form, INV 10, is mailed by DCSA, to a random sampling of record and personal sources contacted during background investigations when investigators have performed fieldwork. The INV 10 is used as a quality control instrument designed to ensure the accuracy and integrity of the investigative product. The form queries the recipient about the investigative procedure exhibited by the investigator, the investigator's professionalism, and the information discussed and reported.

Affected Public: Individuals or households.

Annual Burden Hours: 6,739.1.

Number of Respondents: 67,391.

Responses per Respondent: 1.

Annual Responses: 67,391.

Average Burden per Response: 6 minutes.

Frequency: On occasion.

Dated: April 26, 2022.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2022–09265 Filed 4–28–22; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DoD–2022–OS–0048]

Proposed Collection; Comment Request

AGENCY: Office of the Under Secretary of Defense for Personnel and Readiness (OUSD(P&R)), Department of Defense (DoD).

ACTION: 60-Day information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Office of the Under Secretary of Defense for Personnel and Readiness announces

a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by June 28, 2022.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

Federal eRulemaking Portal: https://www.regulations.gov. Follow the instructions for submitting comments.

Mail: Department of Defense, Office of the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency, Regulatory Directorate, 4800 Mark Center Drive, Attn: Mailbox 24, Suite 08D09, Alexandria, VA 22350–1700.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at *https://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to Defense Human Resources Activity, 4800 Mark Center Drive, Suite 08F05 Alexandria, VA 22350, LaTarsha Yeargins, 571–372–2089.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Military Spouse Priority Placement Program Self-Certification Checklist; DD Form 3145–4; OMB Control Number 0704–MSSC.

Needs and Uses: The Military Spouse Priority Placement Program Self-Certification Checklist must be completed by military spouses when applying for appropriated funds GS–15 and below (or equivalent positions in other pay systems) in the competitive service or excepted service in order to receive priority consideration for competitive service and excepted service positions at DoD activities in the U.S., and in U.S. territories and possessions. The military spouses must provide evidence of their appointment eligibility, and evidence of marriage to a current active duty military member of the U.S. Armed Forces (including the U.S. Coast Guard and full-time National Guard or Military Reservist) with a copy of the permanent-change-of-station orders. This collection will be used by gaining DoD activities to certify preference eligibility for the possible appointment of the military spouse into their vacancy.

Affected Public: Individuals or households.

Annual Burden Hours: 138,724 hours.

Number of Respondents: 69,362.

Responses per Respondent: 4.

Annual Responses: 277,448.

Average Burden per Response: 30 minutes.

Frequency: On occasion.

Dated: April 26, 2022.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2022–09279 Filed 4–28–22; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DoD–2022–HA–0047]

Proposed Collection; Comment Request

AGENCY: Office of the Assistant Secretary of Defense for Health Affairs (OASD(HA)), Department of Defense (DoD).

ACTION: 60-Day information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Defense Health Agency announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by June 28, 2022.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

Federal eRulemaking Portal: https://www.regulations.gov. Follow the instructions for submitting comments.

Mail: Department of Defense, Office of the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency, Regulatory Directorate, 4800 Mark Center Drive, Attn: Mailbox 24, Suite 08D09, Alexandria, VA 22350–1700.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at *https://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to Defense Health Agency, 8111 Gatehouse Road, 229D, Falls Church, VA 22042, ATTN: Shane Pham or call 703–275–6249.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: TRICARE Prime Enrollment, Disenrollment and Primary Care Manager Change Form; DD Form 2876: OMB Control Number 0720–0008.

Needs and Uses: The information collection requirement is necessary to obtain the TRICARE beneficiary's personal information needed to: (1) Complete his/her enrollment into TRICARE Prime health plan, (2) change the beneficiary's enrollment (new Primary Care Manager, enrolled region, add/drop a dependent, etc.), or (3) dis-enroll the beneficiary. All TRICARE beneficiaries have the option of enrolling, changing their enrollment or dis-enrolling using the DD Form 2876, the Beneficiary Web Enrollment portal, or by calling their regional Managed Care Support Contractor. Although the telephonic enrollment/change is the preferred method by the large majority of beneficiaries, many beneficiaries prefer using the form to document their enrollment date and preferences.

Affected Public: Individuals or households.

Annual Burden Hours: 760,025 hours.
Number of Respondents: 1,520,050.
Responses per Respondent: 2.
Annual Responses: 3,040,100.
Average Burden per Response: 15 minutes.
Frequency: On occasion.

Dated: April 26, 2022.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2022–09271 Filed 4–28–22; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Department of the Army, Corps of Engineers

Proposals by Non-Federal Interests, for Feasibility Studies, Proposed Modifications to Authorized Water Resources Development Projects and Feasibility Studies, and Proposed Modifications to Environmental Infrastructure Programs for Inclusion in the Annual Report to Congress on Future Water Resources Development

AGENCY: U.S. Army Corps of Engineers, DoD.

ACTION: Notice.

SUMMARY: Section 7001 of the Water Resources Reform and Development Act (WRRDA) 2014, as amended, requires the Secretary of the Army annually submit to the Congress a report (Annual Report) that identifies feasibility reports, proposed feasibility studies submitted by non-Federal interests, proposed modifications to authorized water resources development projects or feasibility studies, and proposed modifications to environmental infrastructure program authorities that meet certain criteria. The Annual Report is to be based, in part, upon proposals submitted by non-Federal interests.

DATES: Proposals must be submitted online by August 29, 2022.

ADDRESSES: Submit proposals online at: *https://www.usace.army.mil/Missions/Civil-Works/Project-Planning/WRRDA-7001-Proposals/.* If a different method of submission is required, use the further information below to arrange an alternative submission process.

FOR FURTHER INFORMATION CONTACT: Send an email to the help desk at *WRRDA7001Proposal@usace.army.mil* or call Stuart McLean, Planning and Policy Division, Headquarters, USACE, Washington, DC at 202–761–4931.

SUPPLEMENTARY INFORMATION: Section 7001 of WRRDA 2014 (33 U.S.C. 2282d), as amended, requires the publication of a notice in the **Federal Register** annually to request proposals by non-Federal interests for feasibility studies, modifications to authorized USACE water resources development projects or feasibility studies, and modifications to environmental infrastructure program authorities. Project feasibility reports that have signed Chief's Reports, but have not been authorized will be included in the Annual Report table by the Secretary of the Army and these proposals do not need to be submitted in response to this notice.

Proposals by non-Federal interests must be entered online and require the following information:

1. The name of the non-Federal interest, or all non-Federal interests in the case of a modification to an environmental infrastructure program authority, including any non-Federal interest that has contributed to or is expected to contribute toward the non-Federal share of the proposed feasibility study, project modification or environmental infrastructure program.

2. State if the proposal is for authorization of a feasibility study, a modification to an authorized USACE water resources development project, a modification to an authorized USACE water resources feasibility study, or a modification to a USACE environmental infrastructure program authority. If a modification of an existing authority, specify the authorized water resources development project, study, or environmental infrastructure program authority that is proposed for modification.

3. State the specific project purpose(s) of the proposed study or modification.

4. Provide an estimate, to the extent practicable, of the total cost, and the Federal and non-Federal share of those costs, of the proposed study and, separately, an estimate of the cost of construction or modification.

5. Describe, to the extent applicable and practicable, an estimate of the anticipated monetary and non-monetary benefits of the proposal with regard to benefits to the protection of human life and property; improvement to transportation; the national, regional, or local economy; the environment; or the national security interests of the United States.

6. State whether the proposal is expected to benefit disadvantaged communities, to include a description of the disadvantaged community(ies) and the potential benefits which may accrue as a result of the proposal. Army is working to modernize the USACE Civil Works program to incorporate environmental justice considerations into every aspect of the program in an effort to maximize benefits to disadvantaged communities to the furthest extent practicable within agency authorities.

7. Proposals for modifications to environmental infrastructure program authorities must also include a description of assistance provided to date and the total Federal cost of assistance provided to date.

8. State if the non-Federal interest has the financial ability to provide the required cost share, reference Engineer Regulation 1105–2–100, Planning Guidance Notebook.

9. Describe if local support exists for the proposal.

10. Upload a letter or statement of support for the proposal from each associated non-Federal interest.

All provided information may be included in the Annual Report to Congress on Future Water Resources Development. Therefore, information that is Confidential Business Information, information that should not be disclosed because of statutory restrictions, or other information that a non-Federal interest would not want to appear in the Annual Report should not be included.

Process: Proposals received within the time frame set forth in this notice will be reviewed by the Army and will be presented in one of two tables. The first table will be in the Annual Report itself, and the second table will be in an appendix. To be included in the Annual Report table, the proposals must meet the following five criteria:

1. Are related to the missions and authorities of the USACE; involve a proposed or existing USACE water resources project or effort whose primary purpose is flood and storm damage reduction, commercial navigation, aquatic ecosystem restoration, or municipal or agricultural water supply. Following long-standing USACE practice, related proposals such as for recreation or hydropower, are eligible for inclusion if undertaken in conjunction with such a project or effort.

2. Require specific congressional authorization, including by an Act of Congress:

a. *Requires Construction Authorization:*

- Feasibility reports that have successfully passed the Tentatively Selected Plan Milestone in the USACE plan formulation process;
- Non-Federal feasibility reports submitted to the Secretary of the Army under Section 203 of WRDA 1986, as amended, under Administration review;
- Proposed modifications to authorized water resources development

projects requested by non-Federal interests.

• *Note:* Reports that have signed Chief's Reports, but have not been authorized, will be included in the Annual Report table and these proposals do not need to be submitted in response to this notice.

b. *Requires Study Authorization:*

• New feasibility studies and modifications to studies proposed by non-Federal interests through the Section 7001 of WRRDA 2014 process will be evaluated by the USACE to determine whether or not there is existing study authority.

c. *The following proposals are NOT ELIGIBLE to be included in the Annual Report and will be included in the appendix for transparency:*

• Proposals for modifications to non-Federal projects under program authorities where USACE has provided previous technical assistance. Authorization to provide technical assistance does not provide authorization of a water resources development project.

• Proposals for construction of a new water resources development project that is not the subject of a currently authorized USACE project or a complete or ongoing feasibility study.

• Proposals that do not include a request for a potential future water resources development project through completed feasibility reports, proposed feasibility studies, and proposed modifications to authorized projects or studies.

3. Have not been congressionally authorized;

4. Have not been included in the Annual Report table of any previous Annual Report to Congress on Future Water Resources Development; and

• If the proposal was included in the Annual Report table in a previous Report to Congress on Future Water Resources Development, then the proposal is not eligible to be included in the Annual Report table. If a proposal was previously included in an appendix it may be re-submitted.

5. If authorized, could be carried out by the USACE.

• Whether following the USACE Chief's Report process or Section 7001 of WRRDA 2014, a proposal for a project or a project modification would need a current decision document to provide updated information on the scope of the potential project and demonstrate a clear Federal interest. This determination would include an assessment of whether the proposal is:

—Technically sound, economically viable and environmentally acceptable.

—Compliant with environmental and other laws including but not limited to National Environmental Policy Act, Endangered Species Act, Coastal Zone Management Act, and the National Historic Preservation Act.

—Compliant with statutes and regulations related to water resources development including various water resources provisions related to the authorized cost of projects, level of detail, separable elements, fish and wildlife mitigation, project justification, matters to be addressed in planning, and the 1958 Water Supply Act.

Environmental infrastructure proposals are an exception to the criteria. To be included in the Annual Report table the proposal must be a modification to a project that was authorized pursuant to Section 219 of WRDA 1992, as amended or must identify a programmatic modification to an environmental infrastructure assistance program that has not been included in any previous annual report.

Feasibility study proposals submitted by non-Federal interests are considered for study authorization only. If Congressional authorization of a feasibility study results from inclusion in the Annual Report, it is anticipated that such authorization would be for the study, not for construction. Once a decision document is completed in accordance with Executive Branch policies and procedures, the Secretary will determine whether to recommend the project for authorization.

All USACE water resources development projects must meet certain requirements before proceeding to construction. These requirements include: (1) That the project is authorized for construction by Congress; (2) that the Secretary, or other appropriate official, has approved a current decision document; and, (3) that the funds for project construction have been appropriated and are available.

Section 902 of WRDA 1986, as amended, (33 U.S.C. 2280) establishes a maximum authorized cost for projects (902 limit). A Post Authorization Change Report (PACR) is required to be completed to support potential modifications, updates to project costs, and an increase to the 902 limit. Authority to undertake a 902 study is inherent in the project authority, so no additional authority is required to proceed with the study. Since these PACRs support project modifications, they may be considered for inclusion in the Annual Report if a report's recommendation requires Congressional authorization.

The Secretary shall include in the Annual Report to Congress on Future Water Resources Development a certification stating that each feasibility report, proposed feasibility study, and proposed modification to an authorized water resources development project, feasibility study, or proposed modifications to an environmental infrastructure program authority included in the Annual Report meets the criteria established in Section 7001 of WRRDA 2014, as amended.

Please contact the appropriate district office or use the contact information above for assistance in researching and identifying existing authorizations and existing USACE decision documents. Those proposals that do not meet the criteria will be included in an appendix table in the Annual Report to Congress on Future Water Resources Development. Proposals in the appendix table will include a description of why those proposals did not meet the criteria.

Michael L. Connor,

Assistant Secretary of the Army (Civil Works).

[FR Doc. 2022–09179 Filed 4–28–22; 8:45 am]

BILLING CODE 3720–58–P

DEPARTMENT OF DEFENSE

Department of the Navy

[Docket ID USN–2022–HQ–0012]

Proposed Collection; Comment Request

AGENCY: Department of the Navy, Department of Defense (DoD).

ACTION: 60-Day information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Department of the Navy announces a proposed public information collection and seeks public comment on the provisions thereof.

Comments are invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by June 28, 2022.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

Federal eRulemaking Portal: http://www.regulations.gov. Follow the instructions for submitting comments.

Mail: Department of Defense, Office of the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency, Regulatory Directorate, 4800 Mark Center Drive, Attn: Mailbox 24, Suite 08D09, Alexandria, VA 22350–1700.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to Office of the Judge Advocate General, Military Personnel Division, Code 61, 1322 Patterson Ave. SE, Suite 3000, Washington Navy Yard, DC 20374–5066, ATTN: LT Lindsay McCarl, or call 202–685–8527.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: U.S. Navy Judge Advocate General Corps Internship, Student, and Direct Accessions Program Applications and Interviews; OPNAV Form 1070/3; OMB Control Number 0703–0074.

Needs and Uses: The online system application is used for both the U.S. Navy Judge Advocate General Corps (JAGC) Student Program and Direct Accession Program. The Student Program offers law students an opportunity to apply for a commission to the JAGC. The Direct Accessions Program offers practicing attorneys the opportunity to apply for a commission to the JAGC. The structured interview is subsequently offered to applicants judged to be most competitive for the JAGC Student Program or Direct Accession Program. The Internship/Externship Program (OPNAV Form 10703/3), is available throughout the year for programs offered in the summer, fall and spring. The Internship/Externship Program offers law students the opportunity to intern with the JAGC while in law school.

Affected Public: Individuals or households.

JAGC Student Program Direct Accession Application

Annual Burden Hours: 1,600.
Number of Respondents: 800.
Responses per Respondent: 1.
Annual Responses: 800.
Average Burden per Response: 2 hours.

Structured Interviews

Annual Burden Hours: 500.
Number of Respondents: 500.
Responses per Respondent: 1.
Annual Responses: 500.
Average Burden per Response: 1 hour.

Internship/Externship Program Application (OPNAV 1070/3)

Annual Burden Hours: 100.
Number of Respondents: 100.
Responses per Respondent: 1.
Annual Responses: 100.
Average Burden per Response: 1 hour.

Total

Annual Burden Hours: 2,200.
Number of Respondents: 900.
Responses per Respondent: 1.56.
Annual Responses: 1,400.
Average Burden per Response: 94.29 minutes.
Frequency: On occasion.

Dated: April 26, 2022.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2022–09264 Filed 4–28–22; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Department of the Navy

[Docket ID USN–2022–HQ–0013]

Proposed Collection; Comment Request

AGENCY: Department of the Navy, Department of Defense (DoD).

ACTION: 60-Day information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the United States Marine Corps announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by June 28, 2022.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

Federal eRulemaking Portal: http://www.regulations.gov. Follow the instructions for submitting comments.

Mail: Department of Defense, Office of the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency, Regulatory Directorate, 4800 Mark Center Drive, Attn: Mailbox 24, Suite 08D09, Alexandria, VA 22350–1700.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to Marine and Reserve Affairs, Marine and Family Programs, 3280 Russell Rd, Quantico, VA 22134, ATTN: Dr. Corey Pavlich, or call 703–432–9062.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: U.S. Marine Corps Suicide Prevention Stakeholder Survey; OMB Control Number 0703–SPSS.

Needs and Uses: Marine and Reserve Affairs, Marine and Family Programs is evaluating its Suicide Prevention Capability. One component of this effort involves gathering information from various stakeholders who contribute directly or indirectly to suicide prevention efforts in the U.S. Marine Corps (USMC). Stakeholders will be asked about priorities in suicide prevention, job duties related to suicide prevention, communication with other stakeholders, and perceived successes and perceived barriers in suicide prevention. The USMC Suicide Prevention Stakeholder Survey will provide information vital for continuous process improvement. Information collected from this effort will be used to support Marines experiencing critical

stressors, identify gaps in the suicide prevention system, and identify best practices and collaboration efforts between suicide prevention stakeholders.

Affected Public: Individuals or households.

Annual Burden Hours: 1,803.75.

Number of Respondents: 7,215.

Responses per Respondent: 1.

Annual Responses: 7,215.

Average Burden per Response: 15 minutes.

Frequency: One-time.

Headquarters Marine Corps will distribute a link to the Stakeholder Survey and invitation email to each command Commanding Officer, who will then forward the link to specified stakeholders including: Suicide Prevention Program Officers, Behavioral Health Branch Heads, Embedded Preventive Behavioral Health Capability (EPBHC) Analysts, Coordinators, or Directors, EPBHC Specialists, Navy Chaplain/Religious Program Assistant, Embedded Mental Health Provider, and Corpsman or Unit Doctors. These individuals can follow the link on any computer or personal media device to the survey hosted on Max Survey. Upon completion of the survey, participants click the submit button and then exit the survey platform. Data will be gathered and stored on MAX Survey's electronic platform. After the data collection period ends, data will be downloaded and stored on a secure shared-drive that requires a CAC-enabled computer, and appropriate user privileges to gain access.

Dated: April 26, 2022.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2022–09284 Filed 4–28–22; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2022–SCC–0020]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Health Education Assistance Loan (HEAL)

AGENCY: Federal Student Aid (FSA), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, ED is proposing an extension without change of a currently approved collection.

DATES: Interested persons are invited to submit comments on or before May 31, 2022.

ADDRESSES: Written comments and recommendations for proposed information collection requests should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this information collection request by selecting ''Department of Education'' under ''Currently Under Review,'' then check ''Only Show ICR for Public Comment'' checkbox. Comments may also be sent to *ICDocketmgr@ed.gov.*

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Beth Grebeldinger, (202) 377–4018.

SUPPLEMENTARY INFORMATION: The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: Health Education Assistance Loan (HEAL).

OMB Control Number: 1845–0126.

Type of Review: Extension without change of a currently approved collection.

Respondents/Affected Public: Private Sector.

Total Estimated Number of Annual Responses: 174.

Total Estimated Number of Annual Burden Hours: 98.

Abstract: This is a request for an extension of the Office of Management and Budget (OMB) approval of information collection requirements associated with the forms of the Health Education Assistance Loan (HEAL) Program, currently approved under OMB No. 1845–0126, which expires June 30, 2022. Clearance of this information collection is necessary to provide borrowers with information on the cost of their loan(s) including Truth in Lending information and to provide the Department with information to monitor the financial status of the HEAL program and to identify which lenders may have excessive delinquencies and defaulted loans. The information collection is essential for reporting and retaining information for sound and responsible program management.

Dated: April 25, 2022.

Kun Mullan,

PRA Coordinator, Strategic Collections and Clearance, Governance and Strategy Division, Office of Chief Data Officer, Office of Planning, Evaluation and Policy Development.

[FR Doc. 2022–09151 Filed 4–28–22; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

[Docket ID ED–2022–IES–0051]

Request for Information on the Existence and Use of Large Datasets To Address Education Research Questions

AGENCY: Institute of Education Sciences, Department of Education.

ACTION: Request for information.

SUMMARY: The National Center for Education Research (NCER), a center within the U.S. Department of Education's Institute of Education Sciences, funds and coordinates high-quality, innovative research that addresses the biggest challenges facing education in the 21st century. Through this request for information (RFI), NCER seeks public input to help us identify existing large datasets that may be useful for research and to understand the challenges and limitations that may affect access and their value for research.

DATES: We must receive your comments by May 31, 2022.

ADDRESSES: Comments must be submitted via the Federal eRulemaking Portal at *regulations.gov*. However, if you require an accommodation or cannot otherwise submit your comments via *regulations.gov*, please contact the program contact person

listed under **FOR FURTHER INFORMATION CONTACT**. The Department will not accept comments by fax or by email. To ensure that the Department does not receive duplicate copies, please submit your comments only once. Additionally, please include the Docket ID at the top of your comments.

The Department strongly encourages you to submit any comments or attachments in Microsoft Word format. If you must submit a comment in Adobe Portable Document Format (PDF), the Department strongly encourages you to convert the PDF to ''print-to-PDF'' format, or to use some other commonly used searchable text format. Please do not submit the PDF in a scanned format. Using a print-to-PDF format allows the Department to electronically search and copy certain portions of your submissions to assist in the process.

Federal eRulemaking Portal: Go to *www.regulations.gov* to submit your comments electronically. Information on using *Regulations.gov*, including instructions for accessing agency documents, submitting comments, and viewing the docket, is available on the site under the ''FAQ'' tab.

Privacy Note: The Department's policy for comments received from members of the public is to make these submissions available for public viewing in their entirety on the Federal eRulemaking Portal at *www.regulations.gov.* Therefore, commenters should be careful to include in their comments only information that they wish to make publicly available. We encourage, but do not require, that each respondent include their name, title, institution or affiliation, and the name, title, mailing and email addresses, and telephone number of a contact person for the institution or affiliation, if any.

FOR FURTHER INFORMATION CONTACT: Erin Higgins, Program Officer, National Center for Education Research, Institute of Education Sciences, U.S. Department of Education, 400 Maryland Avenue SW, Washington, DC 20202–7240. Telephone: (202) 706–8509. You may also email your questions to *Erin.Higgins@ed.gov,* but as described above, comments must be submitted via the Federal eRulemaking Portal at *regulations.gov*.

If you are deaf, hard of hearing, or have a speech disability and wish to access telecommunications relay services, please dial 7–1–1.

SUPPLEMENTARY INFORMATION:

Background

The number of large education-related datasets is growing, and we have new opportunities to leverage these data to address critical questions of policy and practice. For example, State longitudinal data systems (SLDS) can support research on the questions that State agencies have about a specific education issue, program, or policy. SLDSs have the potential to support lower-cost, faster research by avoiding the need for costly primary data collection. Similarly, education technologies generate large amounts of data that—after ensuring students' privacy is protected—can potentially provide valuable insights about learning. Despite the large amount of raw data collected by these technologies, there are legal, practical, and methodological barriers to conducting research that leverages these types of datasets to understand and improve students' education outcomes. Education researchers seeking to conduct studies using these datasets confront challenges related to the validity of data elements and the logistics of data access in ways that protect students' privacy, consistent with local, State, and Federal law. Researchers face significant barriers and costs to access these datasets, which leads to only a small number of education studies with large sample sizes, despite the known advantages of these types of studies.

There are examples of the potential insights to be gained from these data, and the fields of educational data mining and learning analytics have developed methods and insights for working with large datasets. For example, researchers have analyzed data collected in the digital administration of NAEP, which has led to insights into multiple aspects of student test-taking strategies.[1] [2]

Data privacy is central to the ethical conduct of research. Any plans to leverage the large amounts of data that are being collected through education technology, State longitudinal data systems, and other sources must be designed to minimize the risk of disclosure in order to protect the privacy of students.

Through this RFI, we seek public comment to help us identify existing large datasets, especially those that are generated using education technology, that may be useful for research; identify best practices for creating new, large datasets that are valuable for research; understand the challenges and limitations that may impact data access; and develop and implement plans to protect students' privacy.

This is a request for information only. This RFI is not a request for proposals (RFP) or a promise to issue an RFP or a notice inviting applications. This RFI does not commit the Department to contract for any supply or service whatsoever. Further, we are not seeking proposals and will not accept unsolicited proposals. The Department will not pay for any information or administrative costs that you may incur in responding to this RFI. The documents and information submitted in response to this RFI will not be returned.

We will review every comment, and the comments in response to this RFI will be publicly available on the Federal eRulemaking Portal at *www.regulations.gov.* Please note that IES will not directly respond to comments.

Solicitation of Comments

We invite stakeholders who are aware of large datasets relevant to education and learning, especially those generated through education technology; stakeholders who have perspectives on the value of these datasets for education research; and stakeholders who are aware of challenges and limitations to both access and use of large datasets to share responses to the following questions in their comments:

(1) What public or restricted use education-related datasets are available for training students in data mining/machine learning methods? What training needs are not being met by the datasets that are currently available?

(2) What open or restricted use education-related datasets are available to train new artificial intelligence models or to test hypotheses using data mining/machine learning methods? What research needs are not being met by the datasets that are currently available?

(3) What work do researchers need to do to access, and then explore the quality of, an existing dataset before conducting research with it? What aspects of this work could be reduced or conducted just once so that future researchers can reduce the time needed to complete a research project?

(4) How do researchers determine the validity of data elements within previously collected datasets? What

[1] Arslan, B., Gong., T., Feng, G., Agard, C., & Keehner, M. (2021, June 8). *Going beyond scores: Understanding fourth-graders' scientific inquiry practices with process data.* [Paper presentation]. The 2021 Virtual Annual Meeting of the National Council on Measurement in Education.

[2] Wang, N. & Circi, R. (2020, August). *Revisiting Omit and Not-Reached Scoring Rule using NAEP Process Data.* In J. Weeks (Chair). *Diving into NAEP Process Data to Understand Students' Test Taking Behaviors.* Symposium accepted to the meeting of the 2021 National Council on Measurement in Education, Baltimore, MD.

challenges are frequently encountered related to how those data align to constructs of interest?

(5) What are promising approaches to testing and improving the validity of metrics within large datasets, especially those datasets that are developed through interactions with education technology?

(6) How likely is it that existing datasets, especially those that come out of education technology, contain data that are valuable for researchers and of sufficient quality that research could be conducted with a high amount of rigor?

(7) To what extent do existing datasets capture enough information to address research questions related to diversity, equity, inclusion, and accessibility? What additional data should be collected to address these questions?

(8) What are the best practices for creating new datasets or linking existing datasets and sharing them with researchers (open or restricted use) while prioritizing the privacy of individuals and adhering to local, State, and Federal laws? What barriers and limitations exist?

(9) What role can IES play in developing infrastructure that supports the use of large-scale datasets for education research?

Accessible Format: By request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**, individuals with disabilities can obtain this document in an accessible format. The Department will provide the requestor with an accessible format that may include Rich Text Format (RTF) or text format (txt), a thumb drive, an MP3 file, braille, large print, audiotape, or compact disc, or other accessible format.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. You may access the official edition of the **Federal Register** and the Code of Federal Regulations at *www.govinfo.gov.* At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at *www.federalregister.gov.* Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Mark Schneider,

Director, Institute of Education Sciences.

[FR Doc. 2022–09239 Filed 4–28–22; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric corporate filings:

Docket Numbers: EC22–57–000.

Applicants: Northern Wind Energy Redevelopment, LLC.

Description: Joint Application for Authorization Under Section 203 of the Federal Power Act of Northern Wind Energy Redevelopment, LLC, et al.

Filed Date: 4/22/22.

Accession Number: 20220422–5296.

Comment Date: 5 p.m. ET 5/13/22.

Docket Numbers: EC22–58–000.

Applicants: Vandolah Power Company, L.L.C.

Description: Application for Authorization Under Section 203 of the Federal Power Act of Vandolah Power Company, L.L.C.

Filed Date: 4/25/22.

Accession Number: 20220425–5191.

Comment Date: 5 p.m. ET 5/16/22.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER20–1697–002.

Applicants: Midcontinent Independent System Operator, Inc., AEP Indiana Michigan Transmission Company, Inc.

Description: Compliance filing: Midcontinent Independent System Operator, Inc. submits tariff filing per 35: 2022–04–25_AEP Compliance on Order 864 for ADIT to be effective 1/27/2020.

Filed Date: 4/25/22.

Accession Number: 20220425–5355.

Comment Date: 5 p.m. ET 5/16/22.

Docket Numbers: ER20–1740–002.

Applicants: American Transmission Systems, Incorporated, PJM Interconnection, L.L.C.

Description: Compliance filing: American Transmission Systems, Incorporated submits tariff filing per 35: ATSI submits compliance filing in ER20–1740 revising Att. H–21A and Att. II to be effective 12/1/2020.

Filed Date: 4/25/22.

Accession Number: 20220425–5180.

Comment Date: 5 p.m. ET 5/16/22.

Docket Numbers: ER20–1957–002.

Applicants: Gulf Power Company.

Description: Compliance filing: Supplement to Amended Compliance Filing to be effective 1/27/2020.

Filed Date: 4/25/22.

Accession Number: 20220425–5325.

Comment Date: 5 p.m. ET 5/16/22.

Docket Numbers: ER20–2577–002.

Applicants: Southwest Power Pool, Inc., American Electric Power Service Corporation

Description: Compliance filing: American Electric Power Service Corporation submits tariff filing per 35: Compliance Filing in Response to Order Issued in ER20–2577 (AEP West Transcos) to be effective 1/27/2020.

Filed Date: 4/25/22.

Accession Number: 20220425–5341.

Comment Date: 5 p.m. ET 5/16/22.

Docket Numbers: ER21–1807–004.

Applicants: Hill Top Energy Center LLC.

Description: Compliance filing: Settlement Compliance Filing Under Docket Nos. ER21–1807 and EL21–81 to be effective 7/30/2021.

Filed Date: 4/25/22.

Accession Number: 20220425–5258.

Comment Date: 5 p.m. ET 5/16/22.

Docket Numbers: ER22–109–000.

Applicants: Cheyenne Light, Fuel and Power Company.

Description: Report Filing: Supplemental Information to Jurisdictional Agreement Filing to be effective N/A.

Filed Date: 4/15/22.

Accession Number: 20220415–5167.

Comment Date: 5 p.m. ET 5/6/22.

Docket Numbers: ER22–709–001.

Applicants: Missouri Joint Municipal Electric Utility Commission, Southwest Power Pool, Inc.

Description: Tariff Amendment: Missouri Joint Municipal Electric Utility Commission submits tariff filing per 35.17(b): Deficiency Response—Missouri Joint Municipal Utility Commission Formula Rate to be effective 12/31/9998.

Filed Date: 4/25/22.

Accession Number: 20220425–5198.

Comment Date: 5 p.m. ET 5/16/22.

Docket Numbers: ER22–709–002.

Applicants: Missouri Joint Municipal Electric Utility Commission, Southwest Power Pool, Inc.

Description: Tariff Amendment: Southwest Power Pool, Inc. submits tariff filing per 35.17(b): Supplemental to Deficiency Response of MJMEUC to be effective 12/31/9998.

Filed Date: 4/25/22.

Accession Number: 20220425–5297.

Comment Date: 5 p.m. ET 5/16/22.

Docket Numbers: ER22–1679–000.

Applicants: Google Energy LLC.

Description: § 205(d) Rate Filing: Google Energy Market Based Rate Tariff Revisions to be effective 4/23/2022.

Filed Date: 4/22/22.

Accession Number: 20220422–5258.

Comment Date: 5 p.m. ET 5/13/22.

Docket Numbers: ER22–1680–000.

Applicants: PJM Interconnection, L.L.C.

Description: Tariff Amendment: Notice of Termination of First Revised SA No. 3226—PJM and VEPCO dba Dominion to be effective 4/12/2022.

Filed Date: 4/22/22.

Accession Number: 20220422–5272.

Comment Date: 5 p.m. ET 5/13/22.

Docket Numbers: ER22–1681–000.

Applicants: Southwest Power Pool, Inc.

Description: § 205(d) Rate Filing: 3938 AEP Renewables Development Surplus Interconnection GIA to be effective 6/25/2022.

Filed Date: 4/25/22.

Accession Number: 20220425–5089.

Comment Date: 5 p.m. ET 5/16/22.

Docket Numbers: ER22–1682–000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Original ISA, Service Agreement No. 6421; Queue No. AE1–155 to be effective 3/25/2022.

Filed Date: 4/25/22.

Accession Number: 20220425–5121.

Comment Date: 5 p.m. ET 5/16/22.

Docket Numbers: ER22–1683–000.

Applicants: Southwest Power Pool, Inc.

Description: § 205(d) Rate Filing: 2482R3 Evergy Metro & Evergy KS Central Interconnection Agreement to be effective 5/1/2022.

Filed Date: 4/25/22.

Accession Number: 20220425–5187.

Comment Date: 5 p.m. ET 5/16/22.

Docket Numbers: ER22–1684–000.

Applicants: American Electric Power Service Corporation, Appalachian Power Company, Indiana Michigan Power Company, Kentucky Power Company, Kingsport Power Company, Ohio Power Company, Wheeling Power Company, AEP Appalachian Transmission Company, Inc., AEP Indiana Michigan Transmission Company, Inc., AEP Kentucky Transmission Company, Inc., AEP Ohio Transmission Company, Inc., AEP West Virginia Transmission Company, Inc., PJM Interconnection, L.L.C.

Description: Compliance filing: American Electric Power Service Corporation submits tariff filing per 35: AEP East Operating and Transmission Companies Order 864 Compliance Filing to be effective 1/27/2020.

Filed Date: 4/25/22.

Accession Number: 20220425–5316.

Comment Date: 5 p.m. ET 5/16/22.

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 or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) 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.

Dated: April 25, 2022.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2022–09283 Filed 4–28–22; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 539–015]

Lock 7 Partners, LLC; Notice of Availability of Environmental Assessment

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's (Commission) regulations, 18 CFR part 380, the Office of Energy Projects has reviewed the application for a new major license for the Mother Ann Lee Hydroelectric Station Water Power Project No. 539, located on the Kentucky River in Mercer, Jessamine, and Garrard Counties, Kentucky, and has prepared an Environmental Assessment (EA) for the project. No federal land is occupied by project works or located within the project boundary.

The EA contains staff's analysis of the potential environmental impacts of the project and concludes that licensing the project, with appropriate environmental protective measures, would not constitute a major federal action that would significantly affect the quality of the human environment.

The Commission provides all interested persons with an opportunity to view and/or print the EA 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. For assistance, contact FERC Online Support at *FERCOnlineSupport@ferc.gov* or toll-free at (866) 208–3676, or for TTY, (202) 502–8659.

You may also register online at *https://ferconline.ferc.gov/eSubscription.aspx* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

Any comments should be filed within 30 days from the date of this notice.

The Commission strongly encourages electronic filing. Please file comments using the Commission's eFiling system at *https://ferconline.ferc.gov/eFiling.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.* You must include your name and contact information at the end of your comments. 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: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. The first page of any filing should include docket number P–539–015.

For further information, contact Joshua Dub at (202) 502–8138, or at *joshua.dub@ferc.gov.*

Dated: April 25, 2022.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2022–09285 Filed 4–28–22; 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 Instituting Proceedings

Docket Numbers: PR22–35–000.

Applicants: Black Hills Gas Distribution LLC.

Description: Tariff Amendment: Notice of Cancellation of Statement of Operating Conditions to be effective 4/23/2022.

Filed Date: 4/22/22.

Accession Number: 20220422–5221.

Comment Date: 5 p.m. ET 5/13/22.

Docket Numbers: PR22–36–000.

Applicants: The East Ohio Gas Company.

Description: § 284.123 Rate Filing: Operating Statment of The East Ohio Gas Company 4/1/22 to be effective 4/1/2022.

Filed Date: 4/25/22.

Accession Number: 20220425–5212.

Comment Date: 5 pm ET 5/16/22.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) 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.

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: *https://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: April 25, 2022.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2022–09282 Filed 4–28–22; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Revocation of Market-Based Rate Authority and Termination of Electric Market-Based Rate Tariff

	Docket Nos.
Electric Quarterly Reports	ER02–2001–020
Liberty Power Delaware LLC.	ER12–2401–000
Liberty Power Wholesale Supply, LLC.	ER12–1707–000
Entrust Energy East, Inc ...	ER15–1557–001
PowerOne Corporation	ER14–209–001

On January 31, 2022, the Commission issued an order announcing its intent to revoke the market-based rate authority of several public utilities that had failed to file their required Electric Quarterly Reports.[1] The Commission directed those public utilities to file the required Electric Quarterly Reports within 15 days of the date of issuance of the order or face revocation of their authority to sell power at market-based rates and termination of their electric market-based rate tariffs.[2]

The time period for compliance with the January 31 Order has elapsed. The above-captioned companies failed to file their delinquent Electric Quarterly Reports. The Commission hereby revokes, effective as of the date of issuance of this notice, the market-based rate authority and terminates the electric market-based rate tariff of each of the companies who are named in the caption of this order.

Dated: April 25, 2022.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2022–09280 Filed 4–28–22; 8:45 am]

BILLING CODE 6717–01–P

[1] *Electric Quarterly Reports,* 178 FERC ¶ 61,077 (2022) (January 31 Order).

[2] *Id.* at Ordering Paragraph A.

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP22–161–000]

Gulf South Pipeline Company, LLC; Notice of Application and Establishing Intervention Deadline

Take notice that on April 11, 2022, Gulf South Pipeline Company, LLC (Gulf South), 9 Greenway Plaza, Suite 2800, Houston, Texas 77046, filed in the above referenced docket, an application pursuant to sections 7(b) and 7(c) of the Natural Gas Act (NGA) and Part 157 of the Commission's regulations, for authorization to replace its existing pipelines under the Mississippi River (MS River Crossing) in Ascension Parish, Louisiana (Index 130 MS River Crossing Replacement Project). Gulf South estimates the cost of the project to be $61,206,000.

Specifically, Gulf South proposes to (1) install 1.09 miles of 30-inch-diameter dual pipeline via horizontal directional drill, tie-ins, auxiliary, and appurtenant equipment to reconnect to the existing Index 130 and Index 130L mainlines, and (2) abandon in-place and by removal the existing MS River Crossing. Gulf South states that the replacement facilities will have equivalent designed transportation capacity all as more fully set forth in the request which is on file with the Commission and open to public inspection with the Commission and open for 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 (*https://ferc.gov*) using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. At this time, the Commission has suspended access to the Commission's Public Reference Room, due to the proclamation declaring a National Emergency concerning the Novel Coronavirus Disease (COVID–19), issued by the President on March 13, 2020. For assistance, contact the Federal Energy Regulatory Commission at *FERCOnlineSupport@ferc.gov* or call toll-free, (886) 208–3676 or TYY, (202) 502–8659.

Any questions regarding this application should be directed to Juan Eligio Jr., Manager of Regulatory Affairs, Gulf South Pipeline Company, LLC, 9 Greenway Plaza, Suite 2800, Houston, Texas 77046, by telephone at (713) 479–3480 or by email at *juan.eligio@bwpipelines.com.*

Pursuant to Section 157.9 of the Commission's Rules of Practice and Procedure,[1] within 90 days of this Notice the Commission staff will either: Complete its environmental review and place it into the Commission's public record (eLibrary) for this proceeding; or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other

[1] 18 CFR (Code of Federal Regulations) § 157.9.

milestones, the anticipated date for the Commission staff's issuance of the final environmental impact statement (FEIS) or environmental assessment (EA) for this proposal. The filing of an EA in the Commission's public record for this proceeding or the issuance of a Notice of Schedule for Environmental Review will serve to notify federal and state agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all federal authorizations within 90 days of the date of issuance of the Commission staff's FEIS or EA.

Public Participation

There are two ways to become involved in the Commission's review of this project: You can file comments on the project, and you can file a motion to intervene in the proceeding. There is no fee or cost for filing comments or intervening. The deadline for filing a motion to intervene is 5:00 p.m. Eastern Time on May 16, 2022.

Comments

Any person wishing to comment on the project may do so. Comments may include statements of support or objections to the project as a whole or specific aspects of the project. The more specific your comments, the more useful they will be. To ensure that your comments are timely and properly recorded, please submit your comments on or before May 16, 2022.

There are three methods you can use to submit your comments to the Commission. In all instances, please reference the Project docket number CP22–161–000 in your submission.

(1) 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;

(2) You may file your comments electronically by using the eFiling feature, which is located on the Commission's website (*www.ferc.gov*) under the link to Documents and Filings. With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. 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 ''Comment on a Filing''; or

(3) You may file a paper copy of your comments by mailing them to the following address below.[2] Your written comments must reference the Project docket number (CP22–161–000).

Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

The Commission encourages electronic filing of comments (options 1 and 2 above) and has eFiling staff available to assist you at (202) 502–8258 or *FercOnlineSupport@ferc.gov.*

Persons who comment on the environmental review of this project will be placed on the Commission's environmental mailing list and will receive notification when the environmental documents (EA or EIS) are issued for this project and will be notified of meetings associated with the Commission's environmental review process.

The Commission considers all comments received about the project in determining the appropriate action to be taken. *However, 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. For instructions on how to intervene, see below.

Interventions

Any person, which includes individuals, organizations, businesses, municipalities, and other entities,[3] 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 May 16, 2022. 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.*

There are two ways to submit your motion to intervene. In both instances, please reference the Project docket number CP22–161–000 in your submission.

(1) You may file your motion to intervene 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 ''Intervention.'' The eFiling feature includes a document-less intervention option; for more information, visit *https://www.ferc.gov/docs-filing/efiling/document-less-intervention.pdf;* or

(2) You can file a paper copy of your motion to intervene, along with three copies, by mailing the documents to the address below.[6] Your motion to intervene must reference the Project docket number CP22–161–000.

Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

The Commission encourages electronic filing of motions to intervene (option 1 above) and has eFiling staff available to assist you at (202) 502–8258 or *FercOnlineSupport@ferc.gov.*

Motions to intervene must be served on the applicant either by mail or email at: Juan Eligio Jr., Manager of Regulatory Affairs, Gulf South Pipeline Company, LLC, 9 Greenway Plaza, Suite 2800, Houston, Texas 77046 or *juan.eligio@bwpipelines.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. Service can be via email with a link to the document.

All timely, unopposed[7] motions to intervene are automatically granted by operation of Rule 214(c)(1).[8] 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

[2] Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.

[3] 18 CFR 385.102(d).

[4] 18 CFR 385.214.

[5] 18 CFR 157.10.

[6] Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.

[7] The applicant has 15 days from the submittal of a motion to intervene to file a written objection to the intervention.

[8] 18 CFR 385.214(c)(1).

factors set forth in Rule 214(d) of the Commission's Rules and Regulations.[9] 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.

Tracking the Proceeding

Throughout the proceeding, additional information about the projects 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.*

Intervention Deadline: 5:00 p.m. Eastern Time on May 16, 2022.

Dated: April 25, 2022.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2022–09281 Filed 4–28–22; 8:45 am]

BILLING CODE 6717–01–P

[9] 18 CFR 385.214(b)(3) and (d).

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2022–0162; FRL–9766–01–OCSPP]

Pesticide Experimental Use Permit; Receipt of Application; Comment Request March 2022

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces EPA's receipt of an application 95699–EUP–R from NewLeaf Symbiotics, Inc., requesting an experimental use permit (EUP) for the *Methylorubrum extorquens* strain NLS0042. The Agency has determined that the permit may be of regional and national significance. Therefore, because of the potential significance, EPA is seeking comments on this application. This notice also announces EPA's receipt of an application 94614–EUP–R from GreenLight Biosciences, Inc., requesting an experimental use permit (EUP) for Ledprona (CAS No. 2433753–68–3). The Agency has determined that the permit may be of regional and national significance. Therefore, because of the potential significance, EPA is seeking comments on this application.

DATES: Comments must be received on or before May 31, 2022.

ADDRESSES: Submit your comments, identified by docket identification (ID) number EPA–HQ–OPP–2022–0162, by one of the following methods:

- *Federal eRulemaking Portal: http://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.
- *Mail:* OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001.
- *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at *http://www.epa.gov/dockets/contacts.html.*

Due to the public health concerns related to COVID–19, the EPA Docket Center (EPA/DC) and Reading Room is closed to visitors with limited exceptions. The staff continues to provide remote customer service via email, phone, and webform. For the latest status information on EPA/DC services and docket access, visit *https://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT: Charles Smith, Biopesticides and Pollution Prevention Division (7511M), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; main telephone number: (202) 566–2427; email address: *BPPDFRNotices@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

This action is directed to the public in general. Although this action may be of particular interest to those persons who conduct or sponsor research on pesticides, the Agency has not attempted to describe all the specific entities that may be affected by this action.

B. What should I consider as I prepare my comments for EPA?

1. *Submitting CBI.* Do not submit this information to EPA through *regulations.gov* or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD–ROM that you mail to EPA, mark the outside of the disk or CD–ROM as CBI and then identify electronically within the disk or CD–ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked 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 *http://www.epa.gov/dockets/comments.html.*

3. *Environmental justice.* EPA seeks to achieve environmental justice, the fair treatment and meaningful involvement of any group, including minority and/or low-income populations, in the development, implementation, and enforcement of environmental laws, regulations, and policies. To help address potential environmental justice issues, the Agency seeks information on any groups or segments of the population who, as a result of their location, cultural practices, or other factors, may have atypical or disproportionately high and adverse human health impacts or environmental effects from exposure to the pesticide(s) discussed in this document, compared to the general population.

II. What action is the Agency taking?

Under section 5 of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), 7 U.S.C. 136c, EPA can allow manufacturers to field test pesticides under development. Manufacturers are required to obtain an EUP before testing new pesticides or new uses of pesticides if they conduct experimental field tests on 10 acres or more of land or one acre or more of water.

Pursuant to 40 CFR 172.11(a), the Agency has determined that the following EUP application may be of regional and national significance, and therefore is seeking public comment on the EUP application:

Experimental Use Permit Number: 95699–EUP–R. *Docket ID Number:* EPA–HQ–OPP–2022–0232. *Submitter:*

NewLeaf Symbiotics, Inc., 1005 North Warson Road, St. Louis, MO 63132. *Pesticide Chemical: Methylorubrum extorquens* strain NLS0042. *Summary of Request:* NewLeaf Symbiotics, Inc. is proposing to use 69 pounds of a product, Terrasym 250 CRW, that contains the active ingredient *Methylorubrum extorquens* strain NLS0042 over 1000 acres during the November 2022 to November 2023 growing season on corn seeds and corn fields in Colorado, Indiana, Illinois, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin to generate product performance data to support a future FIFRA section 3 registration against corn rootworm. *Contact:* BPPD.

Experimental Use Permit Number: 94614–EUP–R. *Docket ID Number:* EPA–HQ–OPP–2021–0270. *Submitter:* GreenLight Biosciences, Inc. 200 Boston Ave., Suite 1000, Medford, MA 02155. *Pesticide Chemical:* Ledprona (CAS No. 2433753–68–3). *Summary of Request:* GreenLight Biosciences, Inc. is proposing to test Ledprona (CAS No. 2433753–68–3) double-stranded RNA beginning in April of 2022 until April 2023. The active ingredient is proposed to be applied by aerial, ground, and chemigation methods. The use sites include the following states: Idaho, Maine, Michigan, Minnesota, New York, North Dakota, Oregon, Virginia, Wisconsin, and Washington. The maximum quantity of pesticide requested is a total of 6,360 grams of active ingredient over a total of 348 acres. The proposed experiments are to evaluate the performance of the product using different application methods, use at commercial scale compared to standard tools, performance of the product in integrated pest management programs, yield effects with use of the product, performance in various environmental conditions, and effect of the product on different stages of the target pest. *Contact:* BPPD.

Authority: 7 U.S.C. 136 *et seq.*

Dated: April 18, 2022.

Delores Barber,

Director, Information Technology and Resources Management Division, Office of Program Support.

[FR Doc. 2022–09146 Filed 4–28–22; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–9712–01–OMS]

Privacy Act of 1974; System of Records

AGENCY: Office of Enforcement and Compliance Assurance (OECA), Environmental Protection Agency (EPA).

ACTION: Rescindment of a system of records notice.

SUMMARY: The U.S. Environmental Protection Agency's (EPA), National Enforcement Training Institute is giving notice that it proposes to rescind a system of records pursuant to the provisions of the Privacy Act of 1974. The NETI eLearning Center was used by Federal, State, Local, and Tribal environmental enforcement and compliance personnel for online distance learning. The EPA used this system to maintain registration information of internal and external users and records of training attendance and completion. The Office of Enforcement and Compliance Assurance (OECA) will no longer maintain the NETI eLearning Center.

DATES: EPA OECA discontinued use of the NETI eLearning Center in July 2020.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–HQ–OE1–2015–0201, by one of the following methods:

Regulations.gov: www.regulations.gov. Follow the online instructions for submitting comments.

Email: oei.docket@epa.gov.

Fax: 202–566–1752.

Mail: OMS Docket, Environmental Protection Agency, Mail Code: 2822T, 1200 Pennsylvania Ave. NW, Washington, DC 20460.

Hand Delivery: OMS Docket, EPA/DC, WJC West Building, Room 3334, 1301 Constitution Ave. NW, Washington, DC 20460. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to Docket ID No. EPA–HQ–OE1–2015–0201. The EPA's policy is that all comments received will be included in the public docket without change and may be made available online at *www.regulations.gov,* including any personal information provided, unless the comment includes information claimed to be Controlled Unclassified Information (CUI) or other information for which disclosure is restricted by statute. Do not submit information that you consider to be CUI or otherwise protected through *www.regulations.gov.* The *www.regulations.gov* website is an ''anonymous access'' system for EPA, which means the EPA will not know your identity or contact information unless you provide it in the body of your comment. Each agency determines submission requirements within their own internal processes and standards. If you send an email comment directly to the EPA without going through *www.regulations.gov* your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the internet. If you submit an electronic comment, the EPA recommends that you include your name and other contact information in the body of your comment. If the EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, the EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about the EPA's public docket visit the EPA Docket Center homepage at *http://www.epa.gov/epahome/dockets.htm.*

Docket: All documents in the docket are listed in the *www.regulations.gov* index. Although listed in the index, some information is not publicly available, *e.g.,* CUI or other information for which disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in *www.regulations.gov* or in hard copy at the OMS Docket, EPA/DC, WJC West Building, Room 3334, 1301 Constitution Ave. NW, Washington, DC 20460.

Temporary Hours During COVID–19

Out of an abundance of caution for members of the public and our staff, the EPA Docket Center and Reading Room are closed to the public, with limited exceptions, to reduce the risk of transmitting COVID–19. Our Docket Center staff will continue to provide remote customer service via email, phone, and webform. We encourage the public to submit comments via *https://www.regulations.gov/* or email, as there may be a delay in processing mailand faxes. Hand deliveries and couriers may be received by scheduled appointment only. For further information on EPA Docket Center services and the current status, please visit us online at *https://www.epa.gov/dockets.* The telephone number for the Public Reading Room is (202) 566–1744, and the telephone

number for the OMS Docket is (202) 566–1752.

FOR FURTHER INFORMATION CONTACT: Roger Jones, Program Analyst, EPA National Enforcement Training Institute, OECA, 1200 Pennsylvania Avenue NW, Washington, DC 20460 (Email: *Jones.Roger@epa.gov*) Phone number: 202–564–4794.

SUPPLEMENTARY INFORMATION: EPA is giving notice that FedTalent has replaced the NETI eLearning Center as the Learning Management System (LMS) for the Office of Compliance within EPA's OECA. All records previously maintained in the NETI eLearning Center were downloaded and will be expunged according to the requirements of records schedule 1029 (Employee Training Records). All FedTalent records are covered by the Human Resources Line of Business system of records notice (SORN), EPA–93.

SYSTEM NAME AND NUMBER:

NETI eLearning Center, EPA–47.

HISTORY:

66 FR 49947 (October, 2001)—OCEFT/NETI Training Registration and Administration Records.

82 FR 32359 (July 2017)—Notice of a Modified System of Records. EPA amended the SORN to change the system name from NETI Online to the NETI eLearning Center and to change the system location from the Office of Criminal Enforcement to NETI in the Office of Compliance (the NETI division).

Vaughn Noga,

Senior Agency Official for Privacy.

[FR Doc. 2022–09196 Filed 4–28–22; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL OP–OFA–014]

Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information 202–564–5632 or *https://www.epa.gov/nepa.*

Weekly receipt of Environmental Impact Statements (EIS)

Filed April 18, 2022 10 a.m. EST

Through April 25, 2022 10 a.m. EST

Pursuant to 40 CFR 1506.9.

Notice

Section 309(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other Federal agencies. EPA's comment letters on EISs are available at: *https://cdxnodengn.epa.gov/cdx-enepa-public/action/eis/search.*

EIS No. 20220057, Final, FHWA, MD, Chesapeake Bay Crossing Study Tier 1 NEPA, Contact: Jeanette Mar 410–779–7152. Pursuant to 23 U.S.C. 139(n)(2), FHWA has issued a single FEIS and ROD. Therefore, the 30-day wait/review period under NEPA does not apply to this action.

EIS No. 20220058, Draft Supplement, FHWA, OR, Earthquake Ready Burnside Bridge, Comment Period Ends: 06/13/2022, Contact: Emily Cline 503–316–2547.

EIS No. 20220059, Draft, TVA, TN, Cumberland Fossil Plant Retirement, Comment Period Ends: 06/13/2022, Contact: Ashley Pilakowski 865–632–2256.

