

Avenue NW, Suite 520N, Washington, DC 20004-1710; 202-434-9950.

■ 58. Revise § 2700.83 to read as follows:

§ 2700.83 Authority to sign orders.

The Chair or other designated Commissioner is authorized to sign on behalf of a quorum of the Commission, orders disposing of the following procedural motions: motions for extensions of time, motions for permission to file briefs in excess of page limits, motions to accept late filed briefs, motions to consolidate, motions to expedite proceedings, motions for oral argument, and similar procedural motions. In the absence of a designated Chair or Acting Chair, Commissioners continue to be authorized to sign orders disposing of procedural motions as identified above.

Dated: January 8, 2025.

Mary Lu Jordan,

Chair, Federal Mine Safety and Health Review Commission.

[FR Doc. 2025-00703 Filed 1-16-25; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 948

[SATS No. WV-118-FOR (partial); Docket ID: OSM-2011-0009; SATS No. WV-126-FOR; Docket ID: OSM-2019-0012 S1D1S SS08011000 SX064A000 240S180110; S2D2S SS08011000 SX064A000 245XS501520]

West Virginia Regulatory Program; Correction

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

ACTION: Final rule; correction.

SUMMARY: We, the Office of Surface Mining Reclamation and Enforcement (OSMRE), published a document in the **Federal Register** on March 18, 2024, approving in part, and not approving in part, amendments to the West Virginia regulatory program (the West Virginia program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA or the Act). We made an error in the document by overwriting a provision that should not have been removed; instead, we should have added a new paragraph under the not approved section. Additionally, we did not include a provision in the table where our approvals were listed. We published a correction to the March 18, 2024, **Federal Register** document on

August 28, 2024, but because the March 18 revisions had already become effective, the amendatory instructions became erroneous and the August 28, 2024, corrections could not be incorporated into the Code of Federal Regulations. This document corrects the final regulations.

DATES: This correction is effective January 17, 2025.

FOR FURTHER INFORMATION CONTACT: Mr. Justin Adams, Director, Charleston Field Office, Telephone: (304) 977-7177. Email: *osm-chfo@osmre.gov*.

SUPPLEMENTARY INFORMATION: This is a summary of errata from our final rule published March 18, 2024 (89 FR 19262), FR Doc. 2024-05682, on page 19273, columns 2 and 3. We are correcting 30 CFR 948.12 (State statutory, regulatory, and proposed program amendment provisions not approved) to re-letter subsection (k) as subsection (l), and reinstate the version of subsection (k) that existed in the CFR prior to the publication of the March 18, 2024 **Federal Register** document. *See also* 89 FR 2133 (Jan. 12, 2024). We are also adding subsection 38-2-12.5.d of West Virginia's regulations to the table at 30 CFR 948.15 (Approval of West Virginia regulatory program amendments). We had approved its deletion from West Virginia's regulations in the March 18, 2024, **Federal Register**, but it was omitted from the table.

List of Subjects in 30 CFR Part 948

Intergovernmental relations, Surface mining, Underground mining.

Accordingly, 30 CFR part 948 is amended by making the following correcting amendments:

PART 948—WEST VIRGINIA

■ 1. The authority citation for part 948 continues to read as follows:

Authority: 30 U.S.C. 1201 *et seq.*

■ 2. In § 948.12, revise paragraph (k) and add paragraph (l) to read as follows:

§ 948.12 State statutory, regulatory, and proposed program amendment provisions not approved.

* * * * *

(k) We are not approving the following portions of provisions of the proposed program amendment that West Virginia submitted on May 15, 2017:

(1) We are deferring our decision on the deletion of provisions from W.Va. Code 22-3-11(g)(2) regarding the development of a long-range planning process for the selection and prioritization of sites to be reclaimed.

We defer our decision until we make a determination on West Virginia's related amendment docketed as WV-128-FOR, which relates to the complete and accurate listing of all outstanding reclamation obligations (including water treatment) on active permits in the State.

