

Electronic Availability

This document and additional information concerning OFAC are available on OFAC's website: <https://ofac.treasury.gov/>.

Background

On July 8, 2024, OFAC issued GL 40C to authorize certain transactions otherwise prohibited by the Venezuela Sanctions Regulations (VSR), 31 CFR part 591. GL 40C was made available on OFAC's website (<https://ofac.treasury.gov/>) when it was issued. GL 40C supersedes GL 40B, which was issued on July 10, 2023. GL 40C has an expiration date of July 8, 2025. The text of this GL is provided below.

OFFICE OF FOREIGN ASSETS CONTROL**Venezuela Sanctions Regulations****31 CFR Part 591****GENERAL LICENSE NO. 40C****Authorizing Certain Transactions Involving the Exportation or Reexportation of Liquefied Petroleum Gas to Venezuela**

(a) Except as provided in paragraph (b) of this general license, all transactions related to the exportation or reexportation, directly or indirectly, of liquefied petroleum gas to Venezuela, involving the Government of Venezuela, Petróleos de Venezuela, S.A. (PdVSA), or any entity in which PdVSA owns, directly or indirectly, a 50 percent or greater interest, that are prohibited by E.O. 13850 of November 1, 2018, as amended by E.O. 13857 of January 25, 2019, or E.O. 13884 of August 5, 2019, each as incorporated into the Venezuela Sanctions Regulations, 31 CFR part 591 (the VSR), are authorized through 12:01 a.m. eastern daylight time, July 8, 2025.

(b) This general license does not authorize:

(1) Any payment-in-kind of petroleum or petroleum products; or

(2) Any transactions otherwise prohibited by the VSR, including transactions involving any blocked persons other than PdVSA, any entity in which PdVSA owns, directly or indirectly, a 50 percent or greater interest, or any Government of Venezuela person that is blocked solely pursuant to E.O. 13884.

(c) Effective July 8, 2024, General License No. 40B, dated July 10, 2023, is replaced and superseded in its entirety by this General License No. 40C.

Note to General License No. 40C. Nothing in this general license relieves any persons from compliance with the requirements of other Federal agencies, including the

Department of Commerce's Bureau of Industry and Security.

Dated: July 8, 2024.

Bradley T. Smith,

Director, Office of Foreign Assets Control.

Lisa M. Palluconi,

Acting Director, Office of Foreign Assets Control.

[FR Doc. 2024-18754 Filed 8-20-24; 8:45 am]

BILLING CODE 4810-AL-P

FEDERAL COMMUNICATIONS COMMISSION**47 CFR Part 4**

[PS Docket Nos. 15-80 and 13-75, ET Docket No. 04-35, FCC 24-73 FR ID 238688]

Disruptions to Communications; Improving 911 Reliability; Concerning Disruptions to Communications

AGENCY: Federal Communications Commission.

ACTION: Denial of petition for reconsideration.

SUMMARY: In this document, the Federal Communications Commission (FCC) adopted an Order on Reconsideration that denies the petition for reconsideration filed by Competitive Carriers Association (CCA) with respect to the Second Report and Order in this proceeding.

DATES: Effective August 21, 2024.

FOR FURTHER INFORMATION CONTACT: For additional information, contact Barbara Kunkel, Attorney Advisor, Policy and Licensing Division, Public Safety and Homeland Security Bureau, (202) 418-0671 or via email at Barbara.Kunkel@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Order on Reconsideration, FCC 24-73, adopted on July 10, 2024, and released on July 11, 2024. The complete text of this document is available for public inspection on the Commission's website at <https://docs.fcc.gov/public/attachments/FCC-24-73A1.pdf>. To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an email to FCC504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice).

Synopsis

1. The Order on Reconsideration denies the petition for reconsideration of the Second Report and Order, 88 FR 9756 (Feb. 15, 2023), filed by CCA on March 17, 2023. In the Second Report

and Order the Commission adopted rules to harmonize the 911 outage notification requirements for originating service providers (OSPs) and covered 911 service providers. Specifically, the Second Report and Order required both OSPs and covered 911 service providers to notify Public Safety Answering Points (PSAPs) of outages that potentially affect them as soon as possible, but no later than 30 minutes after discovering the outage. The Commission also required OSPs and covered 911 service providers to maintain accurate and up-to-date PSAP contact information for the purpose of providing 911 outage notifications.