EIS No. 20220060, Draft, BLM, NM, SunZia Southwest Transmission Project, Comment Period Ends: 07/28/2022, Contact: Adrian Garcia 505–954–2199.

Dated: April 26, 2022.

Cindy S. Barger,

Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 2022–09222 Filed 4–28–22; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OAR–2018–0279; FRL–9545–03–OAR]

Release of Draft Policy Assessment for the Reconsideration of the Ozone National Ambient Air Quality Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability.

SUMMARY: On or about April 28, 2022, the Environmental Protection Agency (EPA) is making available to the public a draft document titled, *Policy Assessment for the Reconsideration of the Ozone National Ambient Air Quality Standards, External Review Draft* (Draft PA). This draft document was prepared as a part of the current reconsideration of the 2020 final decision on the national ambient air quality standards (NAAQS) for ozone (O_3). When final, the PA is intended to ''bridge the gap'' between the scientific and technical information assessed in the 2020 Integrated Science Assessment for Ozone and Related Photochemical Oxidants (2020 ISA), as well as any air quality, exposure and risk analyses available in the reconsideration, and the judgments required of the Administrator. The primary and secondary O_3 NAAQS are set to protect the public health and the public welfare from O_3 and other photochemical oxidants in ambient air.

DATES: Comments must be received on or before May 31, 2022.

ADDRESSES: You may send comments on the draft PA, identified by Docket ID No. EPA–HQ–OAR–2018–0279, by any of the following methods:

- *Federal eRulemaking Portal: https://www.regulations.gov/* (our preferred method). Follow the online instructions for submitting comments.
- *Mail:* U.S. Environmental Protection Agency, EPA Docket Center, Office of Air and Radiation Docket, Mail Code 28221T, 1200 Pennsylvania Avenue NW, Washington, DC 20460.
- *Hand Delivery or Courier (by scheduled appointment only):* EPA Docket Center, WJC West Building, Room 3334, 1301 Constitution Avenue NW, Washington, DC 20004. The Docket Center's hours of operations are 8:30 a.m.–4:30 p.m., Monday–Friday (except Federal Holidays).

Instructions: All submissions received must include the Docket ID No. for this notice. 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 **SUPPLEMENTARY INFORMATION** section of this document. Out of an abundance of caution for members of the public and our staff, the EPA Docket Center and Reading Room are open to the public by appointment only to reduce the risk of transmitting COVID–19. Our Docket Center staff also continues to provide remote customer service via email, phone, and webform. Hand deliveries and couriers may be received by scheduled appointment only. For further information on EPA Docket Center services and the current status, please visit us online at *https://www.epa.gov/dockets.*

The draft document described here will be available on the EPA's website at *https://www.epa.gov/naaqs/ozone-o3-air-quality-standards.* The documents will be accessible under ''Policy Assessments'' for the current review.

FOR FURTHER INFORMATION CONTACT: Leigh Meyer, Office of Air Quality Planning and Standards, (Mail Code C504–06), U.S. Environmental Protection Agency, Research Triangle Park, NC 27711; telephone number: 919–541–5587, fax number: 919–541–0237; or email: *meyer.leigh@epa.gov,* or Mary Hutson, Office of Air Quality Planning and Standards, (Mail Code C504–06), U.S. Environmental

Protection Agency, Research Triangle Park, NC 27711; telephone number: 919–541–0715, fax number: 919–541–0237; or email: *hutson.mary@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

Written Comments: Submit your comments, identified by Docket ID No. EPA–HQ–OAR–2018–0279, at *https://www.regulations.gov* (our preferred method), or 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 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. 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 CBI or multimedia submissions, and general guidance on making effective comments, please visit *https://www.epa.gov/dockets/commenting-epa-dockets.*

Due to public health concerns related to COVID–19, the EPA Docket Center and Reading Room are open to the public by appointment only. Our Docket Center staff also continues to provide remote customer service via email, phone, and webform. Hand deliveries or couriers will be received by scheduled appointment only. For further information and updates on EPA Docket Center services, please visit us online at *https://www.epa.gov/dockets.*

The EPA continues to monitor information carefully and continuously from the Centers for Disease Control and Prevention (CDC), local area health departments, and our Federal partners so that we can respond rapidly as conditions change regarding COVID–19.

II. Information About the Documents

Two sections of the Clean Air Act (CAA or the Act) govern the establishment and revision of the NAAQS. Section 108 directs the Administrator to identify and list certain air pollutants and then issue ''air quality criteria'' for those pollutants. The air quality criteria are to ''accurately reflect the latest scientific knowledge useful in indicating the kind and extent of all identifiable effects on public health or welfare which may be expected from the presence of such pollutant in the ambient air . . .'' (CAA section 108(a)(2)). Under section 109 of the Act, the EPA is then to establish primary (health-based) and secondary (welfare-based) NAAQS for each pollutant for which the EPA has issued air quality criteria. Section 109(d)(1) of the Act requires periodic review and, if appropriate, revision of existing air quality criteria. Revised air quality criteria are to reflect advances in scientific knowledge on the effects of the pollutant on public health and welfare. Under the same provision, the EPA is also to periodically review and, if appropriate, revise the NAAQS, based on the revised air quality criteria.

The Act additionally requires appointment of an independent scientific review committee that is to periodically review the existing air quality criteria and NAAQS and to recommend any new standards and revisions of existing criteria and standards as may be appropriate (CAA section 109(d)(2)(A)–(B)). Since the early 1980s, the requirement for an independent scientific review committee has been fulfilled by the Clean Air Scientific Advisory Committee (CASAC).

In December 2020, the EPA announced its decision to retain the primary and secondary O_3 standards, without revision (85 FR 87256, December 31, 2020). On October 29, 2021, the Agency announced its decision to reconsider the 2020 O_3 NAAQS final action.[1] In its announcement of the reconsideration, the Agency explained that it would reconsider the 2020 decision to retain 2015 standards based on the existing scientific record. In support of the reconsideration, the EPA is developing an updated PA. The PA, when final, serves to ''bridge the gap'' between the scientific and technical information in the 2020 ISA and any air quality, exposure and risk analyses available in the reconsideration, and the judgements required of the Administrator. The draft PA builds upon the information presented in the 2020 ISA, the 2020 PA and additional analyses that informed the 2020 decision. The draft PA document will be available on or about April 28, 2022, on the EPA's website at *https://www.epa.gov/naaqs/ozone-o3-air-quality-standards.* The EPA is soliciting advice and recommendations from the CASAC by means of a review of this draft document in an upcoming public meeting of the CASAC. Information about this public meeting, including the dates and location, was published as a separate notice in the **Federal Register** on April 4, 2022 (87 FR 19501). Following the CASAC meeting, the EPA will consider comments received from the CASAC and the public in preparing the final PA.

The draft document briefly described above does not represent and should not be construed to represent any final EPA policy, viewpoint, or determination. The EPA will consider any public comments submitted in response to this notice when revising the document.

Dated: April 26, 2022.

Panagiotis Tsirigotis,

Director, Office of Air Quality Planning and Standards.

[FR Doc. 2022–09214 Filed 4–28–22; 8:45 am]

BILLING CODE 6560–50–P

[1] The press release for this announcement is available at *https://www.epa.gov/ground-level-ozone-pollution/epa-reconsider-previous-administrations-decision-retain-2015-ozone.*

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

Sunshine Act Meetings

TIME AND DATE: 10:00 a.m., Thursday, May 12, 2022.

PLACE: The Richard V. Backley Hearing Room, Room 511, 1331 Pennsylvania Avenue NW, Suite 504 North, Washington, DC 20004 (enter from F Street entrance).

Note that workplace policies instituted to address the COVID–19 pandemic may restrict the ability of some participants to take part in the argument in-person. Those participants will join the argument through a videoconference involving all other participants who are appearing in-person.

STATUS: Open.

MATTERS TO BE CONSIDERED: The Commission will consider and act upon the following in open session: *Peabody Midwest Mining, LLC and Butler employed by Peabody Mining Midwest Mining, LLC,* Docket Nos. LAKE 2019–0023, 2019–0122, 2019–0361. (Issues include whether the Judge erred in concluding that the operator violated standards when it failed to immediately de-energize equipment when it encountered high methane levels, whether the violation was significant and substantial, and whether a supervisor was liable for individual penalties.).

Pursuant to the Commission's COVID–19 Workplace Safety Plan, in-

person attendance shall be limited to persons participating in the oral argument process (*e.g.,* Chair and Commissioners, parties and their representatives, Commission employees providing support for the meeting). Non-participating individuals may listen to the meeting by calling the phone number listed below in this notice.

Any person attending this oral argument who requires special accessibility features and/or auxiliary aids, such as sign language interpreters, must inform the Commission in advance of those needs. Subject to 29 CFR 2706.150(a)(3) and § 2706.160(d).

CONTACT PERSON FOR MORE INFO: Emogene Johnson (202) 434–9935/(202) 708–9300 for TDD Relay/1–800–877–8339 for toll free.

PHONE NUMBER FOR LISTENING TO MEETING: 1–(866) 236–7472, Passcode: 678–100.

Authority: 5 U.S.C. 552b.

Dated: April 27, 2022.

Sarah L. Stewart,

Deputy General Counsel.

[FR Doc. 2022–09325 Filed 4–27–22; 11:15 am]

BILLING CODE 6735–01–P

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

Sunshine Act Meetings

TIME AND DATE: 10:00 a.m., Friday, May 13, 2022.

PLACE: The Richard V. Backley Hearing Room, Room 511, 1331 Pennsylvania Avenue NW, Suite 504 North, Washington, DC 20004 (enter from F Street entrance).

STATUS: Open.

MATTERS TO BE CONSIDERED: The Commission will consider and act upon the following in open session: *Peabody Midwest Mining, LLC and Butler employed by Peabody Mining Midwest Mining, LLC,* Docket Nos. LAKE 2019–0023, 2019–0122, 2019–0361. (Issues include whether the Judge erred in concluding that the operator violated standards when it failed to immediately de-energize equipment when it encountered high methane levels, whether the violation was significant and substantial, and whether a supervisor was liable for individual penalties.).

Pursuant to the Commission's COVID–19 Workplace Safety Plan, in-person attendance shall be limited to persons participating in the decisional process (*e.g.,* Chair and Commissioners, Commission employees providing support for the meeting). Non-participating individuals may listen to the meeting by calling the phone number listed below in this notice.

Any person attending this meeting who requires special accessibility features and/or auxiliary aids, such as sign language interpreters, must inform the Commission in advance of those needs. Subject to 29 CFR 2706.150(a)(3) and 2706.160(d).

CONTACT PERSON FOR MORE INFO: Emogene Johnson (202) 434–9935/(202) 708–9300 for TDD Relay/1–800–877–8339 for toll free.

PHONE NUMBER FOR LISTENING TO MEETING: 1–(866) 236–7472, Passcode: 678–100.

Authority: 5 U.S.C. 552b.

Dated: April 27, 2022.

Sarah L. Stewart,

Deputy General Counsel.

[FR Doc. 2022–09326 Filed 4–27–22; 11:15 am]

BILLING CODE 6735–01–P

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[OMB Control No. 9000–0045; Docket No. 2022–0053; Sequence No. 14]

Information Collection; Bid Guarantees, Performance and Payment Bonds, and Alternative Payment Protection

AGENCY: Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 and the Office of Management and Budget (OMB) regulations, DoD, GSA, and NASA invite the public to comment on an extension concerning bid guarantees, performance and payment bonds, and alternative payment protections. DoD, GSA, and NASA invite comments on: Whether the proposed collection of information is necessary for the proper performance of the functions of Federal Government acquisitions, including whether the information will have practical utility; the accuracy of the estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including the use of automated collection techniques or other forms of information technology. OMB has approved this information collection for use through August 31, 2022. DoD, GSA, and NASA propose that OMB extend its approval for use for three additional years beyond the current expiration date.

DATES: DoD, GSA, and NASA will consider all comments received by June 28, 2022.

ADDRESSES: DoD, GSA, and NASA invite interested persons to submit comments on this collection through *https://www.regulations.gov* and follow the instructions on the site. This website provides the ability to type short comments directly into the comment field or attach a file for lengthier comments. If there are difficulties submitting comments, contact the GSA Regulatory Secretariat Division at 202–501–4755 or *GSARegSec@gsa.gov.*

Instructions: All items submitted must cite OMB Control No. 9000–0045, Bid Guarantees, Performance and Payment Bonds, and Alternative Payment Protection. Comments received generally will be posted without change to *https://www.regulations.gov,* including any personal and/or business confidential information provided. To confirm receipt of your comment(s), please check *www.regulations.gov,* approximately two-to-three days after submission to verify posting.

FOR FURTHER INFORMATION CONTACT: Ms. Marissa Ryba, Procurement Analyst, at telephone 314–586–1280, or *marissa.ryba@gsa.gov.*

SUPPLEMENTARY INFORMATION:

A. OMB Control Number, Title, and Any Associated Form(s)

9000–0045, Bid Guarantees, Performance and Payment Bonds, and Alternative Payment Protection, Standard Forms (SF) 24, 25, 25–A, 25–B, 34, 35, 273, 274, 275, 1415, 1416, and 1418.

B. Need and Uses

This justification supports an extension of the expiration date of OMB Control No. 9000–0045. This clearance covers the information that offerors or contractors must submit to comply with the following Federal Acquisition Regulation (FAR) requirements:

FAR 52.228–1, Bid Guarantee. This provision (or clause) requires offerors or contractors to furnish a bid guarantee in the proper form and amount when a performance bond or a performance and payment bond is also required. (SF 24, Bid Bond; SF 34, Annual Bid Bond).

FAR 52.228–2, Additional Bond Security. This clause requires

contractors to furnish additional bond security under certain circumstances. This clause is used both for construction and other than construction contracts. (SF 1415, Consent of Surety and Increase of Penalty).

FAR 52.228–13, Alternative Payment Protections. This clause requires contractors to submit one of the payment protections listed in the clause by the contracting officer, in construction contracts greater than $35,000 but not exceeding $150,000.

FAR 52.228–14, Irrevocable Letter of Credit. This clause requires offerors or contractors to provide certain information when they intend to use an irrevocable letter of credit (ILC) in lieu of a required bid bond, or to secure other types of required bonds such as performance and payment bonds. This clause is required in solicitations and contracts when a bid guarantee, or performance bond, or performance and payment bonds are required.

FAR 52.228–15, Performance and Payment Bonds-Construction. This clause requires contractors to provide performance and payment bonds in construction contracts exceeding $150,000 (SF 25, Performance Bond; SF 25–A, Payment Bond; SF 25–B, Continuation Sheet (for SF's 24, 25, and 25–A); SF 273, Reinsurance Agreement for a Bonds Statute Performance Bond; SF 274, Reinsurance Agreement for a Bonds Statute Payment Bond).

FAR 52.228–16, Performance and Payment Bonds-Other Than Construction. This clause requires contractors to furnish performance and payment bonds for other than construction contracts exceeding the simplified acquisition threshold only in certain circumstances. (SF 35, Annual Performance Bond; SF 275, Reinsurance Agreement in Favor of the United States; SF 1416, Payment Bond for Other Than Construction Contracts; SF 1418, Performance Bond for Other Than Construction Contracts).

The bid guarantees, bonds, or alternative payment protections are retained by the Government until the contractor's obligation is fulfilled.

C. Annual Burden

Respondents: 6,279.

Total Annual Responses: 6,279.

Total Burden Hours: 6,279.

Obtaining Copies: Requesters may obtain a copy of the information collection documents from the GSA Regulatory Secretariat Division by calling 202–501–4755 or emailing *GSARegSec@gsa.gov.* Please cite OMB Control No. 9000–0045, Bid Guarantees, Performance and Payment Bonds, and Alternative Payment Protection.

Janet Fry,

Director, Federal Acquisition Policy Division, Office of Governmentwide Acquisition Policy, Office of Acquisition Policy, Office of Governmentwide Policy.

[FR Doc. 2022–09154 Filed 4–28–22; 8:45 am]

BILLING CODE 6820–EP–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifiers: CMS–10052]

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 (the 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 June 28, 2022.

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, you may make your request using one of following:

1. Access CMS' website address at website address at *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–10052 Recognition of Pass-Through Payment for Additional (New) Categories of Devices under the Outpatient Prospective Payment System and Supporting Regulations

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 Collection

1. *Title of Information Collection:* Recognition of Pass-Through Payment for Additional (New) Categories of Devices under the Outpatient Prospective Payment System and

Supporting Regulations; *Type of Information Collection Request:* Revision with change of a currently approved collection; *Use:* The transitional pass-through provision provides a way for ensuring appropriate payment for new technologies whose use and costs are not adequately represented in the base year claims data on which the outpatient PPS is constructed as required by law. Categories of medical devices will receive transitional pass-through payments for 2 to 3 years from the date payments are initiated for the category. However, the underlying provision is permanent and provides an on-going mechanism for reflecting timely introduction of new items into the payment structure.

Interested parties such as hospitals, device manufacturers, pharmaceutical companies, and physicians apply for transitional pass-through payment for certain items used with services covered in the outpatient PPS. After we receive all requested information, we evaluate the information to determine if the creation of an additional category of medical devices for transitional pass-through payments is justified. We may request additional information related to the proposed new device category, as needed. We advise the applicant of our decision, and update the outpatient PPS during its next scheduled quarterly payment update cycle to reflect any newly approved device categories. We list below the information that we require from all applicants. The following information is required to process requests for additional categories of medical devices for transitional pass-through payments. *Form Number:* CMS–10052 (OMB control number: 0938–0857); *Frequency:* Annually; *Affected Public:* Private Sector, Business or other for-profits; *Number of Respondents:* 10; *Number of Responses:* 10; *Total Annual Hours:* 160. (For questions regarding this collection contact Kimberly A. Campbell at 410–786–2289.)

Dated: April 25, 2022.

William N. Parham, III,

Director, Paperwork Reduction Staff, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2022–09167 Filed 4–28–22; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifiers: CMS–10631]

Agency Information Collection Activities: Submission for OMB Review; 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 a second opportunity for public comment on the notice. Interested persons are invited to send comments regarding the burden estimate 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 on the collection(s) of information must be received by the OMB desk officer by May 31, 2022.

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.

To obtain copies of a supporting statement and any related forms for the proposed collection(s) summarized in this notice, you may make your request using one of following:

1. Access CMS' website address at website address at: *https://www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing.html.*

FOR FURTHER INFORMATION CONTACT: William Parham at (410) 786–4669.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (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 (44 U.S.C. 3506(c)(2)(A)) requires federal agencies to publish a 30-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 that summarizes the following proposed collection(s) of information for public comment:

1. *Type of Information Collection Request:* Revision of a currently approved collection; *Title of Information Collection:* The PACE Organization Application Process in 42 CFR part 460; *Use:* The Programs of All-Inclusive Care for the Elderly (PACE) consist of pre-paid, capitated plans that provide comprehensive health care services to frail, older adults in the community who are eligible for nursing home care according to State standards. PACE organizations (PO) must provide all Medicare and Medicaid covered services; financing of this model is accomplished through prospective capitation of both Medicare and Medicaid payments. Upon approval of a PACE application, CMS executes a 3-way program agreement with the applicant entity and the applicable State Administering Agency (SAA). CMS regulations at 42 CFR 460.98(b)(2) require a PO to provide PACE services in at least the PACE center, the home, and inpatient facilities. The PACE center is the focal point for the delivery of PACE services; the center is where the interdisciplinary team (IDT) is located, services are provided, and socialization occurs with staff that is consistent and familiar to participants.

Collection of this information is mandated by statute under sections 1894(f) and 1934(f) of the Act and at 42 CFR part 460, subpart B, which addresses the PO application and waiver process. In general, PACE services are provided through a PO. An entity wishing to become a PO must

submit an application to CMS that describes how the entity meets all the requirements in the PACE program. An entity's application must be accompanied by an assurance from the SAA of the State in which the PO wishes to operate its PACE program. CMS accepts applications on a designated date four times per year (*i.e.,* on a quarterly basis, generally the last Friday of March, June, September and December). *Form Number:* CMS–10631 (OMB control number: 0938–1326); *Frequency:* Occasionally; *Affected Public:* Private Sector, State, Local or Tribal governments, Business or other for-profits; *Number of Respondents:* 72; *Total Annual Responses:* 130; *Total Annual Hours:* 7,271. (For policy questions regarding this collection contact Debbie Vanhoven at 410–786–6625.)

Dated: April 25, 2022.

William N. Parham, III,

Director, Paperwork Reduction Staff, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2022–09164 Filed 4–28–22; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2022–D–0140]

Ulcerative Colitis: Developing Drugs for Treatment; Draft Guidance for Industry; 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 draft guidance for industry entitled ''Ulcerative Colitis: Developing Drugs for Treatment.'' This draft guidance addresses FDA's current thinking about necessary attributes of clinical trials for developing drugs for the treatment of ulcerative colitis in adults, including recommendations for trial population, trial design, and efficacy and safety considerations. This draft guidance replaces the draft guidance for industry entitled ''Ulcerative Colitis: Clinical Trial Endpoints,'' which is being withdrawn.

DATES: Submit either electronic or written comments on the draft guidance by June 28, 2022 to ensure that the Agency considers your comment on this draft guidance before it begins work on the final version of the guidance.

ADDRESSES: You may submit comments on any guidance 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–2022–D–0140 for ''Ulcerative Colitis: Developing Drugs for Treatment.'' 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)).

Submit written requests for single copies of the draft guidance to the Division of Drug Information, Center for Drug Evaluation and Research, Food and Drug Administration, 10001 New Hampshire Ave., Hillandale Building, 4th Floor, Silver Spring, MD 20993–0002, or the Office of Communication, Outreach and Development, Center for Biologics Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 3128, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist that office in processing your requests. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the draft guidance document.

FOR FURTHER INFORMATION CONTACT: Kelly Richards, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 22, Rm. 5378, Silver Spring, MD 20993, 240–402–4276, or Stephen Ripley, Center for

Biologics Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 7301, Silver Spring, MD 20993, 240–402–7911.

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of a draft guidance for industry entitled ''Ulcerative Colitis: Developing Drugs for Treatment.'' This guidance addresses FDA's current thinking about necessary attributes of clinical trials for developing drugs for ulcerative colitis in adults including recommendations for trial population, trial design, and efficacy and safety considerations. This draft guidance replaces the draft guidance for industry entitled ''Ulcerative Colitis: Clinical Trial Endpoints,'' issued on August 8, 2016 (81 FR 52449), which is being withdrawn.

This draft guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The draft guidance, when finalized, will represent the current thinking of FDA on ''Ulcerative Colitis: Developing Drugs for Treatment.'' 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.

II. Paperwork Reduction Act of 1995

While this guidance contains no collection of information, it does refer to previously approved FDA collections of information. Therefore, clearance by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3521) is not required for this guidance. The previously approved collections of information are subject to review by OMB under the PRA. The collections of information in 21 CFR part 312 have been approved under OMB control number 0910–0014. FDA receives information described in FDA's guidance entitled ''Patient-Reported Outcome Measures: Use in Medical Product Development to Support Labeling Claims'' to support the medical product's effectiveness and to support claims in approved medical product labeling; the collections of information in 21 CFR 314.50(d)(5) and 21 CFR 601.2 have been approved under OMB control numbers 0910–0001 and 0910–0338, respectively, and the collections of information in 21 CFR 201.56 and 201.57 for medical product labeling have been approved under OMB control number 0910–0572. The collections of information in 21 CFR parts 50 and 56 for protection of human subjects in clinical trials and institutional review board considerations have been approved under OMB control number 0910–0130.

III. Electronic Access

Persons with access to the internet may obtain the draft guidance at *https://www.fda.gov/drugs/guidance-compliance-regulatory-information/guidances-drugs*, *https://www.fda.gov/regulatory-information/search-fda-guidance-documents*, *https://www.fda.gov/vaccines-blood-biologics/guidance-compliance-regulatory-information-biologics*, or *https://www.regulations.gov*.

Dated: April 25, 2022.

Lauren K. Roth,

Associate Commissioner for Policy.

[FR Doc. 2022–09237 Filed 4–28–22; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2019–N–0895]

Issuance of Priority Review Voucher; Material Threat Medical Countermeasure Product

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the issuance of a priority review voucher to the sponsor of a material threat medical countermeasure (MCM) product application. The Federal Food, Drug, and Cosmetic Act (FD&C Act), as amended by the 21st Century Cures Act (Cures Act), authorizes FDA to award priority review vouchers to sponsors of approved material threat MCM product applications that meet certain criteria. FDA is required to publish notice of the award of the priority review voucher. FDA has determined that VEKLURY (remdesivir), manufactured by Gilead Sciences, Inc., meets the criteria for a material threat MCM priority review voucher.

FOR FURTHER INFORMATION CONTACT: Elizabeth Sadove, Office of Counterterrorism and Emerging Threats, 10903 New Hampshire Ave., Silver Spring, MD 20993–0002, 301–796–8515, Fax: 301–796–8615, email: *EUA.OCET@fda.hhs.gov*.

SUPPLEMENTARY INFORMATION: FDA is announcing the issuance of a material threat MCM priority review voucher to the sponsor of an approved material threat MCM product application. Under section 565A of the FD&C Act (21 U.S.C. 360bbb–4a), which was added by the Cures Act (Pub. L. 114–255), FDA will award priority review vouchers to sponsors of approved material threat MCM product applications that meet certain criteria upon approval of those applications. FDA has determined that VEKLURY, manufactured by Gilead Sciences, Inc., meets the criteria for a material threat MCM priority review voucher. Remdesivir was approved on October 22, 2020, for use in adult and pediatric patients 12 years of age and older and weighing at least 40 kilograms (about 88 pounds) for the treatment of COVID–19 requiring hospitalization.

For further information about the material threat MCM Priority Review Voucher Program and for a link to the full text of section 565A of the FD&C Act, go to *https://www.fda.gov/emergency-preparedness-and-response/mcm-legal-regulatory-and-policy-framework/mcm-related-counterterrorism-legislation.* For further information about VEKLURY, go to the ''Drugs@FDA'' website at *https://www.accessdata.fda.gov/scripts/cder/daf/.*

Dated: April 25, 2022.

Lauren K. Roth,

Associate Commissioner for Policy.

[FR Doc. 2022–09233 Filed 4–28–22; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2019–D–5609]

Action Levels for Lead in Juice; Draft Guidance for Industry; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA or we) is announcing the availability of a draft guidance for industry entitled ''Action Levels for Lead in Juice: Guidance for Industry.'' The draft guidance, when finalized, would establish action levels of 10 parts per billion (ppb) for lead in single-strength (ready-to-drink) apple juice and 20 ppb for lead in all other single-strength juice types, including juice blends that contain apple juice.

DATES: Submit either electronic or written comments on the draft guidance by June 28, 2022 to ensure that we consider your comment on the draft

guidance before we begin work on the final version of the guidance.

ADDRESSES: You may submit comments on any guidance 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–2019–D–5609 for ''Action Levels for Lead in Juice: Guidance for Industry.'' 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.'' We will review this copy, including the claimed confidential information, in our 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)).

Submit written requests for single copies of the draft guidance to the Office of Food Safety, Division of Plant Products and Beverages, Beverages Branch, Center for Food Safety and Applied Nutrition, Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740. Send two self-addressed adhesive labels to assist that office in processing your request. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the draft guidance.

FOR FURTHER INFORMATION CONTACT: Eileen Abt, Center for Food Safety and Applied Nutrition, Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 240–402–1700; or Katherine Collins, Center for Food Safety and Applied Nutrition, Office of Regulations and Policy (HFS–024), Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 240–402–2378.

SUPPLEMENTARY INFORMATION:

I. Background

We are announcing the availability of a draft guidance for industry entitled ''Action Levels for Lead in Juice: Guidance for Industry.'' We are issuing the draft guidance consistent with our good guidance practices regulation (21 CFR 10.115). The draft guidance, when finalized, will represent the current thinking of FDA on this topic. It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternate approach if it satisfies the requirements of the applicable statutes and regulations.

This draft guidance when finalized, would, in accordance with 21 CFR 109.6(d), establish action levels for lead of 10 ppb for single-strength (ready-to-drink) apple juice and 20 ppb for lead in all other single-strength juice types, including juice blends that contain apple juice. Consistent with 21 CFR 109.4, these action levels would define the levels of lead contamination that may cause the juice products described in the guidance to be regarded as adulterated. We intend to consider these action levels, in addition to other factors, when considering whether to bring enforcement action in a particular case.

II. Paperwork Reduction Act of 1995

FDA tentatively concludes that this draft guidance contains no collection of information. Therefore, clearance by the Office of Management and Budget under the Paperwork Reduction Act of 1995 is not required.

III. Electronic Access

Persons with access to the internet may obtain the draft guidance at either *https://www.fda.gov/FoodGuidances, https://www.fda.gov/regulatory-information/search-fda-guidance-documents,* or *https://www.regulations.gov.* Use the FDA website listed in the previous sentence to find the most current version of the guidance.

IV. References

The following references marked with an asterisk (*) are on display at the Dockets Management Staff (see **ADDRESSES**) and are available for viewing by interested persons between 9 a.m. and 4 p.m., Monday through Friday; they also are available electronically at *https://www.regulations.gov.* References without asterisks are not on public display at *https://www.regulations.gov*

because they have copyright restriction. Some may be available at the website address, if listed. References without asterisks are available for viewing only at the Dockets Management Staff. FDA has verified the website addresses, as of the date this document publishes in the **Federal Register**, but websites are subject to change over time.

* 1. FDA, 2004. ''Guidance for Industry: Juice HACCP Hazards and Controls Guidance First Edition; Final Guidance.'' Available at *https://www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/Juice/ucm072557.htm.*
2. Codex Alimentarius, 2021. Revision of the Code of Practice for the Prevention and Reduction of Lead Contamination in Foods.
3. HHS, National Toxicology Program, 2012. NTP Monograph on Health Effects of Low-Level Lead. Available at: *https://ntp.niehs.nih.gov/ntp/ohat/lead/final/monographhealtheffectslowlevellead_newissn_508.pdf.*
4. Flannery, B.M., L.C. Dolan, D. Hoffman-Pennesi, A. Gavelek, et al., 2020. U.S. Food and Drug Administration's Interim Reference Levels for Dietary Lead Exposure in Children and Women of Childbearing Age.'' *Regulatory Toxicology and Pharmacology.* 110:1–20.
5. WHO/FAO Joint Expert Committee on Food Additives, 2011. Evaluation of Certain Contaminants in Food, 73rd Report of the World Health Organization/Food and Agriculture Organization of the United Nations Joint Expert Committee on Food Additives. WHO Technical Report Series 960. Available at *https://apps.who.int/iris/bitstream/handle/10665/44515/WHO_TRS_960_eng.pdf?sequence=1.*
6. Codex Alimentarius, 2021. General Standard for Contaminants and Toxins in Food and Feed, CXS 193–1995. *http://www.fao.org/fao-who-codexalimentarius/sh-proxy/en/?lnk=1&url=https%253A%252F%252Fworkspace.fao.org%252Fsites%252Fcodex%252FMeetings%252FCX-735-14%252FINFO-DOC%252FCF14_INF01x.pdf.*
* 7. FDA, 2021. Closer to Zero: Action Plan for Baby Foods. Available at *https://www.fda.gov/food/metals-and-your-food/closer-zero-action-plan-baby-foods.*
* 8. FDA, 2022b. Draft Supporting Document for Establishing FDA's Action Levels for Lead in Juice. Available at *https://www.fda.gov.*

Dated: April 26, 2022.

Lauren K. Roth,

Associate Commissioner for Policy.

[FR Doc. 2022–09255 Filed 4–28–22; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2021–P–1188]

Determination That Cupric Sulfate Injection, Equivalent to 0.4 Milligram Copper/Milliliter, Was Not Withdrawn From Sale for Reasons of Safety or Effectiveness

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or Agency) has determined that Cupric Sulfate Injection, equivalent to (EQ) 0.4 milligram (mg) copper/milliliter (mL), was not withdrawn from sale for reasons of safety or effectiveness. This determination will allow FDA to approve abbreviated new drug applications (ANDAs) for Cupric Sulfate Injection, EQ 0.4 mg copper/mL, if all other legal and regulatory requirements are met.

FOR FURTHER INFORMATION CONTACT: Kaetochi Okemgbo, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 6272, Silver Spring, MD 20993–0002, 240–825–9944, *Kaetochi.Okemgbo@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: Section 505(j) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 355(j)) allows the submission of an ANDA to market a generic version of a previously approved drug product. To obtain approval, the ANDA applicant must show, among other things, that the generic drug product: (1) Has the same active ingredient(s), dosage form, route of administration, strength, conditions of use, and (with certain exceptions) labeling as the listed drug, which is a version of the drug that was previously approved, and (2) is bioequivalent to the listed drug. ANDA applicants do not have to repeat the extensive clinical testing otherwise necessary to gain approval of a new drug application (NDA).

Section 505(j)(7) of the FD&C Act requires FDA to publish a list of all approved drugs. FDA publishes this list as part of the ''Approved Drug Products With Therapeutic Equivalence Evaluations,'' which is known generally as the ''Orange Book.'' Under FDA regulations, drugs are removed from the list if the Agency withdraws or suspends approval of the drug's NDA or ANDA for reasons of safety or effectiveness or if FDA determines that the listed drug was withdrawn from sale for reasons of safety or effectiveness (21 CFR 314.162).

A person may petition the Agency to determine, or the Agency may determine on its own initiative, whether a listed drug was withdrawn from sale for reasons of safety or effectiveness. This determination may be made at any time after the drug has been withdrawn from sale, but must be made prior to approving an ANDA that refers to the listed drug (§ 314.161 (21 CFR 314.161)). FDA may not approve an ANDA that does not refer to a listed drug.

Cupric Sulfate Injection, EQ 0.4 mg copper/mL, is the subject of NDA 019350, held by Abraxis Pharmaceutical Products, and initially approved on May 5, 1987. Cupric Sulfate Injection is indicated for use as a supplement to intravenous solutions given for total parenteral nutrition, to prevent and treat copper deficiency.

In a letter dated April 17, 1995, Fujisawa USA, Inc. (the applicant at that time), notified FDA that Cupric Sulfate Injection, EQ 0.4 mg copper/mL, was being discontinued, and requested withdrawal of NDA 019350. FDA moved the drug product to the ''Discontinued Drug Product List'' section of the Orange Book. In the **Federal Register** of June 21, 2017 (82 FR 28322), FDA announced that it was withdrawing approval of NDA 019350, effective June 21, 2017.

Arent Fox LLP submitted a citizen petition dated November 2, 2021 (Docket No. FDA–2021–P–1188), under 21 CFR 10.30, requesting that the Agency determine whether Cupric Sulfate Injection, EQ 0.4 mg copper/mL, was withdrawn from sale for reasons of safety or effectiveness.

After considering the citizen petition and reviewing Agency records and based on the information we have at this time, FDA has determined under § 314.161 that Cupric Sulfate Injection, EQ 0.4 mg copper/mL, was not withdrawn for reasons of safety or effectiveness. The petitioner has identified no data or other information suggesting that Cupric Sulfate Injection, EQ 0.4 mg copper/mL, was withdrawn for reasons of safety or effectiveness. We have carefully reviewed our files for records concerning the withdrawal of Cupric Sulfate Injection, EQ 0.4 mg copper/mL, from sale. We have also independently evaluated relevant literature and data for possible postmarketing adverse events. We have reviewed the available evidence and determined that this drug product was not withdrawn from sale for reasons of safety or effectiveness.

Accordingly, the Agency will continue to list Cupric Sulfate Injection, EQ 0.4 mg copper/mL, in the ''Discontinued Drug Product List'' section of the Orange Book. The ''Discontinued Drug Product List'' delineates, among other items, drug products that have been discontinued from marketing for reasons other than safety or effectiveness. ANDAs that refer to Cupric Sulfate Injection, EQ 0.4 mg copper/mL, may be approved by the Agency as long as they meet all other legal and regulatory requirements for the approval of ANDAs. If FDA determines that labeling for this drug product should be revised to meet current standards, the Agency will advise ANDA applicants to submit such labeling.

Dated: April 25, 2022.

Lauren K. Roth,

Associate Commissioner for Policy.

[FR Doc. 2022–09238 Filed 4–28–22; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2022–D–0091]

Crohn's Disease: Developing Drugs for Treatment; Draft Guidance for Industry; 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 draft guidance for industry entitled ''Crohn's Disease: Developing Drugs for Treatment.'' This draft guidance addresses FDA's current thinking about necessary attributes of clinical trials for developing drugs for the treatment of Crohn's disease in adults, including recommendations for trial population, trial design, and efficacy and safety considerations.

DATES: Submit either electronic or written comments on the draft guidance by June 28, 2022 to ensure that the Agency considers your comment on this draft guidance before it begins work on the final version of the guidance.

ADDRESSES: You may submit comments on any guidance 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–2022–D–0091 for ''Crohn's Disease: Developing Drugs for Treatment.'' 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)).

Submit written requests for single copies of the draft guidance to the Division of Drug Information, Center for Drug Evaluation and Research, Food and Drug Administration, 10001 New Hampshire Ave., Hillandale Building, 4th Floor, Silver Spring, MD 20993–0002, or the Office of Communication, Outreach and Development, Center for Biologics Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 3128, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist that office in processing your requests. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the draft guidance document.

FOR FURTHER INFORMATION CONTACT: Jay Fajiculay, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 22, Rm. 5353, Silver Spring, MD 20993–0002, 301–796–9007, or Stephen Ripley, Center for Biologics Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 7301, Silver Spring, MD 20993–0002, 240–402–7911.

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of a draft guidance for industry entitled ''Crohn's Disease: Developing Drugs for Treatment.'' This guidance addresses FDA's current thinking about clinical trials for the treatment of Crohn's disease in adults, including recommendations for trial population, trial design, and efficacy and safety considerations.

This draft guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The draft guidance, when finalized, will represent the current thinking of FDA on ''Crohn's Disease: Developing Drugs for Treatment.'' 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.

II. Paperwork Reduction Act of 1995

While this guidance contains no collection of information, it does refer to previously approved FDA collections of information. Therefore, clearance by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3521) is not required for this guidance. The previously approved collections of information are subject to review by OMB under the PRA. The collections of information in 21 CFR part 312 have been approved under OMB control number 0910–0014. FDA receives information described in FDA's guidance entitled ''Patient-Reported Outcome Measures: Use in Medical Product Development to Support Labeling Claims'' to support the medical product's effectiveness and to support claims in approved medical product labeling; the collections of information in 21 CFR 314.50(d)(5) and 21 CFR 601.2 have been approved under OMB control numbers 0910–0001 and 0910–0338, respectively, and the collections of information in 21 CFR 201.56 and 201.57 for medical product labeling have been approved under OMB control number 0910–0572. The collections of information in 21 CFR parts 50 and 56 for protection of human subjects in clinical trials and institutional review board considerations have been approved under OMB control number 0910–0130.

III. Electronic Access

Persons with access to the internet may obtain the draft guidance at *https://www.fda.gov/drugs/guidance-compliance-regulatory-information/guidances-drugs*, *https://www.fda.gov/vaccines-blood-biologics/guidance-compliance-regulatory-information-biologics*, *https://www.fda.gov/regulatory-information/search-fda-guidance-documents*, or *https://www.regulations.gov.*

Dated: April 25, 2022.

Lauren K. Roth,

Associate Commissioner for Policy.

[FR Doc. 2022–09240 Filed 4–28–22; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Screening Framework Guidance for Providers and Users of Synthetic Oligonucleotides

AGENCY: Office of the Secretary, Assistant Secretary for Preparedness and Response (ASPR), Department of Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: The Assistant Secretary for Preparedness and Response is issuing this revised guidance on a screening framework guidance for providers and users of synthetic oligonucleotides. The Revised Guidance sets forth recommended baseline standards for the gene and genome synthesis industry, as well as best practices for Institutions, Principal Users, End Users, and Third-Party Vendors of oligonucleotides, regarding screening orders and maintaining records consistent with current U.S. regulations. In addition, this Revised Guidance seeks to encourage best practices to address biosecurity concerns associated with the potential misuse of synthetic oligonucleotides to bypass existing regulatory controls and commit unlawful acts.

FOR FURTHER INFORMATION CONTACT: Dr. Mariam Lekveishvili; Division of Policy; Office of Strategy, Policy, Planning, and Requirements; Office of the Assistant Secretary for Preparedness and Response; U.S. Department of Health and Human Services; phone: (202) 260–3586; email: *Mariam.Lekveishvili@hhs.gov.*

SUPPLEMENTARY INFORMATION: Questions regarding aspects of the Guidance that may be appropriate to update based on changes in technologies since the Guidance was originally issued in 2010 were published as a Notice in the **Federal Register** on August 26, 2020, for a period of more than 120 days for public comment. Fourteen individual responses were received. The responses to that Notice are available at the following website: *https://aspr.hhs.gov/legal/syndna/Pages/comment.aspx.*

Screening Framework Guidance for Providers and Users of Synthetic Oligonucleotides

Introduction: Continuing advances in oligonucleotide synthesis technology and the open availability of genetic sequence data pose potential concerns among the scientific community, the oligonucleotide synthesis industry, the U.S. Government, and the public that individuals with ill intent could exploit biotechnology for harmful purposes. The U.S. Government has acted to reduce dangers to human, animal, and plant health due to biological pathogens and toxins. For instance, it has issued the federal Select Agent Regulations, which regulate a subset of microbial organisms and toxins determined to have the potential to pose a severe threat to public health and safety, animal health, plant health, or animal or plant products. These regulations are administered by the Federal Select Agent Program (FSAP), which sets forth requirements for the possession, use, and transfer of biological select agents and toxins.[1] A second layer of regulation is provided by the Export Administration Regulations' Commerce Control List (CCL) [2] which identifies agents and genetic sequences that require licenses before export from the United States. However, these regulated pathogens and toxins do not represent the entirety of the potential risks to public health, agriculture, plants, animals, or the environment that could arise from the misuse of synthetic oligonucleotides. Non-regulated pathogens and toxins as well as other novel types of sequences or specific types of batch orders, may also pose significant risks if they are misused.

Individuals with no legitimate, bona fide, and peaceful need should be prevented from accessing genetic materials that could contribute to pathogenicity or harm, even when they are not from FSAP- or CCL-listed pathogens or toxins. Purchasing or synthesizing oligonucleotides could enable individuals without a legitimate and peaceful purpose to possess genetic sequences that would pose risks if misused. Such synthesis, through directly ordering either long genomic sequences or short genomic sequences—that can be used to create longer genomic-length oligonucleotides, using molecular techniques that have become increasingly available—to modify non-

[1] *https://www.selectagents.gov/sat/list.htm.*

[2] *https://www.bis.doc.gov/index.php/regulations/commerce-control-list-ccl.*

pathogenic strains or create pathogens or toxins de novo, has obviated the need for access to the naturally occurring agents or naturally occurring genetic material from these agents. The potential availability of dangerous agents has thereby been greatly expanded. The Revised Guidance reaffirms the need to screen for genetic sequences from regulated organisms and toxins, but also recognizes that screening should evolve to encompass sequences that are recognized to contribute to pathogenicity or toxicity, as information regarding these sequences and their verified function, as well as improved methods to screen become available (or as feasible).

This Revised Guidance is intended to guide all entities involved in the provision and use of synthetic oligonucleotides in establishing and operating a screening framework for oligonucleotide orders, including mechanisms to identify sequences obfuscated to circumvent lists of regulated organisms or toxins or sequences that are not Best Matches to any sequences in GenBank. To minimize the risk that unauthorized individuals or individuals with ill intent will obtain oligonucleotides containing SOCs, the Revised Guidance now provides recommendations to not only Providers, but also Third-Party Vendors, Institutions, Principal Users, and End Users of synthetic oligonucleotides, to use responsible business practices to maintain records of all orders and transfers of SOCs. This Revised Guidance includes recommendations for verifying the legitimacy of Customers when filling orders for synthetic oligonucleotides that encode SOCs. The Revised Guidance further provides recommendations for Manufacturers, as oligonucleotide synthesis equipment may allow individuals with malintent to circumvent regulations that restrict access to regulated pathogens and toxins or to obtain oligonucleotides containing other SOCs without a legitimate and peaceful purpose. As in the original Guidance, this Revised Guidance aims to minimize any negative impacts on the conduct of research and business operations, by leveraging ongoing best practices.

Institutional policies and procedures already in place for safe possession, use, and transfer of these materials, as well as federal and international guidance, such as the Department of Health and Human Services, Centers for Disease Control and Prevention, and National Institutes of Health Biosafety in Microbiological & Biomedical Laboratories (BMBL) [3] and the World Health Organization Laboratory Biosafety Manual,[4] should be used wherever possible to complement the measures suggested in this Revised Guidance to maximize safe and secure practices while seeking to minimize the burden on legitimate life science research.

Request for Comments: A request for public comments on the issues covered in this Notice was published in the **Federal Register** (85 FR 52611, August 26, 2020, *Review and Revision of the Screening Framework Guidance for Providers of Synthetic Double-Stranded DNA*) for public consideration and comment for a period of more than 120 days. This Revised Guidance was drafted through a deliberative interagency process to address the topics raised in public comments as well as other concerns from the interagency.

The Office of the Assistant Secretary for Preparedness and Response (ASPR) within the Department of Health and Human Services (HHS) is submitting this Revised Guidance for public consideration and comment for a period of 60 days. ASPR is the lead agency in a broad interagency process considering possible changes to the Guidance and whether to issue the proposed Revised Guidance as final guidance. The public is encouraged to submit written comments on the proposed changes to the Guidance, whether additional measures would be needed to best ensure safety and security in life sciences research and innovation, whether the suggested scope of screening and intended audience is feasible, and whether impacts are expected from implementing this Revised Guidance. Comments may be submitted at the following website: *https://aspr.hhs.gov/legal/syndna/Pages/comment.aspx.*

Definitions: The following definitions are applicable:

Customer: For the purposes of this Revised Guidance, the individual or organization, such as an Institution, that orders or requests synthetic oligonucleotide from a Provider, or that purchases benchtop synthesis equipment from a Manufacturer.

End User: The laboratorian that possesses and uses synthetic oligonucleotides that they have received from a Customer, Principal User, or another End User.

Manufacturer: An entity that produces and sells equipment for synthesizing oligonucleotides. Manufacturers may provide equipment to Institutions, Principal Users, or Third-Party Vendors.

Principal User: The individual that originates the order or synthesizes oligonucleotides themselves and oversees the use of ordered or synthesized sequences in the laboratory. The Principal User may also be the End User.

Provider: The entity that synthesizes and distributes oligonucleotides. A Provider is understood to be an entity synthesizing oligonucleotides for and distributing oligonucleotides to a Customer, rather than a research scientist collaborating with a colleague.

Sequence of Concern (SOC): Sequences derived from or encoding select agents and toxins or items on the CCL, except when also found in unregulated organisms; or sequences that contribute to toxicity or pathogenicity, whether derived from or encoding regulated or unregulated biological agents.[5]

Synthetic oligonucleotides subject to screening: DNA or RNA, single- or double-stranded, of lengths 50 base pairs (bp) or longer if ordered in quantities of less than one micromole, or lengths 20 bp or longer if ordered in quantities of one micromole or greater.

Third-Party Vendor: An entity that orders oligonucleotides from Providers and sells the oligonucleotides in turn, with or without reformulation, or resells equipment for synthesizing oligonucleotides.

Verifying Legitimacy: Information that would allow Providers, Manufacturers, Principal Users, or End Users to authenticate the recipient of materials or equipment as a legitimate member of the scientific community. Information such as proposed end-use of the order, institutional or corporate affiliation (if applicable), the name of a biosafety officer (if available), proof of registration or licensing with FSAP or DOC (if applicable), or other proof of a legitimate research program (such as a publication history or business licenses) may be helpful for such verification.

Goals and Scope of the Guidance

Goals: This Revised Guidance has two parallel goals. As in the original Guidance, a primary goal is to minimize the risk that unauthorized individuals

[3] *https://www.cdc.gov/labs/BMBL.html.*

[4] *https://www.who.int/publications/i/item/9789240011311.*

[5] Pathogenicity or toxicity that threatens public health, agriculture, plants, animals, or the environment. SOCs include sequences for which a direct and harmful impact on a host has been verified based on published experimental data; and, where experimental data do not exist, based on homology to a sequence encoding a verified function.

or individuals with malicious intent will use nucleic acid synthesis technologies to obtain organisms for which possession, use, and transfer is regulated by FSAP and CCL. The Revised Guidance also aims to limit the potential for individuals with malicious intent to use synthetic oligonucleotides to create novel high-risk pathogens using sequences from unregulated organisms.

Scope: The Revised Guidance pertains to the sale or transfer of synthetic oligonucleotides, *i.e.,* DNA and RNA, whether single- or double-stranded. The Revised Guidance recommends that a database of known SOCs for pathogens, toxins, or otherwise illicit or dangerous substances is developed and used to determine if the purchase or transfer includes SOCs. It also recommends methods to ensure the legitimacy of Customers, Principal Users, and End Users of synthetic oligonucleotides. The Revised Guidance also aims to ensure that entities maintain records of transfers for oligonucleotides containing SOCs.

The Revised Guidance was developed to align with Providers' and Customers' existing protocols and business practices; to be implemented without unnecessary cost; and to minimize any negative impacts on the conduct of research and business operations. Where practical to do so, entities can use existing business practices to verify the legitimacy of Principal Users and End-Users and to track the transfer of materials containing SOCs. Many Providers have already instituted measures to address these concerns. The ongoing development of best practices in this area is commendable and encouraged, particularly in light of the continued advances in oligonucleotide sequencing and synthesis technologies.

Recommendations for Providers, Users, and Manufacturers: The Revised Guidance aims to ensure that Customers, Principal Users, and End Users ordering SOCs are legitimate. It also recommends that Manufacturers install certain safeguards in oligonucleotide synthesis equipment that ensure only legitimate customers can synthesize SOCs. It also recommends that transfers of SOCs, from Principal Users to End Users, and from Third-Party Vendors to Principal Users and End Users, are reported to the original Customer, such as the Institution that originated the order. This Revised Guidance encourages entities transferring synthetic oligonucleotides containing SOCs (*i.e.,* the Third-Party Vendor, Principal User, or Institution) to know to whom they are transferring and to conduct screening to verify that the recipients have a legitimate, bona fide, and peaceful purpose to use the oligonucleotides. The Revised Guidance recommends that the Customers who place these orders use responsible business practices to maintain records of transfers.

Principal Users and End Users are best positioned to understand the nature of the oligonucleotides and oversee and shepherd their responsible use. Users may also transfer oligonucleotides to other End Users, such as colleagues, and certain recommendations are made for this case in the Revised Guidance. To this end, Customers are encouraged to streamline the screening of their synthetic oligonucleotide orders by providing verification of their legitimacy to Providers and Third-Party Vendors, if they know that their order contains SOCs. Information such as proposed end-use of the order, institutional or corporate affiliation (if applicable), the name of a biosafety officer (if available), proof of registration or licensing with FSAP or DOC (if applicable), or other proof of a legitimate research program (such as a publication history or business licenses) will be helpful to the Provider or Third-Party Vendor of the synthetic oligonucleotides in verifying legitimacy. Preemptively providing this information is likely to limit the time and expense for Providers in fulfilling these orders in a manner that ensures safety and security.

Providers and Third-Party Vendors of synthetic oligonucleotides are encouraged to do the following in this context:

- Know to whom they are distributing a product.
- Know if the product that they are synthesizing and/or distributing contains, in part or in whole, SOCs.
- Notify Customers and Principal Users when their order contains SOCs.
- Implement adequate cybersecurity measures to protect the intellectual property and identity of Customers.[6]
- Where follow-up screening does not resolve concerns about an order, report the order to the FBI.
- This Revised Guidance recommends archiving for at least 8 years the following information for orders containing SOCs: Customer information (point-of-contact name, organization, address, email, and phone number), order sequence information (nucleotide sequences ordered, vector used), and order information (date placed and shipped, shipping address, receiver name).

Customers, Principal Users, and End Users of synthetic oligonucleotides are encouraged to develop best practices in four main areas in this context:

- Customers, Principal Users, and End Users who know that their synthetic oligonucleotide order contains SOCs are encouraged to preemptively provide information that will assist the Provider or Third-Party Vendor in verifying their legitimacy.
- Customers, Principal Users, End Users, and Third-Party Vendors are encouraged to only transfer synthetic oligonucleotides containing SOCs to suitable and trustworthy individuals with a scientifically sound reason to use these oligonucleotides.
- Customers, Principal Users, End Users, and Third-Party Vendors are also encouraged to maintain records of these transfers and to communicate them to their biosafety officer, or equivalent, using the responsible business practices in place in their organizations.
- The Revised Guidance recommends recording transfers of oligonucleotides containing SOCs from Principal Users and End Users to any other individuals not listed in the original order, such as through a Material Transfer Agreement (MTA) or another sample tracking process. The Revised Guidance also recommends that records of SOCs and their transfers are retained for at least 8 years. Business practices already in place at Institutions may be used to fulfill this recommendation.
- Institutions with in-house oligonucleotide synthesis capabilities are also encouraged to apply these recommendations for use or transfers of oligonucleotides synthesized in-house.