(2) [Reserved]

(1) We are not approving the following provisions of the proposed West Virginia program amendments dated May 2, 2018:

(1) At W.Va. Code 22-3-9, revisions substituting notice by newspaper with notice in a form and manner determined by the Secretary which may be electronic.

(2) At W.Va. Code 22-3-20, revisions substituting notice by newspaper with notice in a form and manner determined by the Secretary which may be electronic.

(3) At CSR 38-2-2.37, the removal of the definition "completion of reclamation".

(4) At CSR 38-2-12.2.d., the elimination to the existing prohibition on bond release for any site specific bonding (*i.e.*, open-acre bonding) until all coal extraction is completed and the disturbed area is completely backfilled and regraded.

(5) At CSR 38-2-12.2.e., to restructure and revise existing approved language in this section and move it to CSR 38-2-12.2.a.4.

(6) At CSR 38-2-12.2.f., to move, unchanged, this existing language to CSR 38-2-12.2.d.

(7) At CSR 38-2-12.2.g., to move, unchanged, this existing language to CSR 38-2-12.2.f.

(8) At CSR 38-2-12.2.h., to renumber existing CSR 38-2-12.2.h to 12.2.i. and to insert it as a new CSR 38-2-12.2.h.

(9) At CSR 38-2-12.4.c., to eliminate an existing 180 day window for initiating reclamation operations to reclaim the site in accordance with the approved reclamation plan or modification thereof.

(10) At CSR 38-2-12.5., to delete subsection 12.5 of the West Virginia regulations, which directs WVDEP's collection, analysis and reporting on sites where bond has been forfeited including, in particular, data relating to the water quality of water being discharged from forfeited sites.

■ 3. In § 948.15, revise the table entry "April 25, 2011, May 8, 2018" to read as follows:

§ 948.15 Approval of West Virginia regulatory program amendments.

* * * * *

Original amendment submission dates	Date of publication of final rule	Citation/description of approved provisions
April 25, 2011, May 8, 2018	March 18, 2024	CSR 38–2–2.6; 9.3.d; 11.3.f; 11.4; 11.6; 12.2.a, 12.5.b, c and d; 12.4.a.2.B, 12.4.b, 4.b.1 and 4.b.2; 12.4.d; 14.5.b.

Thomas D. Shope,
Regional Director, North Atlantic-Appalachian Region.
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DEPARTMENT OF THE TREASURY
Financial Crimes Enforcement Network
31 CFR Part 1010
Financial Crimes Enforcement Network; Inflation Adjustment of Civil Monetary Penalties

AGENCY: Financial Crimes Enforcement Network (FinCEN), Treasury.
ACTION: Final rule.

SUMMARY: FinCEN is publishing this final rule to reflect inflation adjustments to its civil monetary penalties as mandated by the Federal Civil Penalties Inflation Adjustment Act of 1990, as amended. This rule adjusts certain maximum civil monetary penalties within the jurisdiction of FinCEN to the amounts required by that Act.

DATES: Effective January 17, 2025.

FOR FURTHER INFORMATION CONTACT: FinCEN’s Regulatory Support Section by submitting an inquiry at www.fincen.gov/contact.

SUPPLEMENTARY INFORMATION:

I. Background

To improve the effectiveness of civil monetary penalties (CMPs) and to maintain their deterrent effect, the Federal Civil Penalties Inflation Adjustment Act of 1990 (the “Act”)¹ requires Federal agencies to adjust for inflation each CMP provided by law within the jurisdiction of the agency. Under the Act, agencies are required to adjust CMPs annually and publish these

¹ Federal Civil Penalties Inflation Adjustment Act of 1990 (the “Act”), Public Law 101–410, 104 Stat. 890 (Oct. 5, 1990), as amended by the Debt Collection Improvement Act of 1996, Public Law 104–134, 110 Stat. 1321–373 (Apr. 26, 1996); the Federal Reports Elimination Act of 1998, Public Law 105–362, 112 Stat. 3293 (Nov. 10, 1998); and the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, Public Law 114–74, 129 Stat. 599 (Nov. 2, 2015), codified as a statutory note to 28 U.S.C. 2461.

