

Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*), do not apply.

This action directly regulates growers, food processors, food handlers, and food retailers, not States or tribes, nor does this action alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of FFDCA section 408(n)(4). As such, the Agency has determined that this action will not have a substantial direct effect on States or tribal governments, on the relationship between the national government and the States or tribal governments, or on the distribution of power and responsibilities among the various levels of government or between the Federal Government and Indian tribes. Thus, the Agency has determined that Executive Order 13132, entitled "Federalism" (64 FR 43255, August 10, 1999) and Executive Order 13175, entitled "Consultation and Coordination with Indian Tribal Governments" (65 FR 67249, November 9, 2000) do not apply to this action. In addition, this action does not impose any enforceable duty or contain any unfunded mandate as described under Title II of the Unfunded Mandates Reform Act (UMRA) (2 U.S.C. 1501 *et seq.*).

This action does not involve any technical standards that would require Agency consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note).

VII. Congressional Review Act

Pursuant to the Congressional Review Act (5 U.S.C. 801 *et seq.*), EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This action is not a "major rule" as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: May 7, 2020.

Michael L. Goodis,

Director, Registration Division, Office of Pesticide Programs.

Therefore, 40 CFR chapter I is amended as follows:

PART 180—[AMENDED]

■ 1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 321(q), 346a and 371.

■ 2. In § 180.564, add alphabetically the entries "Corn, pop, grain" and "Corn, pop, stover" to the table in paragraph (a) to read as follows:

§ 180.564 Indoxacarb; tolerances for residues.

(a) * * *
(1) * * *

Commodity	Parts per million
* * * * *	* * * * *
Corn, pop, grain	0.02
Corn, pop, stover	15
* * * * *	* * * * *

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[EPA-HQ-SFUND-2002-0008; FRL-10008-19-Region 8]

National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Partial Deletion of the Libby Asbestos Superfund Site

AGENCY: Environmental Protection Agency.

ACTION: Final rule; partial deletion.

SUMMARY: The Environmental Protection Agency (EPA) Region 8 announces the deletion of the Operable Unit 1 (OU1), Former Export Plant of the Libby Asbestos Superfund Site (Site) located in Lincoln County, Montana, from the National Priorities List (NPL). The NPL, promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended, is an appendix of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). This partial deletion pertains to OU1. Operable Unit 2 (OU2), Former Screening Plant, was deleted from the NPL on April 10, 2019. Operable Unit 3 (OU3), Former Vermiculite Mine; Operable Unit 4 and Operable Unit 7 (OU4/OU7), Residential/Commercial Properties of Libby and Troy; Operable Unit 5 (OU5), Former Stimson Lumber Mill; Operable Unit 6 (OU6), BNSF Rail Corridor; and Operable Unit 8 (OU8), Highways and Roadways, are not being considered for deletion as part of this proposed action

and will remain on the NPL. The EPA and the State of Montana, through the Montana Department of Environmental Quality, have determined that all appropriate response actions under CERCLA, other than operation and maintenance, monitoring and five-year reviews, have been completed. However, the deletion of these parcels does not preclude future actions under Superfund.

DATES: This action is effective May 26, 2020.

ADDRESSES: EPA has established a docket for this action under Docket Identification No. EPA-HQ-SFUND-2002-0008. All documents in the docket are listed on the <http://www.regulations.gov> website. Although listed in the index, some information is not publicly available, *i.e.*, Confidential Business Information 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 electronically in <http://www.regulations.gov>; by calling EPA Region 8 at (303) 312-7279 and leaving a message; and at the EPA Info Center, 108 E 9th Street, Libby, MT 59923, (406) 293-6194, Monday through Thursday from 8:00 a.m.-4:00 p.m.

FOR FURTHER INFORMATION CONTACT: Dania Zinner, Remedial Project Manager, U.S. Environmental Protection Agency, Region 8, 1595 Wynkoop Street, Mailcode: 8SEM-RB, Denver, CO 80202-1129, email: zinner.dania@epa.gov.

SUPPLEMENTARY INFORMATION: The portion of the site to be deleted from the NPL is: OU1, Lincoln County, MT. A Notice of Intent for Partial Deletion for this Site was published in the **Federal Register** (85 FR 4249) on January 24, 2020.

The closing date for comments on the Notice of Intent for Partial Deletion was February 24, 2020. Two public comments were received. The comments did not object to the deletion; they highlighted management of institutional controls and updating the operations and maintenance plan as appropriate in the future. EPA believes the partial deletion action is appropriate. A responsiveness summary was prepared and placed in both the docket, EPA-HQ-SFUND-2002-0008, on www.regulations.gov, and in the local repositories listed above.