Manufacturers of benchtop synthesis equipment are encouraged to consider three areas for developing best practices in this context:

- Manufacturers should screen Customers seeking oligonucleotide synthesizers to ensure customer legitimacy, and that the equipment is appropriate for their needs. If the Customer indicates plans to produce SOCs, Manufacturers should develop prescreening mechanisms to determine legitimate use.
- Manufacturers and their Customers should implement mechanisms to track continuously the legitimacy of users of their equipment, including when it is potentially transferred to new Principal and End Users during the lifecycle of these equipment (see CUSTOMER SCREENING for criteria to verify legitimacy of User).
- Manufacturers should provide the capability into their oligonucleotide

[6] Providers and Third Party Vendors are encouraged to follow the ISA/IEC 27032:2012 & ISO/IEC 62443 standards for cybersecurity and information security.

synthesizers to enable secure internet connectivity to screen sequences for SOCs and to authenticate legitimate users.[7] Manufacturers are also encouraged to include a data logging function to maintain a record of the oligos synthesized on the equipment. Furthermore, Manufacturers should develop a mechanism to authenticate the user of these equipment before synthesizing oligonucleotides containing SOCs.

Sequence Screening Methodology: Providers should screen orders to determine whether they contain SOCs. Appropriate sequence screening software must be selected by providers of synthetic oligonucleotides. This Revised Guidance recommends that providers use a local sequence alignment technique, such as the BLAST family of tools. BLAST is available for download for free at the National Center for Biotechnology Information (NCBI) website.[8] Similar tools are also freely or commercially available or could be designed by the provider to meet their sequence screening needs. Specific criteria for the statistical significance of the hit (BLAST's e-values) or percent identity values are not included in this Revised Guidance because these details depend on the specific screening protocol. Providers are encouraged to determine whether synthetic oligonucleotide orders contain sequences that are Best Matches over 50 bp windows to any SOC. By using the Best Match approach, the sequence with the greatest percent identity over each 16 amino acid or 50 bp fragment, in all six reading frames, should be considered the Best Match, regardless of the statistical significance or percent identity. The Best Match approach is intended to minimize the number of sequence hits due to sequences that are shared among both SOCs and non-SOCs.

These sequence screening recommendations do not preclude the use of a curated database of sequences that may contribute to pathogenicity or toxicity to identify SOCs. This Revised Guidance recognizes that a database of known sequences that contribute to pathogenicity and toxicity in humans, animals, and plants, and that have a direct and harmful impact on a host, may not yet exist, and encourages the development of such a database for screening SOCs, provided that measures are taken to prevent such a database from being misused. These measures should include establishing a security office, protocols, and personnel reliability program, based on an assessment of risk, to guide selection, implementation, and monitoring of cybersecurity and information security capabilities and protection. Measures should ensure database confidentiality and integrity (including user access controls and sequence encryption in transit and at rest) and compliance with applicable laws such that sequences of concern data are protected against unauthorized access, exfiltration, or other use. Providers may also choose to use other screening approaches that they assess to be equivalent or superior to the Best Match approach or supplement it, including a customized database or approaches that evaluate the biological risk associated with non-select agents and toxins sequences or, for international orders, sequences not associated with items on the CCL. This Revised Guidance encourages the continued development of best practices to address risks associated with oligonucleotide synthesis technologies.

Although no curated database of sequences from regulated and unregulated pathogens that pose no biosecurity concerns (*i.e.,* white list of genes that pose no pathogenic risk) is presently available, Providers may wish to consider developing solutions for determining which sequences from pathogens, regulated or unregulated, should not cause concern (such as housekeeping genes).

Providers, Third-Party Vendors, and professional consortia are encouraged to develop secure mechanisms designed to respect privacy, security, commercial, Intellectual Property, and other concerns to detect SOCs that may be broken up among multiple Providers or Vendors, or among multiple orders at a single Provider or Vendor over a period of time, to evade screening.

Batch Orders: Some synthetic oligonucleotide orders may be appropriate for screening even if all components of the order are oligonucleotides shorter than 50 bp in length. In some cases, orders of oligonucleotides in quantities of one micromole or more may indicate that the Customer, Principal User, or End User may intend to use molecular biological techniques to ligate oligonucleotides into larger oligonucleotide complexes. Such an approach could be used to construct 50 bp or longer oligonucleotides that themselves may constitute SOCs. To minimize the risk in this scenario, this Revised Guidance encourages screening all constituents of batch orders of oligonucleotides 20 bp or longer if ordered in quantities of one micromole or greater, using a short oligonucleotide alignment software package. If the resulting ungapped alignment of any constituents of the batch order is a Best Match to any 50 bp window of any SOC, Providers should consider that order as containing SOCs and perform standard follow-up Customer screening.

Customer Screening: In addition to verifying the Customer identity for all orders, verifying legitimacy of Customers and Users is recommended when orders contain SOCs and for orders of benchtop synthesis equipment. Customers and Users are encouraged to streamline the Customer screening process by providing verification of their legitimacy when submitting an order containing SOCs. Information about the proposed end-use of the order, institutional or corporate affiliation (if applicable), the name of a biosafety officer (if available), proof of registration or licensing with FSAP or DOC (if applicable), or other proof of a legitimate research program (such as a publication history or business licenses) will be helpful to the Provider or Third-Party Vendor.

This Revised Guidance encourages Customers and Principal Users to also verify the legitimacy of End Users receiving SOCs. Records of such verification and transfer can be created and maintained by using business practices that document such transfers (*e.g.,* MTAs). The Principal User is best positioned to determine the legitimacy of any End User to whom SOCs are transferred. Keeping a record of such transfers should not cause undue burden on the essential research carried out across the biotechnology enterprise, and may therefore entail only a minor adaptation of responsible business practices already in place.

Providers should be aware of regulatory and statutory prohibitions for U.S. persons from dealing with certain foreign persons, entities, and companies. Providers are encouraged to check the Customer against the International Trade Administration consolidated list of individuals and entities for which the United States Government maintains restrictions on certain exports, reexports, or transfers of items.[9] In the event that a company, entity, or person on the list appears to match that of a Customer or User, additional due diligence should be conducted before proceeding. There may be a strict export prohibition, requirement for seeking a license application, evaluation of Customers

[7] Manufacturers are encouraged to follow the ISO/IEC 27032:2012 & ISO ISA/IEC 62443 standards for cybersecurity and information security.

[8] *http://blast.ncbi.nlm.nih.gov/Blast.cgi.*

[9] *https://www.trade.gov/consolidated-screening-list.*

and Users to ensure it does not result in an activity prohibited by any U.S. export regulations, or other restriction. Before taking further action, to ensure full compliance with all the terms and conditions of the restrictions placed on the parties on this list, the Provider must check the official publication of restricted parties in the **Federal Register**. They should also check the official lists of restricted parties maintained on the websites of the Departments of Commerce, State, and the Treasury.

Following up with the U.S. Government in Cases Where Malintent is Suspected by Providers or Third-Party Vendors: If sequence or Customer screening raises concerns that are not alleviated through follow-up screening, Providers and Third-Party Vendors are encouraged to contact the nearest FBI Field Office Weapons of Mass Destruction (WMD) Coordinator. Institutions are encouraged to work with their Principal Users and End Users to help them understand that only individuals with legitimate, bona fide, and peaceful need should obtain oligonucleotides containing SOCs.

Records Retention: The Revised Guidance recommends that Providers, Third-Party Vendors, and Manufacturers:

- Using responsible business practices, retain records of Customer orders for at least 8 years.
- Archive the following information: Customer information (point-of contact name, organization, address, email, and phone number), order sequence information (nucleotide sequences ordered, vector used), and order information (date placed and shipped, shipping address, receiver name).
- Develop and document protocols for sequence screening and for determining whether a sequence hit qualifies as a SOC and maintain records of these protocols—even if no longer current—for at least 8 years.
- Retain screening documentation of all hits for at least 8 years, even if the order was deemed acceptable.
- Retain records of any follow-up screening, even if the order was ultimately filled, for at least 8 years.

Periodic Review, Evaluation, and Improvement of This Guidance: This Revised Guidance is addressing biosecurity risks that have emerged in a dynamic and rapidly developing technological landscape. It is likely that new risks will emerge and that new technological approaches will also appear to address biosecurity risks. As such, this Revised Guidance encourages the further development of mechanisms to detect SOCs and screening strategies for sequences that contribute to pathogenicity and toxicity. For instance, strategies may be used by malicious Customers to obfuscate SOCs, including engineering pathogenic or toxic proteins with completely novel sequences. In such cases, synthetic oligonucleotide orders may contain 50 bp windows that are not a match to any known sequence. Although there are likely several legitimate explanations for orders of sequences with no matches in nature (*e.g.,* oligonucleotides to populate microarrays or to store digital information), in such cases, it may be possible to use predictive bioinformatic algorithms to screen sequences that are not a match to any known sequences to determine if they could produce proteins that are structurally and functionally identical to SOCs. This Revised Guidance encourages Providers to continue to develop these methods to best ensure the safety of the synthetic oligonucleotide research enterprise. Likewise, while there is not a comprehensive and curated database available presently for sequences that may contribute to pathogenicity or toxicity by enabling the circumvention of medical countermeasures (MCM), such information may become increasingly available in coming years. This Revised Guidance encourages the identification of such MCM-evasive sequences and may revisit the definition of SOCs in the future, given advances in this field.

Dawn O'Connell,

Assistant Secretary for Preparedness and Response.

[FR Doc. 2022–09210 Filed 4–28–22; 8:45 am]

BILLING CODE 4150–37–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Allergy and Infectious Diseases; Notice of Closed Meeting

Pursuant to section 10(d) 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: National Institute of Allergy and Infectious Diseases Special Emphasis Panel; NIAID Investigator Initiated Program Project Applications (P01 Clinical Trial Not Allowed).

Date: May 31, 2022.

Time: 10:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Room 3G41, Rockville, MD 20892 (Virtual Meeting).

Contact Person: Tara Capece, Ph.D., MPH, Scientific Review Officer, Scientific Review Program, Division of Extramural Activities, National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Room 3G41, Rockville, MD 20852, 240–191–4281, *capecet2@niaid.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.855, Allergy, Immunology, and Transplantation Research; 93.856, Microbiology and Infectious Diseases Research, National Institutes of Health, HHS)

Dated: April 25, 2022.

Tyeshia M. Roberson-Curtis,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–09193 Filed 4–28–22; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Drug Abuse; Notice of Closed Meetings

Pursuant to section 10(d) 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: National Institute on Drug Abuse Special Emphasis Panel; NIDA Animal Genomics Program.

Date: May 25, 2022.

Time: 12:00 p.m. to 2:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, National Institute on Drug Abuse, 301 North Stonestreet Avenue, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Ipolia R. Ramadan, Ph.D., Scientific Review Officer, Office of Extramural Policy and Review, Division of Extramural Research, National Institute on Drug Abuse, NIH, 301 North Stonestreet Avenue, MSC 6021, Bethesda, MD 20892, (301) 827–4471, *ramadanir@mail.nih.gov*.

Name of Committee: National Institute on Drug Abuse Special Emphasis Panel; HEAL Initiative: Recovery Support Services for Individuals Treated with Medications for Opioid Use Disorder.

Date: June 6, 2022.

Time: 10:00 a.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, National Institute on Drug Abuse, 301 North Stonestreet Avenue, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Soyoun Cho, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Research, National Institute on Drug Abuse, NIH, 301 North Stonestreet Avenue, MSC 6021, Bethesda, MD 20892, (301) 594–9460, *Soyoun.cho@nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.277, Drug Abuse Scientist Development Award for Clinicians, Scientist Development Awards, and Research Scientist Awards; 93.278, Drug Abuse National Research Service Awards for Research Training; 93.279, Drug Abuse and Addiction Research Programs, National Institutes of Health, HHS)

Dated: April 25, 2022.

Tyeshia M. Roberson-Curtis,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–09189 Filed 4–28–22; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Allergy and Infectious Diseases; Notice of Closed Meeting

Pursuant to section 10(d) 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: National Institute of Allergy and Infectious Diseases Special Emphasis Panel; NIAID Investigator Initiated Program Project Applications (P01 Clinical Trial Not Allowed).

Date: June 6, 2022.

Time: 10:00 a.m. to 1:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Room 3G41, Rockville, MD 20892 (Virtual Meeting).

Contact Person: Tara Capece, Ph.D., MPH, Scientific Review Officer, Scientific Review Program, Division of Extramural Activities, National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Room 3G41, Rockville, MD 20852, 240–191–4281 *capecet2@niaid.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.855, Allergy, Immunology, and Transplantation Research; 93.856, Microbiology and Infectious Diseases Research, National Institutes of Health, HHS)

Dated: April 25, 2022.

Tyeshia M. Roberson-Curtis,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–09192 Filed 4–28–22; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Mental Health; Notice of Closed Meeting

Pursuant to section 10(d) 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: National Institute of Mental Health Special Emphasis Panel; Interpersonal Strategies for Suicide Prevention.

Date: May 20, 2022.

Time: 10:30 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852 (Virtual Meeting).

Contact Person: Nicholas Gaiano, Ph.D., Review Branch Chief, Division of Extramural Activities, National Institute of Mental Health, National Institutes of Health, Neuroscience Center/Room 6150/MSC 9606, 6001 Executive Boulevard, Bethesda, MD 20892–9606, 301–443–2742, *nick.gaiano@nih.gov.*

(Catalogue of Federal Domestic Assistance Program No. 93.242, Mental Health Research Grants, National Institutes of Health, HHS)

Dated: April 26, 2022.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–09225 Filed 4–28–22; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Cancer Institute; Notice of Closed Meetings

Pursuant to section 10(d) 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: National Cancer Institute Special Emphasis Panel; SEP–5: NCI Clinical and Translational Cancer Research.

Date: May 26, 2022.

Time: 9:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Cancer Institute at Shady Grove, 9609 Medical Center Drive, Room 7W108, Rockville, Maryland 20850 (Virtual Meeting).

Contact Person: Clifford W. Schweinfest, Ph.D., Scientific Review Officer, Special Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W108, Rockville, Maryland 20850, 240–276–6343, *schweinfestcw@mail.nih.gov.*

Name of Committee: National Cancer Institute Special Emphasis Panel; U01 CTD2—Cancer Target Discovery and Development Network (PAR21–274).

Date: May 26, 2022.

Time: 11:00 a.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Cancer Institute at Shady Grove, 9609 Medical Center Drive, Room 7W106, Rockville, Maryland 20850 (Virtual Meeting).

Contact Person: Eduardo Emilio Chufan, Ph.D., Scientific Review Officer, Research

Technology and Contract Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W106, Rockville, Maryland 20850, 240–276–7975, *chufanee@mail.nih.gov.*

Name of Committee: National Cancer Institute Special Emphasis Panel; SEP–2: NCI Clinical and Translational Cancer Research.

Date: June 1–2, 2022.

Time: 10:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Cancer Institute at Shady Grove, 9609 Medical Center Drive, Room 7W264, Rockville, Maryland 20850 (Virtual Meeting).

Contact Person: Ombretta Salvucci, Ph.D., Scientific Review Officer, Special Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W264, Rockville, Maryland 20850, 240–276–7286, *salvucco@mail.nih.gov.*

Name of Committee: National Cancer Institute Special Emphasis Panel; SEP–4: NCI Program Project (P01).

Date: June 8, 2022.

Time: 9:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Cancer Institute at Shady Grove, 9609 Medical Center Drive, Room 7W248, Rockville, Maryland 20850 (Virtual Meeting).

Contact Person: Shree Ram Singh, Ph.D., Scientific Review Officer, Special Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W248, Rockville, Maryland 20850, 240–672–6175, *singhshr@mail.nih.gov.*

Name of Committee: National Cancer Institute Special Emphasis Panel; SEP–9: NCI Clinical and Translational Cancer Research.

Date: June 9–10, 2022.

Time: 11:00 a.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Cancer Institute at Shady Grove, 9609 Medical Center Drive, Room 7W106, Rockville, Maryland 20850 (Virtual Meeting).

Contact Person: Eduardo Emilio Chufan, Ph.D., Scientific Review Officer, Research Technology and Contract Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W106, Rockville, Maryland 20850, 240–276–7975, *chufanee@mail.nih.gov.*

Name of Committee: National Cancer Institute Special Emphasis Panel; SEP–4: NCI Clinical and Translational Cancer Research.

Date: June 10, 2022.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Cancer Institute at Shady Grove, 9609 Medical Center Drive, Room 7W640, Rockville, Maryland 20850 (Virtual Meeting).

Contact Person: Saejeong J. Kim, Ph.D., Scientific Review Officer, Special Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W640, Rockville, Maryland 20850, 240–276–7684, *saejeong.kim@nih.gov.*

Name of Committee: National Cancer Institute Initial Review Group; Institutional Training and Education Study Section (F).

Date: June 17, 2022.

Time: 10:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Cancer Institute at Shady Grove, 9609 Medical Center Drive, Room 7W234, Rockville, Maryland 20850 (Virtual Meeting).

Contact Person: Adriana Stoica, Ph.D., Scientific Review Officer, Resources and Training Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W234, Rockville, Maryland 20850, 240–276–6368, *Stoicaa2@mail.nih.gov.*

Name of Committee: National Cancer Institute Special Emphasis Panel; NCI U01 Review.

Date: June 21, 2022.

Time: 10:00 a.m. to 2:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Cancer Institute at Shady Grove, 9609 Medical Center Drive, Room 7W248, Rockville, Maryland 20850 (Virtual Meeting).

Contact Person: Anita T. Tandle, Ph.D., Scientific Review Officer, Research Programs Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W248, Rockville, Maryland 20850, 240–276–5085, *tandlea@mail.nih.gov.*

Name of Committee: National Cancer Institute Special Emphasis Panel; SEP–7: NCI Clinical and Translational Cancer Research.

Date: June 23–24, 2022.

Time: 9:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Cancer Institute at Shady Grove, 9609 Medical Center Drive, Room 7W260, Rockville, Maryland 20850 (Virtual Meeting).

Contact Person: Robert F. Gahl, Ph.D., Scientific Review Officer, Special Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9606 Medical Center Drive, Room 7W260, Rockville, Maryland 20850, 240–276–7869, *robert.gahl@nih.gov.*

Name of Committee: National Cancer Institute Special Emphasis Panel; SEP–1: NCI Clinical and Translational Cancer Research.

Date: June 30, 2022.

Time: 1:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Cancer Institute at Shady Grove, 9609 Medical Center Drive, Room 7W242, Rockville, Maryland 20850 (Virtual Meeting).

Contact Person: Zhiqiang Zou, M.D., Ph.D., Scientific Review Officer, Special Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W242, Rockville, Maryland 20850, 240–276–6372, *zouzhiq@mail.nih.gov.*

Name of Committee: National Cancer Institute Special Emphasis Panel; HIV-Associated Malignancy Research Centers.

Date: July 8, 2022.

Time: 9:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Cancer Institute at Shady Grove, 9609 Medical Center Drive, Room 7W608, Rockville, Maryland 20850 (Teleconference Meeting).

Contact Person: Nadeem Khan, Ph.D., Scientific Review Officer, Research Technology and Contract Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W608, Rockville, Maryland 20850, 240–276–5856, *nadeem.khan@nih.gov.*

Name of Committee: National Cancer Institute Special Emphasis Panel; SEP–8: NCI Clinical and Translational Cancer Research.

Date: July 13–14, 2022.

Time: 11:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Cancer Institute at Shady Grove, 9609 Medical Center Drive, Room 7W254, Rockville, Maryland 20850 (Virtual Meeting).

Contact Person: Susan Lynn Spence, Ph.D., Scientific Review Officer, Research Technology and Contract Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W254, Rockville, Maryland 20850, 240–620–0819, *susan.spence@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.392, Cancer Construction; 93.393, Cancer Cause and Prevention Research; 93.394, Cancer Detection and Diagnosis Research; 93.395, Cancer Treatment Research; 93.396, Cancer Biology Research; 93.397, Cancer Centers Support; 93.398, Cancer Research Manpower; 93.399, Cancer Control, National Institutes of Health, HHS)

Dated: April 26, 2022.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–09224 Filed 4–28–22; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Biomedical Imaging and Bioengineering; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the National Institute of Biomedical Imaging and Bioengineering Special Emphasis Panel.

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: National Institute of Biomedical Imaging and Bioengineering Special Emphasis Panel; P41 NCBIB Review SRO D–SEP.

Date: June 28–30.

Time: 9:00 a.m. to 2:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Democracy II, 6707 Democracy Blvd., Bethesda, MD 20892 (Virtual Meeting).

Contact Person: John Hayes, Ph.D., Scientific Review Officer, National Institute of Biomedical Imaging and Bioengineering, National Institutes of Health, 6707 Democracy Blvd., Bethesda, MD 20892, (301) 451–3398, *hayesj@mail.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, National Institute of Biomedical Imaging and Bioengineering, National Institutes of Health, HHS)

Victoria E. Townsend,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–09244 Filed 4–28–22; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Allergy and Infectious Diseases; Notice of Closed Meeting

Pursuant to section 10(d) 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: National Institute of Allergy and Infectious Diseases Special Emphasis Panel; NIAID SBIR Phase II Clinical Trial Implementation Cooperative Agreement (U44 Clinical Trial Required).

Date: May 25, 2022.

Time: 10:00 a.m. to 1:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Room 3G41, Rockville, MD 20892 (Virtual Meeting).

Contact Person: Tara Capece, Ph.D., MPH, Scientific Review Officer, Scientific Review Program, Division of Extramural Activities, National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Room 3G41, Rockville, MD 20852, 240–191–4281, *capecet2@niaid.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.855, Allergy, Immunology, and Transplantation Research; 93.856, Microbiology and Infectious Diseases Research, National Institutes of Health, HHS)

Dated: April 25, 2022.

Tyeshia M. Roberson-Curtis,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–09191 Filed 4–28–22; 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 Meetings

Pursuant to section 10(d) 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: Cell Biology Integrated Review Group; Cell Structure and Function 1 Study Section.

Date: June 14–15, 2022.

Time: 10:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Jessica Smith, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, 301.402.3717, *jessica.smith6@nih.gov*..

Name of Committee: Molecular, Cellular and Developmental Neuroscience Integrated Review Group; Cellular and Molecular Biology of Glia Study Section.

Date: June 16–17, 2022.

Time: 9:00 a.m. to 6:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Sung-Wook Jang, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 812P, Bethesda, MD 20892, (301) 435–1042, *jangs2@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)

Victoria E. Townsend,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–09248 Filed 4–28–22; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Allergy and Infectious Diseases; Notice of Closed Meeting

Pursuant to section 10(d) 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: National Institute of Allergy and Infectious Diseases Special Emphasis Panel; NIAID Investigator Initiated Program Project Applications (P01 Clinical Trial Not Allowed).

Date: May 24, 2022.

Time: 9:00 a.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Room 3E70A, Rockville, MD 20892 (Virtual Meeting).

Contact Person: Annie Walker-Abbey, Ph.D., Scientific Review Officer, Scientific Review Program, Division of Extramural Activities, National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Room 3E70A, Rockville, MD 20852, 240–627–3390, *aabbey@niaid.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.855, Allergy, Immunology, and Transplantation Research; 93.856, Microbiology and Infectious Diseases Research, National Institutes of Health, HHS)

Dated: April 25, 2022.

Tyeshia M. Roberson-Curtis,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–09187 Filed 4–28–22; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Neurological Disorders and Stroke; Notice of Closed Meeting

Pursuant to section 10(d) 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: National Institute of Neurological Disorders and Stroke Special Emphasis Panel; Music and Health review meeting.

Date: May 26–27, 2022.

Time: 10:00 a.m. to 2:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852 (Virtual Meeting).

Contact Person: W. Ernest Lyons, Ph.D., Scientific Review Administrator, Scientific Review Branch, NINDS/NIH/DHHS, Neuroscience Center, 6001 Executive Boulevard, Suite 3208, MSC 9529, Bethesda, MD 20892–9529, 301–496–4056, *lyonse@ninds.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.853, Clinical Research Related to Neurological Disorders; 93.854, Biological Basis Research in the Neurosciences, National Institutes of Health, HHS)

Dated: April 25, 2022.

Tyeshia M. Roberson-Curtis,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–09185 Filed 4–28–22; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Dental and Craniofacial Research; Notice of Closed Meeting

Pursuant to section 10(d) 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: National Institute of Dental and Craniofacial Research Special Emphasis Panel; Review of Data Analysis R03 Applications.

Date: June 10, 2022.

Time: 9:00 a.m. to 5:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute of Dental and Craniofacial Research, 6701 Democracy Boulevard, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Jose F. Ruiz, Ph.D., Scientific Review Officer, Scientific Review Branch, National Institute of Dental and Craniofacial Research, National Institutes of Health, 6701 Democracy Boulevard, Bethesda, MD 20892–9550, *jose.ruiz@nih.gov*.

(Catalogue of Federal Domestic Assistance Program No. 93.121, Oral Diseases and Disorders Research, National Institutes of Health, HHS)

Dated: April 26, 2022.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–09226 Filed 4–28–22; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

[1651–0015]

Application for Extension of Bond for Temporary Importation (CBP Form 3173)

AGENCY: U.S. Customs and Border Protection (CBP), Department of Homeland Security.

ACTION: 30-day notice and request for comments; revision of an existing collection of information.

SUMMARY: The Department of Homeland Security, U.S. Customs and Border Protection will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). The information collection is published in the **Federal Register** to obtain comments from the public and affected agencies.

DATES: Comments are encouraged and must be submitted (no later than May 31, 2022) to be assured of consideration.

ADDRESSES: Written comments and/or suggestions regarding the item(s) contained in this notice 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: Requests for additional PRA information should be directed to Seth Renkema, Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection, Office of Trade, Regulations and Rulings, 90 K Street NE, 10th Floor, Washington, DC 20229–1177, Telephone number 202–325–0056 or via email *CBP_PRA@cbp.dhs.gov.* Please note that the contact information provided here is solely for questions regarding this notice. Individuals seeking information about other CBP programs should contact the CBP National Customer Service Center at 877–227–5511, (TTY) 1–800–877–8339, or CBP website at *https://www.cbp.gov/.*

SUPPLEMENTARY INFORMATION: CBP invites the general public and other Federal agencies to comment on the proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). This proposed information collection was previously published in the **Federal Register** (87 FR 9633) on February 22, 2022, allowing for a 60-day comment period. This notice allows for an additional 30 days for public comments. This process is conducted in accordance with 5 CFR 1320.8. Written comments and suggestions from the public and affected agencies should address one or more of the following four points: (1) Whether the proposed 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 the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) suggestions to enhance the quality, utility, and clarity of the information to be collected; and (4) suggestions to 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. The comments that are submitted will be summarized and included in the request for approval. All comments will become a matter of public record.

Overview of This Information Collection

Title: Application for Extension of Bond for Temporary Importation.

OMB Number: 1651–0015.

Form Number: CBP Form 3173.

Current Actions: CBP proposes to extend the expiration date of this information collection and to revise this information collection to allow electronic submission via the Document Image System (DIS). There is no change to the information collected and no change to CBP Form 3173.

Type of Review: Revision.

Affected Public: Businesses.

Abstract: Imported merchandise which is to remain in the customs territory for a period of one year or less without the payment of duties with the intent to destroy or export is entered as a temporary importation of goods under bond (TIB), as authorized under the Harmonized Tariff Schedule of the United States (19 U.S.C. 1202). Consistent with 19 CFR 10.37, when this time period is not sufficient, importers and brokers may request an extension by submitting a CBP Form 3173, ''*Application for Extension of Bond for Temporary Importation*'', either electronically or manually, to the Center Director. The period of time may be extended for not more than two further periods of 1 year each, or such shorter periods as may be appropriate. An Extension may be granted by CBP, upon written or electronic submission of a CBP Form 3173, provided that the articles have not been exported or destroyed before receipt of the application, and liquidated damages have not been assessed under the bond before receipt of the application. CBP Form 3173 is provided for in 19 CFR 10.37 and is accessible at: *https://www.cbp.gov/newsroom/publications/forms?title=3173.*

CBP published its plan to conduct a test of the National Customs Automation Program (NCAP) concerning document imaging in the **Federal Register** (77 FR 20835), on April 6, 2012. Under the test, certain Automated Commercial Environment (ACE) participants are able to submit electronic images of a specific set of CBP and Participating Government Agency (PGA) forms and supporting information to CBP. Specifically, importers, and brokers, are allowed to submit official CBP documents and specified PGA forms via the Electronic Data Interchange (EDI). Although the first phase of the DIS test was limited to certain CBP and PGA forms, the **Federal Register** notice advises that subsequent deployment phases of DIS will incorporate additional forms and that these other forms may be referenced in the DIS implementation guidelines. ACE participants may now submit the CBP Form 3173 via the DIS.

This information collection is necessary to ensure compliance with 19 CFR 10.37 and the DIS guidance.

Proposed Change:

Respondents will be able to submit information electronically through the Document Image System (DIS).

Type of Information Collection: Application for Extension of Bond for Temporary Importation (Form 3173).

Estimated Number of Respondents: 1,822.

Estimated Number of Annual Responses per Respondent: 14.

Estimated Number of Total Annual Responses: 25,508.

Estimated Time per Response: .217 hours.

Estimated Total Annual Burden Hours: 5,535.

Dated: April 26, 2022.

Seth D. Renkema,

Branch Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection.

[FR Doc. 2022–09221 Filed 4–28–22; 8:45 am]

BILLING CODE P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4515–DR; Docket ID FEMA–2022–0001]

Indiana; Amendment No. 10 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, Homeland Security (DHS).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of Indiana (FEMA–4515–DR), dated April 3, 2020, and related determinations.

DATES: This change occurred on March 28, 2022.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Thomas C. Sivak, of FEMA is appointed to act as the Federal Coordinating Officer for this disaster.

This action terminates the appointment of Moises Dugan as Federal Coordinating Officer for this disaster.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2022–09268 Filed 4–28–22; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4489–DR; Docket ID FEMA–2022–0001]

Illinois; Amendment No. 10 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of Illinois (FEMA–4489–DR), dated March 26, 2020, and related determinations.

DATES: This change occurred on March 28, 2022.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Thomas C. Sivak, of FEMA is appointed to act as the Federal Coordinating Officer for this disaster.

This action terminates the appointment of Moises Dugan as Federal Coordinating Officer for this disaster.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2022–09261 Filed 4–28–22; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4643–DR; Docket ID FEMA–2022–0001]

Kentucky; Amendment No. 1 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, Homeland Security (DHS).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the Commonwealth of Kentucky (FEMA–4643–DR), dated February 27, 2022, and related determinations.

DATES: This change occurred on March 18, 2022.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Brett H. Howard, of FEMA is appointed to act as the Federal Coordinating Officer for this disaster.

This action terminates the appointment of John Brogan as Federal Coordinating Officer for this disaster.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2022–09292 Filed 4–28–22; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4507–DR; Docket ID FEMA–2022–0001]

Ohio; Amendment No. 10 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, Homeland Security (DHS).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of Ohio (FEMA–4507–DR), dated March 31, 2020, and related determinations.

DATES: This change occurred on March 28, 2022.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Thomas C. Sivak, of FEMA is appointed to act as the Federal Coordinating Officer for this disaster.

This action terminates the appointment of Moises Dugan as Federal Coordinating Officer for this disaster.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2022–09267 Filed 4–28–22; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4645–DR; Docket ID FEMA–2022–0001]

Tennessee; Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency, Homeland Security (DHS).

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the State of Tennessee (FEMA–4645–DR), dated March 11, 2022, and related determinations.

DATES: The declaration was issued March 11, 2022.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated March 11, 2022, the President issued a major disaster declaration under the authority of the Robert T. Stafford

Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''), as follows:

I have determined that the damage in certain areas of the State of Tennessee resulting from a severe winter storm during the period of February 3 to February 4, 2022, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''). Therefore, I declare that such a major disaster exists in the State of Tennessee.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Public Assistance in the designated areas and Hazard Mitigation throughout the State. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Public Assistance and Hazard Mitigation will be limited to 75 percent of the total eligible costs.

Further, you are authorized to make changes to this declaration for the approved assistance to the extent allowable under the Stafford Act.

The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Myra M. Shird, of FEMA is appointed to act as the Federal Coordinating Officer for this major disaster.

The following areas of the State of Tennessee have been designated as adversely affected by this major disaster:

Crockett, Fayette, Haywood, Lauderdale, Shelby, Tipton, and Weakley Counties for Public Assistance.

All areas within the State of Tennessee are eligible for assistance under the Hazard Mitigation Grant Program.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2022–09294 Filed 4–28–22; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4594–DR; Docket ID FEMA–2022–0001]

Tennessee; Amendment No. 2 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, Homeland Security (DHS).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of Tennessee (FEMA–4594–DR), dated April 21, 2021, and related determinations.

DATES: This change occurred on April 1, 2022.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Robert A. Haywood, of FEMA is appointed to act as the Federal Coordinating Officer for this disaster.

This action terminates the appointment of Myra M. Shird as Federal Coordinating Officer for this disaster.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2022–09273 Filed 4–28–22; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4609–DR; Docket ID FEMA–2022–0001]

Tennessee; Amendment No. 5 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, Homeland Security (DHS).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of Tennessee (FEMA–4609–DR), dated August 23, 2021, and related determinations.

DATES: This change occurred on April 1, 2022.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Robert A. Haywood, of FEMA is appointed to act as the Federal Coordinating Officer for this disaster.

This action terminates the appointment of Myra M. Shird as Federal Coordinating Officer for this disaster.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance

(Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2022–09276 Filed 4–28–22; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4640–DR; Docket ID FEMA–2022–0001]

Kansas; Amendment No. 1 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, Homeland Security (DHS).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of Kansas (FEMA–4640–DR), dated February 17, 2022, and related determinations.

DATES: This amendment was issued March 22, 2022.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: The notice of a major disaster declaration for the State of Kansas is hereby amended to include the following areas among those areas determined to have been adversely affected by the event declared a major disaster by the President in his declaration of February 17, 2022.

Norton and Phillips Counties for Public Assistance.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050 Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2022–09291 Filed 4–28–22; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID: FEMA–2021–0033; OMB No. 1660–0145]

Agency Information Collection Activities: Submission for OMB Review; Comment Request; Federal Emergency Management Agency Programs Customer Satisfaction Surveys

AGENCY: Federal Emergency Management Agency, Department of Homeland Security.

ACTION: 30-Day notice of revision 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. The submission will describe the nature of the information collection, the categories of respondents, the estimated burden (*i.e.,* the time, effort and resources used by respondents to respond) and cost, and the actual data collection instruments FEMA will use. This notice seeks comments concerning the collection of Individual Assistance customer satisfaction survey responses for FEMA programs and information for assessment to improve the delivery of disaster assistance to individuals and households.

DATES: Comments must be submitted on or before May 31, 2022.

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: Requests for additional information or copies of the information collection should be made to Director, Information Management Division, 500 C Street SW, Washington, DC 20472, email address *FEMA-Information-Collections-Management@fema.dhs.gov* or Brandi Vironda, Statistician, Customer Survey & Analysis Section, Recovery Directorate, FEMA at *Brandi.Vironda@fema.dhs.gov* or 940–891–8572.

SUPPLEMENTARY INFORMATION: This collection is in accordance with Executive Orders 12862 and 13571 requiring all Federal Agencies to survey customers to determine the kind and quality of services they want and their level of satisfaction with existing services. The Government Performance and Results Act (GPRA) (Pub. L. 103–62, 107 Stat. 285) requires agencies to set missions and goals and measure performance against them. In addition, the GPRA Modernization Act of 2010 (Pub. L. 111–352, 124 Stat. 3866) requires quarterly performance assessments of government programs for the purposes of assessing agency performance and improvement. FEMA will fulfill these requirements by collecting customer satisfaction program information through surveys of the Recovery Directorate's external customers.

Two forms are being removed from this filing—Shelter and Temporary Essential Power Survey (519–0–50) and Shelter and Temporary Essential Power Survey (519–0–51).

This proposed information collection previously published in the **Federal Register** on February 16, 2022, at 87 FR 8861 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: Federal Emergency Management Agency Programs Customer Satisfaction Surveys.

Type of Information Collection: Revision of a currently approved information collection.

OMB Number: 1660–0145.

FEMA Forms: FEMA Form FF–104–FY–21–181 (formerly 519–0–45), Preparedness Survey—Electronic; FEMA Form FF–104–FY–21–180 (519–0–44), Preparedness Survey—Phone; FEMA Form FF–104–FY–21–183 (519–0–47), Transitional Sheltering Assistance (TSA) Survey—Electronic; FEMA Form FF–104–FY–21–182 (519–0–46), Transitional Sheltering Assistance (TSA) Survey—Phone; FEMA FF–104–FY–21–185 (Form 519–0–49), Temporary Housing Units (THU) Survey—Electronic; FEMA Form FF–

104–FY–21–184 (519–0–48), Temporary Housing Units (THU) Survey—Phone; FEMA Form FF–104–FY–21–196, Sample Focus Group Moderator Guide; FEMA Form FF–104–FY–21–197, Sample One-on-One Interview Guide; FEMA Form FF–104–FY–21–198, Sample On-line Moderator Guide.

Abstract: Federal agencies are required to survey their customers to determine the kind and quality of services customers want and their level of satisfaction with those services. Analysis from the survey is used to measure FEMA's Strategic Plan's objective 3.1 to streamline the disaster survivor experience.

Affected Public: Individuals and households; Partners In Service Staff.

Estimated Number of Respondents: 7,296.

Estimated Number of Responses: 7,296.

Estimated Total Annual Burden Hours: 5,227.

Estimated Total Annual Respondent Cost: $212,267.

Estimated Respondents' Operation and Maintenance Costs: $0.

Estimated Respondents' Capital and Start-Up Costs: $33,696.

Estimated Total Annual Cost to the Federal Government: $724,191.

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.

Millicent Brown Wilson,

Records Management Branch Chief, Office of the Chief Administrative Officer, Mission Support, Federal Emergency Management Agency, Department of Homeland Security.

[FR Doc. 2022–09223 Filed 4–28–22; 8:45 am]

BILLING CODE 9111–24–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4645–DR; Docket ID FEMA–2022–0001]

Tennessee; Amendment No. 1 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, Homeland Security (DHS).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of Tennessee (FEMA–4645–DR), dated March 11, 2022, and related determinations.

DATES: This change occurred on April 1, 2022.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Robert A. Haywood, of FEMA is appointed to act as the Federal Coordinating Officer for this disaster.

This action terminates the appointment of Myra M. Shird as Federal Coordinating Officer for this disaster.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2022–09295 Filed 4–28–22; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4637–DR; Docket ID FEMA–2022–0001]

Tennessee; Amendment No. 3 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, Homeland Security (DHS).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of Tennessee (FEMA–4637–DR), dated January 14, 2022, and related determinations.

DATES: This change occurred on April 1, 2022.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Robert A. Haywood, of FEMA is appointed to act as the Federal Coordinating Officer for this disaster.

This action terminates the appointment of Myra M. Shird as Federal Coordinating Officer for this disaster.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2022–09290 Filed 4–28–22; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–3576–EM; Docket ID FEMA–2022–0001]

Tennessee; Amendment No. 2 to Notice of an Emergency Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of an emergency declaration for the State of Tennessee (FEMA–3576–EM), dated December 13, 2021, and related determinations.

DATES: This change occurred on April 1, 2022.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Robert A. Haywood, of FEMA is appointed to act as the Federal Coordinating Officer for this emergency.

This action terminates the appointment of Myra M. Shird as Federal Coordinating Officer for this disaster.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2022–09260 Filed 4–28–22; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4520–DR; Docket ID FEMA–2022–0001]

Wisconsin; Amendment No. 10 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of Wisconsin (FEMA–4520–DR), dated April 4, 2020, and related determinations.

DATES: This change occurred on March 28, 2022.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Thomas C. Sivak, of FEMA is appointed to act as the Federal Coordinating Officer for this disaster.

This action terminates the appointment of Moises Dugan as Federal Coordinating Officer for this disaster.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2022–09269 Filed 4–28–22; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4601–DR; Docket ID FEMA–2022–0001]

Tennessee; Amendment No. 3 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, Homeland Security (DHS).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of Tennessee (FEMA–4601–DR), dated May 8, 2021, and related determinations.

DATES: This change occurred on April 1, 2022.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Robert A. Haywood, of FEMA is appointed to act as the Federal Coordinating Officer for this disaster.

This action terminates the appointment of Myra M. Shird as Federal Coordinating Officer for this disaster.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2022–09275 Filed 4–28–22; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4647–DR; Docket ID FEMA–2022–0001]

Maine; Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency, Homeland Security (DHS).

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the State of Maine (FEMA–4647–DR), dated March 15, 2022, and related determinations.

DATES: The declaration was issued March 15, 2022.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated March 15, 2022, the President issued a major disaster declaration under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''), as follows:

I have determined that the damage in certain areas of the State of Maine resulting from a severe storm and flooding during the period of October 30 to October 31, 2021, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''). Therefore, I declare that such a major disaster exists in the State of Maine.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Public Assistance in the designated areas and Hazard Mitigation throughout the State. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Public Assistance and Hazard Mitigation will be limited to 75 percent of the total eligible costs.

Further, you are authorized to make changes to this declaration for the approved assistance to the extent allowable under the Stafford Act.

The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, William F. Roy, of FEMA is appointed to act as the Federal Coordinating Officer for this major disaster.

The following areas of the State of Maine have been designated as adversely affected by this major disaster:

Knox, Waldo, and York Counties for Public Assistance.

All areas within the State of Maine are eligible for assistance under the Hazard Mitigation Grant Program.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2022–09297 Filed 4–28–22; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4646–DR; Docket ID FEMA–2022–0001]

Alaska; Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency, Homeland Security (DHS).

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the State of Alaska (FEMA–4646–DR), dated March 14, 2022, and related determinations.

DATES: The declaration was issued March 14, 2022.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated March 14, 2022, the President issued a major disaster declaration under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''), as follows:

I have determined that the damage in certain areas of the State of Alaska resulting from a severe winter storm and straight-line winds during the period of January 1 to January 4, 2022, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''). Therefore, I declare that such a major disaster exists in the State of Alaska.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Public Assistance in the designated area and Hazard Mitigation throughout the State. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Public Assistance and Hazard Mitigation will be limited to 75 percent of the total eligible costs.

Further, you are authorized to make changes to this declaration for the approved assistance to the extent allowable under the Stafford Act.

The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Thomas J. Dargan, of FEMA is appointed to act as the Federal Coordinating Officer for this major disaster.

The following areas of the State of Alaska have been designated as adversely affected by this major disaster:

Matanuska-Susitna Borough for Public Assistance.

All areas within the State of Alaska are eligible for assistance under the Hazard Mitigation Grant Program.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2022–09296 Filed 4–28–22; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4494–DR; Docket ID FEMA–2022–0001]

Michigan; Amendment No. 9 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of Michigan (FEMA–4494–DR), dated March 27, 2020, and related determinations.

DATES: This change occurred on March 28, 2022.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Thomas C. Sivak, of FEMA is appointed to act as the Federal Coordinating Officer for this disaster.

This action terminates the appointment of Moises Dugan as Federal Coordinating Officer for this disaster.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2022–09266 Filed 4–28–22; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4531–DR; Docket ID FEMA–2022–0001]

Minnesota; Amendment No. 10 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, Homeland Security (DHS).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of Minnesota (FEMA–4531–DR), dated April 7, 2020, and related determinations.

DATES: This change occurred on March 28, 2022.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Thomas C. Sivak, of FEMA is appointed to act as the Federal Coordinating Officer for this disaster.

This action terminates the appointment of Moises Dugan as Federal Coordinating Officer for this disaster.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2022–09270 Filed 4–28–22; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4644–DR; Docket ID FEMA–2022–0001]

Virginia; Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency, Homeland Security (DHS).

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the Commonwealth of Virginia (FEMA–4644–DR), dated March 11, 2022, and related determinations.

DATES: The declaration was issued March 11, 2022.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated March 11, 2022, the President issued a major disaster declaration under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''), as follows:

I have determined that the damage in certain areas of the Commonwealth of Virginia resulting from a severe winter storm and snowstorm during the period of January 2 to January 3, 2022, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''). Therefore, I declare that such a major disaster exists in the Commonwealth of Virginia.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Public Assistance in the designated areas and Hazard Mitigation throughout the Commonwealth. You are further authorized to provide snow assistance under the Public Assistance program for a limited period of time during or proximate to the incident period. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Public Assistance and Hazard Mitigation will be limited to 75 percent of the total eligible costs.

Further, you are authorized to make changes to this declaration for the approved assistance to the extent allowable under the Stafford Act.

The Federal Emergency Management Agency (FEMA) hereby gives notice that

pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Gerard M. Stolar, of FEMA is appointed to act as the Federal Coordinating Officer for this major disaster.

The following areas of the Commonwealth of Virginia have been designated as adversely affected by this major disaster:

Albemarle, Amelia, Appomattox, Bedford, Buckingham, Caroline, Charlotte, Culpeper, Cumberland, Essex, Fauquier, Fluvanna, Goochland, Greene, Hanover, King George, King William, Louisa, Madison, Nelson, Orange, Powhatan, Prince Edward, Rappahannock, Spotsylvania, Stafford, and Westmoreland Counties and the independent city of Fredericksburg for Public Assistance.

King George and Stafford Counties for snow assistance under the Public Assistance program for any continuous 48-hour period during or proximate to the incident period.

All areas within the Commonwealth of Virginia are eligible for assistance under the Hazard Mitigation Grant Program.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2022–09293 Filed 4–28–22; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4595–DR; Docket ID FEMA–2022–0001]

Kentucky; Amendment No. 6 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, Homeland Security (DHS).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the Commonwealth of Kentucky (FEMA–4595–DR), dated April 23, 2021, and related determinations.

DATES: This change occurred on March 18, 2022.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Brett H. Howard, of FEMA is appointed to act as the Federal Coordinating Officer for this disaster.

This action terminates the appointment of John Brogan as Federal Coordinating Officer for this disaster.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2022–09274 Filed 4–28–22; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–7061–N–07]

60-Day Notice of Proposed Information Collection: Remote Video Inspection, OMB Control No.: 2577–0298

AGENCY: Office of the Assistant Secretary for Public and Indian Housing, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: *Comments Due Date:* June 28, 2022.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Colette Pollard, Reports Management Officer, Department of Housing and Urban Development, 451 7th Street SW, Room 4176, Washington, DC 20410–5000; telephone 202–402–3400 (this is not a toll-free number) or email at *Colette.Pollard@hud.gov* for a copy of the proposed forms or other available information. Persons with hearing or speech impairments may access this number through TTY by calling the Federal Relay Service at (800) 877–8339 (this is a toll-free number).

FOR FURTHER INFORMATION CONTACT: Dawn Smith, Office of Policy, Programs and Legislative Initiatives, PIH, Department of Housing and Urban Development, 451 7th Street SW, (Room 3180), Washington, DC 20410; telephone 202–402–4109, (this is not a toll-free number). Persons with hearing or speech impairments may access this number via TTY by calling the Federal Relay Service at (800) 877–8339 (this is a toll-free number). Copies of available documents submitted to OMB may be obtained from Ms. Smith.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: Remote Video Inspection.

OMB Approval Number: 2577–0298.

Type of Request: Revision of currently approved collection.

Form Number: 50139.

Description of the need for the information and proposed use: The information collection is required to continuously apply the Remote Video Inspections (RVI) criteria for the Uniform Physical Condition Standards (UPCS), the National Standards for the Physical Inspection of Real Estate (NSPIRE), Remote Video Collaborative Quality Assurance (RV CQA), and any other Real Estate Assessment Center (REAC) inspections.

Respondents: Residents, PHAs, POAs, Proxies (who will likely be PHA staff and Property Owner Agents), and Contract Inspectors.

Estimated Number of Respondents: 6,704 annually.

Estimated Number of Responses: 6,704 annually.

Frequency of Response: Frequency of response will align with the inspection

schedule for the property, which will, at minimum, be inspected annually.

Burden Hours per Response: Burden hours per response depends on the information collection method. For the Pre-Inspection Checklist, the Burden Hours per Response is .33 hours. For the Pre-Remote Video Inspection Survey of Residents, the Burden Hours per Response is .08 hours. For the Survey of RV CQA Contract Inspectors, the Burden Hours per Response is .08 hours. For the Post-Remote Video Inspection Survey of Proxies, the Burden Hours per Response is .33 hours. For the Disclosure Form, the Burden Hours per Response is .17 hours. For the RV CQA Information Collection Form, the Burden Hours per Response is .17 hours.

Total Estimated Burdens: Total burden hours is estimated to be 1,524. Total burden cost is estimated to be $38,963.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed 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 the agency's estimate of the burden of the proposed collection of information;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

C. Authority

Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. 3507.

Laura Miller-Pittman,

Chief, Office of Policy, Programs and Legislative Initiatives.

[FR Doc. 2022–09183 Filed 4–28–22; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–7061–N–06]

60-Day Notice of Proposed Information Collection: Public Housing Flat Rent Exception Request Market Analysis

AGENCY: Office of the Assistant Secretary for Public and Indian Housing, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: *Comments Due Date:* June 28, 2022.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Colette Pollard, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW, Room 4176, Washington, DC 20410–5000; telephone 202–402–3400 (this is not a toll-free number) or email at *Colette.Pollard@hud.gov* for a copy of the proposed forms or other available information. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339.

FOR FURTHER INFORMATION CONTACT: Dawn Smith, Office of Policy, Programs and Legislative Initiatives, PIH, Department of Housing and Urban Development, 451 7th Street SW, Room 3176, Washington, DC 20410; telephone 202–402–4109, (this is not a toll-free number). Persons with hearing or speech impairments may access this number via TTY by calling the Federal Information Relay Service at (800) 877–8339. Copies of available documents submitted to OMB may be obtained from Ms. Smith.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: Public Housing Flat Rent Exception Request Market Analysis.

OMB Approval Number: Pending.

Type of Request: Revision of a currently approved collection.

Form Number: HUD–5880.

Description of the need for the information and proposed use: The form will streamline the process and reduce burden on PHAs when submitting a market analysis as part of a flat rent exception request in accordance with Notice PIH 2015–13(HA), which implements Section 238 of Title II of Public Law 113–235, the Department of Housing and Urban Development Appropriations Act of 2015. Notice PIH 2015–13(HA) allows PHAs to request flat rents that are based on the local rental market conditions, when the PHA can demonstrate through a market analysis that the FMRs are not reflective of the local market. The current submission process does not stipulate a template for PHA submissions, therefore PHAs spend widely varying amounts of time and effort compiling information which may or may not facilitate HUD's review of their request.

Respondents: Public Housing Authorities (PHAs).

Information collection	Number of respondents	Frequency of response	Responses per annum	Burden hour per response	Annual burden hours	Hourly cost per response	Annual cost
HUD–5880—Rent Adjustment Guide	50	1	1	8	400	$17.11	$6,844.00
Total	.....	.....	.....	.....	.....	.....	.....

Explanation of burden hour and cost calculation:

- Number of respondents = 50
- Frequency of response/responses per annum = 1/1 (PHAs make one submission per fiscal year)
- Burden hours per response = estimated time to complete a market analysis
- Annual burden hours = 400

- Hourly cost per response = the average hourly pay rate earned by a housing specialist in a PHA responsible for collecting market data
- Annual cost = 400 * $17.11

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed 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 the agency's estimate of the burden of the proposed collection of information;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

C. Authority

Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Laura Miller-Pittman,

Chief, Office of Policy, Programs and Legislative Initiatives.

[FR Doc. 2022–09182 Filed 4–28–22; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–6308–N–02]

Announcement of the Housing Counseling Federal Advisory Committee Notice of Public Meeting

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, Department of Housing and Urban Development (HUD).

ACTION: Notice of Housing Counseling Federal Advisory Committee public meeting.

SUMMARY: This gives notice of a Housing Counseling Federal Advisory Committee (HCFAC) meeting and sets forth the proposed agenda. The HCFAC meeting will be held on Wednesday, May 25, 2022. The meeting is open to the public and is accessible to individuals with disabilities.

DATES: The virtual meeting will be held on Wednesday, May 25, 2022, starting at 1:00 p.m. Eastern Daylight Time (EDT) via teleconference.

FOR FURTHER INFORMATION CONTACT: Virginia F. Holman, Housing Program Specialist, Office of Housing Counseling, U.S. Department of Housing and Urban Development, 600 East Broad Street, Richmond VA 23219; telephone number 540–894–7790 (this is not a toll-free number); email *virginia.f.holman@hud.gov.* Individuals with speech or hearing impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877-8339. Individuals may also email *HCFACCommittee@hud.gov.*

SUPPLEMENTARY INFORMATION: HUD is convening the virtual meeting of the HCFAC on Wednesday, May 25, 2022, from 1:00 p.m. to 4:00 p.m. EDT. The meeting will be held via teleconference. This meeting notice is provided in accordance with the Federal Advisory Committee Act, 5. U.S.C. app. 10(a)(2).

Draft Agenda—Housing Counseling Federal Advisory Committee Meeting—Wednesday, May 25, 2022

I. Welcome
II. Advisory Committee Discussion
III. Public Comment
W. Next Steps
V. Adjourn

Registration

The public is invited to attend this one-day virtual meeting. Advance registration is required to attend. To register, please visit *https://zoom.us/webinar/register/WN_5KvIlkd3TeKSQ0G8w2iPUg* to complete your registration no later than May 20, 2022. Registration will be closed for the event on May 20, 2022. If you have any questions about registration, please email *HCFACCommittee@ajantaconsulting.com.*

After submitting the registration form above, you will receive registration confirmation with the meeting link and passcode needed to attend. Individuals with speech or hearing impairments may follow the discussion by first calling the toll-free Federal Relay Service (FRS): (800) 977–8339 and providing the FRS operator with the conference call number that will be provided in the registration confirmation.

Public Comments

With advance registration, members of the public will have an opportunity to provide oral and written comments relative to agenda topics for the HCFAC's consideration. To provide oral comments, please indicate your desire to do so in your registration form no later than May 20, 2022. Your registration confirmation will also confirm that you are approved to speak. The available time for public comments will be limited to ensure pertinent HCFAC business is completed. Further, the amount of time allotted to each person will be limited to two minutes and will be allocated on a first-come first-served basis by HUD. Written comments can be provided on the registration form no later than May 20, 2022. Please note, written comments submitted will not be read during the meeting. The HCFAC will not respond to individual written or oral statements; but it will take all public comments into account in its deliberations.