2. CCA sought reconsideration of two aspects of the Second Report and Order as they apply to OSPs. First, CCA argued that it is unreasonable to require OSPs to initially notify PSAPs of 911 outages within 30 minutes of discovering an outage. CCA further argued that OSP compliance with the 30-minute rule (1) is infeasible or impossible, (2) should not apply to outages attributable to third-party vendors, (3) will cause over-notification to PSAPs, and (4) will overburden small and rural carriers. CCA argued instead that the Commission should revert to the previous rule that required OSPs to notify PSAPs "as soon as possible" with no time limitation. In the alternative, if the Commission retains the 30-minute rule, CCA argued that the Commission should define "discovery" of an outage to be when an OSP receives notification of the outage from its third-party vendor or service provider, rather than when the third-party vendor or service provider itself discovers the outage. CCA also argued that the Commission should modify the 30-minute rule to deem OSPs compliant if they begin notifying affected PSAPs within 30 minutes, even if they do not complete notification to all potentially affected PSAPs within that timeframe. Second, CCA requested that the Commission reconsider the requirement that OSPs use "special diligence" to identify, maintain, and annually confirm contact information for PSAPs in their service areas. CCA argued that the Commission materially erred in estimating the cost to OSPs of complying with this requirement, and that the rule will overburden small and rural carriers. Accordingly, CCA asserted that the Commission should create and operate a centralized PSAP contact information database rather than requiring OSPs to maintain PSAP contact information themselves.

3. Regarding the application of a 30-minute initial PSAP notification deadline to OSPs, the Commission

found CCA's arguments unpersuasive and concluded that the Commission was reasonable in adding a time limit to the OSP notification rules. The Commission found in the Second Report and Order that in the absence of a time limit, the "as soon as possible" standard does not incentivize OSPs to provide timely outage notifications, but instead incentivizes them to take a passive approach to monitoring and detecting outages. In the Order on Reconsideration, the Commission observed that delays in receiving outage notifications undermine the ability of PSAPs to provide timely information to the public on available means to contact emergency services when an outage impacts 911 service, and that reverting to a notification standard with no time limit, as CCA advocated, would exacerbate the very harm the rule was adopted to address. The Commission also disagreed with CCA's contention that a 30-minute time limit on OSP notifications is infeasible or unreasonable. The Commission found that CCA and supporting commenters provided no basis for reconsidering the Commission decision in the Second Report and Order rejecting arguments that 30 minutes is an insufficient amount of time for OSPs to obtain initial information about outages and provide notification to PSAPs. In the Order on Reconsideration, the Commission explained that as a practical matter, providers will have at least an hour, and potentially more, from the start of any outage to gather information to include in the initial outage notifications to PSAPs, and that the purpose of the initial notification is not to provide complete information about the outage, but to serve as a preliminary notice of a potential problem to a 911 special facility. With respect to OSP responsibility for third-party discovery of an outage, in the Order on Reconsideration, the Commission determined that the Second Report and Order properly defined an OSP's discovery of an outage to include when the outage is discovered by its third-party vendor or service provider. In addition, the Commission in the Order on Reconsideration explained that an OSP may satisfy its obligation to notify a PSAP of an outage "if the party that actually discovers the outage—which may be a third party—notifies the PSAP within these timeframes." With respect to over-notification to PSAPs, the Commission rejected CCA's contention that the 30 minute rule will force OSPs to send blanket notifications to PSAPs that may not be directly affected by an outage, leading to over-notification,

notification fatigue, and overburdening of PSAPs. The Commission found that proper application of the rule should limit the risk of over-notification, citing the reporting thresholds in the Part 4 rules and that nothing precludes OSPs from working together to establish more coordinated and efficient outage notification processes that reduce the likelihood of unnecessary notifications. Additionally, even if the rule results in occasional unnecessary notifications, the Commission found that the overriding objective is for OSPs to notify PSAPs to better enable PSAPs to more quickly reduce the impact of an outage, including the PSAPs' ability to coordinate emergency response resources with first responders. Finally, with regard to CCA's assertion that the 30 minute requirement will overburden small or rural carriers, the burden on smaller carriers to provide notifications is likely to be less than for larger carriers because the notification requirement is based in part on potential user minutes impacted. The Commission explained that OSPs that operate lines that serve fewer customers would have to experience longer outages to reach the user-minute threshold required for notification, which effectively allows more time for them to investigate the outages.

