manufacture the substance longer than 9 months.

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph (b).

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (i) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitation or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

§ 721.11993 Sulfonium, tris(heteroatom-substituted carbomonocyclic), salt with polyhydro-polyfluoro-heteroatom-substituted alkyl heteropolycyclic-heteroatom-substituted aryl heteroatom-substituted benzoate (1:1) (generic).

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified generically as sulfonium, tris(heteroatom-substituted carbomonocyclic), salt with polyhydro-polyfluoro-heteroatom-substituted alkyl heteropolycyclic-heteroatom-substituted aryl heteroatom-substituted benzoate (1:1) (PMN P–23–147) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section. The requirements of this section do not apply to quantities of the substance after they have been completely reacted or adhered (during photolithographic processes) onto a semiconductor wafer surface or similar manufactured article used in the production of semiconductor technologies.

(2) The significant new uses are:

(i) *Protection in the workplace.* Requirements as specified in § 721.63(a)(1), (a)(2)(i) and (iii), (a)(3), and (c). When determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1), engineering control measures (*e.g.,* enclosure or confinement of the operation, general and local ventilation) or administrative control measures (*e.g.,* workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible.

(ii) *Hazard communication.* Requirements as specified in § 721.72(a) through (f), (g)(1), (g)(2)(i) through (iii) and (v), (g)(3)(i) and (ii), and (g)(5). For purposes of § 721.72(e), the concentration is set at 1.0%. For purposes of § 721.72(g)(1), this substance may cause: acute toxicity, skin irritation, serious eye damage, skin sensitization, genetic toxicity, reproductive toxicity, and specific target organ toxicity. Alternative hazard and warning statements that meet the criteria of the Globally Harmonized System and OSHA Hazard Communication Standard may be used.

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(f), (k), and (t). It is a significant new use to import the substance other than in solution, unless in sealed containers weighing 5 kilograms or less. It is a significant new use to modify the processing of the substance in any way that generates dust, mist, or aerosol in a non-enclosed process. It is a significant new use to manufacture the substance longer than 9 months.

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph (b).

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (i) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitation or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

§ 721.11994 Sulfonium, carbomonocycle bis[(trihaloalkyl)carbomonocycle], disubstituted carbomonocyclic ester (generic).

(a) *Chemical substance and significant new uses subject to reporting.* (1) The chemical substance identified generically as sulfonium, carbomonocycle bis[(trihaloalkyl)carbomonocycle], disubstituted carbomonocyclic ester (PMN P–23–104) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section. The requirements of this section do not apply to quantities of the substance after they have been completely reacted or adhered (during photolithographic processes) onto a semiconductor wafer surface or similar manufactured article used in the production of semiconductor technologies.

(2) The significant new uses are:

(i) *Protection in the workplace.* Requirements as specified in § 721.63(a)(1), (a)(2)(i) and (iii), (a)(3), and (c). When determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1), engineering control measures (*e.g.,* enclosure or confinement of the operation, general and local ventilation) or administrative control measures (*e.g.,* workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible.

(ii) *Hazard communication.* Requirements as specified in § 721.72(a) through (f), (g)(1), (g)(2)(i) through (iii) and (v), (g)(3)(i) and (ii), and (g)(5). For purposes of § 721.72(e), the concentration is set at 1.0%. For purposes of § 721.72(g)(1), this substance may cause: acute toxicity, skin irritation, serious eye damage, skin sensitization, genetic toxicity, and specific target organ toxicity. Alternative hazard and warning statements that meet the criteria of the Globally Harmonized System and OSHA Hazard Communication Standard may be used.

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(f), (k), and (t). It is a significant new use to import the substance other than in solution, unless in sealed containers weighing 5 kilograms or less. It is a significant new use to process the substance in any way that generates dust, mist, or aerosol in a non-enclosed process. It is a significant new use to manufacture the substance longer than 9 months.

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph (b).

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125(a) through (i) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitation or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

* * * * *

[FR Doc. 2025–11489 Filed 6–20–25; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 751

[EPA–HQ–OPPT–2020–0642; FRL–8317.1–03–OCSPP]

RIN 2070–AK83

Extension of Postponement of Effectiveness for Certain Provisions of Trichloroethylene (TCE); Regulation Under the Toxic Substances Control Act (TSCA)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notification; extension of postponement of effectiveness.