Meeting Records

Records and documents discussed during the meeting as well as other information about the work of the HCFAC, will be available for public viewing as they become available at: *https://www.facadatabase.gov/FACA/apex/FACAPublicCommittee?id=a10t0000001gzvQAAQ.*

Information on the Committee is also available on *hud.gov* at *https://www.hud.gov/program_offices/housing/sfh/hcc* and on HUD Exchange at *https://www.hudexchange.info/programs/housing-counseling/federal-advisory-committee/.*

Lopa P. Kolluri,

Principal Deputy Assistant Secretary for the Office of Housing—Federal Housing Administration.

[FR Doc. 2022–09178 Filed 4–28–22; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–7061–N–05]

60-Day Notice of Proposed Information Collection: Public Housing Grants Support for Payment Voucher, OMB Control No.: 2577–0299

AGENCY: Office of the Assistant Secretary for Public and Indian Housing, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: *Comments Due Date:* June 28, 2022.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Colette Pollard, Reports Management Officer, Department of Housing and Urban Development, 451 7th Street SW, Room 4176, Washington, DC 20410–5000; telephone 202–402–3400 (this is not a toll-free number) or email at *Colette.Pollard@hud.gov* for a copy of the proposed forms or other available information. Persons with hearing or speech impairments may access this number through TTY by calling the Federal Relay Service at (800) 877–8339 (this is a toll-free number).

FOR FURTHER INFORMATION CONTACT: Dawn Smith, Office of Policy, Programs and Legislative Initiatives, PIH, Department of Housing and Urban Development, 451 7th Street SW, (Room 3180), Washington, DC 20410; telephone 202–402–4109, (this is not a toll-free number). Persons with hearing or speech impairments may access this number via TTY by calling the Federal Relay Service at (800) 877–8339 (this is a toll-free number). Copies of available documents submitted to OMB may be obtained from Ms. Smith.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: Public Housing Grants Support for Payment Voucher.

OMB Approval Number: 2577–0299.

Type of Request: New collection for PRA with Emergency Approval.

Form Number: SF–425, HUD–XXXXX.

Description of the need for the information and proposed use: HUD will require Public Housing Authorities (PHAs) to provide justification and support for vouchers drawing down certain Operating Fund grant and other supplemental or Public Housing grant funds from HUD's Line of Credit Control System (eLOCCS). The PHAs must provide justification and support that the expenditure of the grant funds is for eligible activities and meets the terms and conditions of the grant.

Respondents: Public Housing Authorities (PHAs).

Estimated Number of Respondents: 539 annually.

Estimated Number of Responses: 6,000 annually.

Frequency of Response: Frequency of response is estimated to be 6,000 total annually. PHAs are only required to submit forms when the department requires the PHA to provide support for voucher requests to drawdown grant funds.

Burden Hours per Response: Burden hours per response for a Support for Payment Vouchers form is 30 minutes.

Total Estimated Burdens: Total burden hours is estimated to be 3,000. Total burden cost is estimated to be $107,730.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed 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 the agency's estimate of the burden of the proposed collection of information;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

C. Authority

Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. 3507.

Laura Miller-Pittman,

Chief, Office of Policy, Programs and Legislative Initiatives.

[FR Doc. 2022–09181 Filed 4–28–22; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R8–ES–2022–N022; FXES11130800000–223–FF08E00000]

Endangered and Threatened Species; Receipt of Recovery Permit Applications

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of receipt of permit applications; request for comments.

SUMMARY: We, the U.S. Fish and Wildlife Service, have received applications for permits to conduct activities intended to enhance the propagation or survival of endangered or threatened species under the Endangered Species Act. We invite the public and local, State, Tribal, and Federal agencies to comment on these applications. Before issuing any of the requested permits, we will take into consideration any information that we receive during the public comment period.

DATES: We must receive your written comments on or before May 31, 2022.

ADDRESSES: *Document availability and comment submission:* Submit requests for copies of the applications and related documents and submit any comments by one of the following methods. All requests and comments should specify the applicant name(s) and application number(s) (*e.g.,* XXXXXX or PER0001234).

- *Email: permitsR8ES@fws.gov.*
- *U.S. Mail:* Susie Tharratt, Regional Recovery Permit Coordinator, U.S. Fish and Wildlife Service, 2800 Cottage Way, Room W–2606, Sacramento, CA 95825.

FOR FURTHER INFORMATION CONTACT: Susie Tharratt, via phone at 916–414–6561, or via email at *permitsR8ES@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: We, the U.S. Fish and Wildlife Service, invite the public to comment on applications for permits under section 10(a)(1)(A) of the Endangered Species Act, as amended (ESA; 16 U.S.C. 1531 *et seq.*). The requested permits would allow the applicants to conduct activities intended to promote recovery of species that are listed as endangered or threatened under the ESA.

Background

With some exceptions, the ESA prohibits activities that constitute take of listed species unless a Federal permit is issued that allows such activity. The ESA's definition of ''take'' includes such activities as pursuing, harassing, trapping, capturing, or collecting, in addition to hunting, shooting, harming, wounding, or killing.

A recovery permit issued by us under section 10(a)(1)(A) of the ESA authorizes the permittee to conduct

activities with endangered or threatened species for scientific purposes that promote recovery or for enhancement of propagation or survival of the species. These activities often include such prohibited actions as capture and collection. Our regulations implementing section 10(a)(1)(A) for these permits are found in the Code of Federal Regulations at 50 CFR 17.22 for endangered wildlife species, 50 CFR 17.32 for threatened wildlife species, 50 CFR 17.62 for endangered plant species, and 50 CFR 17.72 for threatened plant species.

Permit Applications Available for Review and Comment

Proposed activities in the following permit requests are for the recovery and enhancement of propagation or survival of the species in the wild. The ESA requires that we invite public comment before issuing these permits. Accordingly, we invite local, State, Tribal, and Federal agencies and the public to submit written data, views, or arguments with respect to these applications. The comments and recommendations that will be most useful and likely to influence agency decisions are those supported by quantitative information or studies.

Application No.	Applicant, city, state	Species	Location	Take activity	Permit action
82155B	Johanna C. Page, Pasadena, California.	• Conservancy fairy shrimp (*Branchinecta conservatio*). • Longhorn fairy shrimp (*Branchinecta longiantenna*). • San Diego fairy shrimp (*Branchinecta sandiegonensis*). • Riverside fairy shrimp (*Streptocephalus woottoni*). • Vernal pool tadpole shrimp (*Lepidurus packardi*).	CA	Capture, handle, release, and collect vouchers.	Renew.
PER0005173	Thomas P. Ryan, Monrovia, California.	• California least tern (*Sterna antillarum browni*) • California Ridgway's rail (*Rallus* [*longirostris*] *obsoletus obsoletus*). • Light-footed Ridgway's rail (*Rallus obsoletus levipes*). • Southern willow flycatcher (*Empidonax traillii extimus*). • Least Bell's vireo (*Vireo bellii pusillus*)	CA	Play taped vocalizations, locate and monitor nests, erect and use cameras, install and remove fence pens, float eggs, capture, mark-recapture, handle, measure, band, color-band, release, collect non-viable eggs for predator control program, collect breast feathers, remove brown-headed cowbird (*Molothrus ater*) eggs and chicks from parasitized nests.	Renew.
065741	John C. Lovio, San Diego, California.	• Southwestern willow flycatcher (*Empidonax traillii extimus*). • Least Bell's vireo (*Vireo bellii pusillus*) ..... • Quino checkerspot butterfly (*Euphydryas editha quino*). • Conservancy fairy shrimp (*Branchinecta conservatio*). • Longhorn fairy shrimp (*Branchinecta longiantenna*). • San Diego fairy shrimp (*Branchinecta sandiegonensis*). • Riverside fairy shrimp (*Streptocephalus woottoni*). • Vernal pool tadpole shrimp (*Lepidurus packardi*).	CA	Pursue, capture, handle, release, and collect vouchers, play taped vocalizations, locate and monitor nests, and remove brown-headed cowbird (*Molothrus ater*) eggs and chicks from parasitized nests.	Renew.
797233	Entomological Consulting Services, Ltd., Richard Arnold, Pleasant Hill, California.	• Ohlone tiger beetle (*Cicindela ohlone*) ..... • Palos Verdes blue butterfly (*Glaucosyche lygdamus palosverdesensis*). • El Segundo blue butterfly (*Euphilotes battoides allyni*). • Smith's blue butterfly (*Euphilotes enoptes smithi*). • lotis blue butterfly (*Lycaeides argyrognomon lotis*). • Mount Hermon June beetle (*Polyphulla barbata*). • Behren's silverspot butterfly (*Speyeria zerene behrensii*). • Zayante band-wind grasshopper (*Trimerotropis infantilis).*	CA	Pursue, capture, handle, release, mark burrow, translocate, and conduct ecological studies and habitat enhancement.	Renew.
84210B	Amy Storck, Fair Oaks, California.	• Conservancy fairy shrimp (*Branchinecta conservatio*). • Longhorn fairy shrimp (*Branchinecta longiantenna*). • San Diego fairy shrimp (*Branchinecta sandiegonensis*). • Riverside fairy shrimp (*Streptocephalus woottoni*). • Vernal pool tadpole shrimp (*Lepidurus packardi*).	CA	Capture, handle, release, and collect vouchers.	Renew.
092162	Andrew Borcher, Lakeside, California.	• Quino checkerspot butterfly (*Euphydryas editha quino*).	CA	Pursue	Renew.

Application No.	Applicant, city, state	Species	Location	Take activity	Permit action
796271	Shana Dodd, San Diego, California.	• Pacific pocket mouse (*Perognathus longimembris pacificus*). • San Bernardino kangaroo rat (*Dipodomys merriami parvus*).	CA	Capture, handle, mark, collect tissue or hair, and release.	Renew.
063429	Department of Water Resources, Karin Dulik, Fresno, California.	• Buena Vista shrew (*Sorex ornatus relictus*) • Giant kangaroo rat (*Dipodomys ingens*) • Fresno kangaroo rat (*Dipodomys nitratoides exilis*). • Tipton's kangaroo rat (*Dipodomys nitratoides nitratoides*).	CA	Capture, handle, and release	Renew.
018909	Kelly Rios, Brea, California	• Quino checkerspot butterfly (*Euphydryas editha quino*). • El Segundo blue butterfly (*Euphilotes battoides allyni*). • San Bernardino kangaroo rat (*Dipodomys merriami parvus*).	CA	Pursue, capture, handle, and release.	Renew.
036550	Nina L. Kidd, Kidd Biological, Inc., Anacortes, Washington.	• Quino checkerspot butterfly (*Euphydryas editha quino*).	CA	Pursue	Renew.
02351A	Timothy J. Searl	• Southwestern willow flycatcher (*Empidonax traillii extimus*).	CA	Play taped vocalizations, locate and monitor nests, and remove brown-headed cowbird (*Molothrus ater*) eggs and chicks from parasitized nests.	Renew.
56489B	Jonathan T. Koehler, Corte Madera, California.	• California freshwater shrimp (*Syncaris pacifica*).	CA	Harass by survey, capture, handle, and release.	Renew.
018180	Point Reyes National Seashore, Point Reyes Station, California.	• Sonoma alopecurus (*Alopecurus aequalis* var. *sonomensis*). • Tidestrom's lupine (*Lupinus tidestromii*) • Beach layia (*Layia carnosa*). • Sonoma spineflower (*Chorizanthe valida*). • Robust spineflower (*Chorizanthe robusta* var. *robusta*).	CA	Collect seeds, whole plants, and plant parts.	Renew.
PER0025577	Michael S. Henry, Folsom, California.	• California tiger salamander (Santa Barbara County Distinct Population Segment (DPS), and Sonoma County DPS) (*Ambystoma californiense*).	CA	Capture, handle, and release	New.
36221C	Jason R. Peters, Sacramento, California.	• California tiger salamander (Santa Barbara County Distinct Population Segment (DPS), and Sonoma County DPS) (*Ambystoma californiense*).	CA	Capture, handle, and release	Renew and Amend.
005535	Gilbert Goodlett, San Diego, California.	• Delhi Sands flower-loving fly (*Rhaphiomidas terminates abdominalis*). • Quino checkerspot butterfly (*Euphydryas editha quino*).	CA	Pursue	Renew.
139634	Thomas Liddicoat, Vista, California.	• Conservancy fairy shrimp (*Branchinecta conservatio*). • Longhorn fairy shrimp (*Branchinecta longiantenna*). • San Diego fairy shrimp (*Branchinecta sandiegonensis*). • Riverside fairy shrimp (*Streptocephalus woottoni*). • Vernal pool tadpole shrimp (*Lepidurus packardi*).	CA	Capture, handle, collect vouchers, and release.	Renew.
72549C	Marty A Lewis, Carson, California.	• Conservancy fairy shrimp (*Branchinecta conservatio*). • Longhorn fairy shrimp (*Branchinecta longiantenna*). • San Diego fairy shrimp (*Branchinecta sandiegonensis*). • Riverside fairy shrimp (*Streptocephalus woottoni*). • Vernal pool tadpole shrimp (*Lepidurus packardi*).	CA	Capture, handle, collect vouchers, and release.	Renew.
141359	Stephen Stringer, El Dorado Hills, California.	• Conservancy fairy shrimp (*Branchinecta conservatio*). • Longhorn fairy shrimp (*Branchinecta longiantenna*). • San Diego fairy shrimp (*Branchinecta sandiegonensis*). • Riverside fairy shrimp (*Streptocephalus woottoni*). • Vernal pool tadpole shrimp (*Lepidurus packardi*).	CA	Capture, handle, collect vouchers, and release.	Renew.
77125D	Zachary A. Cava, Sacramento, California.	• California tiger salamander (Santa Barbara County Distinct Population Segment (DPS), and Sonoma County DPS) (*Ambystoma californiense*). • Conservancy fairy shrimp (*Branchinecta conservatio*). • Longhorn fairy shrimp (*Branchinecta longiantenna*).	CA	Capture, handle, collect vouchers, and release.	Renew.

Application No.	Applicant, city, state	Species	Location	Take activity	Permit action
		• San Diego fairy shrimp (*Branchinecta sandiegonensis*). • Riverside fairy shrimp (*Streptocephalus woottoni*). • Vernal pool tadpole shrimp (*Lepidurus packardi*).			
PER0034685	Mohave National Wildlife Preserve, Barstow, California.	• Mojave tui chub (*Siphateles bicolor mohavensis*).	CA	Capture by hand, seine, net or trap, handle, measure, hold temporarily, collect non-lethal fin clip, and release, collect voucher specimen.	New.
031850	Gretchen Cummings, Ramona, California.	• Quino checkerspot butterfly (*Euphydryas editha quino*).	CA	Pursue	Renew.
PER0040489	Tara Johnson-Kelly, Salinas, California.	• California tiger salamander (Santa Barbara County Distinct Population Segment (DPS), and Sonoma County DPS) (*Ambystoma californiense*).	CA	Capture, handle, and release	New.
PER0034449	Western Foundation of Vertebrate Zoology, Linnea Hall, Camarillo, California.	• Southwestern willow flycatcher (*Empidonax traillii extimus*). • Least Bell's vireo (*Vireo bellii pusillus*)	CA	Play taped vocalizations, locate and monitor nests, and remove brown-headed cowbird (*Molothrus ater*) eggs and chicks from parasitized nests.	Renew and Amend.
60151B	Lisa A. Allen, Deer Park, Washington.	• Least Bell's vireo (*Vireo bellii pusillus*)	CA	Locate and monitor nests, and remove brown-headed cowbird (*Molothrus ater*) eggs and chicks from parasitized nests.	Renew.
92799B	Karl Fairchild, Fullerton, California.	• Southwestern willow flycatcher (*Empidonax traillii extimus*).	CA	Play taped vocalizations	Renew.
PER002326	Ryan Quilley, San Diego, California.	• Quino checkerspot butterfly (*Euphydryas editha quino*).	CA	Pursue	Amend.
63359B	Jennifer Radtkey, Oakland, California.	• Quino checkerspot butterfly (*Euphydryas editha quino*). • Conservancy fairy shrimp (*Branchinecta conservatio*). • Longhorn fairy shrimp (*Branchinecta longiantenna*). • San Diego fairy shrimp (*Branchinecta sandiegonensis*). • Riverside fairy shrimp (*Streptocephalus woottoni*). • Vernal pool tadpole shrimp (*Lepidurus packardi*).	CA	Pursue, capture, handle, collect vouchers, and release.	Renew.
59592B	Angela M. Johnson, Escondido, California.	• Southwestern willow flycatcher (*Empidonax traillii extimus*).	CA	Play taped vocalizations	Renew.
PER0040490	Anna L. Erway, Alameda, California.	• California tiger salamander (Santa Barbara County Distinct Population Segment (DPS), and Sonoma County DPS) (*Ambystoma californiense*).	CA	Capture, handle, and release	New.
60151B	Sarah Godfrey, Aliso Viejo, California.	• Pacific pocket mouse (*Perognathus longimembris pacificus*).	CA	Capture, handle, mark, track, collect genetic samples, and release.	New.
86906B	Yosemite National Park, Robert Grasso, El Portal, California.	• Mountain yellow-legged frog (*Rana muscosa*) • Sierra Nevada yellow-legged frog (*Rana sierrae*).	CA	Capture, handle, and release	Renew.
PER0038601	Monica M. Jacinto, Oxnard, California.	• California least tern (*Sterna antillarum browni*)	CA	Harass by survey, locate and monitor nests.	New.
052159	Jeffrey L. Ahrens, Irvine, California.	• Southwestern willow flycatcher (*Empidonax traillii extimus*).	CA	Play taped vocalizations	Renew.
797665	RECON Environmental, Inc., Wendy Loeffler, San Diego, California.	• Quino checkerspot butterfly (*Euphydryas editha quino*). • Conservancy fairy shrimp (*Branchinecta conservatio*). • Longhorn fairy shrimp (*Branchinecta longiantenna*). • San Diego fairy shrimp (*Branchinecta sandiegonensis*). • Riverside fairy shrimp (*Streptocephalus woottoni*). • Vernal pool tadpole shrimp (*Lepidurus packardi*). • California Orcutt grass (*Orcuttia californica*). • San Diego button-celery (*Eryngium aristulatum* var. *parishii*). • San Diego Mesa-mint (*Pogogyne abramsii*). • Otay Mesa-mint (*Pogogyne nudiuscula*). • Munz's onion (*Allium munzii*). • San Diego ambrosia (*Ambrosia pumila*). • Del Mar manzanita (*Arctostaphylos glandulosa crassifolia*). • Willowy monardella (*Monardella viminea*).	CA	Pursue, play taped vocalizations, locate and monitor nests, capture, handle, collect vouchers and genetic samples, and release; Collect seeds, whole plants, and plant parts on federal lands.	Renew.

Application No.	Applicant, city, state	Species	Location	Take activity	Permit action
		• Southwestern willow flycatcher (*Empidonax traillii extimus*). • Least Bell's vireo (*Vireo bellii pusillus*). • Pacific pocket mouse (*Perognathus longimembris pacificus*). • San Bernardino kangaroo rat (*Dipodomys merriami parvus*).			
84165D	Andrew Hatch, South Lake Tahoe, California.	• California tiger salamander (Santa Barbara County Distinct Population Segment (DPS) and Sonoma County DPS) (*Ambystoma californiense*). • Mountain yellow-legged frog (*Rana muscosa*). • Sierra Nevada yellow-legged frog (*Rana sierrae*). • Unarmored threespine stickleback (*Gasterosteus aculeatus williamsoni*).	CA	Harass by survey, capture, handle, swab and release.	Renew.
082546	Elkhorn Slough National Estuarine Research Reserve, Kerstin Wasson, Watsonville, California.	• Santa Cruz long-toed salamander (*Ambystoma macrodactylum croceum*).	CA	Capture, handle, and release	Renew.
PER0001234	Christopher Searcy, Coral Gables, Florida.	• Santa Cruz long-toed salamander (*Ambystoma macrodactylum croceum*).	CA	Capture by hand or trap, handle, measure, collect tissue samples, rescue, and release.	New.
837308	John Konency, Valley Center, California.	• Arroyo (=arroyo southwestern) toad (*Anaxyrus californicus*). • California least tern (*Sterna antillarum browni*) • Southwestern willow flycatcher (*Empidonax traillii extimus*). • California Ridgway's rail (*Rallus* [*longirostris*] *obsoletus obsoletus*). • Light-footed Ridgway's rail (*Rallus* [*longirostris*] *obsoletus levipes*). • Yuma Ridgway's rail (*Rallus obsoletus yumanensis*).	CA, AZ	Harass by survey, capture, handle, release, monitor nests, remove brown-headed cowbird (*Molothrus ater*) eggs and chicks from parasitized nests, erect nest exclosures, collect infertile eggs, swab, mark, and attach radio transmitters.	Amend.
157216	U.S. Geological Survey, Western Ecological Research Center—Dixon Field Station, Brian J. Halstead, Dixon, California.	• San Francisco garter snake (*Thamnophis sirtalis tetrataenia*). • Dixie Valley toad (*Anaxyrus williamsi*)	CA, NV	Harass by survey, capture, measure, handle, swab, mark, and release, collect tissue samples (toe-clip), conduct mark-recapture studies, conduct ecological research.	Renew and Amend.
50899B	Barbara Kus, San Diego, California.	• Southwestern willow flycatcher (*Empidonax traillii extimus*). • Least Bell's vireo (*Vireo bellii pusillus*)	CA, NV, NM, AZ.	Play taped vocalizations, monitor nests, capture, collect genetic samples, handle, and band and remove brown-headed cowbird (*Molothrus ater*) eggs and chicks from parasitized nests.	Renew.
807078	Point Reyes Bird Observatory, Point Reyes Station, California.	• Southwestern willow flycatcher (*Empidonax traillii extimus*). • Least Bell's vireo (*Vireo bellii pusillus*) • California least tern (*Sterna antillarum browni*) • California Ridgway's rail (*Rallus* [*longirostris*] *obsoletus obsoletus*).	CA	Harass by survey, play taped vocalizations, monitor nests, remove unviable eggs, capture, collect genetic samples, handle, and band and remove brown-headed cowbird (*Molothrus ater*) eggs and chicks from parasitized nests.	Renew and Amend.
85074C	U.S. Geological Survey, Western Ecological Research Center—Dixon Field Station, Cory Overton.	• California Ridgway's rail (*Rallus* [*longirostris*] *obsoletus obsoletus*).	CA	Play taped vocalizations, capture, handle, band, radio-tag, nest monitor, collect blood and feathers, candle/float eggs, salvage nonviable egg and carcass, transport, translocate, and release.	Renew and Amend.
13115C	Lisa Henderson, San Ramon, California.	• Salt marsh harvest mouse (*Reithrodontomys raviventris*).	CA	Capture, handle, tag, collect samples (hair) and release.	Renew and Amend.
89994B	Daria Snider, Madrone Ecological Consulting, LLC, Sacramento, California.	• Conservancy fairy shrimp (*Branchinecta conservatio*). • Longhorn fairy shrimp (*Branchinecta longiantenna*). • San Diego fairy shrimp (*Branchinecta sandiegonensis*). • Riverside fairy shrimp (*Streptocephalus woottoni*). • Vernal pool tadpole shrimp (*Lepidurus packardi*).	CA	Capture, handle, collect voucher specimens, and release.	Renew.
72119B	Seth Dallman, Half Moon Bay, California.	• Conservancy fairy shrimp (*Branchinecta conservatio*). • Longhorn fairy shrimp (*Branchinecta longiantenna*). • San Diego fairy shrimp (*Branchinecta sandiegonensis*). • Riverside fairy shrimp (*Streptocephalus woottoni*).	CA	Capture, handle, collect voucher specimens, and release.	Renew.

Application No.	Applicant, city, state	Species	Location	Take activity	Permit action
		• Vernal pool tadpole shrimp (*Lepidurus packardi*).			
43597A	Dana McLaughlin, Chula Vista, California.	• Pacific pocket mouse (*Perognathus longimembris pacificus*). • San Bernardino kangaroo rat (*Dipodomys merriami parvus*).	CA	Harass by survey, capture, handle, utilize track tubes, and release.	Renew.
036499	National Park Service—Golden Gate National Recreation Area, Darren Fong, San Francisco, California.	• Freshwater shrimp (*Syncaris pacifica*) ..... • San Francisco garter snake (*Thamnophis sirtalis tetrataenia*). • Mission blue butterfly (*Icaricia icarioides missionenesis*). • San Bruno butterfly (*Callophrys mossii bayensis*). • Tidewater goby (*Eucyclobius newberryi*) ..... • California seablite (*Suaeda californica*). • Franciscan manzanita (*Arctostaphylos franciscana*). • Presidio manzanita (*Arctostaphylos hookeri* var. *ravenii*). • Hickman's potentilla (*Potentilla hickmanii*). • Presidio clarkia (*Clarkia franciscana*). • Marsh sandwort (*Arenaria paludicola*). • San Francisco lessingia (*Lessingia germanorum*).	.....	Harass by survey, capture, handle, collect voucher specimens, collect tissue for isotopic analysis, and release; Collect seeds, whole plants, and plant parts on Federal lands.	Renew and Amend.
839078	Spencer Langdon, San Pedro, California.	• California least tern (*Sterna antillarum browni*)	CA	Harass by survey, locate and monitor nests.	Renew.
PER0038601	Monica M. Jacinto, Oxnard, California.	• California least tern (*Sterna antillarum browni*)	CA	Harass by survey, locate and monitor nests.	New.
89991B	Sarah VonderOhe, Sacramento, California.	• Conservancy fairy shrimp (*Branchinecta conservatio*). • Longhorn fairy shrimp (*Branchinecta longiantenna*). • San Diego fairy shrimp (*Branchinecta sandiegonensis*). • Riverside fairy shrimp (*Streptocephalus woottoni*). • Vernal pool tadpole shrimp (*Lepidurus packardi*).	CA	Capture, handle, collect voucher specimens, and release.	Renew.
85618B	Christopher Bronny, Folsom, California.	• Conservancy fairy shrimp (*Branchinecta conservatio*). • Longhorn fairy shrimp (*Branchinecta longiantenna*). • San Diego fairy shrimp (*Branchinecta sandiegonensis*). • Riverside fairy shrimp (*Streptocephalus woottoni*). • Vernal pool tadpole shrimp (*Lepidurus packardi*).	CA	Capture, handle, collect voucher specimens, and release.	Renew.
785564	Bumgardner Biological Consulting—Michael Bumgardner, Gold River, California.	• California Ridgway's rail (*Rallus* [*longirostris*] *obsoletus obsoletus*). • California tiger salamander (Santa Barbara County Distinct Population Segment (DPS), and Sonoma County DPS) (*Ambystoma californiense*). • Southwestern willow flycatcher (*Empidonax traillii extimus*).	CA	Play taped vocalizations, locate and monitor nests, capture, handle, collect vouchers, and release.	Renew.
48149A	Tammy Lim, Oakland, California	• San Francisco garter snake (*Thamnophis sirtalis tetrataenia*). • California tiger salamander (Santa Barbara County Distinct Population Segment (DPS) and Sonoma County DPS) (*Ambystoma californiense*).	.....	Harass by survey, capture, handle, swab for disease, and release.	Renew and Amend.
134334	Lincoln Hulse, Mission Viejo, California.	• San Bernardino kangaroo rat (*Dipodomys merriami parvus*).	CA	Capture, handle, and release	Renew.
036065	Korey Klutz, Carlsbad, California	• Quino checkerspot butterfly (*Euphydryas editha quino*).	CA	Pursue	Renew.
092476	Scott Quinnell, California Department of Transportation, San Bernardino, California.	• Quino checkerspot butterfly (*Euphydryas editha quino*).	CA	Pursue	Renew.
88748B	Erika Walther, Oakland, California.	• Salt marsh harvest mouse (*Reithrodontomys raviventris*). • California tiger salamander (Santa Barbara County Distinct Population Segment (DPS) and Sonoma County DPS) (*Ambystoma californiense*). • Conservancy fairy shrimp (*Branchinecta conservatio*). • Longhorn fairy shrimp (*Branchinecta longiantenna*). • San Diego fairy shrimp (*Branchinecta sandiegonensis*).	CA	Capture, handle, collect vouchers, and release.	Renew.

Application No.	Applicant, city, state	Species	Location	Take activity	Permit action
		• Riverside fairy shrimp (*Streptocephalus woottoni*). • Vernal pool tadpole shrimp (*Lepidurus packardi*).			
01769B	Jesse Reebs, Monk and Associates, Oakland, California.	• San Francisco garter snake (*Thamnophis sirtalis tetrataenia*). • California Ridgway's rail (*Rallus* [*longirostris*] *obsoletus obsoletus*).	CA	Play taped vocalizations, capture, handle, and release.	Renew.
071215	Rebecca Doubledee, Oakland, California.	• Sierra Nevada yellow-legged frog • California tiger salamander (Santa Barbara County Distinct Population Segment (DPS) and Sonoma County DPS) (*Ambystoma californiense*).	CA	Capture, handle, and release	Renew.
89964A	Debra Barringer, Ventura, California.	• California least tern (*Sterna antillarum browni*)	CA	Harass by survey, locate and monitor nests.	Renew and Amend.
786728	Jules Evans, Avocet Research Associates, LLC, Point Reyes Station, California.	• California Ridgway's rail (*Rallus* [*longirostris*] *obsoletus obsoletus*).	CA	Play taped vocalizations	Renew.
137006	Thea Benson, Thousand Oaks, California.	• Southwestern willow flycatcher (*Empidonax traillii extimus*).	CA	Play taped vocalizations, locate and monitor nests.	Renew.
006112	Gretchen Flohr, Grass Valley, California.	• Salt marsh harvest mouse (*Reithrodontomys raviventris*). • California tiger salamander (Santa Barbara County Distinct Population Segment (DPS), and Sonoma County DPS) (*Ambystoma californiense*). • Conservancy fairy shrimp (*Branchinecta conservatio*). • Longhorn fairy shrimp (*Branchinecta longiantenna*). • San Diego fairy shrimp (*Branchinecta sandiegonensis*). • Riverside fairy shrimp (*Streptocephalus woottoni*). • Vernal pool tadpole shrimp (*Lepidurus packardi*).	CA	Capture, handle, collect vouchers, and release.	Renew.
176209	San Francisco International Airport, San Francisco, California.	• San Francisco garter snake (*Thamnophis sirtalis tetrataenia*).	CA	Harass by survey, capture, handle, swab for disease, and release.	Renew.
80703A	Seth Reimers, San Diego, California.	• Quino checkerspot butterfly (*Euphydryas editha quino*).	CA	Pursue	Renew.

Public Availability of Comments

Written comments we receive become part of the administrative record associated with this action. 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 request in your comment that we withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of be made available for public disclosure in their entirety.

Next Steps

If we decide to issue permits to any of the applicants listed in this notice, we will publish a notice in the **Federal Register**.

Authority

We publish this notice under section 10(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Peter Erickson,

Acting Regional Endangered Species Program Manager, Pacific Southwest Region, Sacramento, California.

[FR Doc. 2022–09169 Filed 4–28–22; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLNVB01000.L14400000. EU0000; N–96875;20X; MO 4500146121]

Notice of Realty Action: Non-Competitive Direct Sale of the Reversionary Interest in a Recreation and Public Purposes Act Patent (N–96875), Lander County, NV

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of realty action.

SUMMARY: The Bureau of Land Management (BLM) intends to dispose of the reversionary interest held by the United States in a non-competitive direct sale to Lander County, Nevada, of a 172.51-acre parcel of public land approximately 1 mile southwest of Battle Mountain in Lander County, Nevada.

DATES: Interested parties may submit written comments regarding the direct sale by June 13, 2022.

ADDRESSES: Send written comments to BLM Mount Lewis Field Manager, 50 Bastian Road, Battle Mountain, Nevada 89820.

FOR FURTHER INFORMATION CONTACT: Cassie Ault, Realty Specialist, at the address listed previously, by phone at (775) 635–4083, or by email at *cmault@blm.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: On January 9, 1991, the BLM patented the subject land to Lander County for a golf course and baseball diamond. The parcel to be offered consists of the reversionary interest and any remaining interests held by the United States, unless otherwise specified herein. The purpose of the non-competitive direct sale of the reversionary interest is to dispose of the reversionary interest in the patented lands that prevents Lander County from using the land for other purposes, such as a clubhouse that would complement the existing golf course and baseball diamond. The current footprint of the golf course includes a clubhouse with a restaurant, bar, and pro shop; the softball fields include a snack bar; and a United States Postal Service mail drop-off bin, all of which were not included in the plan of development, for which patent was issued in 1991.

This action is pursuant to Section 203 of the Federal Land Policy and Management Act of October 21, 1976, as amended (FLPMA). The BLM has found this parcel suitable for disposal under the authority of Sections 202 and 203 of FLPMA.

The parcel is located approximately 1 mile southwest of the town of Battle Mountain, Nevada, and is legally described as:

Mount Diablo Meridian, Nevada

T. 32 N., R. 44 E.,

Sec. 25, lots 1 and 2, and W½NE¼.

The area described contains 172.51 acres, according to the official plats of surveys of the said lands, on file with the BLM.

The BLM has identified the lands as suitable for disposal as set forth in 43 CFR 2710.0–3(a)(3). The 172.51-acre parcel of public land would be difficult and uneconomic for the BLM to manage if title reverted to the United States. The parcel is within the difficult-to-manage checkerboard land ownership pattern, is surrounded by private lands, and is not contiguous to any public land administered by the BLM. The absence of contiguous public land makes the parcel difficult for the BLM to administer. BLM has also determined that it is in the best interest of the public to dispose of the reversionary interest in this parcel of public land by direct sale to Lander County pursuant to 43 CFR 2711.3–3.

The sale is consistent with the Shoshone-Eureka Resource Management Plan and the Record of Decision approved on February 26, 1986. Section 203(a)(1) of the FLPMA authorizes the sale of tracts of public lands when the Secretary of the Interior, as a result of land use planning required under Section 202, determines that the tract is suitable for disposal because its location or other characteristics is difficult and uneconomic to manage as part of the public lands, and is not suitable for management by another Federal department or agency. Further, direct sale to Lander County is appropriate because, consistent with Section 203(a)(3) of the FLPMA, disposal of such tract will serve important public objectives, including but not limited to, expansion of communities and economic development. All remaining minerals for the subject land will be reserved to the United States pursuant to 43 CFR 2720.0–6.

Upon conveyance of the reversionary interest, all other terms and conditions of Patent No. 27–91–0013 will continue to apply.

The reversionary interest will not be sold until at least June 28, 2022 at the appraised fair market value of $431,000. The conveyance document will only transfer the reversionary interest retained by the United States in Patent 27–91–0013 and will contain the following terms, conditions, and reservations:

1. A right-of-way thereon for ditches or canals constructed by the authority of the United States, Act of August 30, 1890 (43 U.S.C. 945);

2. The terms and conditions of the United States Patent No. 27–91–0013, including but not limited to, the reservation of all mineral deposits in the land so patented, and the right to prospect for, mine, and remove such deposits from the same under applicable law and regulations to be established by the Secretary of the Interior, together with all necessary access and exit rights;

3. Valid existing rights; and

4. Additional terms and conditions that the authorized officer deems appropriate.

The purchaser, by accepting the release of the reversionary interest of the United States, agrees to indemnify, defend, and hold the United States, its officers, agents, or employees, harmless from any costs, damages, claims, causes of action, penalties, fines, liabilities, and judgements of any kind arising from the past, present, or future acts or omissions of the purchaser, its employees, agents, contractors, lessees, or any third party arising out of or in connection with the purchaser's acceptance of the aforementioned release or purchaser's use and/or occupancy of the land involved resulting in: (1) Violations of Federal, State, and local laws and regulations that are now, or in the future become, applicable to real property; (2) judgments, claims, or demands of any kind assessed against the United States; (3) cost, expenses, or damages of any kind incurred by the United States; (4) releases or threatened releases of solid or hazardous waste(s) and/or hazardous substances(s), as defined by Federal or State environmental laws, off, on, into, or under land, property, and other interests of the United States; (5) other activities by which solids or hazardous substances or wastes, as defined by Federal and State environmental laws are generated, released, stored, used, or otherwise disposed of on the land involved, and any cleanup, response, remedial action, or other actions related in any manner to said solid or hazardous substances or wastes; or (6) natural resource damages as defined by Federal and State law. Purchaser shall stipulate that it will be solely responsible for compliance with all applicable Federal, State, and local environmental and regulatory provisions throughout the life of the facility, including any closure and/or post closure requirements that may be imposed with respect to any physical plant and/or facility upon the land involved under any Federal, State, or local environmental laws or regulatory provisions. This covenant shall be construed as running with the land and may be enforced by the United States in a court of competent jurisdiction.

No warranty of any kind, express or implied, is given by the United States in connection with the sale or release of the reversionary interest. The documentation for land use conformance, National Environmental Policy Act procedures, a map, and the appraisal report, are available for review at the BLM Mount Lewis Field Office located at the address listed previously. The Mount Lewis Field Office completed its analysis of the Lander County Golf Course Reversionary Interest Direct Land Sale and provided the Environmental Assessment (DOI–BLM–NV–B010–2019–0033–EA) for a 30-day public comment period. No public comments were received.

Lander County will have until 4:30 p.m., Pacific Time, 20 days from the date of receiving the sale offer to accept the offer and submit a deposit of 20 percent of the purchase price. Lander County must remit the remainder of the purchase price to the Mount Lewis Field Office within 180 days from the date of receiving the sale offer. Payment must be received in the form of a certified check, postal money order, bank draft, or cashier's check payable to the U.S. Department of the Interior—BLM. Failure to meet conditions established for this sale will void the sale and any funds received will be forfeited. The

BLM will not accept personal or company checks.

Failure to submit the full price prior to, but not including, the 180th day following the day of the sale shall result in cancellation of the sale of the specific parcel, and the deposit shall be forfeited and disposed of as other receipts of sale.

Arrangements for electronic fund transfer to the BLM for the payment of the balance due must be made a minimum of 2 weeks prior to the payment date.

In accordance with 43 CFR 2711.3–1(f), within 30 days the BLM may accept or reject any offer to purchase, or may withdraw any parcel of land or interest therein from sale, if the BLM authorized officer determines consummation of the sale would be inconsistent with any law, or for other reasons as may be provided by applicable law or regulations. No contractual or other rights against the United States may accrue until the BLM officially accepts the offer to purchase and the full price is paid.

Interested parties may submit written comments on the direct sale of the reversionary interest for the 172.51-acre sale parcel. Before including your address, phone number, email address, or other personally identifying information in your comment, you should be aware that your entire comment—including your personally identifying information—may be made publicly available at any time. While you can ask the BLM in your comment to withhold your personally identifying information from public review, we cannot guarantee that we will be able to do so. Any adverse comments will be reviewed by the BLM Nevada State Director who may sustain, vacate, or modify this realty action. In the absence of any adverse comments, the decision will become effective not less than 60 days after April 29, 2022.

(Authority: 43 CFR 2711.1–2)

Jon D. Sherve,

Field Manager, Mount Lewis Field Office.

[FR Doc. 2022–09163 Filed 4–28–22; 8:45 am]

BILLING CODE 4310–HC–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLIDI03000.L12200000.MA0000.223]

Notice of Closure of Public Lands at Challis Bridge Recreation Site in Custer County, Idaho

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of closure.

SUMMARY: The Bureau of Land Management (BLM) is giving notice that 11.5 acres of public lands within the Challis Bridge Recreation Site is closed to all activities and forms of access. The closure is for the protection of public health and safety due to excessive flooding and ice jams within the recreation site.

DATES: The Challis Bridge Recreation Site will be closed until safe conditions return or April 30, 2022, whichever occurs sooner.

ADDRESSES: The BLM will post closure signs at the main entry point to the Challis Bridge Recreation Site. The closure order will be posted in the Challis Field Office. Information about the closure can be found at *https://www.blm.gov/press-release/temporary-emergency-closure-public-lands-within-challis-bridge-day-use-site.* Maps of the affected area and other documents associated with this closure are available at the Challis Field Office, 721 East Main Avenue, Suite 8, Challis, ID 83226 or may be requested through email: *BLM_ID_ChallisOffice@blm.gov.*

FOR FURTHER INFORMATION CONTACT: Matthew Marsh, Challis Field Office Manager, 721 East Main Avenue, Suite 8, Challis, ID 83226 (physical address), P.O. Box 817, Challis, ID 83226 (mailing address), (208) 879–6200. 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: This closure affects public lands at the Challis Bridge Recreation Site, Custer County, Idaho. The closure affects 11.5 acres of BLM-managed public land within the site. The legal description of the affected public lands is section 10, Township 13 North, Range 19 East, Boise Meridian, Idaho. Under the authority of Section 303(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1733(a)), 43 CFR 8360.0–7, and 43 CFR 8364.1, the BLM will enforce the following closure within the Challis Bridge Recreation Site.

Closure: The Challis, Idaho region has experienced extended periods of freezing to below freezing temperatures resulting in excessing flooding and ice jams along the Salmon River. For the protection of public health and safety, the BLM is closing the Challis Bridge Recreation Site until water levels and weather conditions improve. All activities and forms of access are prohibited within the closure area.

Exemptions: The following persons are exempt from this order: Federal, State, and local officers and employees in the performance of their official duties; members of organized rescue or fire-fighting forces in the performance of their official duties; and persons with written authorization from the BLM.

Enforcement: Any person who violates this closure or these restrictions may be tried before a United States Magistrate and fined in accordance with 18 U.S.C. 3571, imprisoned no more than 12 months under 43 U.S.C. 1733(a) and 43 CFR 8360.07, or both. In accordance with 43 CFR 8365.1–7, state or local officials may also impose penalties for violations of Idaho law.

Authority: 43 CFR 8364.1.

Mary D'Aversa,

District Manager, Idaho Falls District.

[FR Doc. 2022–09205 Filed 4–28–22; 8:45 am]

BILLING CODE 4310–GG–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[L16100000.DP0000.LXSSB0220000.LLCAN06000.223:MO#4500159291]

Notice of Intent To Prepare a Resource Management Plan for the Redding and Arcata Field Offices and an Associated Environmental Impact Statement, California

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of intent.

SUMMARY: In compliance with the National Environmental Policy Act of 1969, as amended (NEPA), and the Federal Land Policy and Management Act of 1976, as amended (FLPMA), the Bureau of Land Management (BLM) Redding Field Office, Redding, California, and Arcata Field Office, Arcata, California, intend to prepare a Resource Management Plan (RMP) with an associated Environmental Impact Statement (EIS) for the Redding and Arcata Field Offices (called the Northwest California Integrated Resource Management Plan (NCIP)) and by this notice are announcing the beginning of the scoping process to solicit public comments and identify issues, and request identification of potential alternatives, information, and analyses relevant to the proposed action. The BLM is also providing the proposed planning criteria for public review, and is calling for public

nominations of Areas of Critical Environmental Concern (ACECs). The RMP will replace the existing Redding RMP (1993) and Arcata Resource Area RMP (1992).

DATES: This notice initiates the 60-day public scoping process for the RMP and associated EIS, for the proposed planning criteria, and for nominations of areas of public land for designation as an ACEC. Comments may be submitted in writing until June 28, 2022. The date(s) and location(s) of any scoping meetings will be announced at least 15 days in advance through local media, newspapers and the BLM website at: *https://go.usa.gov/xtDsU.* In order to be included in the Draft RMP/EIS, all comments must be received prior to the close of the 60-day scoping period.

ADDRESSES: You may submit comments on issues, potential alternatives, the proposed action, and proposed planning criteria related to Northwest California Integrated Resource Management Plan and nominations of new ACECs by any of the following methods:

- *Website: https://go.usa.gov/xtDsU*
- *Email: BLM_CA_Redding_Arcata_NCIP@blm.gov*
- *Fax:* (530) 224–2172
- *Mail:* NCIP Comments, Bureau of Land Management, 1695 Heindon Road, Arcata, California 95521–4573

FOR FURTHER INFORMATION CONTACT: Victoria Callahan, Planning and Environmental Specialist, telephone: (707) 825–2315; address Bureau of Land Management, Arcata Field Office, 1695 Heindon Road, Arcata, California 95521–4573; email: *vslaughter@blm.gov.* Contact Ms. Callahan to add your name to our mailing list.

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 for contacting Ms. Callahan. 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: This document provides notice that the BLM Redding Field Office and the Arcata Field Office intend to prepare the Northwest California Integrated RMP with an associated EIS, announce the beginning of the scoping process, and seek public input on potential issues, impacts, the possible need for mitigation, and the proposed planning criteria. The planning area is in Del Norte, Humboldt, Mendocino, Trinity, Siskiyou, Shasta, Tehama, and Butte counties, California, and encompasses approximately 382,000 surface acres of public land and approximately 307,000 additional subsurface (mineral) acres. The purpose of the public scoping process is to determine relevant issues that will influence the scope of the environmental analysis, including alternative development, and guide the planning process.

Preliminary Purpose and Need for the RMP Revision

Under Section 202 of FLPMA and its implementing regulations at 43 CFR part 1600, the BLM is authorized to ''develop, maintain, and, when appropriate, revise land use plans'' (43 United States Code 1712 (a)). In 2009, the Redding and Arcata Field Offices conducted RMP evaluations that determined a need to revise the 1992 Arcata Field Office RMP and the 1993 Redding Field Office RMP given new resource information, changing environmental and social conditions, new technologies, and new Federal mandates. The BLM's preliminary need is to revise the Arcata Field Office and Redding Field Office RMPs to address these developments in relevant science, social trends, and Federal policy. The BLM's preliminary purpose of the NCIP is to provide for management actions and land use decisions within the planning area based on up-to-date information reflecting current public input, changes in policy, resource conditions, and development trends.

Preliminary Issues and Impacts

Preliminary issues for the planning area have been identified by BLM personnel; Federal, State, and local agencies; Native American Tribes; and other stakeholders. These preliminary issues include responding to increasing population and changing use patterns, providing for a broad array of recreation uses, wilderness management, promoting recovery of special status species, developing land tenure patterns and access strategies, responding to increasing wildfires and demand for fuels reduction, and responding to climate change and sea-level rise.

The BLM will evaluate identified issues to be addressed in the plan, and will place them into one of three categories:

1. Issues to be resolved in the plan;
2. Issues to be resolved through policy or administrative action; or
3. Issues beyond the scope of this plan.

The BLM will provide an explanation in the Draft RMP/Draft EIS as to why an issue was placed in category two or three. The public is also encouraged to help identify any management questions and concerns that should be addressed in the plan.

The BLM will analyze potential environmental impacts of the BLM's land use decisions considered under the RMP revision, with respect to ongoing regional trends and expected impacts to BLM lands, and will work collaboratively with interested parties to identify the management decisions that best meet local, regional, and national needs and concerns.

Preliminary Alternatives

During the BLM's preliminary alternatives development work, two action alternative themes were identified based on perceived resource use and issues in the planning area. One alternative theme emphasizes resource connectivity and resiliency, while the second emphasizes community access and development. Both alternative concepts manage for multiple use and long-term sustainability and provide for public use and enjoyment of BLM-administered lands. The connectivity and resilience alternative is being developed to manage for multiple use by maintaining corridors of relatively undeveloped area to provide for connectivity of wildlife and fisheries habitat and to serve as a resilient refuge to ongoing development and climate change. This in turn, would provide a recreational and aesthetic resource for public enjoyment. The community access and development alternative also manages for multiple use and public enjoyment but prioritizes public lands to provide for recreational opportunity and access, travel and utility opportunities, and social and economic benefit. These alternatives are to be analyzed against the No Action Alternative (current management) and are preliminary concepts only. They will be refined or combined to provide the best mix to meet the public's needs while complying with the BLM's management responsibilities and regulatory requirements. These preliminary alternatives will be further refined based on public comment, cooperating agency input, and the BLM interdisciplinary team's judgement.

Proposed Planning Criteria

This notice also initiates the public review of proposed planning criteria (43 CFR 1610.4–2(b); 43 CFR 1610.2(f)(2)), available for public review at: *https://go.usa.gov/xtDsU.* The BLM will use these proposed planning criteria to help guide and define the scope of the RMP.

Anticipated Permits and Authorization

The BLM does not anticipate the need for any permits for authorizations for this RMP revision process.

Schedule for the Decision Making Process

The BLM will provide additional opportunities for public participation consistent with the NEPA and land use planning processes, including a 90-day comment period on the Draft RMP/EIS, a 30-day public protest period, and a 60-day Governor's consistency review on the Proposed RMP. The Draft RMP/EIS is anticipated to be available for public review in late 2022 and the Proposed RMP/Final EIS is anticipated to be available for public protest of the Proposed RMP in mid-2023, with an Approved RMP and Record of Decision in late 2023.

Areas of Critical Environmental Concern

The BLM is also requesting nominations of areas of public land for ACEC designation. To be considered as a potential ACEC, an area must meet the criteria of relevance and importance as established and defined in 43 CFR 1610.7–2. There are currently 17 existing ACECs within the planning area, including: Baker Cypress, Butte Creek, Deer Creek, Forks of the Butte, Gilham Butte, Hawes Corner, Iaqua Butte, Lacks Creek, Ma-le'l Dunes, Sacramento Island, Sacramento River Bend, Shasta and Klamath Rivers Canyon, Swasey Drive, South Fork Eel Watershed (Congressionally designated as Wilderness), Red Mountain (Congressionally designated as Wilderness), Elder Creek Research Natural Area/ACEC (Congressionally designated as Wilderness). Alternatives in the RMP would eliminate three existing ACECs, including South Fork Eel Watershed, Red Mountain, and Elder Creek because they have been congressionally designated as Wilderness. Additionally, 14 new ACECs have been nominated (internally by the BLM or external to the agency) and will be considered as part of this RMP process, including: Swasey Clear Creek Greenway, Upper and Lower Clear Creek, Grass Valley Creek, Sheep Rock, Black Mountain, Upper Klamath River Stateline Archaeological District, Upper Mattole Valley, Eden Valley, Beegum Creek Gorge, North Fork Eel, Willis Ridge, South Spit, Corning Vernal Pools, and North Table Mountain.

The BLM will evaluate these nominated ACECs for consideration in the RMP/EIS. Some existing and nominated ACECs may have different land configurations under different alternatives because of internal and external nominations, an increase or decrease in acres, and the relevance and importance criteria by alternatives. To assist the BLM in evaluating ACEC nominations for consideration in the Draft RMP/EIS, please provide supporting descriptive materials, maps, and evidence of the relevance and importance of resources or hazards by the close of the public comment period in order to facilitate timely evaluation. A detailed list of ACEC nominations, including acreages and importance and relevance values, are available for public review at: *https://go.usa.gov/xtDsU.*

Public Scoping Process

You may submit comments on issues, potential alternatives, the proposed action, proposed planning criteria, and ACEC designation in writing to the BLM, at any public scoping meeting, and on the virtual open house website: *https://www.virtualpublicmeeting.com/ncip-scoping-home,* or you may submit them to the BLM using one of the methods listed in the **ADDRESSES** section earlier. To be considered, comments must be received by the end of the 60-day scoping period. 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 us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

The four live virtual public outreach meetings will include an overview presentation, question and answer session, and an opportunity to provide public comment. Each meeting will also feature key resource topics. The first meeting will highlight Forestry, Vegetation, and Fire. The second will focus on biological resources including Fish and Wildlife. The third will discusses Socioeconomics, Environmental Justice, Tribal Interests, and Cultural Resources. The fourth and final meeting will focus on Public Health and Safety, Recreation, Minerals, and Special Designations. In addition to providing an opportunity for the public to submit comments, the virtual open house website will provide an introduction to the NCIP, planning process overview, description of the planning area, and an overview of key resource topics being presented during the public meetings.

Agency Coordination

The BLM will utilize and coordinate the NEPA and land use planning process for this planning effort to help support procedural requirements under the Endangered Species Act (16 U.S.C. 1536), and Section 106 of the National Historic Preservation Act (54 U.S.C. 306108) as provided in 36 CFR 800.2(d)(3), including public involvement requirements of Section 106. The information about historic and cultural resources and threatened and endangered species within the area potentially affected by the proposed plan will assist the BLM in identifying and evaluating impacts to such resources.

The BLM will consult with Native American Tribes on a government-to-government basis in accordance with Executive Order 13175, BLM MS 1780, and other Departmental policies. Tribal concerns, including impacts on Native American Tribe trust assets and potential impacts to cultural resources, will be given due consideration.

Federal, State, and local agencies, along with Native American Tribes and stakeholders that may be interested in or affected by the proposed action that the BLM is evaluating, are invited to participate in the scoping process and, if eligible, may request or be asked by the BLM to participate in the development of the environmental analysis as a cooperating agency. Cooperating Agencies engaged in the RMP/EIS process thus far include: Bureau of Reclamation, Environmental Protection Agency, National Park Service, U.S. Fish and Wildlife Service, National Marine Fisheries Service, U.S. Forest Service, Blue Lake Rancheria, Redding Rancheria, Mooretown Rancheria, Wiyot Tribe, Hoopa Valley Tribe, Western Area Power Administration, California Department of Fish and Wildlife, California Department of Forestry and Fire Protection, California Department of Conservation, California Geologic Energy Management Division, North Coast Regional Water Quality Control Board, State Water Resources Control Board, Butte County, County of Tehama, Trinity County, Shasta Valley Resource Conservation District, Shasta County Air Quality Management District, and Siskiyou County.

Interdisciplinary Team

The BLM will use an interdisciplinary approach to develop the plan in order to consider the variety of resource issues and concerns identified. Specialists with expertise in the following disciplines will be involved in the

planning process: Recreation, Fisheries, Wildlife, Vegetation, Soil, Water, Air Quality, Geology, Minerals, Forestry, Livestock Grazing, Wilderness, Cultural Resources, Tribal Relations, Ecology, Social Sciences, Economics, Wildland Fire, Fuels, and Realty.