adjustments in the **Federal Register**.² Agencies are to make the adjustments without engaging in notice-and-comment rulemaking, and these adjustments may be immediately effective upon publication.³ The Act provides that any increase in a CMP shall apply to CMPs that are assessed after the date the increase takes effect, regardless of whether the underlying violation predated such increase.⁴ FinCEN publishes CMP inflation adjustments in its regulations at 31 CFR 1010.821.

II. Method of Calculation

The method of calculating CMP adjustments applied in this final rule is determined by the Act. Under the Act and Office of Management and Budget (OMB) guidance, annual inflation adjustments are to be based on the percent change between the Consumer Price Index for all Urban Consumers (CPI-U) for the October preceding the date of the adjustment and the prior year’s October CPI-U.⁵ As set forth in OMB Memorandum M–25–02 of December 17, 2024, the adjustment multiplier for 2025 is 1.02598. To complete the 2025 annual adjustment, each current FinCEN CMP is multiplied by the 2025 adjustment multiplier. Under the Act, any increase in CMP must be rounded to the nearest multiple of \$1.⁶

² Act, sec. 4(a).

³ Act, sec. 4(b)(2) (adjustments are to be made “notwithstanding” the rulemaking requirements of 5 U.S.C. 553 of the Administrative Procedure Act).

⁴ The increased CMPs, however, apply only with respect to underlying violations occurring after November 2, 2015, the date of enactment of the most recent amendment to the Act, Act, sec. 6.

⁵ Act, sec. 5; OMB Mem. M–25–02, Implementation of Penalty Inflation Adjustments for 2025, Pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (Dec. 17, 2024), available at <https://www.whitehouse.gov/wp-content/uploads/2024/12/M-25-02.pdf>.

⁶ Act, sec. 5(a). FinCEN previously applied a catch-up adjustment for each penalty subject to the Act in 2016 based on the year and corresponding amount(s) for which the maximum penalty or range of minimum and maximum penalties was established or last adjusted, whichever is later. See FinCEN, Civil Monetary Penalty Adjustment and Table, 81 FR 42503, 42504 (June 30, 2016). Because the year of establishment or last adjustment is different for different penalties, penalties that were of the same size when each was promulgated can

Procedural Matters

1. Administrative Procedure Act

Section 4(b) of the Act requires agencies, beginning in 2017, to make annual adjustments for inflation to CMPs notwithstanding the rulemaking requirements of 5 U.S.C. 553. Additionally, the methodology used for adjusting CMPs for inflation is provided by statute, with no discretion provided to agencies regarding the substance of the adjustments for inflation to CMPs. Accordingly, prior public notice and an opportunity for public comment and a delayed effective date are not required for this rule.

2. Regulatory Flexibility Act

Because no notice of proposed rulemaking is required, the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) do not apply.

3. Executive Order 12866

This rule is not a significant regulatory action as defined in section 3(f) of Executive Order 12866, as amended.

4. Paperwork Reduction Act

The provisions of the Paperwork Reduction Act of 1995, Public Law 104–13, 44 U.S.C. chapter 35, and its implementing regulations, 5 CFR part 1320, do not apply to this rule because there are no new or revised recordkeeping or reporting requirements.

List of Subjects in 31 CFR Part 1010

Administrative practice and procedure, Aliens, Authority delegations (Government agencies), Banks, banking, Brokers, Business and industry, Citizenship and naturalization, Commodity futures, Currency, Electronic filing, Federal savings associations, Federal-States relations, Foreign persons, Holding companies, Indians, Indians—law, Indians—tribal government, Insurance companies, Investigations, Investment advisers, Investment companies, Law enforcement, Penalties, Reporting and

have different values today if promulgated at different times.