

Counsel Rachel Hasandras at (202) 395–5725. For specific questions on customs classification or implementation of the product exclusions identified in the Annex to this notice, contact traderemedycbp.dhs.gov.

SUPPLEMENTARY INFORMATION:

A. Background

The U.S. Trade Representative has taken actions under Section 301 of the Trade Act of 1974, as amended, in the form of additional duties on products of China in the investigation of China's Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation. The China 301 actions are set out in notes to the Harmonized Tariff Schedule of the United States (HTSUS). *See, e.g.*, 87 FR 26797 (Section A—summarizing the trade actions and modifications). The U.S. Trade Representative modified these actions by issuing product specific exclusions. Certain exclusions were extended in 2019 and 2020, but most exclusions expired at the end of 2020. In March 2022, USTR reinstated certain previously extended exclusions. These reinstated exclusions were recently extended through September 30, 2023. *See* 87 FR 78187 (December 21, 2022).

B. Conforming Amendment

Effective January 1, 2023, the United States International Trade Commission, in cooperation with the interagency Committee for Statistical Annotation of Tariff Schedules, implemented certain changes in ten-digit statistical reporting categories of the HTSUS and in Schedule B under section 484(f) of the Tariff Act of 1930, 19 U.S.C. 1484(f). One of the reinstated product exclusions set out at 87 FR 17380 (March 28, 2022), is based on one of the amended statistical reporting categories. To maintain the pre-existing product coverage of the China 301 actions, a conforming amendment to the corresponding note provision in the HTSUS is required.

Annex I to this notice makes a conforming amendment to U.S. note 20 subdivision (tt)(iv)(42), as set out in the Annex to the notice published at 87 FR 17380 (March 28, 2022) in the above-titled investigation under Section 301.

C. Technical Amendment

Annex II to this notice makes a technical amendment to U.S. note subdivisions 20(qq)(20), 20(iii)(50) and 20(tt)(iii)(36) to subchapter III of chapter 99 of the HTSUS, as set out in the Annexes of the notices published at 85 FR 6674 (February 5, 2020), 85 FR 48600 (August 11, 2020), and 87 FR 17380 (March 28, 2022), to correct the

description of the articles covered by one of the reinstated exclusions.

Like all exclusions under this Section 301 investigation, the amendments in this notice apply to entries of goods that are not liquidated or to entries that are liquidated, but not final. U.S. Customs and Border Protection will issue instructions on entry guidance and implementation.

Annex I

Effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern daylight time on January 1, 2023, note 20(tt)(iv)(42) to subchapter III of chapter 99 of the HTSUS is modified by deleting “9404.90.1000” and by inserting “9404.90.1000 prior to January 1, 2023; described in statistical reporting number 9404.90.1060 or statistical reporting number 9404.90.1090 effective January 1, 2023” in lieu thereof.

Annex II

1. Effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern daylight time on September 24, 2018, and through August 7, 2020, U.S. note 20(qq)(20) to subchapter III of chapter 99 of the HTSUS is modified by deleting “cuprous oxide and” and by inserting “copper oxide or” in lieu thereof.

2. Effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern daylight time on August 7, 2020, and through December 31, 2020, U.S. note 20(iii)(50) to subchapter III of chapter 99 of the HTSUS is modified by deleting “cuprous oxide and” and by inserting “copper oxide or” in lieu thereof.

3. Effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern daylight time on October 12, 2021, and through September 30, 2023, U.S. note 20(tt)(iii)(36) to subchapter III of chapter 99 of the HTSUS is modified by deleting “cuprous oxide and” and by inserting “copper oxide or” in lieu thereof.

Greta Peisch,

General Counsel, Office of the United States Trade Representative.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Meeting of the National Parks Overflights Advisory Group

ACTION: Notice of meeting.

SUMMARY: The Federal Aviation Administration (FAA) and the National Park Service (NPS), in accordance with the National Parks Air Tour Management Act of 2000, announce the next meeting of the National Parks Overflights Advisory Group (NPOAG). This notification provides the date, location, and agenda for the meeting.

DATES: The NPOAG will meet on March 8–9, 2023.

ADDRESSES: The meeting will take place in the Room C210 located in the Georgia World Congress Center, 285 Andrew Young International Blvd. NW, Atlanta, GA 30313. The meeting will be held from 1:00 p.m. to 5:00 p.m. on March 8 and from 8:30 a.m. to 12:30 p.m. on March 9, 2023. This NPOAG meeting will be open to the public.

FOR FURTHER INFORMATION CONTACT:

Sandi Fox, Environmental Protection Specialist, Federal Aviation Administration, Office of Environment and Energy, 800 Independence Ave. SW, Suite 900W, Washington, DC 20591, telephone: (202) 267–0928, email: sandra.y.fox@faa.gov.

SUPPLEMENTARY INFORMATION: The National Parks Air Tour Management Act of 2000 (NPATMA), enacted on April 5, 2000, as Public Law 106–181, required the establishment of the NPOAG within one year after its enactment. The Act requires that the NPOAG be a balanced group of representatives of general aviation, commercial air tour operations, environmental concerns, and Native American tribes. The Administrator of the FAA and the Director of NPS (or their designees) serve as ex officio members of the group. Representatives of the Administrator and Director serve alternating 1-year terms as chairperson of the advisory group.

The duties of the NPOAG include providing advice, information, and recommendations to the FAA Administrator and the NPS Director on; implementation of Public Law 106–181; quiet aircraft technology; other measures that might accommodate interests to visitors of national parks; and at the request of the Administrator and the Director, on safety, environmental, and other issues related to commercial air tour operations over national parks or Tribal lands.