SUMMARY: The Environmental Protection Agency (EPA or Agency) is extending the postponement of the effective date

of certain regulatory provisions of the final rule entitled ''Trichloroethylene (TCE); Regulation Under the Toxic Substances Control Act (TSCA)'' for an additional 60 days. Specifically, this postponement applies to the conditions imposed on the uses with TSCA exemptions.

DATES: As of June 20, 2025, EPA further postpones until August 19, 2025, the conditions imposed on each of the TSCA section 6(g) exemptions, as described in this document, in the final rule published on December 17, 2024, at 89 FR 102568.

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA–HQ–OPPT–2020–0642, is available online at *https://www.regulations.gov.* Additional information about dockets generally, along with instructions for visiting the docket in-person, is available at *https://www.epa.gov/.*

FOR FURTHER INFORMATION CONTACT:

For technical information: Gabriela Rossner, Existing Chemicals Risk Management Division, Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: (202) 565–2426; email address: *TCE.TSCA@epa.gov.*

For general information: The TSCA-Hotline, ABVI-Goodwill, 422 South Clinton Ave., Rochester, NY 14620; telephone number: (202) 554–1404; email address: *TSCA-Hotline@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

On December 17, 2024, EPA issued a final risk-management rule under TSCA section 6(a) prohibiting all uses of trichloroethylene (TCE), most of which would be prohibited within one year, including TCE manufacture and processing for most commercial and all consumer products. (89 FR 102568, December 17, 2024) (FRL–8317–02–OCSPP). The final rule included extended phaseouts or TSCA section 6(g) exemptions to permit several uses to continue under workplace restrictions for longer periods.

The final rule was originally scheduled to become effective on January 16, 2025. EPA received petitions for an administrative stay of the effective date on behalf of Microporous, LLC (Microporous), which also separately sought partial reconsideration of the final rule, and Alliance for a Strong U.S. Battery Sector (Alliance) on January 10, 2025. EPA denied these requests on January 15, 2025. Microporous and Alliance submitted renewed petitions to the Agency to stay the effective date of the rule, or, in the alternative, for an administrative stay of the final rule's workplace conditions for battery separator manufacturers, on January 20, 2025. PPG Industries, Inc. (PPG) also submitted a request for an administrative stay on January 21, 2025.

EPA also received thirteen petitions for review of the final rule in various circuits of the U.S. Courts of Appeals. On January 13, 2025, petitioners Microporous and Alliance filed emergency motions for stay in the Fifth and Sixth Circuit Courts of Appeals of the final rule's effective date and workplace conditions for battery-separator manufacturers, as well as a temporary administrative stay of the final rule pending consideration of the emergency stay motion. The same day, the Fifth Circuit granted the motion for a temporary administrative stay of the final rule's effective date while the court considered the emergency stay motion.

Shortly thereafter, the petitions for review were consolidated in the U.S. Court of Appeals for the Third Circuit as *USW* v. *U.S. EPA,* Case No. 25–1055. On January 16, 2025, the Third Circuit issued an order leaving the temporary administrative stay of the effective date of the final rule in place pending briefing on whether the temporary stay should be lifted or converted to a permanent stay. On January 21, 2025, petitioner PPG filed a new stay motion with the court, and Alliance and Microporous refiled their existing motions to stay the effective date. On January 24, 2025, EPA filed a motion requesting that the court extend all deadlines in the case for sixty days, including with respect to further stay briefing, which the court granted.

EPA temporarily delayed the effective date of the final rule until March 21, 2025. (90 FR 8254, January 28, 2025 (FRL–12583–01–OA)). Although the final rule had yet to go into effect, it was incorporated into the Code of Federal Regulations (CFR) on January 16, 2025. See 40 CFR part 751, subpart D.

On March 21, 2025, EPA signed a notice pursuant to section 705 of the Administrative Procedure Act, 5 U.S.C. 705, further postponing the effective date of the provisions applicable to the conditions of use subject to TSCA section 6(g) exemptions until June 20, 2025. Postponement of Effectiveness for Certain Provisions of Trichloroethylene (TCE); Regulation under the Toxic Substances Control Act (TSCA), 90 FR 14415, April 2, 2025 (FRL–8317.1–01–OCSPP) (''Initial Notice''). In that notice, EPA explained that Petitioners Alliance, Microporous, and PPG (''Industry Petitioners'') raised serious questions regarding the WCPP that warranted a delay of the effective date of those provisions.