4. Regarding using special diligence to maintain up-to-date PSAP contact information, the Commission rejected CCA's proposal to have the Commission create a centralized database before OSPs would be required to exercise special diligence in maintaining PSAP contact information. The Commission noted that this compliance obligation can be readily met by other means, including by the service providers developing their own database capabilities rather than waiting for the Commission to do so; PSAP contact information is currently available to OSPs through a variety of sources; and CCA's proposal ignores the fact that the rules have long required OSPs to contact PSAPs in the event of an outage, which necessitates their having current PSAP contact information. The Commission declined to establish a safe harbor because it would act as a disincentive for OSPs to create methods to affirmatively confirm PSAP contact information, effectively nullifying the special diligence standard. The Commission also was unpersuaded by arguments that the special diligence standard for maintaining up-to-date PSAP contact information is confusing and fails to provide certainty on how to comply; and the Commission found that the Second Report and Order fully

explained the special diligence standard and properly rejected commenters' proposed alternatives. Regarding the burden on small and rural carriers, the Commission found, contrary to CCA's arguments, that the Second Report and Order correctly took the interests and capabilities of small and rural carriers into account, in adopting the special diligence requirement for maintaining PSAP contact information. Finally, the Commission reviewed the Second Report and Order cost estimate in light of CCA's arguments that the Commission materially erred in estimating the compliance costs for providers to maintain up-to-date PSAP contact information, and the Commission made upward revisions to better reflect the cost information. Although this change resulted in a considerable increase in costs, the Commission found that costs are still low enough for the Commission to conclude that the benefits outweigh the costs of the requirements.

I. Procedural Matters

5. *Paperwork Reduction Act Analysis.* This Order on Reconsideration does not contain any new or modified information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104–13. Thus, it does not contain any new or modified information collection burden for small business concerns with fewer than 25 employees, pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, see 44 U.S.C. 3506(c)(4).

6. *Congressional Review Act.* The Commission will not send a copy of this Order on Reconsideration to Congress and the Government Accountability Office pursuant to the Congressional Review Act, see 5 U.S.C. 801(a)(1)(A), because no rule was adopted or amended.

7. *Regulatory Flexibility Act Analysis.* In the Second Report and Order, the Commission provided a Final Regulatory Flexibility Analysis pursuant to the Regulatory Flexibility Act of 1980, as amended (RFA). We received no petitions for reconsideration of that Final Regulatory Flexibility Analysis. In this present Order on Reconsideration, the Commission promulgates no additional final rules. Our present action is, therefore, not an RFA matter.

II. Ordering Clauses

8. Accordingly, *it is ordered* that the Petition for Reconsideration filed on March 17, 2023, by CCA *is denied*.

9. *It is further ordered* that this Order on Reconsideration *shall be effective*

upon publication in the **Federal Register**.

Federal Communications Commission

Marlene Dortch,
Secretary.

[FR Doc. 2024–18606 Filed 8–20–24; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

49 CFR Part 385

[Docket No. FMCSA–2024–0073]

RIN 2126–AC65

Incorporation by Reference; North American Standard Out-of-Service Criteria; Hazardous Materials Safety Permits

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: FMCSA amends its Hazardous Materials Safety Permits (HMSPs) regulations to incorporate by reference the updated Commercial Vehicle Safety Alliance (CVSA) handbook containing inspection procedures and Out-of-Service Criteria (OOSC) for inspections of shipments of transuranic waste and highway route-controlled quantities (HRCQs) of radioactive material (RAM). The OOSC provide enforcement personnel nationwide, including FMCSA’s State partners, with uniform enforcement tolerances for inspections. Currently, the regulations reference the April 1, 2023, edition of the handbook. Through this final rule, FMCSA incorporates by reference the April 1, 2024, edition.

DATES: Effective September 20, 2024. The incorporation by reference of certain material listed in this rule is approved by the Director of the Federal Register as of September 20, 2024.

Petitions for reconsideration of this final rule must be submitted to the FMCSA Administrator no later than September 20, 2024.

FOR FURTHER INFORMATION CONTACT: David Sutula, Vehicle and Roadside Operations Division, FMCSA, 1200 New Jersey Avenue SE, Washington, DC 20590–0001, (202) 366–9209, MCPSV@dot.gov.