Additional Information

The BLM will identify, analyze, and consider mitigation to address the reasonably foreseeable impacts to resources from the proposed plan and all reasonable alternatives and, in accordance with 40 CFR 1502.14(f), include appropriate mitigation measures not already included in the proposed plan or alternatives. Mitigation may include avoidance, minimization, rectification, reduction or elimination over time, and compensation, and may be considered at multiple scales, including the landscape scale.

Responsible Official

The BLM California State Director is the responsible official for decisions made in the Final Northwest California Integrated Resource Management Plan and EIS.

Nature of Decision To Be Made

The nature of the decision to be made will be the State Director's land use planning decisions to manage BLM-administered lands under the principles of multiple use and sustained yield in a manner that best addresses the purpose and need.

(Authority: 40 CFR 1501.7 and 43 CFR 1610.2)

Karen Mouritsen,

BLM California State Director.

[FR Doc. 2022–09064 Filed 4–28–22; 8:45 am]

BILLING CODE 4310–40–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLNVW01000.L144000000.FR0000.241A; 14110008; TAS: 212; N–97660 MO #4500155658]

Notice of Realty Action: Recreation and Public Purposes Act, Classification for Lease and Subsequent Conveyance of Public Land in Humboldt County, Nevada

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of realty action.

SUMMARY: Humboldt County has applied for a lease and subsequent conveyance of 5-acres of Federal land on which they propose to construct a rural fire station to serve the outlying communities and residences in the rural areas of Humboldt County, Nevada. The Bureau of Land Management (BLM) has examined the subject public lands and found them suitable for classification, lease, and conveyance under the provisions of the Recreation and Public Purposes (R&PP) Act of June 14, 1926, as amended.

DATES: Interested parties may submit written comments regarding the classification, lease, and subsequent conveyance of public lands on or before June 13, 2022. Comments may be mailed or hand-delivered to the BLM office address below. The BLM will not consider comments received by telephone. In the absence of any adverse comments, the classification will become effective on June 13, 2022.

ADDRESSES: Send written comments to: Attn. Pueblo Station, BLM Humboldt River Field Office, 5100 East Winnemucca Boulevard, Winnemucca, Nevada 89445.

FOR FURTHER INFORMATION CONTACT: Julie McKinnon, Realty Specialist, at the above address, by phone at (775) 623–1734 or by email at *jmckinno@blm.gov.* Information concerning the proposed R&PP project, including the environmental assessment, are available for review during business hours, 7:30 a.m. to 4:30 p.m. Pacific Standard Time, Monday through Friday, except during Federal holidays, at the BLM Humboldt River Field Office at the address above or online at *https://eplanning.blm.gov/eplanning-ui/project/2011153/570.*

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: The decision to issue the lease and subsequently patent the parcel will be processed consistent with BLM regulations at 43 CFR 2741.

The parcel, which was identified as suitable for disposal in the Winnemucca District Resource Management Plan (RMP), is located southwest of Winnemucca in Humboldt County, Nevada on lands described below:

Mount Diablo Meridian, Nevada

T. 43 N., R. 31 E.,
Sec. 10, N½NW¼NW¼NW¼.
The area described contains 5 acres.

The parcel has been identified as a key location for a rural fire station that would serve the outlying residences and rural communities of Humboldt County. A rural fire station would allow the volunteer fire fighters to provide a quicker response to wildland and residential fires in the area. The fire station would be used to store and protect the County's fire suppression equipment, while also keeping the equipment serviceable and ready in the event of a wildland fire. The R&PP project would also include storage for Humboldt County Road maintenance equipment. The County would lease the parcel for construction of the site and would request patent once construction is completed in accordance with the Plan of Development (POD). A reversionary clause would be included in the patent, which would require the land to return to the U.S. if the parcel is used in any way that is inconsistent with an approved POD.

Prior to patenting the land, an Environmental Site Assessment (ESA) will be conducted to determine the level of hazardous materials, if any, present on the property. Upon review of the ESA, if the Authorized Officer determines that any kind of hazardous substances exists on the parcel that makes the parcel unsuitable for return to public domain, the patent will not include a reversionary clause, and the parcel would not return to the U.S.

Upon publication of this notice in the **Federal Register**, the lands will be segregated from appropriation under any other public land law, including locations under mining laws, except for conveyance under the R&PP Act. The segregated effect shall terminate upon issuance of a patent or termination of the application.

The patent, if issued, will be subject to the following terms, conditions, and reservations:

1. A right-of-way thereon for ditches or canals constructed by the authority of the United States, Act of August 30, 1890 (43 U.S.C. 945).

2. All mineral deposits in the land so patented, and the right to prospect for, mine, and remove such deposits from the same under applicable law and regulations as established by the Secretary of the Interior are reserved to the United States, together with all necessary access and exit rights.

3. An appropriate indemnification clause protecting the United States from claims arising out of the patentee's use, occupancy, or occupation on the leased/patented lands.

4. Any other terms or conditions, or reservations that the authorized officer determines appropriate to ensure public access and proper management of Federal lands and interests therein.

5. A right-of-way to Humboldt County for an access road N–17397, Big Creek Road.

6. A right-of-way to Oregon-Idaho Utilities for a buried fiber optic line, N–60463.

7. Any other valid existing rights.

Classification Comments: Interested persons may submit comments involving the suitability of the land for development and use as a fire station and storage of road maintenance equipment. Comments on the classification are restricted to whether the land is physically suited for the proposal, whether the use will maximize the future use or uses of the land, where the use is consistent with local planning and zoning, or if the use is consistent with state and Federal programs.

Application Comments: Interested persons may submit comments regarding the specific use proposed in the application and POD, whether the BLM followed proper administrative procedures in reaching the decision, or any other factor not directly related to the suitability of the lands for use as a fire station and storage of road maintenance equipment.

A copy of this notice will also be published in the newspaper of local circulation once a week for three consecutive weeks. Any adverse comments will be reviewed by the BLM Nevada State Director or other authorized official of the Department of the Interior, who may sustain, vacate, or modify this realty action.

Before including your address, phone number, email address, or other personal identifying information in any comment, be aware that your entire comment, including your personal identifying information, may be made publicly available at any time. While you can ask in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

(Authority: 43 CFR 2741.5)

Kathleen Rehberg,

Field Manager, Humboldt River Field Office.

[FR Doc. 2022–09177 Filed 4–28–22; 8:45 am]

BILLING CODE 4310–HC–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0033787; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: University of Arkansas Museum Collections, Fayetteville, AR

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The University of Arkansas Museum Collections has completed an inventory of human remains and associated funerary objects, in consultation with the appropriate Indian Tribes or Native Hawaiian organizations, and has determined that there is a cultural affiliation between the human remains and associated funerary objects and present-day Indian Tribes or Native Hawaiian organizations. Lineal descendants or representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains and associated funerary objects should submit a written request to the University of Arkansas Museum Collections. If no additional requestors come forward, transfer of control of the human remains and associated funerary objects to the lineal descendants, Indian Tribes, or Native Hawaiian organizations stated in this notice may proceed.

DATES: Lineal descendants or representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains and associated funerary objects should submit a written request with information in support of the request to the University of Arkansas Museum Collections at the address in this notice by May 31, 2022.

FOR FURTHER INFORMATION CONTACT: Dr. Mary Suter, University of Arkansas Museum Collections, Biomass 125, Fayetteville, AR 72701, telephone (479) 575–3456, email *msuter@uark.edu.*

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains and associated funerary objects under the control of the University of Arkansas Museum Collections, Fayetteville, AR. The human remains and associated funerary objects were removed from various sites in eastern Arkansas.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains and associated funerary objects. The National Park Service is not responsible for the determinations in this notice.

Consultation

A detailed assessment of the human remains was made by the University of Arkansas Museum Collections professional staff in consultation with representatives of the Quapaw Nation [*previously* listed as The Quapaw Tribe of Indians].

History and Description of the Remains

At an unknown date, human remains representing, at minimum, two individuals were removed from the Barfield Point Site (3MS109) in Mississippi County, AR. Sometime in the 1880s or 1890s, persons unknown donated these human remains to the Putnam Museum in Davenport, Iowa. At an unknown date, the Putnam Museum transferred the human remains to the Department of Anthropology, University of Arkansas (UA), and in 2006, the UA Department of Anthropology transferred the human remains to the University of Arkansas Museum Collections. No known individuals were identified. No associated funerary objects are present.

At an unknown date, human remains representing, at minimum, one individual were removed from the Campbell Site (23PM5) in Pemiscot County, MO. In 1991, these human remains were donated to the University of Arkansas Museum Collections. No known individual was identified. The one associated funerary object is a red-slipped, partially reconstructed ceramic bottle.

At an unknown date, human remains representing, at minimum, two individuals were removed from the Carden Bottoms Site (3YE14) in Yell County, AR. In 1927, these human remains were purchased from an antiquities dealer. No known individuals were identified. The three associated funerary objects are one complete ceramic bowl and two reconstructed ceramic bowls.

In 1965, human remains representing, at minimum, two individuals were removed from the De Rossitt Site (3SF49) in St. Francis County, AR, during a University of Arkansas Museum-sponsored excavation. No known individuals were identified. No associated funerary objects are present.

At an unknown date, human remains representing, at minimum, one

individual were removed from the Denton Site (23PM) in Pemiscot, MO. In 1975, the unidentified collector donated the human remains and associated funerary objects to the University of Arkansas Museum Collections. No known individual was identified. The 62 associated funerary objects are 61 shell-tempered sherds and one small piece of wood.

At various unknown dates, human remains representing, at minimum, 69 individuals were removed from unidentified sites located in Eastern Arkansas. In 1959, the University of Arkansas Museum purchased these human remains together with associated funerary objects from the collector. No known individuals were identified. The seven associated funerary objects are seven animal teeth.

At an unknown date, human remains representing, at minimum, 29 individuals were removed from the Hales Point Site (3MS78) in Mississippi County, AR. Sometime in the 1880s or 1890s, persons unknown donated these human remains to the Putnam Museum in Davenport, Iowa. At an unknown date, the Putnam Museum transferred the human remains to the Department of Anthropology, University of Arkansas, and in 2006, the UA Department of Anthropology transferred the human remains to the University of Arkansas Museum Collections. No known individuals were identified. No associated funerary objects are present.

At an unknown date, human remains representing, at minimum, 84 individuals were removed from unidentified sites located in Northeast Arkansas. Sometime in the 1880s or 1890s, persons unknown donated these human remains to the Putnam Museum in Davenport, Iowa. At an unknown date, the Putnam Museum transferred the human remains to the Department of Anthropology, University of Arkansas, and in 2006, the UA Department of Anthropology transferred the human remains to the University of Arkansas Museum Collections. No known individuals were identified. No associated funerary objects are present.

At an unknown date, human remains representing, at minimum, one individual were removed from the Parkin Site (3CS29) in Cross County, AR. In 1963, these human remains were donated to the University of Arkansas Museum. In 1965 and 1966, human remains representing, at minimum, 14 individuals were removed from the Parkin Site during University of Arkansas Museum-sponsored excavations. No known individuals were identified. The one associated funerary object is a small thinning flake.

In 1964 and 1967, human remains representing two individuals were removed from the Point Remove Site (3CN4) in Conway County, AR. These human remains were removed during University of Arkansas Museum-sponsored excavations. No known individuals were identified. No associated funerary objects are present.

At an unknown date, human remains representing, at minimum, one individual were removed from the Sanford Site (3PO49) in Poinsett County, AR. In 1967, these human remains were donated to the University of Arkansas Museum Collections. No known individual was identified. No associated funerary objects are present.

In 1966, human remains representing, at minimum, one individual were removed from the Scott Place Site (3PO27) in Poinsett County, AR. These human remains were collected from the surface of the site during a land-leveling survey conducted by the University of Arkansas Museum. No known individual was identified. No associated funerary objects are present.

In 1966, human remains representing, at minimum, one individual were removed from the St. Francis Site I (3SF54) in Saint Francis County, AR. These human remains were collected from the surface of the site as a reporter was recording archeological sites in eastern Arkansas. In 1966, the reporter donated the human remains to the University of Arkansas Museum. No known individual was identified. No associated funerary objects are present.

At an unknown date, human remains representing, at minimum, one individual were removed from the St. Mary's Parish Site (3IN480) in Independence County, AR. Sometime in the 1880s or 1890s, persons unknown donated these human remains to the Putnam Museum in Davenport, Iowa. At an unknown date, the Putnam Museum donated or transferred the human remains to the Department of Anthropology, University of Arkansas, and in 2006, the UA Department of Anthropology transferred the human remains to the University of Arkansas Museum Collections. No known individual was identified. No associated funerary objects are present.

In 1932, 34 associated funerary objects were removed from the Kinkaid-Mainard Site (3PU2) during a University of Arkansas Museum-sponsored excavation. Of these associated funerary objects, 28 currently are present in the collection. They include one reconstructed red-slipped bottle, one mussel shell, and 26 body sherds. The six associated funerary objects currently missing from the collection include one animal hide, three badly crushed pots, and two projectile points.

During the Mississippian period (A.D. 950–1541) in the Mississippi valley, distinctive local groups emerged in the archeological record that correspond in geographical extent and cultural cohesiveness to the Quapaw Nation. In the late 17th century, French explorers noted the existence of Quapaw villages around the confluence of the Arkansas and Mississippi Rivers. Based on this archeological, historical, and geographical information, the University of Arkansas Museum Collections has determined that the human remains listed in this notice are culturally affiliated with the Quapaw Nation [*previously* listed as The Quapaw Tribe of Indians].

Determinations Made by the University of Arkansas Museum Collections

Officials of the University of Arkansas Museum Collections have determined that:

- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice represent the physical remains of 211 individuals of Native American ancestry.
- Pursuant to 25 U.S.C. 3001(3)(A), the 101 objects described in this notice are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- Pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and associated funerary objects and the Quapaw Nation [*previously* listed as The Quapaw Tribe of Indians].

Additional Requestors and Disposition

Lineal descendants or representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains and associated funerary objects should submit a written request with information in support of the request to Dr. Mary Suter, University of Arkansas Museum Collections, Biomass 125, Fayetteville, Arkansas 72701, telephone (479) 575–3456, email *msuter@uark.edu,* by May 31, 2022. After that date, if no additional requestors have come forward, transfer of control of the human remains and associated funerary objects to the Quapaw Nation [*previously* listed as The Quapaw Tribe of Indians] may proceed.

The University of Arkansas Museum Collections is responsible for notifying the Quapaw Nation [*previously* listed as

The Quapaw Tribe of Indians] that this notice has been published.

Dated: April 20, 2022.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2022–09160 Filed 4–28–22; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NRNHL–DTS#–33773; PPWOCRADI0, PCU00RP14.R50000]

National Register of Historic Places; Notification of Pending Nominations and Related Actions

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The National Park Service is soliciting electronic comments on the significance of properties nominated before April 16, 2022, for listing or related actions in the National Register of Historic Places.

DATES: Comments should be submitted electronically by May 16, 2022.

ADDRESSES: Comments are encouraged to be submitted electronically to *National_Register_Submissions@nps.gov* with the subject line ''Public Comment on <property or proposed district name, (County) State>.'' If you have no access to email you may send them via U.S. Postal Service and all other carriers to the National Register of Historic Places, National Park Service, 1849 C Street NW, MS 7228, Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT: Sherry A. Frear, Chief, National Register of Historic Places/National Historic Landmarks Program, 1849 C Street NW, MS 7228, Washington, DC 20240, *sherry_frear@nps.gov,* 202–913–3763.

SUPPLEMENTARY INFORMATION: The properties listed in this notice are being considered for listing or related actions in the National Register of Historic Places. Nominations for their consideration were received by the National Park Service before April 16, 2022. Pursuant to Section 60.13 of 36 CFR part 60, comments are being accepted concerning the significance of the nominated properties under the National Register criteria for evaluation.

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 us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Nominations submitted by State or Tribal Historic Preservation Officers:

INDIANA

Clark County

Centralia Court Historic District (Historic Residential Suburbs in the United States, 1830–1960 MPS), Centralia Ct. (east and west sides) and Gutford Rd. (east side) between Providence Way and Emerson Ave., and north side of Emerson Ave. between Centralia Ct. and Gutford Rd., Clarksville, MP100007733

Howard County

Russiaville Interurban Depot, 483 East Main St., Russiaville, SG100007734

Huntington County

Warren Downtown Historic District, Roughly bounded by 1st, Mathilda, 3rd, and Nancy Sts., Warren, SG100007735

Lake County

Carolyn Mosby Senior High Rise, 650 Jackson St., Gary, SG100007736

Marion County

Mattison, Donald M., House (Residential Planning and Development in Indiana, 1940–1973 MPS), 4821 Buttonwood Crescent, Indianapolis, MP100007737

Pulaski County

Chicago and Erie Railroad Tippecanoe River Bridge, Former Chicago and Erie RR across Tippecanoe R. adjacent to bend in Three Mile Rd., Monterey vicinity, SG100007738

St. Joseph County

St. Joseph's Parish Square, Bounded by West 3rd, West 4th, South Mill, and South Spring Sts., Mishawaka, SG100007740

Steuben County

Farnham, Erastus and Louise, House and Barn, 205 West Swager Dr., Fremont, SG100007739

Vigo County

Wesley Foundation Student Center, 321 North 7th St., Terre Haute, SG100007741

MASSACHUSETTS

Suffolk County

Camden Street Development Historic District, 50–60 Camden St., 15–35 Brannon Harris Way, 575–585 Shawmut Ave., Boston, SG100007727

Worcester County

Main and Franklin Streets Historic District, Roughly bounded by Main, Franklin, Federal, Salem, and Portland Sts., Worcester, SG100007732

TENNESSEE

Rutherford County

Benevolent Cemetery, Park Ave., Murfreesboro, SG100007730

WASHINGTON

Adams County

Bassett Hardware Co. Store, 305 South Main St., Washtucna, SG100007729

Nominations submitted by Federal Preservation Officers:

The State Historic Preservation Officer reviewed the following nominations and responded to the Federal Preservation Officer within 45 days of receipt of the nominations and supports listing the properties in the National Register of Historic Places.

CONNECTICUT

New Haven County

West Haven VA Hospital Historic District (United States Third Generation Veterans Hospitals, 1946–1958 MPS), 950 Campbell Ave., West Haven, MP100007728

PENNSYLVANIA

Butler County

Butler Veterans Administration Hospital Historic District (United States Third Generation Veterans Hospitals, 1946–1958 MPS), 325 New Castle Rd., Butler Township, MP100007743

Authority: Section 60.13 of 36 CFR part 60.

Dated: April 19, 2022.

Sherry A. Frear,

Chief, National Register of Historic Places/National Historic Landmarks Program.

[FR Doc. 2022–09184 Filed 4–28–22; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

Bureau of Ocean Energy Management

[Docket No. BOEM–2022–0009]

Call for Information and Nominations—Commercial Leasing for Wind Energy Development on the Outer Continental Shelf (OCS) Offshore Oregon

AGENCY: Bureau of Ocean Energy Management (BOEM), Interior.

ACTION: Call for information and nominations; request for comments.

SUMMARY: This call for information and nominations (Call or notice) invites public comment on and assesses interest in possible commercial wind energy leasing on the OCS offshore the Oregon coast. BOEM will consider information received in response to this Call to determine whether to schedule a competitive lease sale or to issue a noncompetitive lease for any portion of the areas described in this Call (Call Areas). Those interested in providing comments and information regarding site conditions, resources, and multiple uses in close proximity to or within the

Call Areas should provide the information requested in section 5, ''Requested Information from Interested or Affected Parties,'' under the **SUPPLEMENTARY INFORMATION** heading of this Call. Those interested in leasing within the Call Areas for a commercial wind energy project should provide the information described in section 6, ''Required Nomination Information,'' under **SUPPLEMENTARY INFORMATION**. BOEM may or may not offer a lease for a commercial offshore wind energy project within the Call Areas after further government consultations, public participation, and environmental analyses.

DATES: Submissions indicating your nomination of interest in or providing comments on commercial leasing within the Call Areas must be received no later than June 28, 2022. Late submissions may not be considered.

ADDRESSES: Please submit nomination information for commercial leasing as discussed in section 6 entitled ''Required Nomination Information'' via U.S. Postal Service, FedEx, UPS, or another mail carrier to: Bureau of Ocean Energy Management, Office of Strategic Resources, 760 Paseo Camarillo (Suite 102), Camarillo, California 93010. In addition to a paper copy, please include an electronic copy on any digital data storage device. Do not submit nominations via the Federal eRulemaking Portal. BOEM will list the parties that submitted nominations and the aggregated locations of nominated areas on the BOEM website after BOEM has completed its review of the nominations.

Please submit all other comments and information by either of the following two methods:

1. *Federal eRulemaking Portal: http://www.regulations.gov.* In the search box at the top of the web page, enter BOEM–2022–0009 and then click ''search.'' Follow the instructions to submit public comments and view supporting and related materials.

2. U.S. Postal Service or other mail delivery service. Send your comments and other information to the following address: Bureau of Ocean Energy Management, Office of Strategic Resources, 760 Paseo Camarillo (Suite 102), Camarillo, California 93010.

For further information about submitting public comments, please see section 7 entitled ''Protection of Privileged, Personal, or Confidential Information.''

FOR FURTHER INFORMATION CONTACT: Dr. Whitney Hauer, Renewable Energy Specialist, BOEM, Office of Strategic Resources, 760 Paseo Camarillo (Suite 102), Camarillo, California 93010, (805) 384–6263 or *whitney.hauer@boem.gov.*

SUPPLEMENTARY INFORMATION:

1. Authority

This Call is published under subsection 8(p)(3) of the Outer Continental Shelf Lands Act (OCSLA), 43 U.S.C. 1337(p)(3), and its implementing regulations at 30 CFR 585.210 and 585.211.

2. Purpose

An essential part of BOEM's renewable energy leasing process is working closely with State and local governments, Tribes, industry, and ocean users to identify areas that may be suitable for potential offshore wind energy development to power the Nation. This Call serves two important purposes. The first is to collect information and feedback on site conditions, resources, and ocean uses within the identified area. The second is to help BOEM determine competitive interest. BOEM has not yet determined which areas, if any, within the Call Area may be offered for lease. Your input is essential and will help BOEM determine areas that may be suitable for offshore wind energy development. While this is not the only opportunity to provide feedback, it is an important one. There will be multiple opportunities to provide feedback throughout the renewable energy process including if BOEM receives any proposed projects in the future. An explanation of the development of the Call Areas and their detailed descriptions may be found below in sections 3 and 4. For more information about BOEM's competitive and noncompetitive leasing process, please see section 9.

3. Development of the Call Area

BOEM coordinates OCS renewable energy activities offshore Oregon with its Federal, State, local, and federally recognized Tribal government partners through the BOEM Oregon Intergovernmental Renewable Energy Task Force (Task Force). The current Task Force roster and past meeting materials are available at *https://www.boem.gov/renewable-energy/state-activities/boem-oregon-intergovernmental-renewable-energy-task-force.*

Following a Task Force meeting in September 2019, BOEM and the Oregon Department of Land Conservation and Development (DLCD) drafted the ''Data Gathering and Engagement Plan for Offshore Wind Energy in Oregon'' (Plan). This Plan outlines how BOEM and the State of Oregon (State) would engage with research organizations and potentially interested and affected parties to gather data and information to inform potential offshore wind energy leasing decisions offshore Oregon. At its meeting in June 2020, the Task Force discussed the Plan, and BOEM and the State committed to conduct offshore wind energy planning. The offshore wind energy planning area within which data and information were to be collected for potential leasing encompassed the OCS offshore Oregon in water depths less than 4,265 feet (1,300 meters) and with average wind speed of at least 15.7 miles per hour (7 meters per second). The area offshore Oregon within these fundamental parameters represents about 6,982,015 acres (10,909 square miles).[1] The Plan was finalized in October 2020 and is available at *https://www.boem.gov/BOEM-OR-OSW-Engagement-Plan.*

Once an initial area was defined as described above, BOEM and the State, in coordination with DLCD, conducted offshore wind energy planning to inform the identification of the Call Areas and held 75 outreach and engagement meetings from October 2020 through December 2021. BOEM invited nine federally recognized Tribes in Oregon, two federally recognized Tribes in California and five federally recognized Tribes in Washington to engage on the topic of offshore wind energy planning in Oregon. In addition, meetings were held with potentially interested and affected parties, including coastal communities, ocean users, industry, elected officials, environmental organizations, research organizations, and the general public. Six public webinars and workshops were hosted by BOEM in 2021. The webinar recordings and other information are available at *https://www.boem.gov/renewable-energy/state-activities/2021-oregon-offshore-wind-energy-planning-public-webinars.* BOEM and DLCD also engaged with councils, commissions, and other organizations at their standing meetings when possible. Examples include city councils, Oregon Ocean Policy Advisory Council, Pacific Fishery Management Council, county boards of commissioners, some of the Oregon Seafood Commodity Commissions, and non-governmental organizations. Additional information on those meetings is publicly available and posted at *https://www.boem.gov/renewable-energy/state-activities/oregon/boem-and-state-oregon-participation-standing-meetings.*

The Oregon Offshore Wind Mapping Tool (OROWindMap) was created by

[1] All references to miles in this notice are statute miles unless noted otherwise.

DLCD within the West Coast Ocean Data Portal in partnership with BOEM. This is the data catalog and data visualization tool BOEM used to leverage existing geospatial data to curate a catalog of information specific to offshore wind energy planning on the OCS offshore Oregon and to generate thematic maps that highlight information about natural resources, the physical environment, and human uses on the OCS. OROWindMap is available for public access at *https://offshorewind.westcoastoceans.org.* Public webinars were included in the outreach effort to introduce the mapping tool and data catalog functions and to provide the public with opportunities to comment, provide feedback, or identify additional data resources for inclusion in the system.

At its October 2021 meeting, the Task Force discussed the data gathering and engagement efforts. The final ''Data Gathering and Engagement Summary Report,'' available at *https://www.boem.gov/OregonDataandEngagementReport2022,* outlines the outcome of BOEM's and DLCD's data gathering and engagement efforts undertaken from October 2020 through December 2021. The report also includes input and concerns received from public stakeholders, ocean users, and Tribal engagement meetings regarding offshore wind energy planning in Oregon. In 2022, BOEM continued engagement with over 10 stakeholder meetings.

At its February 2022 meeting, the Task Force discussed the rationale for the identification of Call Areas. BOEM and the Pacific Fishery Management Council's Marine Planning Committee hosted an online work session in March 2022 and solicited public comment.

The identification of the Call Areas is a result of data and information received throughout the planning effort from 2020 through 2022. The Call Areas are focused offshore the south central and southern Oregon coast where the high wind energy resource would contribute to an estimated lower cost of energy and greater potential for commercial viability. The Call Areas are of a sufficient size to allow for refinement during area identification, the next step in the leasing process after the Call. The wind energy areas (WEA) that result from area identification will be smaller than the Call Areas in this notice. The WEA will be the subject of environmental review, including public participation, for possible commercial leasing. In coordination with the State, BOEM is considering 3 gigawatts of near-team commercial development for the first leasing activities offshore Oregon.

BOEM considered the following parameters in the development of Call Areas.

a. Demand for Renewable Energy

The Oregon 100% Clean Energy Law requires Oregon's investor-owned utilities and service suppliers to supply 100 percent greenhouse gas-free electricity by 2040. Commercial offshore wind energy development may contribute to the State and regional energy goals.

b. Suitability for Offshore Wind

i. Wind Resource and Cost of Energy

BOEM considered wind resource modeling from the National Renewable Energy Laboratory (NREL), which indicates that the wind resource offshore Oregon is viable for energy development where the annual average wind speed varies from about 8 meters per second (17.9 miles per hour) in the north to over 11 meters per second (24.6 miles per hour) in the south. These are some of the strongest offshore winds in the country. A map of the average annual wind speed is available at *https://bit.ly/3HGBkph.* BOEM considered NREL's estimated cost of electricity produced by floating wind energy facilities offshore Oregon, reported as the levelized cost of energy. BOEM identified the Call Areas offshore the south central and southern Oregon coast as likely economically viable for offshore wind energy development based on both the estimated wind resource and cost modeling. Additional information on the cost modeling is available at *https://www.boem.gov/PR-20-OWC-presentation.*

ii. Seafloor Conditions

The slope of the seafloor affects the suitability of an area for offshore wind energy development. BOEM removed the Rouge canyon system, including canyon floors and walls, from consideration for the Call Areas due to the anticipated engineering challenges. Canyon systems have complex bathymetry and a density of slopes of greater than ten degrees that correlate with increased project cost and complexity. A map of the Rouge canyon delineation with the canyon floors and walls is available at *https://bit.ly/3MxdNL9.* BOEM is requesting industry feedback on considerations for offshore energy development of mooring systems and subsea transmission cables in areas of steep slope.

iii. Water Depth

Outreach and data gathering efforts conducted by BOEM and the State focused on areas with water depths up to 1,300 meters as a reasonable limit for near-term development of floating offshore wind energy facilities, based on the current technoeconomic feasibility as suggested by NREL in offshore wind cost modeling studies on the West Coast (see Wind resource and cost of energy section). On the westward boundary, partial OCS blocks within the Call Areas include 1,300 meter water depths. Future planning may consider additional areas in water depths greater than 1,300 meters.

iv. Transmission Availability

NREL estimated that approximately 2.6 gigawatts of offshore wind could be physically integrated into Oregon's onshore power system without major trans-coastal upgrades or curtailments if it were distributed along five existing points of interconnection along the Oregon coast. Of the five points of interconnection studied by NREL, Wendson and Fairview are closest to the Call Areas. The NREL study report is available at *https://www.boem.gov/BOEM-2021-064.*

c. Maritime Navigation

In coordination with the U.S. Coast Guard, BOEM excluded the lanes established for towboats in the long-standing Crabber/Towboat lane agreement, updated in 2019, from Call Area consideration. A map of the lanes established by the agreement is available at *https://bit.ly/3HQl0lX.* Also, BOEM and the State coordinated on the development of an exclusion buffer where the Call Areas are located beyond 13.8 miles (12 nautical miles) from shore. This reduces potential impacts from wind turbine generators installed offshore to existing nearshore maritime traffic use. This exclusion buffer from shore generally reduces potential visual impacts and many nearshore conflicts with human uses, wildlife, and habitat described below.

d. Subsea Cables

Areas with high concentrations of subsea cables were removed from consideration for the development of the Call Areas. However, areas with individual existing subsea cables were not excluded as they may be avoided within a lease area during project siting. A map of both these cable locations is available at *https://bit.ly/3Cad2CD.*

e. Commercial Fishing

Fishing activities were considered during the identification of Call Areas to

reduce space-use conflicts to the extent practicable. Economic productivity of Oregon's invertebrate fisheries reflects biological productivity and is higher on the continental shelf when compared to the continental slope. Substantial portions of the fishing grounds for Dungeness crab and pink shrimp, the two highest-value fisheries landed in Oregon ports, are avoided by the 13.8 mile exclusion buffer from shore. A map of the Dungeness crab and pink shrimp fishing effort is available at *https://bit.ly/36HDgS1.* Five offshore banks, some of which are important fishing grounds, were also excluded from Call Area consideration (see Wildlife and habitat section). In the future, vessel monitoring system data and other datasets will be used to identify important fishing ground(s) for fisheries relevant to the Call Areas. Coordination with the National Marine Fisheries Service, the Pacific Fishery Management Council, the Oregon Department of Fish and Wildlife, the fishing industry and individual members of the fishing community is ongoing and will assist in further reduction of existing space-use conflicts during the planning and leasing process.

f. Wildlife and Habitat

i. Marine Mammals

Potential impacts to multiple protected species and habitats are reduced with the 13.8 mile exclusion buffer from shore. BOEM's current understanding of marine mammal use of Oregon coastal waters includes the following: (a) Gray whale migratory routes are most dense within 6.9 miles from shore; (b) Southern Resident killer whale habitat occurs within 11.5 miles from shore along the Oregon coastline to 656 feet (200 meters) water depths; (c) humpback whales are generally concentrated in water depths up to 328 feet (100 meters), with highest densities of occurring near the Farallones, offshore central California, and in Monterey Bay. A map of the gray whale migration corridor and the Southern Resident killer whale critical habitat is available at *https://bit.ly/3MkWMmW.* Other Endangered Species Act (ESA) protected species include sperm, blue, fin, and sei whales, which will be further considered during the planning and leasing process.

ii. Sea Turtles

Leatherback sea turtle critical habitat includes approximately 16,910 square miles (43,798 square kilometers) stretching along the California coast from Point Arena to Cape Blanco, Oregon, east of the 6,561 foot (2,000 meter) depth contour. A map is available at *https://bit.ly/3tFOQEm.* Other ESA protected species include loggerhead and olive ridley sea turtles. Potential impacts are reduced with the 13.8 mile exclusion buffer from shore, however, potential impacts to sea turtles will be further evaluated during the planning and leasing process.

iii. Marine Birds

Avian diversity and density generally decrease with distance from shore. The National Audubon Society identified Heceta, Stonewall, and Perpetua Banks as ''Important Bird Areas,'' (*http://www.audubon.org/important-bird-areas*) citing the combination of productive waters and the activity of fishing boats drawing a diversity of seabirds. These three banks were removed from consideration for the Call Areas. ESA protected bird species offshore or along the coast of Oregon include the endangered Short-tailed Albatross and Hawaiian Petrel; threatened species include the Marbled Murrelet and Western Snowy Plover. Potential impacts to all these species will be further considered during the planning and leasing process.

iv. Marine Habitats

The majority of the seabed within the Call Areas consists of soft sediments, with sandy habitats more common in shallow depths and mud habitats becoming dominant as depth increases. Rock outcrops may form reefs at any depth and occur over a much smaller percentage of the seabed, but are often concentrated in offshore banks. Carbonate reefs can form where methane seeps occur. Biodiversity and biological productivity show the highest values in reef habitats and in nearshore environments. Therefore, in addition to Heceta, Stonewall, and Perpetua Banks, Siltcoos and Coquille Banks were also excluded from consideration for the Call Areas due to their biodiversity. BOEM will continue to coordinate with DLCD on the definition and locations of sensitive or highly productive habitats and anticipates removing such areas during the planning and leasing process.

g. Submerged Landforms

During the Late Pleistocene, at the Last Glacial Maximum (20,000 years before present), the glaciers that covered vast portions of the Earth's surface sequestered massive amounts of water as ice and lowered global sea level approximately 426 feet (130 meters). Federally recognized Tribes, including the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians, expressed the importance of avoiding terrestrial archeological resources that may be associated with submerged landforms features on the OCS. Based on the current understanding of sea level rise and modelling of the potential for locating intact submerged landform features, the majority of the identified Call Areas are in water depths greater than 130 meters, thereby avoiding most potential submerged landform features. Prior to approving any seafloor disturbing activities, archaeological surveys would be required to identify potential intact submerged landform features and further avoid or minimize impacts to those areas. An inventory and analysis of the occurrence of submerged archaeological site potential on the Pacific OCS is available at *https://www.boem.gov/sites/default/files/environmental-stewardship/Environmental-Studies/Pacific-Region/Studies/pc-11-01.pdf.*

h. Viewshed

The Oregon coastline contains various natural areas, lighthouses, beaches, and other public spaces with viewsheds that include the Call Areas. Certain areas along the Oregon coast and offshore are also significant to the creation stories and religious beliefs of Native Americans. Excluding areas inshore of 13.8 miles of the coast reduces but may not eliminate viewshed concerns. A map of the State's special area viewsheds and scenic class value viewsheds are available at *https://bit.ly/3Cc0RFn.* Viewshed will continue to be evaluated and considered during the planning and leasing process.

i. Tribal Considerations

The Call Areas were chosen in part to minimize the potential impacts identified by federally recognized Tribes, including impacts to submerged landforms, resident and migratory species use, viewshed, and traditional cultural properties. Federally recognized Tribes with ancestral territory in Oregon or interest in Oregon offshore wind energy planning are invited to engage in government-to-government consultation with BOEM during the planning and leasing process to inform potential leasing decisions.

j. Department of Defense Considerations

The Department of Defense conducts offshore military training and operations within the Call Areas. The Department of Defense is currently assessing the mission compatibility of potential development in the Oregon Call Areas. BOEM will continue coordinating with the Department of Defense to explore mission compatible areas within the Call Areas.

BOEM will use information and feedback resulting from this Call to inform the delineation of WEAs for environmental reviews for potential offshore wind leasing. BOEM anticipates developing and imposing terms and conditions—including any measures necessary to mitigate potential impacts—at the leasing, site assessment, and/or construction and operations phases of its authorization process. The terms and conditions for offshore renewable energy leases granted and approved plans are available to the public and are posted to the BOEM State Activity web pages available at *https://www.boem.gov/renewable-energy/state-activities.*

4. Description of Call Areas

Two Call Areas are included in this notice. From north to south, they are the Coos Bay Call Area and the Brookings Call Area, which total about 1,159,298 acres (1,811 square miles) located offshore south-central and southern Oregon, respectively. The estimated offshore wind capacity of both Call Areas is about 14 gigawatts, assuming a power density of approximately 0.012 megawatts per acre (3 megawatts per square kilometer). The Call Areas are described geographically in this section. A map of the Call Areas and associated geographic information system (GIS) files can be found at *https://www.boem.gov/Oregon.*

a. Coos Bay Call Area

The boundary of the Coos Bay Call Area begins 13.8 miles offshore Charleston, Oregon, and extends to about 65 miles offshore. The eastern boundary water depth ranges from about 394 to 722 feet (120 to 220 meters). The area is about 67 miles in length from north to south and about 41 miles in width from east to west. The entire area is approximately 872,854 acres (1,364 square miles) and is described in the table below. The estimated offshore wind power capacity is about 10.6 gigawatts.

Official protraction diagram name	Official protraction diagram No.	Block No.	Sub-block
Coos Bay	NK10–01	6017	P.
Coos Bay	NK10–01	6018	All.
Coos Bay	NK10–01	6019	All.
Coos Bay	NK10–01	6020	All.
Coos Bay	NK10–01	6021	All.
Coos Bay	NK10–01	6022	All.
Coos Bay	NK10–01	6023	All.
Coos Bay	NK10–01	6024	All.
Coos Bay	NK10–01	6025	All.
Coos Bay	NK10–01	6026	All.
Coos Bay	NK10–01	6027	All.
Coos Bay	NK10–01	6028	All.
Coos Bay	NK10–01	6067	D.
Coos Bay	NK10–01	6068	All.
Coos Bay	NK10–01	6069	All.
Coos Bay	NK10–01	6070	All.
Coos Bay	NK10–01	6071	All.
Coos Bay	NK10–01	6072	All.
Coos Bay	NK10–01	6073	All.
Coos Bay	NK10–01	6074	All.
Coos Bay	NK10–01	6075	All.
Coos Bay	NK10–01	6076	All.
Coos Bay	NK10–01	6077	All.
Coos Bay	NK10–01	6078	A, B, C, D, E, F, G, I, J, K, M, N, O.
Coos Bay	NK10–01	6118	All.
Coos Bay	NK10–01	6119	All.
Coos Bay	NK10–01	6120	All.
Coos Bay	NK10–01	6121	All.
Coos Bay	NK10–01	6122	All.
Coos Bay	NK10–01	6123	All.
Coos Bay	NK10–01	6124	All.
Coos Bay	NK10–01	6125	All.
Coos Bay	NK10–01	6126	All.
Coos Bay	NK10–01	6127	All.
Coos Bay	NK10–01	6128	A, B, C, E, F, G, I, J, K, M, N, O.
Coos Bay	NK10–01	6168	A, B, C, D, E, F, G, H, I, J, K, L, O, P.
Coos Bay	NK10–01	6169	All.
Coos Bay	NK10–01	6170	All.
Coos Bay	NK10–01	6171	All.
Coos Bay	NK10–01	6172	All.
Coos Bay	NK10–01	6173	All.
Coos Bay	NK10–01	6174	All.
Coos Bay	NK10–01	6175	All.
Coos Bay	NK10–01	6176	All.
Coos Bay	NK10–01	6177	All.
Coos Bay	NK10–01	6178	A, B, E, F, I, J, M, N.
Coos Bay	NK10–01	6218	C, D, G, H, K, L, O, P.
Coos Bay	NK10–01	6219	All.
Coos Bay	NK10–01	6220	All.
Coos Bay	NK10–01	6221	All.

Official protraction diagram name	Official protraction diagram No.	Block No.	Sub-block
Coos Bay	NK10–01	6222	All.
Coos Bay	NK10–01	6223	All.
Coos Bay	NK10–01	6224	All.
Coos Bay	NK10–01	6225	All.
Coos Bay	NK10–01	6226	All.
Coos Bay	NK10–01	6227	All.
Coos Bay	NK10–01	6228	A, B, E, I, M.
Coos Bay	NK10–01	6267	P.
Coos Bay	NK10–01	6268	B, C, D, E, F, G, H, I, J, K, L, M, N, O, P.
Coos Bay	NK10–01	6269	All.
Coos Bay	NK10–01	6270	All.
Coos Bay	NK10–01	6271	All.
Coos Bay	NK10–01	6272	All.
Coos Bay	NK10–01	6273	All.
Coos Bay	NK10–01	6274	All.
Coos Bay	NK10–01	6275	All.
Coos Bay	NK10–01	6276	All.
Coos Bay	NK10–01	6277	All.
Coos Bay	NK10–01	6278	A.
Coos Bay	NK10–01	6317	D, H, K, L, O, P.
Coos Bay	NK10–01	6318	All.
Coos Bay	NK10–01	6319	All.
Coos Bay	NK10–01	6320	All.
Coos Bay	NK10–01	6321	All.
Coos Bay	NK10–01	6322	All.
Coos Bay	NK10–01	6323	All.
Coos Bay	NK10–01	6324	All.
Coos Bay	NK10–01	6325	All.
Coos Bay	NK10–01	6326	All.
Coos Bay	NK10–01	6327	A, B, C, D, E, F, G, H, I, J, K, M, N, O.
Coos Bay	NK10–01	6367	B, C, D, F, G, H, J, K, L, N, O, P.
Coos Bay	NK10–01	6368	All.
Coos Bay	NK10–01	6369	All.
Coos Bay	NK10–01	6370	All.
Coos Bay	NK10–01	6371	All.
Coos Bay	NK10–01	6372	All.
Coos Bay	NK10–01	6373	All.
Coos Bay	NK10–01	6374	All.
Coos Bay	NK10–01	6375	All.
Coos Bay	NK10–01	6376	All.
Coos Bay	NK10–01	6377	A, B, C, E, F, G, I, J, K, M, N.
Coos Bay	NK10–01	6417	B, C, D, F, G, H, J, K, L, M, N, O, P.
Coos Bay	NK10–01	6418	All.
Coos Bay	NK10–01	6419	All.
Coos Bay	NK10–01	6420	All.
Coos Bay	NK10–01	6421	All.
Coos Bay	NK10–01	6422	All.
Coos Bay	NK10–01	6423	All.
Coos Bay	NK10–01	6424	All.
Coos Bay	NK10–01	6425	All.
Coos Bay	NK10–01	6426	All.
Coos Bay	NK10–01	6427	A, B, E, F, I, M.
Coos Bay	NK10–01	6467	B, C, D, F, G, H, J, K, L.
Coos Bay	NK10–01	6468	All.
Coos Bay	NK10–01	6469	All.
Coos Bay	NK10–01	6470	All.
Coos Bay	NK10–01	6471	All.
Coos Bay	NK10–01	6472	All.
Coos Bay	NK10–01	6473	All.
Coos Bay	NK10–01	6474	All.
Coos Bay	NK10–01	6475	All.
Coos Bay	NK10–01	6476	All.
Coos Bay	NK10–01	6477	A, E.
Coos Bay	NK10–01	6516	H, L, P.
Coos Bay	NK10–01	6517	C, D, E, F, G, H, I, J, K, L, M, N, O, P.
Coos Bay	NK10–01	6518	All.
Coos Bay	NK10–01	6519	All.
Coos Bay	NK10–01	6520	All.

Official protraction diagram name	Official protraction diagram No.	Block No.	Sub-block
Coos Bay	NK10–01	6521	All.
Coos Bay	NK10–01	6522	All.
Coos Bay	NK10–01	6523	All.
Coos Bay	NK10–01	6524	All.
Coos Bay	NK10–01	6525	All.
Coos Bay	NK10–01	6526	A, B, C, E, F, G, I, J, M.
Coos Bay	NK10–01	6567	All.
Coos Bay	NK10–01	6568	All.
Coos Bay	NK10–01	6569	All.
Coos Bay	NK10–01	6570	All.
Coos Bay	NK10–01	6571	All.
Coos Bay	NK10–01	6572	All.
Coos Bay	NK10–01	6573	All.
Coos Bay	NK10–01	6574	All.
Coos Bay	NK10–01	6575	A, B, C, D, E, F, G, I, J, M, N.
Coos Bay	NK10–01	6617	A, B, C, D, E, F, G, H, J, K, L, N, O, P.
Coos Bay	NK10–01	6618	All.
Coos Bay	NK10–01	6619	All.
Coos Bay	NK10–01	6620	All.
Coos Bay	NK10–01	6621	All.
Coos Bay	NK10–01	6622	All.
Coos Bay	NK10–01	6623	All.
Coos Bay	NK10–01	6624	All.
Coos Bay	NK10–01	6625	A, E.
Coos Bay	NK10–01	6667	O, P.
Coos Bay	NK10–01	6668	All.
Coos Bay	NK10–01	6669	All.
Coos Bay	NK10–01	6670	All.
Coos Bay	NK10–01	6671	All.
Coos Bay	NK10–01	6672	All.
Coos Bay	NK10–01	6673	All.
Coos Bay	NK10–01	6674	A, B, C, E, F, G, I, J, K, M, N, O.
Coos Bay	NK10–01	6717	B, C, D, E, F, G, H, I, J, K, L, M, N, O, P.
Coos Bay	NK10–01	6718	All.
Coos Bay	NK10–01	6719	All.
Coos Bay	NK10–01	6720	All.
Coos Bay	NK10–01	6721	All.
Coos Bay	NK10–01	6722	All.
Coos Bay	NK10–01	6723	All.
Coos Bay	NK10–01	6724	A, B, E, F, I, J, M, N.
Coos Bay	NK10–01	6767	A, B, C, D, E, F, G, H.
Coos Bay	NK10–01	6768	A, B, C, D, E, F, G, H, J, K, L.
Coos Bay	NK10–01	6769	A, B, C, D, E, F, G, H, I, J, K, L.
Coos Bay	NK10–01	6770	A, B, C, D, E, F, G, H, I, J, K, L.
Coos Bay	NK10–01	6771	All.
Coos Bay	NK10–01	6772	All.
Coos Bay	NK10–01	6773	All.
Coos Bay	NK10–01	6774	A, B, E, F, I, J, M, N.
Coos Bay	NK10–01	6823	D.
Coos Bay	NK10–01	6824	A, B, C.
Newport Valley	NL10–10	7167	M, N, O, P.
Newport Valley	NL10–10	7168	M, N, O, P.
Newport Valley	NL10–10	7169	M, N, O, P.
Newport Valley	NL10–10	7170	M, N, O, P.
Newport Valley	NL10–10	7171	M, N, O, P.
Newport Valley	NL10–10	7172	M, N, O, P.
Newport Valley	NL10–10	7173	M, N, O, P.
Newport Valley	NL10–10	7174	M, N, O, P.
Newport Valley	NL10–10	7175	M, N, O, P.
Newport Valley	NL10–10	7176	M, N, O, P.
Newport Valley	NL10–10	7177	M, N, O, P.

b. Brookings Call Area

The boundary of the Brookings Call area begins 13.8 miles offshore Gold Beach and Brookings, Oregon, and extends to about 46 miles offshore. The eastern boundary water depth ranges from about 410 to 1,115 feet (125 to 340 meters). The area is about 46 miles in length from north to south and about 22 miles in width from east to west. The entire area is approximately 286,444 acres (448 square miles) and is described in the table below. The offshore wind energy capacity of the Brookings Call Area is about 3.5 gigawatts.

Official protraction diagram name	Official protraction diagram No.	Block No.	Sub-block
Cape Blanco	NK10–04	6522	P.
Cape Blanco	NK10–04	6523	M, N, O.
Cape Blanco	NK10–04	6572	C, D, E, F, G, H, I, J, K, L, P.
Cape Blanco	NK10–04	6573	A, B, C, E, F, G, I, J, K, M, N, O.
Cape Blanco	NK10–04	6622	D, H, K, L, O, P.
Cape Blanco	NK10–04	6623	A, B, C, E, F, G, I, J, K, M, N, O.
Cape Blanco	NK10–04	6672	B, C, D, F, G, H, I, J, K, L, M, N, O, P.
Cape Blanco	NK10–04	6673	A, B, C, E, F, G, I, J, K, M, N, O.
Cape Blanco	NK10–04	6721	D, G, H, K, L, N, O, P.
Cape Blanco	NK10–04	6722	All.
Cape Blanco	NK10–04	6723	A, B, C, E, F, G, I, J, K, M, N, O.
Cape Blanco	NK10–04	6768	P.
Cape Blanco	NK10–04	6769	G, H, J, K, L, M, N, O, P.
Cape Blanco	NK10–04	6770	E, F, G, H, I, J, K, L, M, N, O, P.
Cape Blanco	NK10–04	6771	All.
Cape Blanco	NK10–04	6772	All.
Cape Blanco	NK10–04	6773	A, B, C, E, F, G, I, J, K, M, N, O.
Cape Blanco	NK10–04	6818	D, G, H, K, L, O, P.
Cape Blanco	NK10–04	6819	All.
Cape Blanco	NK10–04	6820	All.
Cape Blanco	NK10–04	6821	All.
Cape Blanco	NK10–04	6822	All.
Cape Blanco	NK10–04	6823	A, B, C, E, F, G, H, I, J, K, L, M, N, O, P.
Cape Blanco	NK10–04	6868	C, D, G, H, K, L, P.
Cape Blanco	NK10–04	6869	All.
Cape Blanco	NK10–04	6870	All.
Cape Blanco	NK10–04	6871	All.
Cape Blanco	NK10–04	6872	All.
Cape Blanco	NK10–04	6873	All.
Cape Blanco	NK10–04	6874	M.
Cape Blanco	NK10–04	6918	D.
Cape Blanco	NK10–04	6919	All.
Cape Blanco	NK10–04	6920	All.
Cape Blanco	NK10–04	6921	All.
Cape Blanco	NK10–04	6922	All.
Cape Blanco	NK10–04	6923	All.
Cape Blanco	NK10–04	6924	A, E, F, I, J, M, N, O.
Cape Blanco	NK10–04	6969	All.
Cape Blanco	NK10–04	6970	All.
Cape Blanco	NK10–04	6971	All.
Cape Blanco	NK10–04	6972	All.
Cape Blanco	NK10–04	6973	All.
Cape Blanco	NK10–04	6974	A, B, C, E, F, G, I, J, K, M, N, O, P.
Cape Blanco	NK10–04	7017	P.
Cape Blanco	NK10–04	7018	D, G, H, I, J, K, L, M, N, O, P.
Cape Blanco	NK10–04	7019	All.
Cape Blanco	NK10–04	7020	All.
Cape Blanco	NK10–04	7021	All.
Cape Blanco	NK10–04	7022	All.
Cape Blanco	NK10–04	7023	All.
Cape Blanco	NK10–04	7024	All.
Cape Blanco	NK10–04	7067	D, G, H, K, L, N, O, P.
Cape Blanco	NK10–04	7068	All.
Cape Blanco	NK10–04	7069	All.
Cape Blanco	NK10–04	7070	All.
Cape Blanco	NK10–04	7071	All.

Official protraction diagram name	Official protraction diagram No.	Block No.	Sub-block
Cape Blanco	NK10–04	7072	All.
Cape Blanco	NK10–04	7073	All.
Cape Blanco	NK10–04	7074	All.
Cape Blanco	NK10–04	7075	E, I, M, N.
Cape Blanco	NK10–04	7117	A, B, C, D.
Cape Blanco	NK10–04	7118	A, B, C, D.
Cape Blanco	NK10–04	7119	A, B, C, D.
Cape Blanco	NK10–04	7120	A, B, C, D.
Cape Blanco	NK10–04	7121	A, B, C, D.
Cape Blanco	NK10–04	7122	A, B, C, D.
Cape Blanco	NK10–04	7123	A, B, C, D, F, G, H.
Cape Blanco	NK10–04	7124	A, B, C, D, E, F, G, H.
Cape Blanco	NK10–04	7125	A, B, E, F, G.