On March 28, 2025, the court lifted the administrative stay except as to the provisions that are subject to EPA's Initial Notice. The court also ordered EPA to file any response to the pending stay motions by May 27, 2025.

On May 27, 2025, EPA moved to hold the case in abeyance because it intends to reconsider the final rule, including provisions subject to EPA's Initial Notice, through notice-and-comment rulemaking. For the same reason the Agency filed a response to Industry Petitioners stating it did not oppose a stay of the provisions subject to EPA's Initial Notice. The judicial proceedings are ongoing.

II. Statutory Authority

As discussed in the Initial Notice, section 705 of the Administrative Procedure Act (APA) authorizes an agency to postpone the effective date of an agency action pending judicial review when the agency finds ''that justice so requires.'' 5 U.S.C. 705. Notice and comment is not required when an agency delays the effective date of a rule under APA section 705 because such a stay pending judicial review is not substantive rulemaking subject to APA section 553; it merely maintains the status quo to allow for judicial review. *See Bauer* v. *DeVos,* 325 F. Supp. 3d 74, 106–07 (D.D.C. 2018); *Sierra Club* v. *Jackson,* 833 F. Supp. 2d 11, 28 (D.D.C. 2012).

III. Postponement of Effective Date

In light of the fact that the pending litigation is still ongoing and for the same reasons as set forth in the Initial Notice, EPA has determined that justice requires a 60-day extension of the postponement of the effective date (*i.e.,* until August 19, 2025) of the conditions for each of the TSCA section 6(g) exemptions. *See* 40 CFR 751.325(a)(2). The extension of the postponement applies, for example, to the conditions imposed under the TSCA section 6(g) exemption for the use of TCE as a processing aid for specialty polymeric microporous sheet material manufacturing. 40 CFR 751.325(b)(6)(i) through (iv).

The postponement will temporarily preserve the status quo while the Third Circuit litigation is pending. Nothing has materially changed since the Initial Notice that would affect EPA's analysis of whether justice requires a stay of these provisions. Therefore, per the reasons discussed in the Initial Notice,

EPA believes extending the postponement for 60 days is necessary.

Authority: 5 U.S.C. 705 and 15 U.S.C. 2605(a).

Lee Zeldin,

Administrator.

[FR Doc. 2025–11437 Filed 6–20–25; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

49 CFR Parts 172, 173, 174, 179, and 180

[Docket No. PHMSA–2018–0025 (HM–264)]

RIN 2137–AF40

Hazardous Materials: Liquefied Natural Gas by Rail

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), Department of Transportation (DOT).

ACTION: Notification of conforming amendments.

SUMMARY: PHMSA, in coordination with the Federal Railroad Administration, is amending the Hazardous Materials Regulations in response to the recent decision of the United States Court of Appeals for the District of Columbia Circuit in *Sierra Club, et al.* v. *DOT, et al.,* No. 20–1317 (Jan. 17, 2025).

DATES: These amendments are effective as of June 23, 2025.

FOR FURTHER INFORMATION CONTACT: Ryan Larson, Transportation Specialist, by phone at 202–366–8553 or email at *ryan.larson@dot.gov,* Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590–0001.

SUPPLEMENTARY INFORMATION:

I. Background

On July 24, 2020, PHMSA, in consultation with the Federal Railroad Administration (FRA) issued a final rule to amend the Hazardous Materials Regulations (HMR) to authorize the transportation of LNG in a new DOT–113C120W9 tank car and adopted additional operational controls for the safe movement of LNG by rail, effective as of August 24, 2020 (LNG by Rail Rule).[1] On August 18, 2020, several stakeholder groups filed petitions for judicial review of the LNG by Rail Rule. The petitioners challenged the legality of PHMSA's action on various grounds, including for failing to comply with the National Environmental Policy Act (NEPA), 42 U.S.C. 4321 *et seq.* The United States Court of Appeals for the District of Columbia Circuit (D.C. Circuit) later consolidated each of the petitions into a single case captioned as *Sierra Club, et al.* v. *DOT, et al.* (Case No. 20–1317).[2]

On January 17, 2025, the D.C. Circuit issued a decision on the merits of the consolidated petitions.[3] The D.C. Circuit held that PHMSA violated NEPA by failing to prepare an environmental impact statement during the rulemaking process. Accordingly, the D.C. Circuit vacated the LNG by Rail Rule in its entirety and remanded the matter to PHMSA for further proceedings.