SUPPLEMENTARY INFORMATION: FMCSA organizes this final rule as follows:

- I. Availability of Rulemaking Documents
- II. Executive Summary

III. Abbreviations

IV. Legal Basis

V. Discussion of Proposed Rulemaking and Comments

A. Proposed Rulemaking

B. Comments and Responses

VI. Section-by-Section Analysis

VII. Regulatory Analyses

A. E.O. 12866 (Regulatory Planning and Review), E.O. 13563 (Improving Regulation and Regulatory Review), E.O. 14094 (Modernizing Regulatory Review), and DOT Regulatory Policies and Procedures

B. Congressional Review Act

C. Regulatory Flexibility Act

D. Assistance for Small Entities

E. Unfunded Mandates Reform Act of 1995

F. Paperwork Reduction Act

G. E.O. 13132 (Federalism)

H. Privacy

I. E.O. 13175 (Indian Tribal Governments)

J. National Environmental Policy Act of 1969

I. Availability of Rulemaking Documents

To view any documents mentioned as being available in the docket, go to <https://www.regulations.gov/docket/FMCSA-2024-0073/document> and choose the document to review. To view comments, click this final rule, then click “Browse Comments.” If you do not have access to the internet, you may view the docket online by visiting Dockets Operations at U.S. Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366–9317 or (202) 366–9826 before visiting Dockets Operations.

II. Executive Summary

This final rule updates an incorporation by reference found at 49 Code of Federal Regulations (CFR) 385.4(b)(1) and referenced at § 385.415(b). The provision at § 385.4(b)(1) currently references the April 1, 2023, edition of CVSA’s handbook titled “North American Standard Out-of-Service Criteria and Level VI Inspection Procedures and Out-of-Service Criteria for Commercial Highway Vehicles Transporting Transuranics and Highway Route Controlled Quantities of Radioactive Materials as defined in 49 CFR part 173.403.” The CVSA handbook contains inspection procedures and OOSC for inspections of shipments of transuranic waste and HRCQs of RAM. The OOSC, while not regulations, provide enforcement personnel nationwide, including FMCSA’s State partners, with uniform enforcement tolerances for inspections. The material is available,

and will continue to be available, for inspection at the FMCSA, Office of Safety, 1200 New Jersey Avenue SE, Washington, DC 20590 (Attention: Chief, Hazardous Materials Division) at (202) 493–0027. The document may be purchased from the Commercial Vehicle Safety Alliance, 99 M Street SE, Suite 1025, Washington, DC 20003, 202–998–1002, www.cvsa.org.

Eleven updates distinguish the April 1, 2024, handbook edition from the April 1, 2023, edition. The updates are all described in detail in the May 3, 2024, notice of proposed rulemaking (NPRM) for this rule (89 FR 36742). The incorporation by reference of the 2024 edition does not impose new regulatory requirements.

III. Abbreviations

CE Categorical Exclusion

CFR Code of Federal Regulations

CVSA Commercial Vehicle Safety Alliance

DOT Department of Transportation

FMCSA Federal Motor Carrier Safety Administration

FR Federal Register

HMSP Hazardous Materials Safety Permit

HRCQ Highway Route Controlled Quantity

NPRM Notice of Proposed Rulemaking

OOS Out-of-Service

OOSC Out-of-Service Criteria

PIA Privacy Impact Assessment

PTA Privacy Threshold Assessment

RAM Radioactive Material

RFA Regulatory Flexibility Act

UMRA The Unfunded Mandates Reform Act of 1995

U.S.C. United States Code

IV. Legal Basis

Congress has enacted several statutory provisions to ensure the safe transportation of hazardous materials in interstate commerce. Specifically, in provisions codified at 49 United States Code (U.S.C.) 5105(d), relating to inspections of motor vehicles carrying certain hazardous material, and 49 U.S.C. 5109, relating to motor carrier safety permits (“HMSPs”), the Secretary of Transportation is required to promulgate regulations as part of a comprehensive safety program on HMSPs. The FMCSA Administrator has been delegated authority under 49 U.S.C. 113(f) and 49 CFR 1.87(d)(2) to carry out the functions vested in the Secretary of Transportation related to HMSPs. Consistent with that authority, FMCSA has promulgated regulations under 49 CFR part 385, subpart E to address the congressional mandate on HMSPs. Those regulations are the underlying provisions to which the material incorporated by reference discussed in this rule is applicable.

Congress authorized DOT by statute to promote safe transportation of hazardous materials in interstate