A map of the Call Areas and associated GIS files are available at *https://www.boem.gov/Oregon.*

5. Requested Information From Interested or Affected Parties

As mentioned previously, your feedback is essential to help BOEM identify areas that may be suitable for potential offshore wind development. BOEM requests specific and detailed comments from the public and interested or affected parties regarding the following features, activities, or concerns in or around the Call Areas. Where applicable, spatial information should be submitted in a format compatible with ArcGIS in a coordinate system based on NAD 83 or WGS 84 datums.

a. Geological, geophysical, and biological conditions (including bottom and shallow hazards and live bottom).

b. Known archaeological and/or cultural resource sites on the seabed. Please note that BOEM is required to protect from disclosure certain information related to archaeological and cultural resources. See section 7(c) below with further information about section 304 of the National Historic Preservation Act (NHPA).

c. Historic properties potentially affected by site characterization (*e.g.,* surveys), site assessment (*e.g.,* buoy installation), or commercial wind development. This information will inform BOEM's review of future undertakings under section 106 of the NHPA and under the National Environmental Policy Act (NEPA).

d. Other uses of the OCS in or near the Call Areas, particularly with regard to vessel navigation. Additional information regarding recreational and commercial fisheries including, but not limited to, the use of the areas, the fishing gear types used, seasonal use, and recommendations for reducing use conflicts.

e. Available and pertinent data and information concerning renewable energy resources and environmental conditions.

f. Information relating to visual resources and aesthetics, the potential impacts of wind turbines to those resources, and potential strategies to help mitigate or minimize any visual effects.

g. Other relevant socioeconomic, cultural, biological, and environmental information.

h. Environmental justice information.

i. Offshore wind energy industry feedback on the considerations for offshore energy development in deep waters, including greater than 1,300 meters water depths, and in areas where the seafloor slope is greater than 10 degrees with respect to mooring configurations and subsea transmission cables. Feedback on other development considerations in deep waters, such as available floating technology, transmission distance, water depth, seafloor conditions, and operations and maintenance feasibility and costs.

j. Information on coastal or onshore activities needed to support offshore wind development, such as port and transmission infrastructure, and associated potential impacts to recreation, scenic, cultural, historic, and natural resources, relating to those activities.

k. Any other relevant information BOEM should consider during its planning and decision-making process for the purpose of identifying areas to lease in the Call Areas.

6. Required Nomination Information

If you wish to nominate one or more areas within the Call Areas for a commercial wind energy lease, you must provide the following information for each nomination. BOEM will consider it along with any information received in response to this notice.

a. The BOEM leasing map name and number, or official protraction diagram number, and the specific whole or partial OCS blocks within the Call Areas that you are interested in leasing. For context, BOEM would consider the nomination of an area comprising approximately 82,370 acres (approximately 129 square miles) reasonable, as it would likely be able to support a 1-gigawatt wind facility, assuming a power density of approximately 0.012 megawatts per acre. Nominations that considerably exceed approximately 82,370 acres may be deemed unreasonable and not accepted by BOEM. This information should be submitted as a spatial file compatible with ArcGIS in a coordinate system based on NAD 83 or WGS 84 datums in addition to your hard copy submittal. If your nomination includes one or more partial blocks, please describe those partial blocks in terms of sixteenths (*i.e.,* sub-block) of an OCS block.

b. A description of your objectives and the facilities that you would use to achieve those objectives.

c. A preliminary schedule of proposed activities, including those leading to commercial operations.

d. Available and pertinent data and information concerning renewable energy resources and environmental conditions in each area that you wish to lease, including energy and resource data and information used to evaluate the area. Where applicable, spatial information should be submitted in a format compatible with ArcGIS in a coordinate system based on NAD 83 or WGS 84 datums.

e. Documentation demonstrating that you are legally, technically, and financially qualified to hold a lease in accordance with the requirements in 30 CFR 585.106 and 585.107. Qualification materials should be developed in accordance with the guidelines available at *https://www.boem.gov/Renewable-Energy-Qualification-Guidelines/.* Legal, technical and financial qualification documents that you provide to BOEM may be made available for public review. If you wish that any part of your qualification

documentation be kept confidential, clearly identify what should be kept confidential, explain the basis on which we could do so in the event of a Freedom of Information Act request, and submit it under separate cover (see section 7 entitled ''Protection of Privileged, Personal, or Confidential Information,'' below).

It is not required to submit a nomination in response to this Call in order to participate in a potential future competitive lease sale offshore Oregon, if BOEM determines that competitive interest exists. You will not be able to participate in such a competitive lease sale, however, unless you demonstrate prior to the sale that you are legally, technically, and financially qualified to hold a BOEM renewable energy lease. To ensure that BOEM has sufficient time to process your qualifications package, you should submit this package during the proposed sale notice 60-day public comment period (see section 9 entitled ''BOEM's Planning and Leasing Process,'' below).

7. Protection of Privileged, Personal, or Confidential Information

a. Freedom of Information Act

BOEM will protect your privileged or confidential information in accordance with the Freedom of Information Act (FOIA). Exemption 4 of FOIA applies to trade secrets and commercial or financial information that is privileged or confidential. If you wish to protect the confidentiality of such information, clearly label it and request that BOEM treat it as confidential. BOEM will not disclose such information if BOEM determines under 30 CFR 585.113(b) that it qualifies for exemption from disclosure under FOIA. Please label privileged or confidential information with the words ''Contains Confidential Information'' and consider submitting such information as a separate attachment.

BOEM will not treat as confidential any aggregate summaries of such information or comments not containing such privileged or confidential information. Additionally, BOEM will not treat as confidential (1) the legal title of the nominating entity (for example, the name of your company), or (2) the list of whole or partial blocks that you are nominating. Information that is not labeled as privileged or confidential may be regarded by BOEM as suitable for public release.

b. Personally Identifiable Information

BOEM does not consider anonymous comments; please include your name and address as part of your comment. You should be aware that your entire comment, including your name, address, and any personally identifiable information (PII) included in your comment may be made publicly available. All submissions from identified individuals, businesses, and organizations will be available for public viewing on *regulations.gov.* For BOEM to withhold your PII from disclosure, you must identify any information contained in your comments that, if released, would constitute a clearly unwarranted invasion of your personal privacy. You must also briefly describe any possible harmful consequences of the disclosure of information, such as embarrassment, injury, or other harm. BOEM is unable to guarantee that it will be able to withhold your information from public view under current law.

c. Section 304 of NHPA (54 U.S.C. 307103(a))

After consultation with the Secretary of the Interior, BOEM is required to withhold the location, character, or ownership of historic resources if it determines that disclosure may, among other things, risk harm to the historic resources or impede the use of a traditional religious site by practitioners. Tribal entities should designate in their submissions information they believe is entitled to protection from disclosure under section 304 of NHPA.

8. BOEM's Environmental Review Process

Before deciding whether and where leases may be issued, BOEM will conduct the planning and leasing process described in section 9. After designating WEAs, BOEM will conduct an environmental analysis under NEPA and is committed to including public scoping periods and a public review and comment period for the analysis. Previously when deciding whether and where renewable energy leases may be issued, BOEM has prepared an environmental assessment (EA) to consider the reasonably foreseeable environmental consequences of activities that take place after leasing, such as site characterization activities (including geophysical, geotechnical, archaeological, and biological surveys) and site assessment activities (including installation of a meteorological tower or meteorological buoy). BOEM may also conduct consultations. These consultations may include, but are not limited to, those required by the Coastal Zone Management Act, the Endangered Species Act, the Magnuson-Stevens Fishery Conservation and Management Act, section 106 of NHPA, and Executive Order 13175—''Consultation and Coordination with Indian Tribal Governments.'' Through the NEPA and consultation process, BOEM may identify mitigation measures to minimize possible environmental impacts resulting from project activities, such as impacts to migratory birds, marine mammals, and sea turtles.

Before BOEM allows a lessee to begin construction of a wind energy project on a lease issued within the Call Areas, BOEM will consider the potential environmental consequences of the construction and operation of any wind energy facility under a separate, project-specific environmental review under NEPA. This review will include additional opportunities for public involvement and likely will result in the publication of an environmental impact statement.

9. BOEM's Planning and Leasing Process

a. Determination of Competitive Interest

Subsection 8(p)(3) of the OCSLA (43 U.S.C. 1337(p)(3)) states that ''the Secretary shall issue a lease, easement, or right-of-way . . . on a competitive basis unless the Secretary determines after public notice of a proposed lease, easement, or right-of-way that there is no competitive interest.'' Accordingly, BOEM must first determine whether there is competitive interest in acquiring a lease to develop offshore wind energy within the Call Area. At the conclusion of the comment period for this Call, BOEM will review the Call nominations received and determine if competitive interest exists in any part area of the Call Areas.

For areas with two or more valid nominations, BOEM may consider proceeding with competitive leasing as described in section 9.b below, ''Competitive Leasing Process.'' For areas where BOEM determines that there is only one interested entity, BOEM may consider proceeding with noncompetitive leasing, as described in section 9c below, ''Noncompetitive Leasing Process.'' However, BOEM may also determine there is competitive interest in an area with only a single nomination based on input received in response to this notice, market conditions, and the amount of area available for leasing.

If BOEM determines that competitive interest in certain areas exists and that those areas are appropriate to lease, BOEM may hold one or more competitive lease sales for those areas. In the event BOEM holds a lease sale, all qualified bidders, including bidders

that did not submit a nomination in response to this Call, will be eligible to participate in the lease sale.

BOEM reserves the right to not lease nominated areas or to modify nominated areas before offering them for lease.

b. Competitive Leasing Process

BOEM will follow the steps required by 30 CFR 585.211 through 585.225 if it decides to proceed with the competitive leasing process after analyzing the responses to this Call. Those steps are:

(1) Area Identification: Based on the information received in response to this Call, BOEM will determine the level of commercial interest and continue with Area Identification. Area Identification is the process in which BOEM establishes WEAs based on information received on this Call, Task Force input, Tribal input, ocean user input, and stakeholder input. BOEM considers all information received in response to the Call during area identification, including information pertaining to wildlife (including endangered species), Department of Defense, navigational safety, visual impacts, and fishing. BOEM may conduct visual simulations of hypothetical projects to inform the designation of WEAs.

The Call Areas are of a sufficient size to allow for refinement. BOEM, in coordination with the State, is considering 3 gigawatts for near-team commercial development for the first leasing activities offshore Oregon, less than one-fourth of the estimated 14 gigawatts of potential capacity within the Call Areas. The WEAs will be subject to environmental review as described in section 8 above, in consultation with appropriate Federal agencies, federally recognized Tribes, State and local governments, and other interested parties.

(2) Proposed Sale Notice (PSN): If BOEM decides to proceed with a competitive lease sale within the WEA, BOEM will publish a PSN in the **Federal Register** with a comment period of 60 days. The PSN will describe the areas BOEM intends to offer for leasing and the proposed conditions of sale, auction format, and lease instrument, including lease addenda. Additionally, the PSN will describe the criteria and process for evaluating bids in the auction.

(3) Final Sale Notice (FSN): After considering the comments on the PSN and completion of its NEPA review, if BOEM decides to proceed with a competitive lease sale, it will publish a FSN in the **Federal Register** at least 30 days before the date of the lease sale.

(4) Bid Submission and Evaluation: Following publication of the FSN in the **Federal Register**, BOEM will offer the lease areas through a competitive sale process, using procedures specified in the FSN. BOEM will review the sale, including bids and bid deposits, for technical and legal adequacy. BOEM will ensure that bidders have complied with the FSN and all applicable regulations. BOEM reserves the right to reject any or all bids and to withdraw its offer to lease an area, even after bids have been submitted.

(5) Issuance of a Lease: Following identification of the winning bid on a lease area, BOEM will notify the successful bidder and will provide lease documents for signature. BOEM requires a successful bidder to sign and return the lease documents, pay the remainder of the bid, if applicable, and file the required financial assurance within 10-business days of receiving the lease documents. Upon receipt of the required payments, financial assurance, and properly signed lease documents, BOEM may execute a lease with the successful bidder.

c. Noncompetitive Leasing Process

BOEM's noncompetitive leasing process includes the following steps under 30 CFR 585.231 and 585.232:

(1) Determination of No Competitive Interest: If, after evaluating all relevant responses to this Call, BOEM determines competitive interest does not exist in all or a portion of the Call Areas, it may proceed with noncompetitive leasing. BOEM will seek to determine if the sole respondent who nominated a particular area intends to proceed with acquiring the lease. If so, the respondent must submit an acquisition fee. After the acquisition fee is paid, BOEM will publish a determination of no competitive interest in the **Federal Register**.

(2) Review of Lease Request: BOEM will complete a NEPA review and required consultations as discussed in section 8 entitled ''BOEM's Environmental Review Process'' before issuing a lease noncompetitively. Specifically, BOEM will coordinate and consult, as appropriate, with relevant Federal agencies, federally recognized Tribes, affected State and local governments, and other affected or interested parties in formulating lease terms, conditions, and stipulations.

(3) Lease Issuance: After completing its review of the lease request, BOEM may offer a noncompetitive lease. Within 10-business days of receiving the lease documents, the respondent must sign them and provide a $100,000 bond to guarantee compliance with all terms and conditions of the lease. Within 45 days of receiving the lease documents, the respondent must pay the first 12 months' rent.

Amanda Lefton,

Director, Bureau of Ocean Energy Management.

[FR Doc. 2022–09000 Filed 4–28–22; 8:45 am]

BILLING CODE 4310–MR–P

DEPARTMENT OF THE INTERIOR

Bureau of Ocean Energy Management

[Docket No. BOEM–2022–0023]

Call for Information and Nominations—Commercial Leasing for Wind Power Development on the Central Atlantic Outer Continental Shelf (OCS)

AGENCY: Bureau of Ocean Energy Management (BOEM), Interior.

ACTION: Call for information and nominations; request for comments.

SUMMARY: This call for information and nominations (Call or notice) invites public comment on and assesses interest in possible commercial wind energy leasing on the OCS offshore the U.S. central Atlantic coast. BOEM will consider information received in response to this Call to determine whether to schedule a competitive lease sale or to issue a noncompetitive lease for any portion of the area described in this Call (Call Area). Those interested in providing comments and information regarding site conditions, resources, and multiple uses in close proximity to or within the Call Areas should provide the information requested in section 7, ''Requested Information from Interested or Affected Parties,'' under **SUPPLEMENTARY INFORMATION**. Those interested in leasing within the Call Area for a commercial wind energy project should provide the information described in section 8, ''Required Nomination Information,'' under the **SUPPLEMENTARY INFORMATION** heading of this Call. BOEM may or may not offer a lease for a commercial offshore wind energy project within the Call Area after further government consultations, public participation, and environmental analyses.

DATES: Submit your interest in or comments on commercial leasing within the Call Area no later than June 28, 2022. Late submissions may not be considered.

ADDRESSES: Please submit nomination information for commercial leasing as discussed in section 8 entitled ''Required Nomination Information'' via U.S. Postal Service, Fedex, UPS, or

another mail carrier to: Bridgette Duplantis, Bureau of Ocean Energy Management, Office of Leasing and Plans, 1201 Elmwood Park Boulevard, New Orleans, Louisiana 70123. In addition to a paper copy, include an electronic copy on a digital data storage device. Do not submit nominations via the Federal eRulemaking Portal. BOEM will list the parties that submitted nominations and the aggregated locations of nominated areas on the BOEM website after BOEM has completed its review of the nominations.

Please submit all other comments and information by either of the following two methods:

1. *Federal eRulemaking Portal: http://www.regulations.gov.* In the search box at the top of the web page, enter BOEM–2022–0023 and then click ''search.'' Follow the instructions to submit public comments and to view supporting and related materials.

2. U.S. Postal Service or other mail delivery service. Send your comments and other information to the following address: Bridgette Duplantis, Bureau of Ocean Energy Management, Office of Leasing and Plans, 1201 Elmwood Park Boulevard, New Orleans, Louisiana 70123.

For information about submitting public comments, please see the section 9 under **SUPPLEMENTARY INFORMATION** entitled ''Protection of Privileged, Personal, or Confidential Information.''

FOR FURTHER INFORMATION CONTACT: Bridgette Duplantis, Project Coordinator, Office of Leasing and Plans, Leasing and Financial Responsibility Section, 1201 Elmwood Park Boulevard, New Orleans, Louisiana 70123, *Bridgette.Duplantis@boem.gov.*

For information regarding qualification requirements to hold a BOEM-issued lease, contact Gina Best, BOEM Office of Renewable Energy Programs, at *gina.best@boem.gov* or 703–787–1341.

SUPPLEMENTARY INFORMATION:

1. Authority

This Call is published under subsection 8(p)(3) of the Outer Continental Shelf Lands Act (OCSLA), 43 U.S.C. 1337(p)(3), and its implementing regulations at 30 CFR 585.210 and 585.211.

2. Purpose

An essential part of BOEM's renewable energy leasing process is working closely with state and local governments, Tribes, industry and ocean users to identify areas that may be suitable for potential offshore wind development to power the nation. This Call for Information and Nominations serves two important purposes. The first is to collect information and feedback on site conditions, resources and ocean uses within the identified area. The second is to help BOEM determine competitive interest. BOEM has not yet determined which areas, if any, within the Call Area may be offered for lease. Your input is essential and will help BOEM determine areas that may be suitable for offshore wind development. While this is not the only opportunity to provide feedback, it is an important one. There will be multiple opportunities to provide feedback throughout the renewable energy process including if BOEM receives any proposed projects in the future. An explanation of the Call Areas and their detailed descriptions may be found below in Section 6. For more information about BOEM's competitive and noncompetitive leasing process, please see Section 4.

3. Background

The Energy Policy Act of 2005 amended OCSLA by adding subsection 8(p)(1)(C), which authorizes the Secretary of the Interior to grant leases, easements, and rights-of-way (ROWs) on the OCS for activities that are not otherwise authorized by law and that produce or support production, transportation, or transmission of energy from sources other than oil or gas, including renewable energy sources. The Secretary delegated this authority to the BOEM director. On April 29, 2009, the Department of the Interior published regulations entitled ''Renewable Energy and Alternate Uses of Existing Facilities on the Outer Continental Shelf,'' which were subsequently re-codified at 30 CFR part 585 in October 2011 and which can be found at: *https://www.ecfr.gov/current/title-30/chapter-V/subchapter-B/part-585.*

In March 2021, Secretary of the Interior Deb Haaland, Secretary of Commerce Gina Raimondo, and Secretary of Energy Jennifer Granholm jointly established the goal to deploy 30 gigawatts of offshore wind energy capacity by 2030. BOEM is committed to this ambitious goal by responsibly fostering the growth of offshore wind energy capacity and participating in collaborative, data-based planning to inform decisions involving shared ocean resources and the many users that depend on them.

BOEM appreciates the importance of coordinating its planning with other OCS users, regulators, and relevant Federal agencies—including, but not limited to, the U.S. Fish and Wildlife Service, the National Park Service, the U.S. Coast Guard (USCG), the National Oceanic and Atmospheric Administration (NOAA), and the Department of Defense (DOD). BOEM also regularly coordinates with and requests input from the Mid-Atlantic Committee on the Ocean and the Northeast Regional Ocean Council, both of which include Federal and State agencies, federally recognized Tribes, and fishery management councils. BOEM also uses information contained in the Mid-Atlantic Ocean Data Portal [1] in its decision-making, among other sources of information, because the portal includes maps of marine life, habitat areas, cultural resources, transportation links, fishing areas, and other human uses that must be considered when offshore energy or other infrastructure projects are proposed.

In 2020 and 2021, BOEM received letters from the Commonwealth of Virginia and the State of Maryland, respectively, requesting the formation of a regional renewable energy task force that could start the process that may lead to a lease sale. In response, BOEM established the Central Atlantic Intergovernmental Renewable Energy Task Force to facilitate coordination among relevant Federal agencies and affected State, local, and Tribal governments throughout the leasing process. The first task force meeting was held virtually on February 16, 2022. Materials from the task force meeting are available on the BOEM website at: *https://www.boem.gov/renewable-energy/state-activities/central-atlantic-activities.*

4. BOEM's Planning and Leasing Process

a. Determination of Competitive Interest

Subsection 8(p)(3) of OCSLA states that ''the Secretary shall issue a lease, easement, or right-of-way . . . on a competitive basis unless the Secretary determines after public notice of a proposed lease, easement, or right-of-way that there is no competitive interest.'' Accordingly, BOEM must first determine whether there is competitive

[1] The Mid-Atlantic Ocean Data Portal (maintained by the Mid-Atlantic Committee on the Ocean *http://portal.midatlanticocean.org*)draws upon data from the *MarineCadastre.gov* national data portal, which was developed through a partnership between NOAA and BOEM. *MarineCadastre.gov* is an integrated marine information system that provides data, tools, and technical support for ocean and Great Lakes planning, designed specifically to support renewable energy siting on the OCS, but also used for other ocean-related efforts and recognized by regional ocean governance groups as the central place for authoritative Federal ocean data, metadata, and map services.

interest in acquiring a lease to develop offshore wind energy within the Call Area. At the conclusion of this Call's comment period, BOEM will review the nominations received and determine if competitive interest exists in any part of the Call Area.

For areas with two or more valid nominations, BOEM may consider proceeding with competitive leasing as described in the section of this Call entitled ''Competitive Leasing Process.'' For areas where BOEM determines that there is only one interested entity, BOEM may consider proceeding with noncompetitive leasing, as described in the section entitled ''Noncompetitive Leasing Process.'' However, BOEM may also determine there is competitive interest in an area with only a single nomination based on input received in response to this notice, market conditions, and the amount of area available for leasing.

If BOEM determines that competitive interest exists in areas BOEM identifies as appropriate to lease, BOEM may hold one or more competitive lease sales for those areas. If BOEM holds a lease sale, all qualified bidders, including bidders that did not submit a nomination in response to this Call, will be able to participate in the lease sale.

BOEM reserves the rights to not offer for lease areas that are nominated as a result of this Call and to modify nominated areas from their proposed form before offering them for lease.

b. Competitive Leasing Process

BOEM will follow the steps required by 30 CFR 585.211 through 585.225 if it decides to proceed with the competitive leasing process after analyzing the responses to this Call. Those steps are:

(1) *Area Identification*: Based on the information received in response to this Call, BOEM will determine the level of commercial interest and identify the areas that are appropriate to analyze for potential leasing. Those areas will constitute wind energy areas (WEA) and will be subject to environmental analysis in consultation with appropriate Federal agencies, federally recognized Tribes, State and local governments, and other interested parties.

(2) *Proposed Sale Notice (PSN):* If BOEM decides to proceed with a competitive lease sale within the WEA after completion of its environmental analysis and consultations, BOEM will publish a PSN in the **Federal Register** with a comment period of 60 days. The PSN will describe the areas BOEM intends to offer for leasing, the proposed conditions of a lease sale, the proposed auction format of the lease sale, and the lease instrument, including lease addenda. Additionally, the PSN will describe the criteria and process for evaluating bids in the lease sale.

(3) *Final Sale Notice (FSN):* After considering the comments on the PSN, if BOEM decides to proceed with a competitive lease sale, it will publish an FSN in the **Federal Register** at least 30 days before the date of the lease sale.

(4) *Bid Submission and Evaluation:* Following publication of the FSN in the **Federal Register**, BOEM will offer the lease areas through a competitive sale process, using procedures specified in the FSN. BOEM will review the sale, including bids and bid deposits, for technical and legal adequacy. BOEM will ensure that bidders have complied with all applicable regulations. BOEM reserves the right to reject any or all bids and to withdraw an offer to lease an area, even after bids have been submitted.

(5) *Issuance of a Lease:* Following identification of the winning bidder on a lease area, BOEM will notify that bidder and provide the lease documents for signature. BOEM requires a winning bidder to sign and return the lease documents, pay the remainder of its bid, if applicable, and file the required financial assurance within 10-business days of receiving the lease documents. Upon receipt of the required payments, financial assurance, and signed lease documents, BOEM may execute a lease with the winning bidder.

c. Noncompetitive Leasing Process

BOEM's noncompetitive leasing process includes the following steps under 30 CFR 585.231 and 585.232:

(1) *Determination of No Competitive Interest:* If, after evaluating all relevant information, including responses to this Call, BOEM determines there is no competitive interest in all or a portion of the Call Area, it may proceed with the noncompetitive lease issuance process. BOEM will determine if the sole respondent, who nominated a particular area, intends to proceed with acquiring the lease; if so, the respondent must submit the acquisition fee. After receiving the acquisition fee, BOEM will publish a determination of no competitive interest in the **Federal Register**.

(2) *Review of Lease Request:* BOEM will coordinate and consult, as appropriate, with relevant Federal agencies, federally recognized Tribes, affected State and local governments, and other affected or interested parties in reviewing the noncompetitive leasing request and in formulating lease terms, conditions, and stipulations. BOEM also will complete the appropriate environmental analysis to inform its decision-making.

(3) *Lease Issuance:* After completing its review of the lease request and environmental analysis, BOEM may offer a noncompetitive lease. Within 10-business days of receiving the lease, the respondent must execute it and provide a $100,000 bond to guarantee compliance with all terms and conditions of the lease. Within 45 days of receiving the lease, the lessee must pay the first 12 months' rent.

5. Development of the Call Area

BOEM delineated the Call Area in consultation with several Federal agencies and State and Tribal governments through the Central Atlantic Intergovernmental Renewable Energy Task Force. BOEM also held multiple meetings to gather information from the maritime, fishing, and wind energy industries and environmental organizations. The Call Area identifies portions of the OCS for further analysis. That analysis includes commercial nominations and public comments submitted in response to this Call so that potential use conflicts can be analyzed during the next step in the leasing process, designation of specific wind energy areas (Area Identification). BOEM's analysis during Area Identification will evaluate the appropriateness of the Call Area for offshore wind energy development, balanced against potential ocean user conflicts. BOEM will consider information from environmental reviews, consultations, public comments, and continued coordination with the Central Atlantic Intergovernmental Renewable Energy Task Force. Consequently, BOEM anticipates designating specific WEAs within the Call Area and developing lease terms and conditions to mitigate any possible adverse impacts from leasing, site assessment, construction, and operational activities.

a. Coordination With DOD

The DOD conducts offshore testing, training, and operations within portions of the Call Area. BOEM intends to refine the Call Area during the Area Identification process based on DOD's assessment of compatibility between commercial offshore wind energy development and DOD activities. BOEM is working with DOD to update the Central Atlantic's offshore wind energy compatibility assessment. That assessment identifies wind energy exclusion areas and areas that may require site-specific conditions and stipulations to ensure offshore wind energy facilities are compatible with

DOD activities. These stipulations may include, among others: Hold and save harmless agreements; mandatory coordination with DOD on specified activities; restrictions on electromagnetic emissions; and evacuation procedures from the lease area for safety reasons when notified by the DOD. BOEM may remove from leasing consideration any OCS blocks identified as incompatible with DOD's activities in the updated assessment.

b. Coordination With USCG

BOEM is aware of potential conflicts with preliminary USCG shipping fairways. BOEM is working closely with USCG to ensure the WEAs and fairways are deconflicted during Area Identification.

c. Deep-Sea Coral and Hardbottom Habitats

BOEM is aware that deep-sea corals likely occur within the deeper waters of the Call Area. BOEM has removed from the Call Area submarine canyons where discreet, deep-sea corals have been identified. BOEM recently funded a study that synthesized data and modeled deep-sea coral and hardbottom habitats on the OCS offshore the U.S. southeast Atlantic coast, including the deep-sea portions of the Call Area. BOEM will consider this study during Area Identification.

6. Description of Call Area

The Call Area comprises six distinct areas located seaward of the Submerged Lands Act boundary on the OCS offshore the U.S. central Atlantic coast, bounded on the north by areas within the Salisbury (NJ18–05) Official Protraction Diagram east of existing commercial leasehold OCS–A 0482 and northeast of existing commercial leasehold OCS–A 0490, bounded on the east by areas within Wilmington Canyon (NJ18–06) and Currituck Sound (NJ18–11) Official Protraction Diagrams, bounded on the south by areas northeast and southeast of existing commercial leasehold OCS–A 0508 within the Currituck (NJ18–11) and Manteo (NI18–02) Official Protraction Diagrams. The area for potential wind energy leasing consists of approximately 3.9 million acres (figure 1).

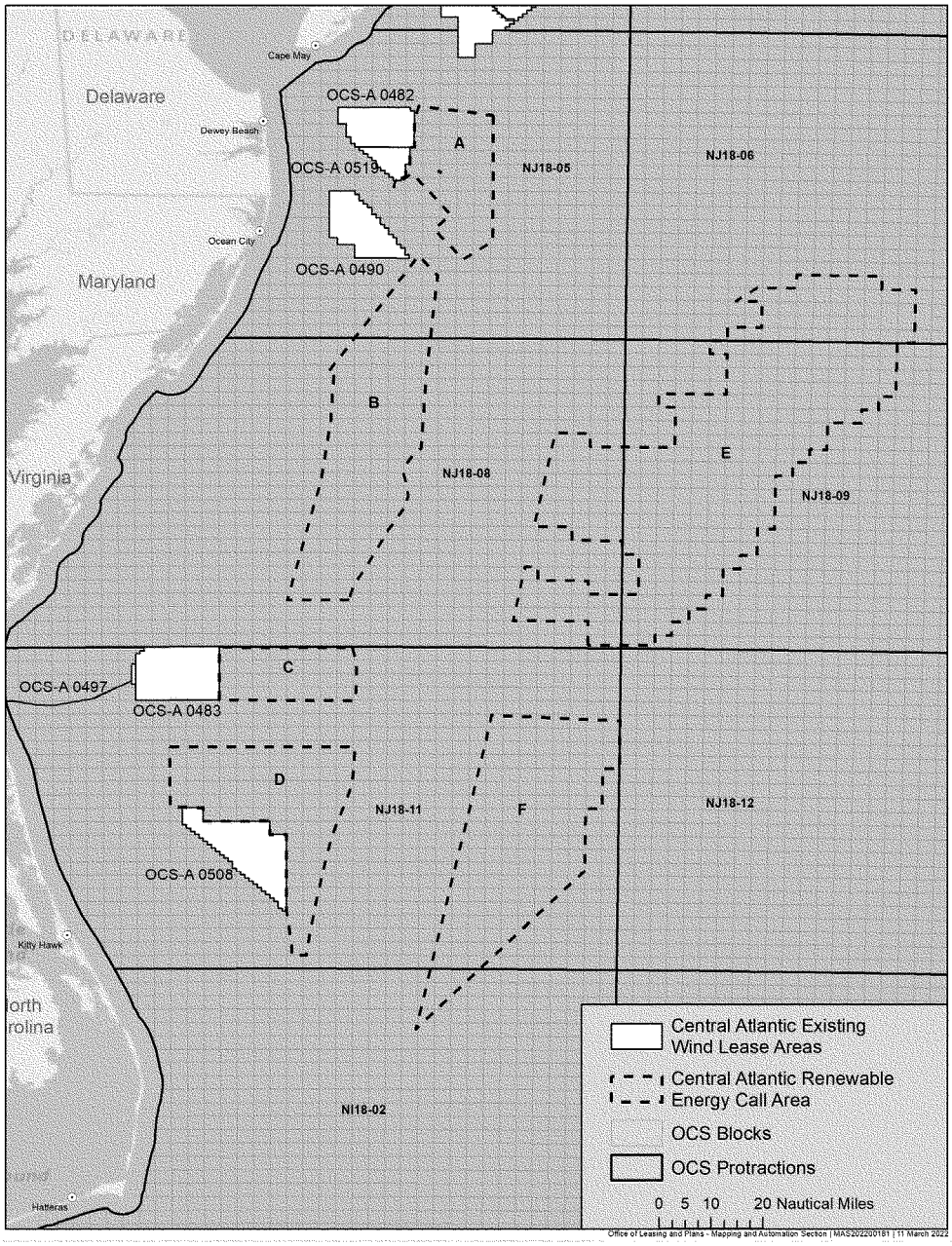


Figure 1: Central Atlantic Call for Information and Nominations Area

The Call Area is located offshore the Commonwealth of Virginia and the States of Delaware, Maryland, and North Carolina and comprises areas A–F in figure 1. These six areas include 496 whole OCS blocks and 298 partial blocks and comprise approximately 3,897,388 acres (1,577,217 hectares). The list of blocks and sub-blocks included in the Call Area, a map of the Call Area, and associated geographic information files, which are located in Geographic Coordinate System NAD 1983 Datum, are incorporated by reference into this Call and are available at *https://www.boem.gov/renewable-energy/state-activities/central-atlantic-activities.*

- *Call Area A:* The boundary of Call Area A begins approximately 20 nautical miles (nmi) offshore of Delaware and Maryland and extends eastward to the Sea Scallop Rotational Area and the proposed USCG's Port Access Route Studies (PARS) fairways. The area at its widest points is about 12 nmi from east to west and about 29 nmi from north to south. Call Area A does not include the Del-Jersey artificial reef and comprises approximately 235,222 acres (95,191 hectares).
- *Call Area B:* The boundary of Call Area B begins approximately 21 nmi offshore of Maryland and Virginia and extends eastward to the 60-meter bathymetric contour and the proposed PARS fairways. The area at its widest points is about 14 nmi from east to west and about 69 nmi from north to south. Call Area B comprises approximately 652,218 acres (263,943 hectares).
- *Call Area C:* The boundary of Call Area C begins approximately 35 nmi offshore of Virginia and extends

eastward to the 60-meter bathymetric contour. The area is about 21 nmi from east to west and about 10 nmi from north to south. Call Area C comprises approximately 183,907 acres (74,425 hectares).

- *Call Area D:* The boundary of Call Area D begins approximately 24 nmi offshore of Virginia and North Carolina and extends eastward to the 60-meter bathymetric contour. The area at its widest points is about 28 nmi from east to west and about 40 nmi from north to south. Call Area D comprises approximately 442,553 acres (179,095 hectares).
- *Call Area E:* The boundary of Call Area E begins approximately 56 nmi offshore of Delaware, Maryland, and Virginia and extends eastward to between the 2,500 and 2,600-meter bathymetric contour. The area at its widest points is about 35 nmi from east to west and about 84 nmi from north to south. Call Area E comprises is approximately 1.6 million acres (655,590 hectares).
- *Call Area F:* The boundary of Call Area F begins approximately 44 nmi offshore of Virginia and North Carolina and extends eastward to between the 2,500 and 2,600-meter bathymetric contour. The area at its widest points is about 20 nmi from east to west and about 66 nmi from north to south. Call Area F comprises approximately 763,491 acres (308,974 hectares).

7. Requested Information From Interested or Affected Parties

BOEM requests comments regarding the following features, activities, mitigations, or concerns within or around the Call Area. Commenters should be as specific and detailed as possible to help BOEM understand and address the comments. Where applicable, this information should be submitted as a spatial file compatible with ArcGIS 10.8.1 in a geographic coordinate system (NAD 83) in addition to your hard copy submittal.

a. Geological, geophysical, and biological bathymetric conditions (including bottom and shallow hazards and whether seafloor is covered with living organisms).

b. Known archaeological and cultural resource sites on the seabed.

c. Information regarding the identification of historic properties or potential effects to historic properties from leasing, site assessment activities (including the construction of meteorological towers or the installation of meteorological buoys), or commercial wind energy development in the Call Area. This includes potential offshore archaeological sites or other historic properties within the areas described in this notice and onshore historic properties that could potentially be affected by renewable energy activities within the Call Area. This information will inform BOEM's review of future undertakings under section 106 of the National Historic Preservation Act (NHPA) and under the National Environmental Policy Act (NEPA).

d. Information about potentially conflicting uses of the Call Area, including navigation (in particular, commercial shipping and recreational vessel use), recreation, and fisheries (commercial and recreational). Additional information regarding recreational and commercial fisheries including, but not limited to, the use of the areas, the types of fishing gear used, seasonal use, and recommendations for reducing use conflicts.

e. Information relating to visual resources and aesthetics, the potential impacts of wind turbines and associated infrastructure to those resources, and potential strategies to help mitigate or minimize any visual effects.

f. Information regarding the potential for interference with radar systems covering the Call Area, including, but not limited to, the use of coastal oceanographic radar observations for offshore search and rescue operations and for environmental monitoring.

g. Information on the constraints and advantages of possible electrical cable transmission routes, including onshore landing and interconnection points for cables connecting offshore wind energy facilities to the onshore electrical grid and future demand for electricity in the U.S. mid-Atlantic region.

h. General interest by developers in constructing a backbone transmission system that would transport electricity generated by wind projects in the Call Area to the onshore grid, including a general description of the transmission system's proposed path and potential interconnection points.

i. Information regarding the size and number of WEAs, taking into consideration the offshore wind energy goals of States bordering the Call Area. BOEM is also seeking further information on what additional factors should be considered in this process.

j. BOEM is aware that there may be technoeconomic feasibility concerns with areas beyond 1,300 meters in water depth. However, BOEM seeks feedback on the viability of constructing a wind energy facility in these frontier areas including: consideration of available floating technology; site characterization and assessment technologies, equipment, and methodologies likely to be employed; transmission distance; water depth; seafloor conditions; and operations and maintenance feasibility and costs.

k. Habitats that may require special attention during siting and construction.

l. Information regarding the identification of protected species, federally designated (or proposed) critical habitat, essential fish habitat, or areas that are environmentally sensitive or crucial to marine productivity and are State or federally managed for their conservation value.

m. Other relevant socioeconomic, cultural, biological, and environmental data and information.

8. Required Nomination Information

If you wish to nominate one or more areas for a commercial wind energy lease within the Call Area, you must provide the following information for each nomination:

a. The BOEM protraction name, number, and the specific whole or partial OCS blocks within the Call Area that you are interested in leasing. Each area you identify should be sized appropriately to accommodate the development of a reasonable wind energy facility. For context, BOEM would consider the nomination of an area comprising approximately 80,000 acres reasonable, as it would likely be able to support an 800-megawatt wind energy facility (assuming a power density of 0.01 megawatts per acre). Nominations that considerably exceed approximately 80,000 acres, such as a nomination for all of the Call Area, may be deemed unreasonable and not accepted by BOEM. This information should be submitted as a spatial file compatible with ArcGIS 10.8.1 in a geographic coordinate system (NAD 83) in addition to your hard copy submittal. If your nomination includes one or more partial blocks, please describe those partial blocks in terms of sixteenths (*i.e.,* sub-block) of an OCS block.

b. A description of your objectives and the facilities that you would use to achieve those objectives.

c. A preliminary schedule of proposed activities, including those leading to commercial operations.

d. Available and pertinent data and information concerning renewable energy resources and environmental conditions in each area that you wish to lease, including energy and resource data and information used to evaluate the area. Where applicable, spatial information should be submitted in a format compatible with ArcGIS 10.8.1 in a geographic coordinate system (NAD 83).

e. Documentation demonstrating that you are legally, technically, and

financially qualified to hold a lease, as set forth in 30 CFR 585.106–.107. Qualification materials should be developed in accordance with the guidelines available at *https://www.boem.gov/Renewable-Energy-Qualification-Guidelines/*. Treatment of confidential information is addressed in Section 9, entitled ''Protection of Privileged, Personal, or Confidential Information.'' For examples of documentation appropriate for demonstrating your legal qualifications and related guidance, contact Gina Best, BOEM Office of Renewable Energy Programs, at *gina.best@boem.gov* or 703–787–1341.

9. Protection of Privileged, Personal, or Confidential Information

a. Freedom of Information Act

BOEM will protect privileged or confidential information that you submit when required by the Freedom of Information Act (FOIA). Exemption 4 of FOIA applies to trade secrets and commercial or financial information that is privileged or confidential. If you wish to protect the confidentiality of such information, clearly label it and request that BOEM treat it as confidential. BOEM will not disclose such information if BOEM determines under 30 CFR 585.113(b) that it qualifies for exemption from disclosure under FOIA. Please label privileged or confidential information ''Contains Confidential Information'' and consider submitting such information as a separate attachment.

BOEM will not treat as confidential any aggregate summaries of such information or comments not containing such privileged or confidential information. Additionally, BOEM will not treat as confidential the legal title of the nominating entity (for example, the name of your company) or the list of whole or partial blocks that you are nominating. Information that is not labeled as privileged or confidential may be regarded by BOEM as suitable for public release.

b. Personally Identifiable Information

BOEM does not consider anonymous comments; please include your name and address as part of your comment. You should be aware that your entire comment, including your name, address, and any personally identifiable information (PII) included in your comment, may be made publicly available. All submissions from identified individuals, businesses, and organizations will be available for public viewing on *regulations.gov*. For BOEM to withhold your PII from disclosure, you must identify any information contained in your comments that, if released, would constitute a clearly unwarranted invasion of your personal privacy. You must also briefly describe any possible harmful consequences of the disclosure of information, such as embarrassment, injury, or other harm. Under the law, BOEM is unable to guarantee that all information in your request will be withheld.

c. Section 304 of the NHPA (54 U.S.C. 307103(a))

After consultation with the Secretary, BOEM is required to withhold the location, character, or ownership of historic resources if it determines that disclosure may, among other things, risk harm to the historic resources or impede the use of a traditional religious site by practitioners. Tribal entities should designate information that falls under section 304 of NHPA as confidential.

10. BOEM's Environmental Review Process

Before deciding whether leases may be issued, BOEM will prepare an environmental assessment (EA) under NEPA (including public comment periods to determine the scope of the EA and to review and comment on the draft EA). The EA will analyze anticipated impacts from leasing within the WEAs resulting from this Call and from site characterization and assessment activities expected to take place after leases are issued. Site characterization activities include geophysical, geotechnical, archaeological, and biological surveys; and site assessment activities include installation and operation of meteorological buoys. BOEM also will conduct appropriate consultations with Federal agencies and Tribal, State, and local governments during the EA. These consultations include, but are not limited to, those required by the Coastal Zone Management Act, the Magnuson-Stevens Fishery Conservation and Management Act, Endangered Species Act, section 106 of the NHPA, and Executive Order 13175,''Consultation and Coordination with Indian Tribal Governments.''

Before BOEM allows a lessee to begin construction of a wind energy project in the Call Area, BOEM will consider the potential environmental effects of the construction and operation of any wind energy facility under a separate, project-specific analysis under NEPA. This analysis will include additional opportunities for public involvement and likely will result in the publication of an environmental impact statement.

Amanda Lefton,

Director, Bureau of Ocean Energy Management.

[FR Doc. 2022–09036 Filed 4–28–22; 8:45 am]

BILLING CODE 4310–MR–P

INTERNATIONAL TRADE COMMISSION

Notice of Receipt of Complaint; Solicitation of Comments Relating to the Public Interest

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has received a complaint entitled *Certain Digital Set-Top Boxes and Systems and Services Including the Same, DN 3616;* the Commission is soliciting comments on any public interest issues raised by the complaint or complainant's filing pursuant to the Commission's Rules of Practice and Procedure.

FOR FURTHER INFORMATION CONTACT: Lisa R. Barton, Secretary to the Commission, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–2000. The public version of the complaint can be accessed on the Commission's Electronic Document Information System (EDIS) at *https://edis.usitc.gov.* For help accessing EDIS, please email *EDIS3Help@usitc.gov.*

General information concerning the Commission may also be obtained by accessing its internet server at United States International Trade Commission (USITC) at *https://www.usitc.gov*. The public record for this investigation may be viewed on the Commission's Electronic Document Information System (EDIS) at *https://edis.usitc.gov.* Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: The Commission has received a complaint and a submission pursuant to § 210.8(b) of the Commission's Rules of Practice and Procedure filed on behalf of Broadband iTV, Inc. on April 22, 2022. The complaint alleges violations of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain digital set-

top boxes and systems and services including the same. The complainant names as respondents: Comcast Corporation of Philadelphia, PA; Comcast Cable Communications, LLC of Philadelphia, PA; NBCUniversal Media, LLC of Universal City, CA; Charter Communications, Inc. of Stamford, CT; Charter Communications Operating, LLC of St. Louis, MO; Charter Communications Holdings Company, LLC of St. Louis, MO; Spectrum Management Holding Company, LLC of St. Louis, MO; Altice USA, Inc. of Long Island City, NY; CSC Holdings, LLC of Long Island City, NY; and Cablevision Systems Corp. of Bethpage, NY. The complainant requests that the Commission issue a limited exclusion order, cease and desist orders and impose a bond upon respondents alleged infringing articles during the 60-day Presidential review period pursuant to 19 U.S.C. 1337(j).

Proposed respondent, other interested parties, and members of the public are invited to file comments on any public interest issues raised by the complaint or § 210.8(b) filing. Comments should address whether issuance of the relief specifically requested by the complainant in this investigation would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

(i) Explain how the articles potentially subject to the requested remedial orders are used in the United States;

(ii) identify any public health, safety, or welfare concerns in the United States relating to the requested remedial orders;

(iii) identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;

(iv) indicate whether complainant, complainant's licensees, and/or third party suppliers have the capacity to replace the volume of articles potentially subject to the requested exclusion order and/or a cease and desist order within a commercially reasonable time; and

(v) explain how the requested remedial orders would impact United States consumers.

Written submissions on the public interest must be filed no later than by close of business, eight calendar days after the date of publication of this notice in the **Federal Register**. There will be further opportunities for comment on the public interest after the issuance of any final initial determination in this investigation. Any written submissions on other issues must also be filed by no later than the close of business, eight calendar days after publication of this notice in the **Federal Register**. Complainant may file replies to any written submissions no later than three calendar days after the date on which any initial submissions were due. No other submissions will be accepted, unless requested by the Commission. Any submissions and replies filed in response to this Notice are limited to five (5) pages in length, inclusive of attachments.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above. Submissions should refer to the docket number (''Docket No. 3616'') in a prominent place on the cover page and/or the first page. (*See* Handbook for Electronic Filing Procedures, Electronic Filing Procedures [1]). Please note the Secretary's Office will accept only electronic filings during this time. Filings must be made through the Commission's Electronic Document Information System (EDIS, *https://edis.usitc.gov.*) No in-person paper-based filings or paper copies of any electronic filings will be accepted until further notice. Persons with questions regarding filing should contact the Secretary at *EDIS3Help@usitc.gov.*

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. *See* 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All information, including confidential business information and documents for which confidential treatment is properly sought, submitted to the Commission for purposes of this Investigation may be disclosed to and used: (i) By the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or (ii) by U.S. government employees and contract personnel,[2] solely for cybersecurity purposes. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS.[3]

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and of §§ 201.10 and 210.8(c) of the Commission's Rules of Practice and Procedure (19 CFR 201.10, 210.8(c)).

By order of the Commission.

Issued: April 25, 2022.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2022–09173 Filed 4–28–22; 8:45 am]

BILLING CODE 7020–02–P

[1] Handbook for Electronic Filing Procedures: *https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf.*.

[2] All contract personnel will sign appropriate nondisclosure agreements.

[3] Electronic Document Information System (EDIS): *https://edis.usitc.gov.*

JUDICIAL CONFERENCE OF THE UNITED STATES

Advisory Committee on Civil Rules; Meeting of the Judicial Conference

AGENCY: Judicial Conference of the United States.

ACTION: Advisory Committee on Civil Rules; notice of open meeting.

SUMMARY: The Advisory Committee on Civil Rules will hold a meeting on October 12, 2022 in Washington, DC. The meeting is open to the public for observation but not participation. An agenda and supporting materials will be posted at least 7 days in advance of the meeting at: *http://www.uscourts.gov/rules-policies/records-and-archives-rules-committees/agenda-books.*

DATES: October 12, 2022.

FOR FURTHER INFORMATION CONTACT: Bridget Healy, Esq., Acting Chief Counsel, Rules Committee Staff, Administrative Office of the U.S. Courts, Thurgood Marshall Federal Judiciary Building, One Columbus Circle NE, Suite 7–300, Washington, DC 20544, Phone (202) 502–1820, *RulesCommittee_Secretary@ao.uscourts.gov.*

(Authority: 28 U.S.C. 2073.)

Dated: April 26, 2022.

Shelly L. Cox,

Management Analyst, Rules Committee Staff.

[FR Doc. 2022–09216 Filed 4–28–22; 8:45 am]

BILLING CODE 2210–55–P

JUDICIAL CONFERENCE OF THE UNITED STATES

Advisory Committee on Evidence Rules; Meeting of the Judicial Conference

AGENCY: Judicial Conference of the United States.

ACTION: Advisory Committee on Evidence Rules; notice of open meeting.

SUMMARY: The Advisory Committee on Evidence Rules will hold a meeting on October 28, 2022 in Phoenix, AZ. The meeting is open to the public for observation but not participation. An agenda and supporting materials will be posted at least 7 days in advance of the meeting at: *https://www.uscourts.gov/rules-policies/records-rules-committees/agenda-books.*

DATES: October 28, 2022.

FOR FURTHER INFORMATION CONTACT: Bridget Healy, Esq., Acting Chief Counsel, Rules Committee Staff, Administrative Office of the U.S. Courts, Thurgood Marshall Federal Judiciary Building, One Columbus Circle NE, Suite 7–300, Washington, DC 20544, Phone (202) 502–1820, *RulesCommittee_Secretary@ao.uscourts.gov.*

(Authority: 28 U.S.C. 2073.)

Dated: April 26, 2022.

Shelly L. Cox,

Management Analyst, Rules Committee Staff.

[FR Doc. 2022–09219 Filed 4–28–22; 8:45 am]

BILLING CODE 2210–55–P

JUDICIAL CONFERENCE OF THE UNITED STATES

Advisory Committee on Bankruptcy Rules; Meeting of the Judicial Conference

AGENCY: Judicial Conference of the United States.

ACTION: Advisory Committee on Bankruptcy Rules; notice of open meeting.

SUMMARY: The Advisory Committee on Bankruptcy Rules will hold a meeting on September 15, 2022 in Washington, DC. The meeting is open to the public for observation but not participation. An agenda and supporting materials will be posted at least 7 days in advance of the meeting at: *http://www.uscourts.gov/rules-policies/records-and-archives-rules-committees/agenda-books.*

DATES: September 15, 2022.

FOR FURTHER INFORMATION CONTACT: Bridget Healy, Esq., Acting Chief Counsel, Rules Committee Staff, Administrative Office of the U.S. Courts, Thurgood Marshall Federal Judiciary Building, One Columbus Circle NE, Suite 7–300, Washington, DC 20544, Phone (202) 502–1820, *RulesCommittee_Secretary@ao.uscourts.gov.*

(Authority: 28 U.S.C. 2073.)

Dated: April 26, 2022.

Shelly L. Cox,

Management Analyst, Rules Committee Staff.

[FR Doc. 2022–09215 Filed 4–28–22; 8:45 am]

BILLING CODE 2210–55–P

JUDICIAL CONFERENCE OF THE UNITED STATES

Advisory Committee on Appellate Rules; Meeting of the Judicial Conference

AGENCY: Judicial Conference of the United States.

ACTION: Advisory Committee on Appellate Rules; notice of open meeting.

SUMMARY: The Advisory Committee on Appellate Rules will hold a meeting on October 13, 2022 in Washington, DC. The meeting is open to the public for observation but not participation. An agenda and supporting materials will be posted at least 7 days in advance of the meeting at: *http://www.uscourts.gov/rules-policies/records-and-archives-rules-committees/agenda-books.*

DATES: October 13, 2022.

FOR FURTHER INFORMATION CONTACT: Bridget Healy, Esq., Acting Chief Counsel, Rules Committee Staff, Administrative Office of the U.S. Courts, Thurgood Marshall Federal Judiciary Building, One Columbus Circle NE, Suite 7–300, Washington, DC 20544, Phone (202) 502–1820, *RulesCommittee_Secretary@ao.uscourts.gov.*

(Authority: 28 U.S.C. 2073.)

Dated: April 26, 2022.

Shelly L. Cox,

Management Analyst, Rules Committee Staff.

[FR Doc. 2022–09217 Filed 4–28–22; 8:45 am]

BILLING CODE 2210–55–P

JUDICIAL CONFERENCE OF THE UNITED STATES

Advisory Committee on Criminal Rules; Meeting of the Judicial Conference

AGENCY: Judicial Conference of the United States.

ACTION: Advisory Committee on Criminal Rules; notice of open meeting.

SUMMARY: The Advisory Committee on Criminal Rules will hold a meeting on October 27, 2022 in Phoenix, AZ. The meeting is open to the public for observation but not participation. An agenda and supporting materials will be posted at least 7 days in advance of the meeting at: *https://www.uscourts.gov/rules-policies/records-rules-committees/agenda-books.*

DATES: October 27, 2022.

FOR FURTHER INFORMATION CONTACT: Bridget Healy, Esq., Acting Chief Counsel, Rules Committee Staff, Administrative Office of the U.S. Courts, Thurgood Marshall Federal Judiciary Building, One Columbus Circle NE, Suite 7–300, Washington, DC 20544, Phone (202) 502–1820, *RulesCommittee_Secretary@ao.uscourts.gov.*

(Authority: 28 U.S.C. 2073.)

Dated: April 26, 2022.

Shelly L. Cox,

Management Analyst, Rules Committee Staff.

[FR Doc. 2022–09218 Filed 4–28–22; 8:45 am]

BILLING CODE 2210–55–P

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Modification to Consent Decree Under the Clean Water Act

On April 25, 2022, the Department of Justice lodged a proposed fifth modification to the consent decree with the United States District Court for the Southern District of Indiana in *United States and the State of Indiana* v. *The City of Evansville, et al.,* Civil Action No. 3:09–cv–128 (S.D. Ind.).

The United States filed this lawsuit in 2009 under the Clean Water Act (''Act''). The complaint sought injunctive relief and civil penalties for violations of the Act in connection with the City of Evansville's operation of its municipal wastewater and sewer system. The allegations in the Complaint were resolved in a Consent Decree, entered on June 22, 2011, in which the City of Evansville agreed, among other things, to develop a long term Integrated Overflow Control Plan (''IOCP'') that would remedy the deficiencies in the capacity, operation and maintenance of Evansville's East Plant and West Plant, combined sewer system, and sanitary sewer system. In 2016, the Court approved a consent decree modification adopting and incorporating Evansville's finalized IOCP, which included implementation of specific wastewater treatment and capacity upgrades and capital improvement projects over a 25-year period at an estimated cost of $729

million. The proposed Fifth Modification to the Consent Decree extends interim deadlines for up to five years for bid and construction dates on four IOCP projects, including the installation of a wetland treatment system to replace Bee Slough, but does not extend the final completion deadline. The proposed modification also clarifies and replaces some design criteria and imposes some additional requirements on various other improvement projects under the decree.

The publication of this notice opens a period for public comment on the Fifth Modification to the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States and the State of Indiana* v. *The City of Evansville, et al.,* D.J. Ref. No. 90–5–1–1–08738. 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:

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

During the public comment period, the proposed Fifth Modification to the Consent Decree may be examined and downloaded at this Justice Department website: *https://www.justice.gov/enrd/consent-decrees.*

We will provide a paper copy of the proposed Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for $5.75 (25 cents per page reproduction cost) payable to the United States Treasury.