II. Amendments

PHMSA is adopting conforming amendments to the HMR to address the D.C. Circuit's decision in *Sierra Club, et al.* v. *DOT, et al.* (Case No. 20–1317) (Jan. 17, 2025). These conforming amendments are intended to restore the text of the HMR to the version that existed prior to the effective date of the LNG by Rail Rule. No other regulatory changes are being adopted. Accordingly, the text of the following sections will revert to the version in effect prior to August 24, 2020: 49 CFR 172.101, 172.102, 172.820, 173.319, 179.400–5, and 179.400–8. The text of sections that did not exist prior to the LNG by Rail Rule, including §§ 174.200(d), 179.400–26, and 180.515(d), will be deleted in its entirety.

These conforming amendments do not affect the provisions in the HMR that authorize the transportation of LNG by highway, vessel, or by rail in UN T75 portable tanks. Nor do the conforming amendments prohibit interested stakeholders from seeking a special permit to authorize the transportation of LNG in rail tank cars in appropriate cases, or from using DOT–113C120W9 specification rail tank cars to transport hazardous materials in circumstances where that is already permitted under the HMR. PHMSA remains committed to facilitating the safe, reliable, and efficient transportation of LNG by rail and to expanding the use of DOT–113C120W9 specification rail tank cars in transporting other hazardous materials.

PHMSA further notes that it recently issued an Advance Notice of Proposed Rulemaking (ANPRM), titled ''*Hazardous Materials: Mandatory Regulatory Reviews to Unleash American Energy and Improve Government Efficiency,*'' in a separate rulemaking docket.[4] That ANPRM solicits stakeholder feedback on opportunities to repeal or amend any provisions in the HMR that place an undue burden on the identification, development, and use of domestic energy resources consistent with President Trump's recent directive in E.O. 14154 (''Unleashing American Energy'' [5]). The ANPRM also specifically requests information regarding potential industry demand to transport LNG and other cryogenic liquids by rail tank car. PHMSA encourages any stakeholders who are interested in advancing the transportation of LNG and other hazardous materials by rail to participate in that proceeding. PHMSA is aware of at least one tank car manufacturer that has produced tank cars built to the DOT–113C120W9 specification for use with non-LNG cryogenic materials. This notice of conforming amendments removes the DOT–113C120W9 specification from the HMR. PHMSA notes that stenciling of those and other tank cars must, pursuant to § 179.22(a), reflect current HMR tank car specifications.

III. Regulatory Analyses and Notices

A. Statutory/Legal Authority and Good Cause for Immediate Adoption Without Prior Notice and Comment

Statutory authority for this final rule is provided by the Hazardous Materials Transportation Act (HMTA, 49 U.S.C. 5101 *et seq.*). Section 5103(b) of the HMTA authorizes the Secretary of Transportation to ''prescribe regulations for the safe transportation, including security, of hazardous materials in intrastate, interstate, and foreign commerce.'' *Id.* The Secretary has delegated his rulemaking authority under the HMTA to the PHMSA Administrator at 49 CFR 1.97(b).

PHMSA has good cause to issue this final rule without providing notice and comment pursuant to § 553(b)(B) of the Administrative Procedure Act (APA, 5 U.S.C. 551 *et seq.*). The final rule contains conforming amendments required by the D.C. Circuit's vacatur of

[1] PHMSA, *Hazardous Materials: Final Rule—Liquefied Natural Gas by Rail,* 85 FR 44994 (July 24, 2020) (the ''July 2020 final rule''). The design of the DOT–113C120W9 tank car included enhanced safety features, such as a thicker, stronger outer tank.

[2] *Sierra Club, et al.* v. *U.S. Department of Transportation,* Case No. 20–1317 (D.C. Cir. filed Aug. 18, 2020) (consolidated with Nos. 20–1318, 20–1431, & 21–1009).

[3] *Sierra Club, et al.* v. *DOT, et al.,* Case No. 20–1317, 125 F.4th 1170 (D.C. Cir. 2025).

[4] 90 FR 23656, (Jun. 4, 2025).