Agenda for the March 8–9, 2023 NPOAG Meeting

The agenda for the meeting will include, but is not limited to, an update on ongoing park specific air tour management plans or voluntary agreements, status of agency implementation of court approved plan/schedule, update on environmental review process and special purpose law consultations, and public comment review process.

Attendance at the Meeting and Submission of Written Comments

Although this is not a public meeting, interested persons may attend. Because seating is limited, if you plan to attend please contact the person listed under **FOR FURTHER INFORMATION CONTACT** no later than February 22, 2023 so that meeting space may be made to accommodate all attendees. Written comments regarding the meeting will be accepted directly from attendees or may be sent to the person listed under **FOR FURTHER INFORMATION CONTACT**.

Record of the Meeting

If you cannot attend the NPOAG meeting, a summary record of the meeting will be made available under the NPOAG section of the FAA ATMP website at: http://www.faa.gov/about/office_org/headquarters_offices/arc/programs/air_tour_management_plan/parks_overflights_group/minutes.cfm or through the Office of Environment and Energy, 800 Independence Ave. SW, Suite 900W, Washington, DC 20591, telephone: (202) 267–0928.

Issued in Washington, DC, on February 7, 2023.

Sandra Fox,

Environmental Protection Specialist, Office of Environment and Energy.

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2021–0042; Notice 2]

Continental Tire the Americas, LLC, Denial of Petition for Decision of Inconsequential Noncompliance

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Denial of petition.

SUMMARY: Continental Tire the Americas, LLC (CTA), has determined that certain Altimax RT 43 replacement

passenger car tires do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 139, *New Pneumatic Radial Tires for Light Vehicles*. CTA filed a noncompliance report dated April 20, 2021, and subsequently petitioned National Highway Traffic Safety Administration (NHTSA or the “Agency”) on May 13, 2021, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety. This notice announces the denial of CTA’s petition.

FOR FURTHER INFORMATION CONTACT:

Jayton Lindley, Office of Vehicle Safety Compliance, NHTSA, (325) 655–0547.

SUPPLEMENTARY INFORMATION:

I. Overview

CTA has determined that certain Altimax RT43 replacement passenger car tires do not fully comply with the requirements of paragraph S5.5.1(b) of FMVSS No. 139, *New Pneumatic Radial Tires for Light Vehicles* (49 CFR 571.139). CTA filed a noncompliance report dated April 20, 2021, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports*. CTA subsequently petitioned NHTSA on May 13, 2021, for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential as it relates to motor vehicle safety, pursuant to 49 U.S.C. 30118(d) and 30120(h) and 49 CFR part 556, *Exemption for Inconsequential Defect or Noncompliance*.

Notice of receipt of CTA’s petition was published with a 30-day public comment period, on June 9, 2022, in the **Federal Register** (87 FR 35283). No comments were received. To view the petition and all supporting documents log onto the Federal Docket Management System (FDMS) website at <https://www.regulations.gov/>. Then follow the online search instructions to locate docket number “NHTSA–2021–0042.”

II. Tires Involved

Approximately three (3) Altimax RT43 replacement passenger car tires, size 175/65R14 82T, manufactured between March 8, 2020, and March 14, 2020, are potentially involved.

III. Noncompliance

CTA explains that the noncompliance is due to a mold error in which the subject tires contain a tire identification number (TIN) that omits the 3-digit plant code and the 6-symbol manufacturer’s identification mark as

required by paragraph S5.5.1(b) of FMVSS No. 139 and 49 CFR 574.5(b). Specifically, CTA should have labeled the subject tires “DOT 036 0F934V 1020” on the outboard sidewall and “DOT 036 0F934V” on the inboard sidewall, but CTA instead labeled “DOT 1020”¹ on the outboard sidewall and “DOT” on the inboard sidewall.

IV. Rule Requirements

Paragraph S5.5.1(b) of FMVSS No. 139 includes the following requirements, which are relevant to this petition:

- For tires manufactured on or after September 1, 2009, each tire must be labeled with the TIN required by 49 CFR part 574 on the intended outboard sidewall of the tire.
- If a tire does not have an intended outboard sidewall, the tire must be labeled with the TIN required by 49 CFR part 574 on one sidewall and with either the TIN or a partial TIN, containing all characters in the TIN except for the date code and, at the discretion of the manufacturer, any optional code, on the other sidewall.²

V. Summary of CTA’s Petition

The following views and arguments presented in this section, “V. Summary of CTA’s Petition,” are the views and arguments provided by CTA in support of its petition. They do not reflect the views of the Agency. CTA describes the subject noncompliance and contends that the noncompliance is inconsequential as it relates to motor vehicle safety.

CTA says that in most instances, it “tests its tires to standards which exceed the FMVSS minimums.” CTA asserts that “the subject tires contain all the necessary sidewall markings to show compliance with FMVSS testing” and that other than the incorrect TIN marking, the tires “meet or exceed” FMVSS No. 139’s performance and labeling requirements.

According to CTA, the serial sidewall of the subject tires displays the correct DOT production week and year, and when combined with other markings available on the subject tires, the tires can be uniquely identified.

CTA cites the following previous inconsequentiality petitions to support its argument:

a. Michelin North America, Inc., 85 FR 37495 (June 22, 2020).

¹ Blank spaces in this quoted label are representative of how the labeling error appears on CTA’s subject tires.

² This specific requirement does not apply to retreaded tires, but notably, the subject tires are not retreaded tires.