Patricia Mckenna,

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

[FR Doc. 2022–09234 Filed 4–28–22; 8:45 am]

BILLING CODE 4410–15–P

DEPARTMENT OF JUSTICE

Notice Lodging of Proposed Consent Decree Amendment Under the Clean Water Act

On April 19, 2022, the Department of Justice lodged a proposed Second Amendment to Consent Decree (''Second Amendment'') with the United States District Court for the Northern District of Ohio in the lawsuit entitled *United States and State of Ohio* v. *City of Toledo, Ohio,* Civil Action No. 3:91–7646.

The Court entered a consent decree in this case on December 16, 2002, which resolved violations the United States and State of Ohio alleged under the Clean Water Act and Toledo's wastewater treatment discharge permit for the City of Toledo's (the ''City'') discharges from the City's treatment plant and sewer system. The consent decree, as subsequently amended in 2011, required Toledo, pertinent to the Second Amendment to: (1) Expand treatment plant capacity to handle the greater amounts of sewage combined with storm water or snowmelt arriving at the treatment plant during such wet weather periods; (2) implement a Long Term Control Plan to reduce the discharges of combined stormwater and sanitary sewage from the portions of Toledo's sewer system known as the City's combined sewer system, which among other things, requires Toledo to construct extensions to tunnels that store such combined sewage during periods of rain or snowmelt for transport to the City's wastewater treatment plant following such periods; and (3) study the effectiveness of pathogen removal in the wet weather system Toledo constructed at its wastewater treatment plant pursuant to the consent decree.

The proposed Second Amendment requires the City to construct separate storm sewers instead of the Swan Creek North Tunnel Extension. The storm sewer construction is intended to reduce congestion in Toledo's combined sewer system more than the tunnel extension would, resulting in fewer combined sewage discharges and less total volume of sewer overflows into Swan Creek. Second, the Second Amendment authorizes changes in one of the discharge locations from the combined sewer system located near Jamie Farr Park after three combined sewer outfalls are combined into one. Both locations are at the Maumee River; they are about 0.4 miles apart. The original planned consolidated outfall was located southeast of the intersection of Summit Street and Galena Street, while the location of the consolidated outfall under this amendment is located southeast of the intersection of Summit Street and Columbus Street. The original planned consolidated outfall was located southeast of the intersection of Summit Street and Galena Street, while the new one is located southeast of the intersection of Summit Street and Columbus Street. Third, the amendment allows the City to conclude the pathogen removal study early, after the parties realized that undertaking any additional study would not provide additional information pertinent to pathogen removal issues.

The publication of this notice opens a period for public comment on the Second Amendment. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States and State of Ohio* v. *City of Toledo,* D.J. Ref. No. 90–5–1–1–3554. 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:

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

During the public comment period, the Second Amendment may be examined and downloaded at this Justice Department website: *http://www.justice.gov/enrd/consent-decrees.* We will provide a paper copy of the Second Amendment upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for $4 (25 cents per page reproduction cost) payable to the United States Treasury.

Patricia McKenna,

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

[FR Doc. 2022–09212 Filed 4–28–22; 8:45 am]

BILLING CODE 4410–15–P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; National Safety Stand-Down To Prevent Falls in Construction

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Occupational Safety & Health Administration (OSHA)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that the agency receives on or before May 31, 2022.

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.

Comments are invited on: (1) Whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) if the information will be processed and used in a timely manner; (3) the accuracy of the agency's estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (4) ways to enhance the quality, utility and clarity of the information collection; and (5) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

FOR FURTHER INFORMATION CONTACT: Nicole Bouchet by telephone at 202–693–9469, or by email at *DOL_PRA_PUBLIC@dol.gov.*

SUPPLEMENTARY INFORMATION: The Occupational Safety and Health Act of 1970 (OSH Act) (29 U.S.C. 651 *et seq.*) authorizes information collection by employers as necessary or appropriate for enforcement of the OSH Act or for developing information regarding the causes and prevention of occupational injuries, illnesses, and accidents (29 U.S.C. 657). The OSH Act also requires that OSHA obtain such information with minimum burden upon employers, especially those operating small businesses, and to reduce to the maximum extent feasible unnecessary duplication of effort in obtaining information (29 U.S.C. 657). Falls are a leading cause of death for employees. According to 2019 Bureau of Labor Statistics data, falls accounted for 418 of the 1,061 construction fatalities, and 880 of the 5,333 fatalities in all recorded industries. The National Fall Safety Stand-Down to Prevent Falls in Construction raises fall hazard awareness across the country in an effort to stop fall fatalities and injuries. The Stand-Down is the biggest safety outreach event ever conducted by the agency. OSHA has collaborated with countless industry leaders and employers over the last eight years to reach over 10 million workers during Stand-Downs. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on 2/15/2022 (87 FR 8614).

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. *See* 5 CFR 1320.5(a) and 1320.6.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Agency: DOL–OSHA.

Title of Collection: National Safety Stand-Down to Prevent Falls in Construction.

OMB Control Number: 1218–0271.

Affected Public: Private Sector—Businesses or other for-profits.

Total Estimated Number of Respondents: 4,500.

Total Estimated Number of Responses: 4,500.

Total Estimated Annual Time Burden: 750 hours.

Total Estimated Annual Other Costs Burden: $0.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Nicole Bouchet,

Senior PRA Analyst.

[FR Doc. 2022–09170 Filed 4–28–22; 8:45 am]

BILLING CODE 4510–26–P

DEPARTMENT OF LABOR

Office of Workers' Compensation Programs

Advisory Board on Toxic Substances and Worker Health

ACTION: Extension of Deadline for Nominations to Serve on the Advisory Board on Toxic Substances and Worker Health (Advisory Board) for the Energy Employees Occupational Illness Compensation Program Act (EEOICPA) from May 6, 2022, to May 21, 2022.

SUMMARY: The Secretary of Labor (Secretary) invites interested parties to submit nominations for individuals to serve on the Advisory Board for the EEOICPA.

SUPPLEMENTARY INFORMATION: The Board is mandated by Section 3687 of EEOICPA. The Secretary established the Board under this authority and Executive Order 13699 (June 26, 2015) and in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App. 2. The purpose of the Board is to advise the Secretary with respect to: (1) The Site Exposure Matrices of the Department of Labor (DOL); (2) medical guidance for claims examiners for claims with the EEOICPA program, with respect to the weighing of the medical evidence of claimants; (3) evidentiary requirements for claims under Part B of EEOICPA related to lung disease; (4) the work of industrial hygienists and staff physicians and consulting physicians of the DOL and reports of such hygienists and physicians to ensure quality, objectivity, and consistency; (5) the claims adjudication process generally, including review of procedure manual changes prior to incorporation into the manual and claims for medical benefits; and (6) such other matters as the Secretary considers appropriate. In addition, the Board, when necessary, coordinates exchanges of data and findings with the Department of Health and Human Services' Advisory Board on Radiation and Worker Health, which advises the Department of Health and Human Services' National Institute for Occupational Safety and Health on various aspects of causation in radiogenic cancer cases under Part B of the EEOICPA program.

Notice of solicitation for nominations to serve on the Advisory Board was also published on April 6, 2022. The deadline for submission of nominations was 30 days from the date of publication, or May 6, 2022. The Secretary now extends the deadline for nomination by an additional 15 days, to May 21, 2022.

ADDRESSES: People interested in being nominated for the Board are encouraged to review the **Federal Register** notice on nominations for membership and submit the requested information by May 21, 2022. Nominations may be submitted, including attachments, by any of the following methods:

- *Electronically:* Send to: *EnergyAdvisoryBoard@dol.gov* (specify in the email subject line, ''Advisory Board on Toxic Substances and Worker Health Nomination'').
- *Mail, express delivery, hand delivery, messenger, or courier service:* Submit one copy of the documents listed above to the following address: U.S. Department of Labor, Office of Workers' Compensation Programs, Advisory Board on Toxic Substances and Worker Health, Room S–3522, 200 Constitution Ave. NW, Washington, DC 20210.

Follow-up communications with nominees may occur as necessary through the process.

DATES: Nominations for individuals to serve on the Board must be submitted (postmarked, if sending by mail; submitted electronically; or received, if hand delivered) by May 21, 2022.

FOR FURTHER INFORMATION CONTACT: You may contact Michael Chance, Designated Federal Officer (DFO), at *chance.michael@dol.gov,* or Carrie Rhoads, Alternate DFO, at *rhoads.carrie@dol.gov,* U.S. Department of Labor, 200 Constitution Avenue NW, Suite S–3524, Washington, DC 20210, telephone (202) 343–5580.

This is not a toll-free number.

Signed at Washington, DC, this 25th day of April, 2022.

Christopher Godfrey,

Director, Office of Workers' Compensation Programs.

[FR Doc. 2022–09288 Filed 4–28–22; 8:45 am]

BILLING CODE P

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

[NARA–22–0009; NARA–2022–047]

Records Schedules; Availability and Request for Comments

AGENCY: National Archives and Records Administration (NARA).

ACTION: Notice of availability of proposed records schedules; request for comments.

SUMMARY: The National Archives and Records Administration (NARA) publishes notice of certain Federal agency requests for records disposition authority (records schedules). We publish notice in the **Federal Register** and on *regulations.gov* for records schedules in which agencies propose to dispose of records they no longer need to conduct agency business. We invite public comments on such records schedules.

DATES: We must receive responses on the schedules listed in this notice by June 14, 2022.

ADDRESSES: To view a records schedule in this notice, or submit a comment on one, use the following address: *https://www.regulations.gov/docket/NARA-22-0009/document.* This is a direct link to the schedules posted in the docket for this notice on *regulations.gov.* You may submit comments by the following method:

- *Federal eRulemaking Portal: http://www.regulations.gov.* On the website, enter either of the numbers cited at the top of this notice into the search field. This will bring you to the docket for this notice, in which we have posted the records schedules open for comment. Each schedule has a 'comment' button so you can comment on that specific schedule. For more information on *regulations.gov* and on submitting comments, see their FAQs at *https://www.regulations.gov/faq.*

Due to COVID–19 building closures, we are currently temporarily not accepting comments by mail. However, if you are unable to comment via *regulations.gov*, you may email us at *request.schedule@nara.gov* for instructions on submitting your comment. You must cite the control number of the schedule you wish to comment on. You can find the control number for each schedule in parentheses at the end of each schedule's entry in the list at the end of this notice.

Due to COVID–19 building closures, we are currently temporarily not accepting comments by mail. However, if you are unable to comment via *regulations.gov*, you may contact *request.schedule@nara.gov* for instructions on submitting your comment. You must cite the control number of the schedule you wish to comment on. You can find the control number for each schedule in parentheses at the end of each schedule's entry in the list at the end of this notice.

FOR FURTHER INFORMATION CONTACT: Kimberly Richardson, Regulatory and External Policy Program Manager, by email at *regulation_comments@nara.gov.* For information about records schedules, contact Records Management Operations by email at *request.schedule@nara.gov* or by phone at 301–837–1799.

SUPPLEMENTARY INFORMATION:

Public Comment Procedures

We are publishing notice of records schedules in which agencies propose to dispose of records they no longer need to conduct agency business. We invite public comments on these records schedules, as required by 44 U.S.C. 3303a(a), and list the schedules at the end of this notice by agency and subdivision requesting disposition authority.

In addition, this notice lists the organizational unit(s) accumulating the records or states that the schedule has agency-wide applicability. It also provides the control number assigned to each schedule, which you will need if you submit comments on that schedule. We have uploaded the records schedules and accompanying appraisal memoranda to the *regulations.gov* docket for this notice as ''other'' documents. Each records schedule contains a full description of the records at the file unit level as well as their proposed disposition. The appraisal memorandum for the schedule includes information about the records.

We will post comments, including any personal information and attachments, to the public docket unchanged. Because comments are public, you are responsible for ensuring that you do not include any confidential or other information that you or a third party may not wish to be publicly posted. If you want to submit a comment with confidential information or cannot otherwise use the *regulations.gov* portal, you may contact *request.schedule@nara.gov* for instructions on submitting your comment.

We will consider all comments submitted by the posted deadline and consult as needed with the Federal agency seeking the disposition authority. After considering comments, we will post on *regulations.gov* a ''Consolidated Reply'' summarizing the comments, responding to them, and noting any changes we have made to the proposed records schedule. We will then send the schedule for final approval by the Archivist of the United

States. You may elect at *regulations.gov* to receive updates on the docket, including an alert when we post the Consolidated Reply, whether or not you submit a comment. If you have a question, you can submit it as a comment, and can also submit any concerns or comments you would have to a possible response to the question. We will address these items in consolidated replies along with any other comments submitted on that schedule.

We will post schedules on our website in the Records Control Schedule (RCS) Repository, at *https://www.archives.gov/records-mgmt/rcs,* after the Archivist approves them. The RCS contains all schedules approved since 1973.

Background

Each year, Federal agencies create billions of records. To control this accumulation, agency records managers prepare schedules proposing retention periods for records and submit these schedules for NARA's approval. Once approved by NARA, records schedules provide mandatory instructions on what happens to records when no longer needed for current Government business. The records schedules authorize agencies to preserve records of continuing value in the National Archives or to destroy, after a specified period, records lacking continuing administrative, legal, research, or other value. Some schedules are comprehensive and cover all the records of an agency or one of its major subdivisions. Most schedules, however, cover records of only one office or program or a few series of records. Many of these update previously approved schedules, and some include records proposed as permanent.

Agencies may not destroy Federal records without the approval of the Archivist of the United States. The Archivist grants this approval only after thorough consideration of the records' administrative use by the agency of origin, the rights of the Government and of private people directly affected by the Government's activities, and whether or not the records have historical or other value. Public review and comment on these records schedules is part of the Archivist's consideration process.

Schedules Pending

1. Department of Homeland Security, U.S. Citizenship and Immigration Services, Time and Production Tracking Tools (DAA–0566–2021–0007).

2. Department of Homeland Security, U.S. Citizenship and Immigration Services, Customs Broker Licensing Exam—Remote Proctored Records (DAA–0568–2022–0008).

3. Department of Transportation, Federal Aviation Administration, Strategic Change and Project Management Files (DAA–0237–2021–0002).

4. Department of Transportation, National Highway Transportation Safety Administration, Office of Defects Investigation, Recall and Investigative Records (DAA–0416–2019–0003).

5. Advisory Council on Historic Preservation, Agency-wide, Internship and Federal Partnership Award files (DAA–0536–2022–0001).

6. National Aeronautics and Space Administration, Agency-wide, Partnership Agreements (DAA–0255–2022–0002).

Laurence Brewer,

Chief Records Officer for the U.S. Government.

[FR Doc. 2022–09198 Filed 4–28–22; 8:45 am]

BILLING CODE 7515–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 030–34325; License No. 03–23853–01VA; EA–21–059; NRC–2022–0101]

In the Matter of Department of Veterans Affairs

AGENCY: Nuclear Regulatory Commission.

ACTION: Confirmatory order; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing a Confirmatory Order to the Department of Veterans Affairs to memorialize the agreement reached during an alternative dispute resolution mediation session held on March 2, 2022. The order will resolve all issues related to apparent violations that occurred when a nuclear medicine technologist willfully failed to conduct a measurement of the concentration of strontium-82 and strontium-85 prior to use of a strontium-82/rubidium-82 generator and willfully falsified records relating to the same failure to conduct the required measurement. The Confirmatory Order includes a number of significant commitments undertaken by the Department of Veterans Affairs to enhance the safety culture among its employees involved in nuclear medicine. The Confirmatory Order is effective upon issuance.

DATES: The confirmatory order was issued on April 21, 2022.

ADDRESSES: Please refer to Docket ID NRC–2022–0101 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- *Federal Rulemaking Website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2022–0101. Address questions about Docket IDs in *Regulations.gov* to Stacy Schumann; telephone: 301–415–0624; email: *Stacy.Schumann@nrc.gov.* For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at *https://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''Begin Web-based ADAMS Search.'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *PDR.Resource@nrc.gov.* The Confirmatory Order to the Department of Veterans Affairs is available in ADAMS under Accession No. ML22062B353.
- *NRC's PDR:* You may examine and purchase copies of public documents, by appointment, at the NRC's PDR, Room P1 B35, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852. To make an appointment to visit the PDR, please send an email to *PDR.Resource@nrc.gov* or call 1–800–397–4209 or 301–415–4737, between 8:00 a.m. and 4:00 p.m. (ET), Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Shelbie Lewman, Region III, U.S. Nuclear Regulatory Commission, telephone: 630–810–4373, email: *Shelbie.Lewman@nrc.gov.*

SUPPLEMENTARY INFORMATION: The text of the Order is attached.

For the Nuclear Regulatory Commission.

Dated: April 25, 2022.

John B. Giessner,

Regional Administrator, NRC Region III.

United States of America

Nuclear Regulatory Commission

In the Matter of: Department of Veterans Affairs, Greater Los Angeles Healthcare System, 030–34325, 03–23853–01VA, EA–21–059

Confirmatory Order Modifying License (Effective Upon Issuance)

I

The Department of Veterans Affairs (VA) holds Master Materials License No. 03–23853–01VA, issued to the U.S. Department of Veterans Affairs on March 17, 2003, by the U.S. Nuclear Regulatory Commission (NRC or Commission) pursuant to Part 35 of Title 10 of the *Code of Federal*

Regulations (CFR). The license authorizes the use of any byproduct material for purposes authorized by the National Radiation Safety Committee and the use of depleted uranium for shielding, as described in its application dated September 21, 1998, in accordance with conditions specified therein.

This Confirmatory Order is the result of an agreement reached during an Alternative Dispute Resolution (ADR) mediation session conducted on March 2, 2022, in Lisle, Illinois.

II

On April 22, 2021, the NRC completed Investigation Report 03–2020–010, which documented the identification of apparent violations at the facility of VA's permittee, VA Greater Los Angeles Healthcare System. The apparent violations were being considered for escalated enforcement action in accordance with the NRC Enforcement Policy. The apparent violations involved the willful failure of a nuclear medicine technologist (NMT) to conduct a measurement of the concentration of strontium-82 and strontium-85 prior to use of a strontium-82/rubidium-82 generator, as required by 10 CFR 35.204(c), and falsification of records by the same NMT relating to the same failure to conduct the required measurement, in violation of 10 CFR 30.9, 10 CFR 35.204(d) and 10 CFR 35.2204. VA formally requested a copy of the NRC report on December 13, 2021. In accordance with established Commission policy (see SRM–SECY–05–0213, ML060060088), NRC denied this request on December 14, 2021.

By letter, dated December 2, 2021, the NRC provided VA with a factual summary of the results of the investigation with an opportunity to: (1) Provide a response in writing, (2) attend a predecisional enforcement conference or (3) participate in an ADR mediation session in an effort to resolve these concerns.

In response to the NRC's offer, VA requested the use of the NRC's ADR process to resolve differences it had with the NRC. On March 2, 2022, the NRC and VA met in an ADR session mediated by a professional mediator, arranged through Cornell University's Institute on Conflict Resolution. The ADR process is one in which a neutral mediator, with no decision-making authority, assists the parties in reaching an agreement on resolving any differences regarding the dispute. This Confirmatory Order is issued pursuant to the agreement reached during the ADR process.

III

During the ADR session, VA and the NRC reached a preliminary settlement in an Agreement in Principle.

The NRC recognizes that VA has already taken corrective actions including:

1. Removing the NMT who committed the willful violations as soon as the misconduct was witnessed by the Radiation Safety Officer (RSO); and

2. Retraining the NMT staff concerning proper quality control procedures.

Therefore, the parties agree to the following terms and conditions:

1. VA commits to conduct an anonymous safety culture survey of VA employees nationwide working in nuclear medicine or related activities as identified below:

a. Individuals handling permitted, unsealed, radioactive material in a patient care setting (*e.g.,* nuclear medicine technologists);

b. Authorized User physicians;

c. Radiation Safety Officers (RSOs) and their staffs;

d. National Health Physics Program staff and National Radiation Safety Committee (NRSC) members; and,

e. Other personnel required by 10 CFR part 20 to be monitored due to occupational exposure to permitted, unsealed, radioactive material in a patient care setting.

The survey will be conducted by VA's National Center for Patient Safety (NCPS), an organization independent of the VHA National Health Physics Program, or another independent entity contracted by VA.

The NRSC will review the results of the survey in consultation with the survey designer and the NRSC will determine corrective actions. Corrective actions identified and taken or a justification for no corrective actions will be available for NRC inspection upon request.

The survey will be completed and analyzed no later than 18 months from the date of the Confirmatory Order and the results will be available for NRC inspection upon request.

2. VA commits to conduct safety culture training. This training will consist of two National Health Physics Program (NHPP) webinars related to safety culture with announcement to VHA Email Groups for RSOs, Nuclear Medicine Supervisors, and Chief/Lead Nuclear Medicine Technologists (VA-wide). The NRSC Chair will lead at least one of the webinars. The webinars will be recorded for future reference to allow RSOs, Nuclear Medicine Supervisors, and Chief/Lead Nuclear Medicine Technologists to complete later. Ninety (90) percent of the combined group of RSOs and Nuclear Medicine Supervisors, and Chief/Lead Nuclear Medicine Technologists must complete one webinar or view one recording.

Documentation of the webinars and their attendance will be available for NRC inspection upon request. The NRC will be invited to attend one of the webinars. This commitment will be met no later than nine months from the date of the Confirmatory Order.

3. VA commits to ''re-energize'' its employee concerns program related to reporting of radioactive program allegations or adverse events. Specifically, VA will:

a. Add safety culture content to the ''Reporting Radiation Safety Concerns'' posters and programs;

b. Re-emphasize 24/7/365 availability of the hotline in webinars discussed above; and,

c. Issue one or two ''Scatterings'' newsletters discussing its employees concerns program, with poster attached.

This commitment will be met no later than nine months from the date of the Confirmatory Order. Documentation of this commitment will be available for NRC inspection upon request.

4. In consideration of the completed actions and commitments delineated above and the license modifications described below, the NRC agrees to refrain from issuing a Notice of Violation or proposing a civil penalty in connection with the NRC's December 2, 2021, letter. The NRC agrees that the Confirmatory Order documenting the above items will not be considered an escalated enforcement action by the NRC for future assessment of violations occurring at VA if VA does not violate the terms of this Confirmatory Order.

The terms and conditions set forth herein shall continue to apply for the duration of the Master Material License issued to VA.

On March 2, 2022, VA consented to issuing this Confirmatory Order with the commitments, as described in Section V below. VA further agreed that this Confirmatory Order is to be effective upon issuance, the agreement memorialized in this Confirmatory Order settles the matter between the parties, and that it has waived its right to a hearing.

IV

I find that VA's completed actions, as described in Section III above, combined with the commitments as set forth in Section V are acceptable and necessary, and conclude that with these commitments the public health and safety are reasonably assured. In view of

the foregoing, I have determined that public health and safety require that VA's commitments be confirmed by this Confirmatory Order. Based on the above and VA's consent, this Confirmatory Order is effective upon issuance.

By no later than thirty (30) days after the completion of the commitments specified in Section V, VA is required to notify the NRC in writing and summarize its actions.

V

Accordingly, pursuant to Sections 81, 161b, 161i, 161o, 182, and 186 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR 2.202 and 10 CFR parts 30 and 35, *it is hereby ordered, effective upon issuance, that license No. 03–23853–01VA is modified as follows:*

1. VA will conduct an anonymous safety culture survey of VA employees nationwide working in nuclear medicine or related activities as identified below:

a. Individuals handling permitted, unsealed, radioactive material in a patient care setting (*e.g.,* nuclear medicine technologists);

b. Authorized User physicians;

c. Radiation Safety Officers (RSOs) and their staffs;

d. National Health Physics Program staff and National Radiation Safety Committee (NRSC) members; and,

e. Other personnel required by 10 CFR part 20 to be monitored due to occupational exposure to permitted, unsealed, radioactive material in a patient care setting.

The survey will be conducted by VA's National Center for Patient Safety (NCPS), an organization independent of the VHA National Health Physics Program, or another independent entity contracted by VA.

The NRSC will review the results of the survey in consultation with the survey designer and the NRSC will determine corrective actions. Corrective actions identified and taken or a justification for no corrective actions will be available for NRC inspection upon request.

The survey will be completed and analyzed no later than 18 months from the date of the Confirmatory Order and the results will be available for NRC inspection upon request.

2. VA will conduct safety culture training. This training will consist of two National Health Physics Program (NHPP) webinars related to safety culture with announcement to VHA Email Groups for RSOs, Nuclear Medicine Supervisors, and Chief/Lead Nuclear Medicine Technologists (VA-wide). The NRSC Chair will lead at least one of the webinars. The webinars will be recorded for future reference to allow RSOs, Nuclear Medicine Supervisors, and Chief/Lead Nuclear Medicine Technologists to complete later. Ninety (90) percent of the combined group of RSOs and Nuclear Medicine Supervisors, and Chief/Lead Nuclear Medicine Technologists must complete one webinar or view one recording.

Documentation of the webinars and their attendance will be available for NRC inspection upon request. The NRC will be invited to attend one of the webinars. VA will complete this safety culture training, including the 90% participation requirement, no later than nine months from the date of this Confirmatory Order.

3. VA will ''re-energize'' its employee concerns program related to reporting radioactive program allegations or adverse events. Specifically, VA will:

a. Add safety culture content to the ''Reporting Radiation Safety Concerns'' posters and programs;

b. Re-emphasize 24/7/365 availability of the hotline in webinars discussed above; and,

c. Issue at least one ''Scatterings'' newsletters discussing the employee concerns program, with poster attached.

This commitment will be met no later than nine months from the date of the Confirmatory Order. Documentation relating to the fulfillment of this commitment will be available for NRC inspection upon request.

The Regional Administrator, Region III may, in writing, relax or rescind any of the above conditions upon demonstration of good cause by VA or its successors.

VI

In accordance with 10 CFR 2.202 and 10 CFR 2.309, any person adversely affected by this Confirmatory Order, other than VA, may request a hearing within thirty (30) calendar days of the date of issuance of this Confirmatory Order. Where good cause is shown, consideration will be given to extending the time to request a hearing. A request for extension of time must be made in writing to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and include a statement of good cause for the extension.

All documents filed in NRC adjudicatory proceedings, including a request for hearing, a petition for leave to intervene, any motion or other document filed in the proceeding prior to the submission of a request for hearing or petition to intervene (hereinafter ''petition''), and documents filed by interested governmental entities participating under 10 CFR 2.315(c), must be filed in accordance with the NRC's E-Filing rule (72 FR 49139; August 28, 2007, as amended at 77 FR 46562, August 3, 2012). The E-Filing process requires participants to submit and serve all adjudicatory documents over the internet, or in some cases to mail copies on electronic storage media. Participants may not submit paper copies of their filings unless they seek an exemption in accordance with the procedures described below.

To comply with the procedural requirements of E-Filing, at least 10 days prior to the filing deadline, the participant should contact the Office of the Secretary by email at *hearing.docket@nrc.gov,* or by telephone at 301–415–1677, to (1) request a digital identification (ID) certificate, which allows the participant (or its counsel or representative) to digitally sign submissions and access the E-Filing system for any proceeding in which it is participating; and (2) advise the Secretary that the participant will be submitting a petition or other adjudicatory document (even in instances in which the participant, or its counsel or representative, already holds an NRC-issued digital ID certificate). Based upon this information, the Secretary will establish an electronic docket for the hearing in this proceeding if the Secretary has not already established an electronic docket.

Information about applying for a digital ID certificate is available on the NRC's public website at *http://www.nrc.gov/site-help/e-submittals/getting-started.html.* Once a participant has obtained a digital ID certificate and a docket has been created, the participant can then submit adjudicatory documents. Submissions must be in Portable Document Format (PDF). Additional guidance on PDF submissions is available on the NRC's public website at *http://www.nrc.gov/site-help/electronic-sub-ref-mat.html.* A filing is considered complete at the time the document is submitted through the NRC's E-Filing system. To be timely, an electronic filing must be submitted to the E-Filing system no later than 11:59 p.m. Eastern Time on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an email notice confirming receipt of the document. The E-Filing system also distributes an email notice that provides access to the document to the NRC's Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the document on those

participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before adjudicatory documents are filed so that they can obtain access to the documents via the E-Filing system.

A person filing electronically using the NRC's adjudicatory E-Filing system may seek assistance by contacting the NRC's Electronic Filing Help Desk through the ''Contact Us'' link located on the NRC's public website at *http://www.nrc.gov/site-help/e-submittals.html,* by email to *MSHD.Resource@nrc.gov,* or by a toll-free call at 1–866–672–7640. The NRC Electronic Filing Help Desk is available between 9 a.m. and 6 p.m., Eastern Time, Monday through Friday, excluding government holidays.

Participants who believe that they have a good cause for not submitting documents electronically must file an exemption request, in accordance with 10 CFR 2.302(g), with their initial paper filing requesting authorization to continue to submit documents in paper format. Such filings must be submitted by: (1) First class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Rulemaking and Adjudications Staff; or (2) courier, express mail, or expedited delivery service to the Office of the Secretary, Sixteenth Floor, One White Flint North, 11555 Rockville Pike, Rockville, Maryland, 20852, Attention: Rulemaking and Adjudications Staff. Participants filing a document in this manner are responsible for serving the document on all other participants. Filing is considered complete by first-class mail as of the time of deposit in the mail, or by courier, express mail, or expedited delivery service upon depositing the document with the provider of the service. A presiding officer, having granted an exemption request from using E-Filing, may require a participant or party to use E-Filing if the presiding officer subsequently determines that the reason for granting the exemption from use of E-Filing no longer exists.

Documents submitted in adjudicatory proceedings will appear in NRC's electronic hearing docket, which is available to the public at *https://adams.nrc.gov/ehd,* unless excluded pursuant to an order of the Commission or the presiding officer. Participants are requested not to include personal privacy information, such as social security numbers, home addresses, or home phone numbers in their filings, unless an NRC regulation or other law requires submission of such information. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants are requested not to include copyrighted materials in their submission.

The Commission will issue a notice or order granting or denying a hearing request or intervention petition, designating the issues for any hearing that will be held and designating the Presiding Officer. A notice granting a hearing will be published in the **Federal Register** and served on the parties to the hearing.

If a person (other than VA) requests a hearing, that person shall set forth with particularity the manner in which his interest is adversely affected by this Confirmatory Order and shall address the criteria set forth in 10 CFR 2.309(d) and (f).

If a hearing is requested by a person whose interest is adversely affected, the Commission will issue an order designating the time and place of any hearings. If a hearing is held, the issue to be considered at such hearing shall be whether this Confirmatory Order should be sustained.

In the absence of any request for hearing, or written approval of an extension of time in which to request a hearing, the provisions specified in Section V above shall be final 30 days from the date of this Confirmatory Order without further order or proceedings. If an extension of time for requesting a hearing has been approved, the provisions specified in Section V shall be final when the extension expires if a hearing request has not been received.

For the Nuclear Regulatory Commission.

Dated this 21st day of April 2022.

/RA/

John B. Giessner,

Regional Administrator, NRC Region III.

[FR Doc. 2022–09168 Filed 4–28–22; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 72–1041, 50–498, and 50–499; NRC–2022–0099]

South Texas Project Nuclear Operating Company; South Texas Project Electric Generating Station Units 1 and 2; Independent Spent Fuel Storage Installation

AGENCY: Nuclear Regulatory Commission.

ACTION: Exemption; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing an exemption in response to a request submitted by South Texas Project Nuclear Operating Company (STPNOC) on March 11, 2022, from meeting certain NRC regulatory requirements for one multipurpose canister (MPC), Serial Number 248 (MPC 248), in use at the South Texas Project Electric Generating Station, Units 1 and 2 (STPEGS). This exemption permits STPNOC to continue using MPC 248 to store spent fuel for the service life of the canister, including transferring the MPC to a HI–STORM FW overpack, without volumetric examination data from radiographic testing for a 1-inch section of the repaired weld seam joining the baseplate to the canister shell.

DATES: This exemption was issued on April 25, 2022.

ADDRESSES: Please refer to Docket ID NRC–2022–0099 when contacting the NRC about the availability of information regarding this action. You may obtain publicly available information related to this action using any of the following methods:

- *Federal Rulemaking Website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2022–0099. Address questions about Docket IDs in *Regulations.gov* to Stacy Schumann; telephone: 301–415–0624; email: *Stacy.Schumann@nrc.gov.* For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at *https://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''Begin Web-based ADAMS Search.'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *PDR.Resource@nrc.gov.* For the convenience of the reader, instructions about obtaining materials referenced in this document are provided in the ''Availability of Documents'' section.
- *NRC's PDR:* You may examine and purchase copies of public documents, by appointment, at the NRC's PDR, Room P1 B35, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852. To make an appointment to visit the PDR, please send an email to *PDR.Resource@nrc.gov* or call 1–800–397–4209 or 301–415–4737, between 8:00 a.m. and 4:00 p.m.

(ET), Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Donald Habib, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–1035; email: *Donald.Habib@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

South Texas Project Nuclear Operating Company (STPNOC or the licensee) is the holder of Facility Operating License Nos. NPF–76 and NPF–80, which authorize operation of the STPEGS, respectively, in Matagorda County, Texas, pursuant to part 50 of title 10 of the *Code of Federal Regulations* (10 CFR), ''Domestic Licensing of Production and Utilization Facilities.'' The license provides, among other things, that the facility is subject to all rules, regulations, and orders of the NRC now or hereafter in effect.

Under 10 CFR part 72, subpart K, ''General License for Storage of Spent Fuel at Power Reactor Sites,'' a general license is issued for the storage of spent fuel in an independent spent fuel storage installation (ISFSI) at power reactor sites to persons authorized to possess or operate nuclear power reactors under 10 CFR part 50. The licensee is authorized to operate a nuclear power reactor under 10 CFR part 50 and, accordingly, holds a 10 CFR part 72 general license for storage of spent fuel at the STPEGS ISFSI. Under 10 CFR 72.212(a)(2), (b)(3), (b)(5)(i), (b)(11) and 72.214, a general licensee may store spent fuel in a cask, so long as it is one of the approved casks listed in 10 CFR 72.214 and the general licensee conforms to the terms, conditions, and specifications of the relevant certificate of compliance (CoC) or amended CoC. Accordingly, under the terms of the general license, the STPNOC stores spent fuel at its ISFSI using the HI–STORM FW MPC–37 Storage System in accordance with CoC No. 1032, Amendment No. 2. As part of the MPC storage system, the MPC (of which the weld seam joining the baseplate to the shell is an integral part) ensures the functions of criticality safety, confinement boundary, shielding, structural support, and heat transfer.

II. Request/Action

In a letter dated March 11, 2022, the licensee requested an exemption from the requirements of 10 CFR 72.154(b) as well as 10 CFR 72.212(a)(2), (b)(3), (b)(5)(i), and (b)(11). Paragraph 72.154(b) requires the licensee to have available documentary evidence that material and equipment conform to the procurement specifications prior to installation or use of the material and equipment and to retain or have available this documentary evidence for the life of the ISFSI or spent fuel cask.

Paragraph 72.212(a)(2) limits a general license to storage of spent fuel in casks approved under the provisions of 10 CFR part 72. Paragraph 72.212(b)(3) requires the general licensee to ensure that each cask it uses conforms to the terms, conditions, and specifications of a CoC or an amended CoC listed in § 72.214.

Paragraph 72.212(b)(5)(i) requires the general licensee to perform written evaluations which establish that the relevant cask, once loaded with spent fuel or once the changes authorized by an amended CoC have been applied, will conform to the terms, conditions, and specifications of a CoC or an amended CoC listed in § 72.214. Paragraph 72.212(b)(11) requires, among other things, that the general licensee comply with the terms, conditions, and specifications of the CoC or the amended CoC, as appropriate. Section 72.214 lists the casks that are approved for storage of spent fuel under the conditions specified in their CoC.

The licensee loaded spent fuel in the HI–STORM FW Storage System MPC–37, MPC 248, for storage in the ISFSI at STPEGS under CoC No. 1032, Amendment No. 2, under its general license. Condition 6 of the CoC states, ''Features or characteristics for the site or system must be in accordance with Appendix B to this certificate.'' Appendix B, Section 3.3 of the CoC requires, with certain approved alternatives that are not relevant in this case, the HI–STORM FW MPC–37 to meet the American Society of Mechanical Engineers Boiler and Pressure Vessel Code, 2007 Edition (ASME Code). Section III, Subsection NB, of the ASME Code requires that 100 percent of the weld seam joining the baseplate to the shell of the canister be examined by a radiography test (RT). Further, ASME Code Section III, Subsection NB requires, in part, that ''examination of a weld repair shall be repeated as required for the original weld.'' Thus, in effect, the NRC staff is considering an exemption from the requirement to repeat volumetric examination by RT as required for the original weld on a 1-inch portion of the repaired weld.

During a review of manufacturing documents, the manufacturer determined that a 1-inch section of the shell-to-baseplate weld on MPC 248 was not properly digitally radiographed after a weld repair. When notified of this issue, the licensee had already loaded MPC 248 with spent fuel assemblies and was in the process of preparing the MPC for long-term storage at the STPEGS ISFSI pad. The affected MPC is currently in a safe, analyzed condition in the STPEGS Unit 1 Fuel Handling Building cask decontamination area.

This exemption would, if granted, permit the licensee to continue using MPC 248 to store spent fuel for the service life of the canister, including transferring the MPC to a HI–STORM FW overpack, without volumetric examination data from radiographic testing for a 1-inch section of the repaired weld seam joining the baseplate to the canister shell. In order for this exemption to exempt the licensee from all relevant provisions, the licensee would also need an exemption from 10 CFR 72.214. As the licensee did not request an exemption from 10 CFR 72.214, as part of the NRC staff's consideration of the requested exemption, the NRC staff will also consider granting an exemption from 10 CFR 72.214 upon its own initiative, in accordance with 10 CFR 72.7. For brevity, whenever this analysis refers to the requested exemption it means both the exemption requested by the licensee and the exemption from 10 CFR 72.214.

III. Discussion

Pursuant to 10 CFR 72.7, the Commission may, upon application by any interested person or upon its own initiative, grant such exemptions from the requirements of the regulations of 10 CFR part 72 as it determines are authorized by law and will not endanger life or property or the common defense and security and are otherwise in the public interest.

Authorized by Law

Section 72.7 allows the NRC to grant exemptions from the requirements of 10 CFR part 72. The NRC staff has determined that issuance of this exemption is consistent with the Atomic Energy Act of 1954, as amended, and not otherwise inconsistent with NRC's regulations or other applicable laws. Therefore, the requested exemption is authorized by law.

Will Not Endanger Life or Property or the Common Defense and Security

This exemption would, if granted, exempt the licensee from the requirement to repeat volumetric examination as required for the original weld on a 1-inch portion of the repaired weld in ASME Code Section III, Subsection NB, which the licensee is

required to follow by the relevant technical specifications. If would also, if granted, exempt the licensee from the 10 CFR 72.154(b) requirement to have available documentary evidence that material and equipment conform to the procurement specifications prior to installation or use of the material and equipment and to retain or have available this documentary evidence for the life of the ISFSI or spent fuel cask.

The licensee supported this exemption request with a structural evaluation for the MPC and a separate structural analysis, both of which assumed a weld strength reduction factor of 0.8 to account for the missing RT examination. The structural evaluation showed that MPC 248 maintains structural and confinement functions and that, even with the 0.8 weld strength reduction factor, MPC 248 would still meet the ASME Code, Section III, Subsection NB structural analysis requirements. The NRC's review and evaluation of this 0.8 weld strength reduction factor and the licensee's structural analysis for MPC 248 are found in the *Materials Review for the Requested Exemption* and the *Structural Review for the Requested Exemption* section of this notice, respectively.

Review of the Requested Exemption

The HI–STORM FW storage system consists of a sealed metallic multi-purpose canister (MPC) contained within an overpack constructed from a combination of steel and concrete. The HI–STORM FW overpack can be loaded with the MPC containing spent fuel using the HI–TRAC VW transfer cask and prepared for storage while inside the 10 CFR part 50 facility. The HI–TRAC VW transfer cask is required for shielding and protection of the spent fuel during loading and closure of the MPC and during movement of the loaded MPC from the cask loading area of a nuclear plant spent fuel pool to the storage overpack. The MPC enclosure vessels are cylindrical weldments with identical and fixed outside diameters. Each MPC is an assembly consisting of a honeycomb fuel basket, a baseplate, a canister shell, a lid, and a closure ring. The number of spent fuel storage locations in an MPC depends on the type of fuel assembly. The MPC–37 model in use at STPEGS is designed to hold 37 pressurized water reactor fuel assemblies.

The NRC has previously approved the HI–STORM FW storage system in CoC No. 1032, including Amendment No. 2 to the CoC, which is the version of the CoC in use at STPEGS. The requested exemption does not change the fundamental design, components, contents, or safety features of the storage system. The NRC staff has evaluated the applicable potential safety impacts of granting the requested exemption to assess the requested exemption's potential for danger to life or property or the common defense and security; the evaluation and resulting conclusions are presented in this notice. The potential impacts identified for this exemption request were in the areas of materials, structural integrity, and confinement capability. The staff did not identify any potential impacts in the areas of criticality, shielding, and thermal conditions.

Materials Review for the Requested Exemption: The licensee asserted that although MPC 248 does not meet the ASME Code requirements specified in Appendix B, Section 3.3 of the CoC, MPC 248 continues to meet its safety functions. The licensee stated that after the completion of spent fuel loading, drying, and closure welding of MPC 248, Holtec International, the CoC holder, informed the licensee that MPC 248 does not fully meet the requirements in CoC Appendix B. More specifically, the Holtec HI–STORM FW MPC design and certification is based on compliance with ASME Code Section III, with certain approved alternatives. Portions of ASME Code Section III, Subsection NB–5000, require that weld repairs in the MPC confinement boundary be examined to the same criteria as the initial welds. Section III, Subsection NB also requires that 100 percent of the MPC shell-to-baseplate welds be volumetrically examined using RT, in accordance with Section III, NB–5230.

During fabrication, Holtec performed a typical weld repair of the MPC 248 shell-to-baseplate weld after the initial digital RT examination showed a section of the weld had lack of fusion. The weld was excavated to remove the lack-of-fusion defect and a successful liquid penetrant test (PT) examination of the entire excavated area was performed. The dimensions of the excavated area are approximately 9 inches in length by 0.5 inches in width and 0.5 inches in depth (through wall at the defect location). The licensee stated that detailed profile dimensions of the repaired area are not available but referred to Holtec procedures that require a 3-to-1 taper for weld repair excavations. The weld repair was performed using an ASME Code Section IX qualified gas tungsten arc weld procedure and successfully passed a final PT exam. After the PT exam was completed, the unit was reinspected using the same digital RT process used on the original weld, but only 8 inches of the 9-inch length were examined. The missing 1-inch section is located at the end of one side of the excavated area. The licensee stated that the RT on the original weld did not identify weld defects on the end of the excavated area containing this 1-inch portion, but a portion of the weld in this 1-inch section had to be removed to access the defects in the adjacent portion of the shell-to-baseplate weld and allow repair welding to be performed. Following completion of the weld repair, MPC 248 successfully passed a helium leakage test during factory acceptance testing as well as a hydrostatic test performed at STPEGS during loading operations.

According to the licensee, the repairs along the MPC shell-to-base plate weld were completed per Holtec's written procedures. After completing the repairs, Holtec examined the repaired area by PT and determined that the PT examination results met the acceptance criteria of ASME Code Section III, NB–5350. Holtec performed the post-repair RT examination and later determined that the RT examination which met the acceptance criteria of ASME Code Section III, NB–5320 included only 8 of the 9 inches.

The licensee's assertion that MPC 248 continues to meet all its safety functions is based on the following:

- The weld repair was performed in accordance with all Holtec quality procedures.
- MPC 248 has 653 inches of welds in total. Holtec performed an RT examination on all those welds except for the approximately 1-inch section of repaired weld. This 1-inch section is approximately 0.15 percent of the MPC 248 welds. The remaining 99.85 percent of MPC 248's welds were fully inspected.

To support its weld strength reduction factor, the licensee referenced the weld strength reduction factor of 0.8 from NRC Interim Staff Guidance (ISG)—15, ''Materials Evaluation,'' for welded austenitic stainless steel spent fuel storage canisters that are examined using progressive, multiple-layer PT examinations in lieu of a volumetric examination nondestructive examination (NDE) method that is required by ASME Code Section III, Subsection NB.

The licensee also reviewed the requirements in several sections of the ASME code to support its selection of the weld strength reduction factor value from ISG–15. Specifically, the licensee reviewed the joint efficiency values included in ASME Code Section VIII, Division 1 and Section III, Subsection ND. The licensee also reviewed the

quality factor for welded joints in ASME Code Section III, Subsection NG. The licensee also noted that the SA–240 Type 304 stainless steel design stress values applicable to ASME Code Section VIII, Division 1 and Section III, Subsection ND are generally equal to the design stress intensity values applicable to Section III, Subsection NB—which apply to the weld in question—except for minor variances at 300 and 400 degrees Fahrenheit.

The licensee noted that ASME Code Section VIII, Division 1, which governs the design and construction of non-nuclear pressure vessels, specifies that Category C butt joints have a weld efficiency of 0.85 when subject to spot radiography, as specified in ASME Code, Section VIII, Division 1, UW–52. The licensee noted that spot radiography requires a minimum of one 6-inch spot to be RT examined for every 50-foot increment of the weld. The licensee stated that the Category C butt joints are more critical than Category C corner joints, which is the type of joint for the weld in question. The licensee also stated that by comparison, more than 99 percent of the MPC shell-to-baseplate weld was examined by RT, far exceeding the requirement for spot radiography per ASME Code Section VIII, Division 1, UW–52. Therefore, the licensee concluded that a 0.85 value for joint efficiency is conservative for evaluation of MPC 248, making the selected 0.8 value even more conservative.

The licensee noted that ASME Code Section III, Subsection ND, which applies to Class 3 nuclear components, also specifies a joint efficiency of 0.85 for Category C butt welds subject to spot radiography. The licensee stated that the inspection performed on the shell-to-base plate weld for MPC 248 exceeds these minimum ASME Code requirements for spot radiography in ASME Code Section III, Subsection ND because more than 99 percent of the weld was examined by RT.

The licensee also compared the value of the weld strength reduction factor from ISG–15 to the requirements of ASME Code Section III, Subsection NG, which is applicable to core support structures of nuclear facility components. The licensee pointed to Table NG–3352–1, which specifies a quality factor for a welded joint of 0.75 for a full penetration weld subjected to PT for both the root pass and the final pass. The licensee stated that the quality factor for welded joints in Table NG–3352–1 would be overly conservative because more than 99 percent of the shell-to-baseplate weld for MPC 248 was volumetrically examined using RT, 100 percent of the weld received surface examination using PT, and the weld excavation cavity at 3-to-1 taper at the 1-inch weld location received PT. This is discussed in detail in the staff's independent analysis in this notice.

The NRC staff reviewed the information provided by the licensee including: (1) The licensee's comparisons of the weld strength reduction factor to the joint efficiency values based on requirements contained in ASME Code Section VIII, Division 1, and ASME Code Section III, Subsection ND; and to the quality factor for welded joints in ASME Code Section III, Subsection NG; (2) the specific requirements in those ASME Code sections; (3) the guidance in, and applicability of ISG–15; and (4) the information provided by the licensee regarding the weld repair procedures and post-weld repair NDE results.

The staff determined that although the weld strength reduction factors specified in the ASME Code sections cited by the licensee are not applicable to the Holtec HI–STORM FW MPC–37—which was approved using the design and construction requirements in ASME Code, Section III, Subsection NB—the values are conservative with respect to a possible weld strength reduction factor for MPC 248 because more than 99 percent of the shell-to-baseplate weld was examined using RT and 100 percent was examined using PT. As discussed in this notice, the staff calculated two potential weld strength reduction factors, both are which are conservative. Both calculated values are greater than the licensee's 0.8 value, making the licensee's value more conservative. In addition, the staff notes that: (1) Only the fraction of the 1-inch-long three-to-one tapered section of the weld that was removed was not examined by RT after the repair; (2) the portion of the 1-inch weld that remained after excavation at the three-to-one tapered section was volumetrically examined by RT prior to excavation and met the acceptance criteria of ASME Code Section III, NB–5320; (3) 100 percent of the repair weld section was successfully examined by PT both after excavation and after repair; and (4) more than 88 percent of the approximately 9-inch repair weld section was examined using RT. Therefore, the staff concluded that the values of the weld strength reduction factors derived from the ASME Code sections cited by the licensee conservatively bound the reduction in the weld strength of the shell-to-baseplate weld of MPC 248 as a result of possible weld defects in the 1-inch portion of the repair weld that was not examined by RT.

The staff also reviewed the guidance in ISG–15 which states that, if progressive surface examinations (*i.e.,* sequential examinations conducted as a multi-pass weld is deposited) such as multiple layer PT or magnetic particle testing are used for a spent fuel storage canister closure lid weld in lieu of a volumetric examination, a weld strength reduction factor of 0.8 is to be imposed on the weld design to account for imperfections or flaws that may have been missed by the progressive surface examinations. The staff determined that, although the guidance for the use of the weld strength reduction factor in ISG–15 was not intended to be applied for an MPC shell-to-baseplate weld, the value of the weld strength reduction factor from ISG–15 would be conservative for the MPC 248 shell-to-baseplate weld for the same reasons provided for the comparisons of the weld strength reduction factors from the ASME Code sections cited by the licensee and discussed in the previous paragraph. Therefore, the staff concluded that the values of the weld strength reduction factor from ISG–15 conservatively bound the reduction in the weld strength of the shell-to-baseplate weld of MPC 248 as a result of possible buried weld defects in the 1-inch portion of the repair weld that was not examined by RT.

The NRC staff conducted an independent analysis of MPC 248 considering the MPC materials and the design of the shell-to-baseplate weld. The staff's analysis postulated that the portion of the repaired area of the weld that was not subjected to the post-weld repair RT examination includes a buried weld flaw.

The NRC staff used this initial postulate because: (1) The portion of the original weld in the 1-inch section was examined by PT after the weld excavation's completion; and (2) the completed repair weld was also PT-examined. Both of these examinations reveal no surface-breaking flaws, indicating that if a flaw was to exist in that 1-inch section, it would be a buried weld flaw. The staff determined that for the entire shell-to-baseplate weld, the weld strength reduction factor that would be applied to the structural analysis of such a joint to account for a buried weld flaw per the ASME Code would be at least 0.99 because: (1) The entire section of the shell-to-base plate weld and the section of the repair weld that was RT-examined were verified to be free of any relevant flaws; (2) the design of the MPC shell and MPC baseplate are sufficiently thick and provide sufficient stiffness to the MPC shell to prevent significant stress

concentrations for relatively small buried weld flaws; (3) the MPC shell, baseplate, and the shell-to-baseplate weld are all high toughness materials that are not susceptible to brittle fracture; and (4) MPC 248 successfully passed a helium leakage test during factory acceptance testing and a hydrostatic pressure test during the loading operations. This number does not credit the 1-inch section without RT. The NRC staff calculated this number dividing the length of the section that that did not receive RT by the total length of the shell-to-baseplate weld and then subtracting that result from 1. This method produces a weld strength reduction factor that is greater than .99. Given that the licensee's selected weld strength reduction factor of 0.8 is less than this staff-calculated value, the licensee's factor accounts for a greater reduction in weld strength due to a buried flaw.

In addition to the above analysis, the staff conducted a weld strength reduction factor analysis using greater conservatisms. Specifically, the staff assumed a worst-case flaw size that considered information provided by the licensee on the results of the initial RT of the shell-to-baseplate weld; the profile of the weld excavation and the weld repair process; and the NDE conducted after excavation and again after the weld repair was completed. This calculation based the weld strength reduction factor on only the repaired weld rather than the entire shell-to-baseplate weld. In this evaluation, the staff also did not credit the presence of the entire 1-inch repair weld which was not RT-examined post repair. This calculation would be conservative relative to the actual reduction in weld strength because the 1-inch portion of the weld that did not receive post-repair RT was initially examined by RT per ASME Code Section III, NB–5230 and shown to meet the ASME Code Section III, NB–5320 acceptance criteria prior to weld excavation (as previously discussed, this section of the weld is located within the 3-to-1 taper area). Additionally, the weld excavation cavity and post-repair weld were both PT examined per ASME Code Section III, NB–5230 and met the acceptance criteria of ASME Code Section III, NB–5350. In this case, the 1-inch section is 11 percent of the 9-inch repair section. Thus, the same calculation discussed above produces a weld strength reduction factor of 0.89.

Given that the licensee's selected weld strength reduction factor of 0.8 is less than both of the staff-calculated values, it would account for a greater reduction in weld strength due to a buried flaw than either of those values. Therefore, the 0.80 weld strength reduction factor is conservative.

The staff's independent analyses of the weld strength reduction factor for MPC 248 are conservative because: (1) The weld repair procedure with the multi-pass manual gas tungsten arc weld was developed to facilitate a weld repair, provide more control over weld deposition, and minimize the introduction of weld flaws; (2) the 1-inch weld is within the three-to-one taper section of the repair excavation with sound weld metal backing based on the initial RT results and the weld excavation cavity PT results prior to the weld repair; (3) the post-repair weld examinations using PT and RT met the acceptance criteria in ASME Code Section III, NB–5300; (4) any weld repair flaw present in the non-examined RT weld repair section would be limited to the dimensions of the weld repair in the tapered area of the excavation; (5) based on the post-repair PT results, any flaw introduced during repair welding would be embedded in the weld with low stress concentration of little to no significance to structural performance or the confinement function of the MPC; and (6) the staff's analysis was based on a maximum of 1-inch missing weld in the MPC shell-to-baseplate weld.

Based on the points above, any weld flaw present in the 1-inch section that was not examined by RT after the weld repair would be a small relative to the length of that section of the weld. The staff's analysis is conservative because, as stated above, the analysis assumed no credit for the entire portion of the weld that was not examined by RT after the repair. Because the licensee's 0.8 weld strength reduction factor is more conservative than the values of the weld strength reduction factor the staff calculated, the staff's independent analysis shows that the weld strength reduction factor of 0.8 used by the licensee is sufficient to account for the possible presence of non-surface breaking flaws in the portion of the repair weld that was not subjected to post-repair volumetric examination. Therefore, the staff finds the 0.8 weld strength reduction factor acceptable. The licensee's structural analysis using this weld strength reduction factor is analyzed in this notice.

Evaluation Findings of Materials Review: As a result of the analyses discussed above, the NRC staff finds that the weld strength reduction factor provided by the licensee is sufficient to account for the presence of undetected flaws that may be present in the shell-to-baseplate weld of MPC 248, loaded under CoC No. 1032, Amendment No. 2. Therefore, the use of a 0.8 weld strength reduction factor in the structural evaluation would not endanger life or property or the common defense and security if the requested exemption were granted.

Structural Review for the Requested Exemption: The staff's structural review focused on the re-analysis of the shell-to-baseplate weld, as provided in Enclosure 2 (proprietary), ''HI–STORM FW MPC Stress Analysis,'' of the exemption request, to verify that the safety function of the MPC is maintained after considering a weld strength reduction factor to the allowable stress values used as design criteria. As discussed above, the licensee applied a weld strength reduction factor in its analysis to account for imperfections or flaws that may be missed for the 1-inch weld portion without post-repair RT.

Re-Analysis of the Shell-to-Baseplate Weld: The HI–STORM FW Final Safety Analysis Report (FSAR), HOLTEC Report No. HI–2114830, Table 10.1.4, ''HI–STORM FW MPC NDE Requirements,'' establishes the weld acceptance criteria that provide reasonable assurance that the weld will perform its design function under all loading conditions as defined in ASME Code, Section III, Subsection NB. In accordance with Appendix B, Section 3.3, ''Codes and Standards,'' of CoC No. 1032, the HI–STORM FW MPC–37 must meet the 2007 Edition of the ASME Code. The ASME Code Section III, Subsection NB, states, in part, that ''examination of a weld repair shall be repeated as required for the original weld.'' For original welds, it is required that 100 percent of the weld seam joining the baseplate to the shell of the canister be examined by RT. Since the unexamined portion of the repair weld is not in conformance with the ASME Code requirements described in the CoC, the licensee's structural evaluation seeks to demonstrate that the use of the affected MPC 248 will not adversely impact its structural safety function after considering a weld strength reduction factor used to account for the non-conformance condition.

As discussed above in the materials review of the requested exemption, the staff concluded that the licensee's weld strength reduction factor of 0.8 (*i.e.,* an overall 20 percent reduction in the allowable stress) is sufficient to account for potential imperfections or flaws that may have been missed by an incomplete RT when considering the size of the unexamined portion of the repair weld. The licensee applied this weld strength reduction factor to the allowable stress intensity used in the five load cases

identified as the governing load combinations for the MPC 248 shell-to-baseplate weld per the HI–STORM FW FSAR (HOLTEC Report No. HI–2114830, Revision 5) to re-evaluate the safety factors that are available and demonstrate that the design function will be maintained. The five load cases are as follows: The design condition with a 120 pounds per square inch gauge (psig) normal internal pressure only to bound short-term normal operations (Case 1), an accident condition with a 200 psig accident internal pressure (Case 2), a short-term MPC lifting operation with a 120 psig operating internal pressure plus weight of the contents (Case 3), an off-normal condition with a 120 psig off-normal internal pressure plus bounding off-normal temperature contours (Case 4), and a design basis short-term operation with a 120 psig internal pressure plus bounding short-term operation temperature contours (Case 5). By comparing the reduced allowable stress of each loading condition to the resultant stress obtained from the finite element analysis performed by the licensee in the structural analysis of the HI–STORM FW system (Holtec Report HI–2094418, Revision 20), the licensee calculated a new safety factor for each loading condition. The analysis demonstrated that the shell-to-baseplate weld maintains a safety factor above 1.0 for all loading conditions and that sufficient design margin remains to accommodate the resultant stress from each loading condition even with the reduced stress allowable used to account for potential imperfections or flaws in the repaired weld. The licensee further stated that, in addition to the weld strength reduction factor, the analysis also retains several conservatisms from the existing FSAR design basis analysis, such as using bounding pressures, temperatures, and temperature contours.

While the NRC staff is not basing its conclusions on these conservatisms, the NRC staff notes that the use of these conservative values in the analysis demonstrate that additional design margin remains available to accommodate resultant stress.

Evaluation Findings of Structural Review: The NRC staff reviewed the analysis performed in Enclosure 2 (proprietary) of the exemption request for the MPC shell-to-baseplate weld and finds that the licensee evaluation demonstrates that a safety factor greater than 1.0 is maintained (*i.e.,* calculated stresses remain below the allowable stress intensities with the reduction factor) for all normal, off-normal, and accident conditions after the stress allowable for each load case is reduced by 20 percent to account for imperfections or flaws that may be missed due to the non-conforming weld inspection. The staff notes that the use of a weld strength reduction factor to the allowable stress values is similar to other approved alternatives to the ASME code examination requirements as described in NUREG–2215, ''Standard Review Plan for Spent Fuel Dry Storage Systems and Facilities,'' to account for imperfections or flaws that may be missed by other examinations. While the alternatives described in NUREG–2215 are not applicable to this weld, as discussed above in the materials section, the NRC finds their use acceptable in this instance. During its review, the staff also verified that the licensee has properly applied the weld strength reduction factor of 0.8 to applicable allowable stress values for the design criteria. The staff also notes that no potential for stress cycling is expected at the unexamined portion of the repair. As discussed in Section 3.1.2.5 of CoC No. 1032 FSAR, fatigue failure is not a credible concern for the MPC since it is not an active system (*i.e.,* no moving parts) and is not subject to significant stress cycling due to rapid temperature changes or significant pressure changes. Therefore, there is no credible concern of fatigue failure if any flaw introduced during the weld repair is considered.

As set forth above, the licensee has demonstrated that the shell-to-baseplate weld for MPC 248, loaded under CoC No. 1032, Amendment No. 2, is capable of maintaining its structural integrity and performing its safety function under normal, off-normal, and accident conditions. Therefore, the staff concludes that the structural properties of MPC 248, as addressed in the exemption request, remain in compliance with 10 CFR part 72, and therefore, from a structural perspective, this exemption, if granted, would not endanger life or property or the common defense and security.

Confinement Review for the Requested Exemption: The licensee stated on page 1 of Enclosure 1 of its exemption request that MPC 248 successfully passed a helium leakage test during factory acceptance testing following completion of the weld repair, as well as a hydrostatic test which was performed at STPEGS during loading operations. According to the licensee, the helium leakage test performed on MPC 248 was in conformance with the FSAR and the applicable Technical Specifications for the HI–STORM FW storage system and satisfied the ''leaktight'' criteria in ANSI N14.5–1997.

Evaluation Findings of Confinement Review: The staff found that, because MPC 248 successfully passed a helium leakage test during a fabrication acceptance test following completion of the weld repair, the MPC meets the leaktight criteria of ANSI N14.5–1997. Further, MPC 248 passed a hydrostatic test performed at STPEGS during loading operations, which provides further evidence of no discernable leakage from this MPC at the time of loading. The staff therefore concludes that MPC 248 meets the regulatory requirements for confinement in 10 CFR part 72 and, therefore, the weld repair completed on MPC 248 has had no effect on the confinement performance of the MPC in question. Consequently, from a confinement perspective, this exemption, if granted, would not endanger life or property or the common defense and security.

Conclusion Regarding Deviation from Weld Inspection Requirement: As noted above, the NRC staff did not identify any potential effects on criticality, shielding, and thermal conditions. Therefore, based on that fact and the above discussions, the NRC staff concludes that an exemption exempting the licensee from the requirement to repeat volumetric examination for the 1-inch portion of the repaired weld, if granted, would not endanger life or property or the common defense and security.

Record Keeping Provision Evaluation: As noted above, the licensee also requested an exemption from the 10 CFR 72.154(b) requirement to have available documentary evidence that material and equipment conform to the procurement specifications prior to installation or use of the material and equipment and to retain or have available this documentary evidence for the life of the ISFSI or spent fuel cask. The records covered by the requested exemption are the records detailing the results for the RT discussed above. As previously detailed, the NRC staff has concluded that exempting the licensee from the requirement to repeat volumetric examination as required for the original weld on a 1-inch portion of the repaired weld would not endanger life or property or the common defense and security. If not performing the RT does not endanger life or property or the common defense and security, it follows that not retaining records of those test results would also not endanger life or property or the common defense and security. Therefore, the NRC staff finds that the requested exemption from 10 CFR 72.154(b), if granted, would not

endanger life or property or the common defense and security.

Otherwise in the Public Interest

In considering whether granting the requested exemption is in the public interest, the NRC staff considered the alternative of not granting the requested exemption. If the requested exemption were not granted, in order to comply with the CoC, MPC 248 would need to be opened and unloaded, the contents loaded in new MPC, and the new MPC welded and tested. This option would entail a higher risk of canister handling accidents, additional personnel exposure, and greater cost to the licensee. This option would also generate additional radioactive contaminated material and waste from operations. For example, the lid would have to be removed, which would generate cuttings from removing the weld material that could require disposal as contaminated material. This radioactive waste would be transported and ultimately disposed of at a qualified low-level radioactive waste disposal facility, potentially exposing it to the environment.

Further, data subject to the requested exemption from 10 CFR 72.154(b) is the data that comes from the test from which the licensee is being exempted. Without the data from the test, the licensee cannot satisfy 10 CFR 72.154(b). Thus, granting an exemption from the test requirements but not from the record-keeping requirement would still force the license to open and unload MPC 248, load the contents in new MPC, and weld and test the new MPC, meaning all the potential negative effects would still occur.

Based on the above, approving the requested exemption reduces the opportunity for a release of radioactive material compared to the alternative to the proposed action because there will be no operations involving the opening of the MPC that confines the spent nuclear fuel, potentially exposing radioactive waste to the environment. It will also generate less radioactive waste for disposal. Thus, the proposed exemption is consistent with NRC's mission to protect public health and safety. Therefore, the requested exemption is otherwise in the public interest.

Environmental Consideration

The NRC staff also considered in the review of this exemption request whether there would be any significant environmental impacts associated with the exemption. The NRC staff determined that this proposed action fits a category of actions that do not require an environmental assessment or environmental impact statement. Specifically, the requested exemption meets the categorical exclusion in 10 CFR 51.22(c)(25).

Granting an exemption from 10 CFR 72.212(a)(2), 10 CFR 72.212(b)(3), 10 CFR 72.212(b)(5)(i), 10 CFR 72.212(b)(11), and 10 CFR 72.214 would only relieve the licensee from the inspection requirement found in TS 3.3 of Attachment B of CoC No. 1032. With this requested exemption, the licensee would be exempt from the requirement to repeat volumetric examination as required for the original weld on a 1-inch portion of the repaired weld joining the canister baseplate to the canister shell of the HI–STORM FW MPC 248. Granting an exemption from 10 CFR 72.154(b) only relieves the licensee from the recordkeeping requirement associated with retaining and having available documentary evidence of a complete volumetric examination of the subject weld. A categorical exclusion for inspection requirements is provided under 10 CFR 51.22(c)(25)(vi)(C), and a categorical exclusion for recordkeeping requirements is provided under 10 CFR 51.22(c)(25)(A). In both cases, the criteria in 10 CFR 51.22(c)(25)(i)–(v) must also be satisfied.

In its review of the exemption request, the NRC staff determined, that, in accordance with 10 CFR 51.22(c)(25): (i) Granting the exemption does not involve a significant hazards considerations because granting the exemption neither reduces a margin of safety, creates a new or different kind of accident from any accident previously evaluated, nor significantly increases either the probability or consequences of an accident previously evaluated; (ii) granting the exemption would not produce a significant change in either the types or amounts of any effluents that may be released offsite because the requested exemption neither changes the effluents nor produces additional avenues of effluent release; (iii) granting the exemption would not result in a significant increase in either occupational radiation exposure or public radiation exposure, because the requested exemption neither introduces new radiological hazards nor increases existing radiological hazards; (iv) granting the exemption would not result in a significant construction impact, because there are no construction activities associated with the requested exemption; and (v) granting the exemption would not increase either the potential for or consequences from radiological accidents because, even with the exemption, the canister will still be bounded by the FSAR analysis and will remain leaktight, and the exemption creates no new accident precursors at the STP ISFSI. Finally, as previously noted this exemption request involves recordkeeping requirements and inspection requirements under 10 CFR 51.22(c)(25)(A) and (C), respectively. Accordingly, the requested exemption meets the criteria for a categorical exclusion in 10 CFR 51.22(c)(25)(vi)(C).

IV. Availability of Documents

The documents identified in the following table are available to interested persons through one or more of the previously described methods.

Document	ADAMS accession No.
South Texas Project, Units 1 and 2, Docket Nos. 50–498; 50–499; 72–1041, Independent Spent Fuel Storage Installation, Request for Exemption from Certificate of Compliance, Inspection Requirement for One Multipurpose Canister, dated March 11, 2022.	ML22070B140
Request for Additional Information for Review of the South Texas Project Electric Generating Station Independent Spent Fuel Storage Installation, License No. SNM–2514, dated March 31, 2022.	ML22089A085
South Texas Project, Units 1 and 2, Docket Nos. 50–498; 50–499; 72–1041, Independent Spent Fuel Storage Installation, Supplement to Request for Exemption from Certificate of Compliance (CoC) Inspection Requirement for One Multipurpose Canister, dated April 1, 2022.	ML22091A308
Spent Fuel Project Office Interim Staff Guidance–15, Materials Evaluation, Revision 0, January 10, 2001	ML010100170
Issuance of Certificate of Compliance No. 1032, Amendment No. 2 for the HI–STORM Flood/Wind Multipurpose Canister Storage System.	ML16280A008 *
CoC No. 1032, Amendment No. 2 [Letter to K. Manzione re: Issuance of Certificate of Compliance No. 1032, Amendment No. 2 for the HI–STORM Flood/Wind Multipurpose Canister Storage System].	ML16280A017

Document	ADAMS accession No.
Certificate of Compliance No. 1032, Appendix B [Letter to K. Manzione re: Issuance of Certificate of Compliance No. 1032, Amendment No. 2 for the HI–STORM Flood/Wind Multipurpose Canister Storage System].	ML16280A019
HI–2114830, Rev. 5, ''Final Safety Analysis Report on the HI–STORM FW FSAR MPC Storage System''	ML17179A444
NUREG–2215, ''Standard Review Plan for Spent Fuel Dry Storage Systems and Facilities''	ML20121A190

* (Package).

V. Conclusion

Based on the foregoing considerations, the NRC staff has determined that, pursuant to 10 CFR 72.7, the exemption is authorized by law, will not endanger life or property or the common defense and security, and is otherwise in the public interest. Therefore, the NRC grants the licensee an exemption from the requirements of 10 CFR 72.212(a)(2), 10 CFR 72.212(b)(3), 10 CFR 72.212(b)(5)(i), 10 CFR 72.212(b)(11), and 10 CFR 72.214 only with regard to meeting the requirement to repeat volumetric examination as required for the original weld on a 1-inch portion of the repaired weld in conformance with Section III, Subsection NB, of the ASME Code, 2007 Edition, and 10 CFR 72.154(b) only with regard to maintaining and having available documentary evidence of the test for the service life of the canister.

This exemption is effective upon issuance.

Dated: April 25, 2022.

For the Nuclear Regulatory Commission.

Yoira K. Diaz-Sanabria,

Chief, Storage and Transportation Licensing Branch, Division of Fuel Management, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 2022–09171 Filed 4–28–22; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2022–0001]

Sunshine Act Meetings

TIME AND DATE: Weeks of May 2, 9, 16, 23, 30, June 6, 2022. The schedule for Commission meetings is subject to change on short notice. The NRC Commission Meeting Schedule can be found on the internet at: *https://www.nrc.gov/public-involve/public-meetings/schedule.html.*

PLACE: The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings or need this meeting notice or the transcript or other information from the public meetings in another format (*e.g.,* Braille, large print), please notify Anne Silk, NRC Disability Program Specialist, at 301–287–0745, by videophone at 240–428–3217, or by email at *Anne.Silk@nrc.gov.* Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

STATUS: Public.

Members of the public may request to receive the information in these notices electronically. If you would like to be added to the distribution, please contact the Nuclear Regulatory Commission, Office of the Secretary, Washington, DC 20555, at 301–415–1969, or by email at *Wendy.Moore@nrc.gov* or *Betty.Thweatt@nrc.gov.*

MATTERS TO BE CONSIDERED:

Week of May 2, 2022

There are no meetings scheduled for the week of May 2, 2022.

Week of May 9, 2022—Tentative

Tuesday, May 10, 2022

9:00 a.m. Strategic Programmatic Overview of the Fuel Facilities and the Spent Fuel Storage and Transportation Business Lines (Public) (Contact: Kellee Jamerson: 301–415–7408)

Additional Information: The meeting will be held in the Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland. The public is invited to attend the Commission's meeting live by webcast at the Web address—*https://video.nrc.gov/.*

Thursday, May 12, 2022

10:00 a.m. Briefing on Advanced Reactors Activities with Federal Partners (Public) (Contact: Caty Nolan: 301–415–1535)

Additional Information: The meeting will be held in the Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland. The public is invited to attend the Commission's meeting live by webcast at the Web address—*https://video.nrc.gov/.*

Week of May 16, 2022—Tentative

There are no meetings scheduled for the week of May 16, 2022.

Week of May 23, 2022—Tentative

There are no meetings scheduled for the week of May 23, 2022.

Week of May 30, 2022—Tentative

Wednesday, June 1, 2022

10:00 a.m. Transformation at the NRC—Sustaining Progress as Modern, Risk-Informed Regulator (Public) (Contact: Aida Rivera-Varona: 301–415–4001)

Additional Information: The meeting will be held in the Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland. The public is invited to attend the Commission's meeting live by webcast at the Web address—*https://video.nrc.gov/.*

Friday, June 3, 2022

10:00 a.m. Meeting with Advisory Committee on Reactor Safeguards (Public) (Contact: Larry Burkhart: 301–287–3775)

Additional Information: The meeting will be held in the Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland. The public is invited to attend the Commission's meeting live by webcast at the Web address—*https://video.nrc.gov/.*

Week of June 6, 2022—Tentative

There are no meetings scheduled for the week of June 6, 2022.

CONTACT PERSON FOR MORE INFORMATION: For more information or to verify the status of meetings, contact Wesley Held at 301–287–3591 or via email at *Wesley.Held@nrc.gov.*

The NRC is holding the meetings under the authority of the Government in the Sunshine Act, 5 U.S.C. 552b.

Dated: April 27, 2022.

For the Nuclear Regulatory Commission.

Wesley W. Held,

Policy Coordinator, Office of the Secretary.

[FR Doc. 2022–09356 Filed 4–27–22; 4:15 pm]

BILLING CODE 7590–01–P

OFFICE OF PERSONNEL MANAGEMENT

Comment Request for Review of a Generic Information Collection: Program Services Evaluation Surveys

AGENCY: Office of Personnel Management.

ACTION: 30-Day notice and request for comments.

SUMMARY: The Office of Personnel Management (OPM) intends to submit to the Office of Management and Budget (OMB) a request for review of a currently approved collection, *Program Services Evaluation Surveys,* as a Generic Collection. Approval of the Program Services Evaluation Surveys is necessary to collect information on Federal agency and program performance, climate, engagement, leadership effectiveness, and give OPM the ability to customize each survey based on client requirements.

DATES: Comments are encouraged and will be accepted until May 31, 2022.

ADDRESSES: Interested persons are invited to submit written comments on the proposed information collection. You may submit comments, identified by docket number and/or Regulatory Information Number (RIN) and title via the Federal Rulemaking Portal: *http://www.regulations.gov.* Follow the instructions for submitting comments. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION, CONTACT: A copy of this information collection request, with applicable supporting documentation, may be obtained by contacting Human Resources Solutions/HR Strategy and Evaluation Solutions, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415, Attention: Bernard J. Nickels, Ph.D., or via email to *Organizational_Assessment@opm.gov*.

SUPPLEMENTARY INFORMATION: As required by the Paperwork Reduction Act of 1995, (Pub. L. 104–13, 44 U.S.C. chapter 35) as amended by the Clinger-Cohen Act (Pub. L. 104–106), OPM is soliciting comments for this collection. The information collection was previous published in the **Federal Register** on February 15, 2022, at 87 FR 8618 allowing for a 60-day public comment period. No comments were received for this information collection (OMB No. 3206–0252). The purpose of this notice is to allow an additional 30-days for public comments. Comments are particularly invited on:

1. Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

2. Whether our estimate of the public burden of this collection is accurate, and based on valid assumptions and methodology; and

3. Ways in which we can minimize the burden of the collection of information on those who are to respond, through the use of the appropriate technological collection techniques or other forms of information technology.

OPM's Human Resources Strategy and Evaluation Solutions performs assessment and related consultation activities for Federal agencies on a reimbursable basis. The assessments are authorized by various statutes and regulations: Section 4702 of Title 5, U.S.C.; E.O. 12862; E.O. 13715; Section 1128 of the National Defense Authorization Act for Fiscal Year 2004, Public Law 108–136; 5 U.S.C. 1101 note, 1103(a)(5), 1104, 1302, 3301, 3302, 4702, 7701 note; E.O. 13197, 66 FR 7853, 3 CFR 748 (2002); E.O. 10577, 12 FR 1259, 3 CFR, 1954–1958 Comp., p. 218; and Section 4703 of Title 5, United States Code.

This collection request includes surveys we currently use and plan to use during the next three years to measure agency performance, climate, engagement, and leadership effectiveness. OMB No. 3206–0252 covers a broad range of surveys all focused on improving organizational performance. Non-Federal respondents will almost never receive more than one of these surveys. All of these surveys consist of Likert-type, mark-one, and mark-all-that-apply items, and may include a small number of open-ended comment items. The surveys included under OMB No. 3206–0252 are almost always administered electronically.

Analysis

Agency: Human Resources Strategy and Evaluation Solutions, Office of Personnel Management.

Title: Program Services Evaluation Surveys.

OMB: 3206–0252.

Frequency: On occasion.

Affected Public: Government contractors and individuals.

Number of Respondents: Approximately 78,780.

Estimated Time per Respondent: 12 minutes.

Total Burden Hours: 15,756 hours.

Office of Personnel Management

Kellie Cosgrove Riley,

Director, Office of Privacy and Information Management.

[FR Doc. 2022–09165 Filed 4–28–22; 8:45 am]

BILLING CODE 6325–43–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No. FAA–2021–1161]

Agency Information Collection Activities: Requests for Comments; Clearance of a Renewed Approval of Information Collection: Flight and Duty Limitations and Rest Requirements—Flightcrew Members

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FAA invites public comments about our intention to request the Office of Management and Budget (OMB) approval to renew an information collection. The **Federal Register** Notice with a 60-day comment period soliciting comments on the following collection of information was published on December 20, 2021. The collection involves reporting exceeded flight duty periods and flight times, including scheduled maximum and actual flight duty periods and flight times, basic flight information (*e.g.,* city pairs, departure times, flight number), and reason for exceedance. Reporting and recordkeeping are required any time a certificated air carrier has exceeded a maximum daily flight time limit or a maximum daily Flight Duty Period (FDP) limit. It is also required for the voluntary development of a Fatigue Risk Management System (FRMS), and for fatigue training. The information is necessary to monitor trends in exceedance and possible underlying systemic causes requiring operator action, and to determine whether operator is scheduling realistically.

DATES: Written comments should be submitted by May 31, 2022.

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: Chester Piolunek, Jr. by email at: *Chester.Piolunek@faa.gov;* phone: 202–267–3711.

SUPPLEMENTARY INFORMATION:

Public Comments Invited: You are asked to comment on any aspect of this information collection, including (a)

Whether the proposed collection of information is necessary for FAA's performance; (b) the accuracy of the estimated burden; (c) ways for FAA to enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information.

OMB Control Number: 2120–0751.

Title: Flight and Duty Limitations and Rest Requirements—Flightcrew Members.

Form Numbers: None.

Type of Review: Renewal of an information collection.

Background: The **Federal Register** Notice with a 60-day comment period soliciting comments on the following collection of information was published on December 20, 2021 (86 FR 72026). The FAA collects reports from air carriers conducting passenger operations certificated under 14 CFR part 121 as prescribed in 14 CFR part 117 Flightcrew Member Duty and Rest Requirements, §§§ 117.11, 117.19, and 117.29. Air carriers are required to submit a report of exceeded flight duty periods and flight times, including scheduled maximum and actual flight duty periods and flight times, basic flight information (*e.g.,* city pairs, departure times, flight number), and reason for exceedance. The purpose for the reports is to notify the FAA that the certificate holder has extended a flight time and/or FDP limitation. This information enables FAA to monitor trends in exceedance and possible underlying systemic causes requiring operator action as well as determine whether operators are scheduling realistically. Additionally, if air carriers choose to develop a Fatigue Risk Management System (FRMS) under § 117.7 they are required to collect data specific to the need of the operation for which they will seek an FRMS authorization. It results in an annual recordkeeping and reporting burden when carriers adopt the system because they need to report the related activities to the FAA. Each air carrier is also required to develop specific elements and incorporate these elements into their training program (§ 117.9). Once the elements have been incorporated, the air carrier must submit the revised training program for approval.

Respondents: 47 Air Carriers.

Frequency: On Occasion.

Estimated Average Burden per Response: Varies by Requirement.

Estimated Total Annual Burden: 30,954 Hours.

Issued in Washington, DC, on April 26, 2022.

Sandra L. Ray,

Aviation Safety Inspector, AFS–260.

[FR Doc. 2022–09247 Filed 4–28–22; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Notice of Final Federal Agency Actions on the Chesapeake Bay Crossing Study Tier 1 Environmental Impact Statement (EIS) in Maryland

AGENCY: Federal Highway Administration (FHWA), Department of Transportation (DOT).

ACTION: Notice of limitation on claims for judicial review of actions by FHWA.

SUMMARY: This notice announces actions taken by FHWA that are final. These actions relate to the Chesapeake Bay Crossing Study: Tier 1 NEPA (Bay Crossing Study) conducted to identify a corridor for a new crossing of the Chesapeake Bay in Maryland. The public is advised that FHWA issued a Record of Decision (ROD) which concludes the Tier 1 Bay Crossing Study. The ROD is combined with the Bay Crossing Study Tier 1 Final Environmental Impact Statement (EIS) prepared by FHWA and the Maryland Transportation Authority (MDTA).

DATES: By this notice, FHWA is advising the public of final agency actions subject to 23 U.S.C. 139(l)(1). A claim seeking judicial review of the Federal agency actions on the Tier 1 Bay Crossing Study will be barred unless the claim is filed on or before September 26, 2022. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such claim, then that shorter time period still applies.

ADDRESSES: The Tier 1 Bay Crossing Study Final EIS and ROD is available online at *www.baycrossingstudy.com.* Hard copies of the Tier 1 Bay Crossing Study Final EIS and ROD are also available at the following libraries during normal library hours from April 29, 2022 to May 31, 2022: Broadneck Library, 1275 Green Holly Drive, Annapolis, MD 21409, 410–222–1905; Centreville Branch, 121 South Commerce Street, Centreville, MD 21617, 410–758–0890; Chestertown Branch, Kent County Public Library, 408 High Street, Chestertown, MD 21620, 410–778–3636; Crofton Library, 1681 Riedel Road, Crofton, MD 21114, 410–222–7915; Deale Library, 5940 Deale-Churchton Road, Deale, MD 20751, 410–222–1925; Easton Library, 100 W Dover St., Easton, MD 21601, 410–822–1626; Edgewater Library, 25 Stepneys Lane, Edgewater, MD 21037, 410–222–1538; Kent Island Branch, 200 Library Circle, Stevensville, MD 21666, 410–643–8161; Michael E. Busch Annapolis Library, 1410 West Street, Annapolis, MD 21401, 410–222–1750; Mountain Road Library, 4730 Mountain Road, Pasadena, MD 21122, 410–222–6699; Severna Park Library, 45 West McKinsey Road, Severna Park, MD 21146, 410–222–6290; St. Michaels Library, 106 Fremont Street, St. Michaels, MD 21663, 410–745–5877; and Twin Beaches Branch, 3819 Harbor Road, Chesapeake Beach, MD 20732, 410–257–2411.

FOR FURTHER INFORMATION CONTACT: For FHWA, Ms. Jeanette Mar, Environmental Program Manager, Maryland Division, Federal Highway Administration, George H. Fallon Building, 31 Hopkins Plaza, Suite 1520, Baltimore, Maryland 21201, Email: *jeanette.mar@dot.gov,* telephone: (410) 779–7152. Regular office hours are from 8 a.m. to 5 p.m. (Eastern Time), Monday through Friday, except for Federal holidays. For MDTA, Ms. Heather Lowe, Project Manager, Maryland Transportation Authority, Division of Planning and Program Development, 2310 Broening Highway, Baltimore, Maryland 21224, Email: *hlowe@mdta.state.md.us,* telephone: (410) 537–5665. Regular office hours are from 8 a.m. to 5 p.m. (Eastern Time), Monday through Friday. Project information can be obtained from the project website at: *www.baycrossingstudy.com.*

SUPPLEMENTARY INFORMATION: Notice is hereby given that FHWA and the MDTA, in cooperation with the U.S. Army Corps of Engineers, U.S. Environmental Protection Agency, U.S. Coast Guard, National Marine Fisheries Service, Maryland Department of the Environment, Maryland Department of Natural Resources, and the Maryland Department of Transportation State Highway Administration prepared a Tier 1 Bay Crossing Study EIS in accordance with the National Environmental Policy Act (NEPA); the Council on Environmental Quality regulations implementing NEPA (40 CFR parts 1500 through 1508), FHWA's regulations implementing NEPA (23 CFR part 771), and Section 4(f) (23 CFR part 774). The Tier 1 Bay Crossing Study considered corridors for providing additional capacity and access across the Chesapeake Bay in order to improve mobility, travel reliability, and safety at the existing William Preston Lane, Jr. Memorial (Bay) Bridge. The Tier 1 Bay Crossing Study evaluated potential new

corridor alternatives, including an assessment of existing and potentially expanded transportation infrastructure needed to support additional capacity, improve travel times, and accommodate maintenance activities, while considering financial viability and environmental responsibility. The Tier 1 Bay Crossing Study EIS identified Corridor 7 as the Preferred Corridor Alternative that best meets the Tier 1 Study Purpose and Need. FHWA concurred with the selection of Corridor 7 and issued a ROD for the Tier 1 Bay Crossing Study EIS on April 14, 2022. The ROD, together with the Tier 1 Bay Crossing Study EIS pursuant to 49 U.S.C. 304a(b), 23 U.S.C. 139(n)(2), and 23 CFR 771.124, identifies and discusses all such factors that FHWA and MDTA balanced in making the decision for the Tier 1 EIS study. The ROD concludes the Tier 1 NEPA process by formally selecting Corridor 7 as the Selected Corridor Alternative that would advance into a future Tier 2 NEPA study.

The Selected Corridor Alternative, Corridor 7, is a two-mile wide corridor that follows the existing road network along US 50/301 from west of the Severn River on the Western Shore of the Chesapeake Bay to the US 50/301 split on the Eastern Shore. This location includes the existing William Preston Lane Jr. Memorial (Bay) Bridge. The analysis of traffic, engineering, cost, and environmental considerations indicated that Corridor 7 would have substantial advantages over the other Corridor Alternatives Retained for Analysis (CARA), Corridors 6 and 8. The selected alternative identifies the general (corridor) location for future improvements. The specific alignment of a potential new crossing has not been defined in the Tier 1 Bay Crossing Study. The FHWA and MDTA would need to complete a Tier 2 NEPA engineering and environmental study before any construction could occur.

The actions by FHWA on this study, and the laws under which such actions were taken, are described in the combined Tier 1 Final EIS and ROD and in other documents completed as part of the study. The Tier 1 Final EIS and ROD and other documents related to study approvals are available on the Bay Crossing Study website provided in the **ADDRESSES** section of this notice, or by contacting FHWA or MDTA at the addresses provided in the **FOR FURTHER INFORMATION CONTACT** section of this notice.

This notice applies to all Federal agency decisions as of the issuance date of this notice, and all laws under which such actions were taken, including but not limited to:

1. *General:* National Environmental Policy Act (NEPA) [42 U.S.C. 4321–4351]; Federal-Aid Highway Act [23 U.S.C. 109, 23 U.S.C. 128, and 23 U.S.C. 139].

2. *Air:* Clean Air Act [42 U.S.C. 7401–7671(q)].

3. *Land:* Section 6(f) of the Land and Water Conservation Fund Act of 1965 [16 U.S.C. 4601]; Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303]; Farmland Protection Policy Act [7 U.S.C. 4201–4209].

4. *Wildlife:* Endangered Species Act [16 U.S.C. 1531–1544 and Section 1536]; Fish and Wildlife Coordination Act [16 U.S.C. 661–667(d)]; Migratory Bird Treaty Act [16 U.S.C. 703–712].

5. *Historic and Cultural Resources:* Section 106 of the National Historic Preservation Act of 1966 [54 U.S.C. 306108].

6. *Social and Economic:* Civil Rights Act of 1964 [42 U.S.C. 2000(d)–2000(d)(1)]; Uniform Relocation Assistance and Real Property Acquisition Act of 1970 [42 U.S.C. 61].

7. *Wetlands and Water Resources:* Clean Water Act [33 U.S.C. 1251–1376].

8. *Hazardous Materials:* Comprehensive Environmental Response, Compensation, and Liability Act [42 U.S.C. 9601–9675].

9. *Executive Orders:* E.O. 11514 Protection and Enhancement of Environmental Quality; E.O. 11988 Floodplain Management; E.O. 11990 Protection of Wetlands; E.O. 12898 Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations; E.O. 13112 Invasive Species; E.O. 13175 Consultation and Coordination with Indian Tribal Governments; E.O. 13186 Responsibilities of Federal Agencies to Protect Migratory Birds.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Authority: 23 U.S.C. 139(*l*)(1).

Issued on: April 22, 2022.

Gregory Murrill,

Division Administrator, Baltimore, Maryland.

[FR Doc. 2022–09150 Filed 4–28–22; 8:45 am]

BILLING CODE 4910–RY–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket Number MARAD–2022–0093]

Request for Comments on the Renewal of a Previously Approved Information Collection: Mariner Cadet Training-Agreements, Compliance Reporting, and Audits

AGENCY: Maritime Administration, DOT.

ACTION: Notice and request for comments.

SUMMARY: The Maritime Administration (MARAD) invites public comments on our intention to request the Office of Management and Budget (OMB) approval for a currently approved emergency information collection. Before a Federal agency can collect certain information from the public, it must receive approval from OMB. Under procedures established by the Paperwork Reduction Act of 1995, before seeking OMB approval, Federal agencies must solicit public comment on proposed collection of information, including extensions and reinstatements of previously approved collections. This document described a collection of information for which MARAD intends to seek OMB approval.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD–2022–0093 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Search MARAD–2022–0093 and follow the instructions for submitting comments.
- *Fax:* 1–202–493–2251.
- *Mail or Hand Delivery:* The Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is U.S. Department of Transportation, MARAD–2022–0093, 1200 New Jersey Avenue SE, West Building, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Instructions: All submissions must include the agency name and docket number for this rulemaking.

Note: All comments received will be posted without change to *www.regulations.gov* including any personal information provided.

Comments are invited on: (a) Whether the proposed collection of information is necessary for the Department's performance; (b) the accuracy of the estimated burden; (c) ways for the Department to enhance the quality,

utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

Electronic Access and Filing

A copy of the notice may be viewed online at *www.regulations.gov* using the docket number listed above. A copy of this notice will be placed in the docket. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year. An electronic copy of this document may also be downloaded from the Office of the Federal Register's website at *www.FederalRegister.gov* and the Government Publishing Office's website at *www.GovInfo.gov.*

FOR FURTHER INFORMATION CONTACT: Chris Wahler, Director of Maritime Labor and Training, (202) 366–5469 or via email at *EMBARC@dot.gov.*

SUPPLEMENTARY INFORMATION:

Title: Mariner Cadet Training-Agreements, Compliance Reporting, and Audits.

OMB Control Number: 2133–0553.

Type of Request: Renewal of a Previously Approved Information Collection.

Abstract: In accordance with its delegation of authority at 49 CFR 1.93(a), and pursuant to 46 U.S.C. 50101(a)(4), the Maritime Administration (MARAD) is charged with ensuring that the United States Merchant Marine is manned with trained and efficient citizen personnel. Furthermore, 46 U.S.C. 51322 requires MARAD to protect cadet mariners from sexual assault onboard vessels and in so doing, to set sexual assault policy and to conduct random and targeted unannounced checks of commercial vessels.

MARAD needs to obtain information from commercial vessel operators in order to meet its statutory objective of setting sexual assault policy and monitoring compliance that is essential to meeting its mission of ensuring a well-trained U.S. Merchant Marine.

The Maritime Administration (MARAD) requests comment on MARAD's intention to seek approval from OMB to reinstate without modification a previously approved collection of information concerning vessel operator acceptance of MARAD safety and security tenets, compliance reporting and compliance assessment requirements. MARAD, in consultation with operators of commercial vessels of the United States, established criteria that vessel operators must meet in order to participate in the Sea Year program of the United States Merchant Marine Academy (USMMA) that address sexual harassment, sexual assault, and other inappropriate conduct; and a process for verifying compliance with the criteria. Accordingly, on December 15, 2021, MARAD published on its website agency guidance entitled *Every Mariner Builds a Respectful Culture* (EMBARC). Embedded within EMBARC is a process that MARAD will use to verify compliance. The EMBARC Standards enumerate new sexual assault and sexual harassment (SASH) prevention and response safety measures that MARAD requires commercial vessel operators to meet before they are approved to carry cadets from the USMMA for training purposes. Along with the EMBARC Standards, MARAD also published a self-assessment checklist, and a statement of compliance that vessel operators are required to submit prior to Sea Year participation. The EMBARC Standards include immediate, intermediate and long-term action items that all vessel operators providing training platforms for cadet mariners should implement. The totality of these efforts will help strengthen the maritime industry's efforts to prevent and respond to incidents of sexual violence and sexual harassment and other forms of misconduct and help ensure a safer training environment for all cadets.

The information to be collected will be used by MARAD to confirm the acceptance of MARAD sexual assault policies by commercial vessel operators and it will help establish a process to oversee and monitor continued compliance through reporting and auditing of commercial vessel operators in this initial enrollment and subsequent Sea Years.

Respondents: Vessel Owners and Operators.

Affected Public: Captains, Mates, Chief Operating Officers, Chief Executive Officers, Operations Managers, Clerical and typists.

Estimated Number of Respondents: 35 per collection.*

Estimated Number of Responses: 428.

Estimated Hours per Response: 2–6.

Annual Estimated Total Annual Burden Hours: 1,615.

Frequency of Response: 2 per year.

* Some respondents will have to respond more than once.

(Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; and 49 CFR 1.93.)

By Order of the Acting Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2022–09180 Filed 4–28–22; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2022–0030]

Agency Request for Information; State Electronic Data Collection Grant Program

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Request for information.

SUMMARY: This notice requests information from interested parties to assist the agency to develop and implement a new discretionary grant program to increase the number of States, U.S. territories, and Indian tribes electronically transferring their motor vehicle crash data to the National Highway Traffic Safety Administration (NHTSA). The Bipartisan Infrastructure Law (BIL), enacted as the Infrastructure Investment and Jobs Act (IIJA), establishes a new program called the State electronic data collection program. Specifically, section 24108(d)(2) mandates that NHTSA provide grants to States to upgrade and standardize their State crash data systems to enable electronic data collection, intrastate data sharing, and electronic data transfers to NHTSA to increase the accuracy, timeliness, and accessibility of the data including data relating to fatalities involving vulnerable road users. Ultimately, the grants will support an increased capacity of the NHTSA data systems, including the Fatality Analysis Reporting System (FARS), the Crash Reporting Sampling System (CRSS), and the Crash Investigation Sampling System (CISS), and make State crash data accessible to the public. NHTSA seeks comments from all interested parties, including State crash data owners, highway safety offices, law enforcement, and other stakeholders to help inform NHTSA's development of a grant program. This grant program is to modernize State data collection systems and to enable full electronic data transfer. All comments should be submitted via docket number NHTSA–2022–0030.

DATES: Comments must be received on or before May 31, 2022.

ADDRESSES: Written comments may be submitted using any one of the following methods:

(1) *Mail:* Docket Management Facility, M–30, U.S. Department of Transportation, West Building, Ground Floor, Rm. W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

(2) *Fax:* Written comments may be faxed to (202) 493–2251.

(3) *Internet:* To submit comments electronically, go to the Federal regulations website at *http://www.regulations.gov.* Follow the online instructions for submitting comments.

(4) *Hand Delivery:* West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, between 9 a.m. and 5 p.m. Eastern Time, Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366–9322 before coming.

(5) *Instructions:* All comments submitted in relation to this notice must include the agency name and docket number. Please note that all comments received will be posted without change to *http://www.regulations.gov,* including any personal information provided. You may also call the Docket at 202–366–9324.

FOR FURTHER INFORMATION CONTACT: Barbara Rhea, State Data Reporting Systems Division Chief, NHTSA (phone: 202–366–2714) or you may send an email to Ms. Rhea at *Barbara.rhea@dot.gov.*

SUPPLEMENTARY INFORMATION: Section 24108(d) of BIL directs NHTSA to establish a new State electronic data collection program that requires NHTSA to develop and implement a new discretionary grant program. The new grant program is to provide support to States to upgrade and standardize their State crash data systems to enable electronic data collection, intrastate data sharing, and electronic data transfers to NHTSA to increase the accuracy, timeliness, and accessibility of the data including data relating to fatalities involving vulnerable road users. *See* Public Law 117–58, 24108(d)(3). Eligible States [1] may use these grants for the costs of equipment to upgrade a statewide crash data repository; adoption of electronic crash reporting by law enforcement agencies and increasing alignment of State crash data with the latest Model Minimum Uniform Crash Criteria.[2] This notice requests information from interested parties, including State crash data owners, highway safety offices, law enforcement, and other stakeholders to assist NHTSA in the development of a new State electronic data collection program that supports State crash data system improvements, enhances NHTSA's National Center for Statistics and Analysis (NCSA) data infrastructure where these data will be stored, and shares a subset of the resulting data with the public. NHTSA plans to utilize the information provided under this Request for Information to enhance and support the development of the State electronic data collection discretionary grant program.

Background

The Highway Safety Act of 1966, 23 U.S.C. 401, *et seq.,* as amended, and the National Traffic and Motor Vehicle Safety Act, 49 U.S.C. 30101 *et seq.* as amended, both authorize NHTSA to collect and analyze motor vehicle crash data to, among other things, improve all aspects of traffic safety systems and conditions, determine the relationship between motor vehicle or motor vehicle equipment performance characteristics, crashes involving motor vehicles; and deaths or personal injuries resulting from those crashes. NHTSA has several data collections that support its traffic safety mission. Several of these data collections are housed within NHTSA's NCSA. As part of NHTSA's ongoing effort to obtain crash data in a more timely, accurate and efficient manner, the agency has successfully implemented a streamlined process for collecting crash data in an electronic format, known as Electronic Data Transfer (EDT).

The existing EDT protocol obtains crash data using police accident reports (PAR), supplemental crash reports, and crash images from participating State crash systems through electronic data transfer processes, services, and functions. Generally, this transfer occurs on a nightly basis once the data are accepted by each State's centralized database following quality control checks. NCSA uses these data to develop a census of the participating State's crashes. This dataset supports real-time decision making; reduces the burden of data collection; and improves data quality. NCSA uses these data to identify existing and emerging highway safety trends, assess the effectiveness of motor vehicle safety standards, and evaluate new and emerging technologies.

However, only 19 States participate in the existing EDT protocol and data obtained through these processes vary in completeness from State-to-State. The BIL State electronic data collection program intends to increase the number of participating States and enhance the robustness of the data through standardization and the modernization of its systems. BIL Section 24108(d) establishes a State electronic data collection program that consists of two components. The first component, and the subject of this request for information, is a new discretionary grant program that provides grants to States for the modernization of State data collection systems to enable full electronic data transfer. Public Law 117–58, 24108(d)(2)(A). The second component is for NHTSA to update its data collection systems to manage and support State electronic data transfers. Public Law 117–58, 24108(d)(2)(B). The purpose of the grants under the State electronic data collection program is to upgrade and standardize State crash data systems to enable electronic data collection, improve intrastate data sharing and electronic data transfers to NHTSA to increase the accuracy, timeliness, and accessibility of the data, including data relating to fatalities involving vulnerable road users. Public Law 117–58, 24108(d)(3)(A). To be eligible for a grant, a State must submit a plan to implement full electronic data transfer to NHTSA and provide any other information as NHTSA may require Public Law 117–58, 24108(d)(3)(B). A State may use grant funds to: (i) Acquire or upgrade equipment for the statewide crash data repository; (ii) adopt electronic crash reporting by law enforcement agencies; and (iii) increase alignment of State crash data with the latest Model Minimum Uniform Crash Criteria. Public Law 117–58, 24108(d)(3)(C).

NHTSA's vision of the BIL State electronic data collection program is to support States that create centralized crash data systems to transfer uniform crash data to NHTSA. The uniformity of the crash data will align to the Model Minimum Uniform Crash Criteria (MMUCC) Guideline. States currently submitting electronic data to NHTSA will be eligible for the State electronic data collection grants to modernize their systems and standardize their data consistent with this new program. NHTSA further envisions that States participating in the State electronic data collection program will have crash data collected electronically in the field by all law enforcement agencies and jurisdictions using a uniform, efficient

[1] Under BIL, ''State'' is defined as each of the 50 States, District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, the Commonwealth of Northern Mariana Islands and the Secretary of the Interior, acting on behalf of an Indian Tribe. *See* Public Law 117–58, 24108(d)(1)(A).

[2] § 24108(d)(3)(C).

approach (*e.g.,* question or scenario-based software) that is consistent with the MMUCC Guideline and the statewide database's validation rules. The program will require that crash data is validated at the point records are added to the central State crash repository.

The State electronic data collection program requires that NHTSA make electronic State crash data publicly available. See Public Law 117–58, 24108(d)(4)(B). Consistent with Federal Privacy Law, 23 U.S.C. 403(e), 49 U.S.C. 30183, and U.S. Department of Transportation policy, NHTSA will withhold from public disclosure any information in the State motor vehicle crash data that would lead to the identification of individuals involved in a motor vehicle crash.

Request for Information

The agency is interested in information that would help develop and implement a successful State electronic data collection program. This includes information about States' existing capacity to collect, store, and transfer crash data from the State level to NHTSA; interest in moving to an electronic data collection framework; making State crash data accessible to the public; identifying potential barriers; describing the infrastructural needs to transition to an electronic data transfer protocol; and adoption of electronic crash reporting by law enforcement agencies. The information will support the development and implementation of the State electronic data collection program by taking into consideration the States' experiences and operational capacity. NHTSA has a general understanding of how data collection and information technology protocols work based on NHTSA's assessment of State traffic records systems, current State electronic data transfer, and FARS operations. However, NHTSA hereby seeks further information based on the below questions. This list is not exhaustive, and we encourage commenters to provide any further information that they believe is relevant to inform the agency as it seeks to implement a successful State electronic data collection grant program.

Data Standardization and Modernization of Information Technology

(1) What are the State's current methodologies for collecting and standardizing statewide crash data electronically in a central repository?

(2) NHTSA relies on MMUCC to establish a standardized data set. What steps are required for the State to meet this standardization?

(a) Please provide an estimated timeline to implement MMUCC standardization.

(b) What would it cost the State to move toward this data standardization?

(3) If the State does not have a centralized statewide crash data repository, describe what the State will need to establish the infrastructure; processes and procedures; information technology requirement; and training, to support this data modernization effort?

(4) Explain what the State will need to establish the infrastructure; processes and procedures; information technology requirement; and training to implement an electronic data transfer protocol.

(5) How long would it take for the State to establish a centralized statewide crash data repository and to implement an electronic data transfer protocol?

(6) What are the State's estimated costs associated with establishing a centralized statewide crash repository to support an electronic data transfer protocol?

(7) Explain the challenges associated with establishing a centralized statewide crash repository that supports an electronic data transfer protocol. Elaborate on the State's needs to overcome those challenges.

Law Enforcement Electronic Crash Reporting

(8) What percentage or number of the State's law enforcement agencies collect motor vehicle traffic crash information using an electronic crash report/records management system?

(a) Are all law enforcement agencies in the State collecting motor vehicle traffic crash information via an electronic crash report/records management system using the same application?

(b) For law enforcement agencies collecting motor vehicle traffic crash information using an electronic crash report/records management system, what application is used?

(9) What percentage or number of law enforcement agencies solely use paper crash reports in the crash reporting process?

(a) If so, are these paper reports coded into the centralized statewide crash repository?

(b) Describe any law enforcement's reservations for participating in electronic crash reporting to document motor vehicle traffic crash information?

(c) Specify the needs and costs for law enforcement agencies to adopt electronic-crash reporting to document motor vehicle traffic crash information?

Data Management

(10) Does the State have a conceptual or notional design of how the data would flow into a centralized statewide crash data repository? If so, please elaborate.

(11) If the State currently participates in NHTSA EDT protocol, does the State have written operating procedures for managing the data flow? If so, please submit the data flow or the operational structure.

(12) Does the State, in its crash data, distinguish between crash types between self-reported and police reported crashes?

(13) Does the State include variables to identify State-reportable vs. non-reportable crashes?

Data Accessibility to the Public

(14) Please provide recommendations on the format types for publicly available State crash data.

(15) What State products and services that include State crash data does the State find are most helpful to the public?

(16) Please advise if the State is interested in modernizing and standardizing its State crash system?

This notice is for information purposes only. The agency will review and consider information provided in response to this notice as it implements the State electronic data collection grant program, but will not respond to comments.

Authority: S. 24108, Public Law 117–58, 135 Stat 429.

Chou-Lin Chen,

Associate Administrator, National Center for Statistics and Analysis.

[FR Doc. 2022–09152 Filed 4–28–22; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request for Form 706–CE

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Internal Revenue Service (IRS), as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on information collections, as required by the Paperwork Reduction Act of 1995. The IRS is soliciting comments concerning

Certificate of Payment of Foreign Death Tax.

DATES: Written comments should be received on or before June 28, 2022 to be assured of consideration.

ADDRESSES: Direct all written comments to Andres Garcia, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or by email to *omb.unit@irs.gov.* Include ''OMB Number 1545–0260—Certificate of Payment of Foreign Death Tax'' in the subject line of the message.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of this collection should be directed to Martha R. Brinson, at (202) 317–5753, or at Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or through the internet at *Martha.R.Brinson@irs.gov.*

SUPPLEMENTARY INFORMATION:

Title: Certificate of Payment of Foreign Death Tax.

OMB Number: 1545–0260.

Form Number: 706–CE.

Abstract: Form 706–CE is used by the executors of estates to certify that foreign death taxes have been paid so that the estate may claim the foreign death tax credit allowed by Internal Revenue Code section 2014. The information is used by IRS to verify that the proper credit has been claimed.

Current Actions: There are no changes being made to the form at this time.

Type of Review: Extension of a previously approved collection.

Affected Public: Individual or households.

Estimated Number of Responses: 2,250.

Estimated Time per Response: 1 hour, 44 minutes.

Estimated Total Annual Burden Hours: 3,870 hours.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. Comments will be of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information has practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: April 21, 2022.

Martha R. Brinson,

Tax Analyst.

[FR Doc. 2022–09176 Filed 4–28–22; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request for Form 1099–MISC

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Internal Revenue Service (IRS), as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on information collections, as required by the Paperwork Reduction Act of 1995. The IRS is soliciting comments concerning Miscellaneous Information.

DATES: Written comments should be received on or before June 28, 2022 to be assured of consideration.

ADDRESSES: Direct all written comments to Andres Garcia, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or by email to *omb.unit@irs.gov.* Include ''OMB Number 1545–0115—Miscellaneous Information'' in the subject line of the message.

FOR FURTHER INFORMATION: Requests for additional information or copies of this collection should be directed to Martha R. Brinson, at (202) 317–5753, or at Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or through the internet at *Martha.R.Brinson@irs.gov.*

SUPPLEMENTARY INFORMATION:

Title: Miscellaneous Information.

OMB Number: 1545–0115.

Form Number: 1099–MISC.

Abstract: Form 1099–MISC is used by payers to report payments of $600 or more of rents, prizes and awards, medical and health care payments, nonemployee compensation, and crop insurance proceeds, $10 or more of royalties, any amount of fishing boat proceeds, certain substitute payments, golden parachute payments, and an indication of direct sales of $5,000 or more.

Current Actions: There are no changes to the paperwork burden previously approved by OMB.

Type of Review: Extension of a currently approved collection.

Affected Public: Business or other for-profit organizations.

Estimated Number of Respondents: 99,447,800.

Estimated Time per Respondent: 18 minutes.

Estimated Total Annual Burden Hours: 30,828,818.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. Comments will be of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information has practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: April 21, 2022.

Martha R. Brinson,

Tax Analyst.

[FR Doc. 2022–09175 Filed 4–28–22; 8:45 am]

BILLING CODE 4830–01–P

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