EPA maintains the NPL as the list of sites that appear to present a significant risk to public health, welfare, or the environment. Deletion of a site from the

NPL does not preclude further remedial action. Whenever there is a significant release from a site deleted from the NPL, the deleted site may be restored to the NPL without application of the hazard ranking system. Deletion of portions of a site from the NPL does not affect responsible party liability, in the unlikely event that future conditions warrant further actions.

List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous substances, Hazardous waste, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Authority: 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601–9657; E.O. 13626, 77 FR 56749, 3 CFR, 2013 Comp., p. 306; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp., p. 193.

Dated: April 29, 2020.

Gregory Sopkin,

Regional Administrator, EPA Region 8.

[FR Doc. 2020–09563 Filed 5–22–20; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 0 and 15

[ET Docket No. 18–295 and GN Docket No. 17–183; FCC 20–51; FRS 16729]

Unlicensed Use of the 6 GHz Band

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Commission adopts rules designed to optimize unlicensed access by authorizing two types of unlicensed operations in the 6 GHz band while also protecting incumbent services so that they continue to thrive in the band. The Commission is authorizing unlicensed standard-power access points that will operate under the control of an automated frequency coordination system in portions of the 6 GHz band. The Commission is also opening the entire 6 GHz band for unlicensed indoor low power access points. In addition, the Commission will permit unlicensed client devices to communicate with both the standard-power and low-power access points. These rules will provide opportunities for unlicensed operations to use up to 320-megahertz channels to expand capacity and increase performance. This forward-looking action anticipates the next generation of

the unlicensed devices and advances the U.S.'s role as an innovator and global spectrum policy leader.

DATES: Effective July 27, 2020.

ADDRESSES: Federal Communications Commission, 445 12th Street SW, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Mr. Nicholas Oros of the Office of Engineering and Technology, Policy and Rules Division, at (202) 418–0636, or *Nicholas.Oros@fcc.gov*.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Report and Order*, ET Docket No. 18–295 and GN Docket No. 17–183, FCC 20–51, adopted April 23, 2020 and released April 24, 2020. The full text of this document is available for public inspection and copying during normal business hours in the FCC Reference Center (Room CY–A257), 445 12th Street SW, Washington, DC 20554, or by downloading the text from the Commission's website at <https://www.fcc.gov/document/fcc-opens-6-ghz-band-wi-fi-and-other-unlicensed-uses-0>. Alternative formats are available for people with disabilities (Braille, large print, electronic files, audio format) by sending an email to *fcc504@fcc.gov* or calling the Commission's Consumer and Governmental Affairs Bureau at (202) 418–0530 (voice), (202) 418–0432 (TTY).

Synopsis

Unlicensed Use of the 6 GHz Band

1. The Commission adopts rules designed to optimize unlicensed access to the 6 GHz band while also protecting incumbent services so that they continue to thrive in the band. In doing so, the Commission accounts for the concerns raised by parties representing the various incumbent services that operate in the 6 GHz band, weighs the various technical studies presented by proponents of unlicensed operations as well as representatives of incumbent services, and addresses how the rules the Commission adopts will enable unlicensed operations to operate in the 6 GHz band and protect the various incumbent services that operate in the band.

Standard-Power Operations in U–NII–5 and U–NII–7 Bands

2. The Commission adopts rules to permit standard power unlicensed operations in the U–NII–5 (5.925–6.425 GHz) and U–NII–7 (6.525–6.875 GHz) bands to operate outdoors or indoors with similar power levels as permitted for unlicensed portions of the 5 GHz band through use of an automated frequency coordination (AFC) system to

protect incumbent fixed microwave operations from harmful interference. Specifically, the Commission authorizes standard-power access points to operate in these bands at power levels up to 36 dBm EIRP (PSD of 23 dBm/MHz EIRP), and client devices to operate at up to 30 dBm EIRP (PSD of 17 dBm/MHz EIRP). The rules the Commission adopts for these unlicensed device operations will protect incumbent fixed microwave, radio astronomy, and fixed-satellite operations, add much needed capacity to meet the rapidly increasing demands of the wireless industry, and promote innovation and investment in new wireless unlicensed technologies. To protect incumbent fixed microwave operations from harmful interference, unlicensed access to these bands is only permitted on frequencies and locations determined by an AFC system based on the exclusion zones that it establishes. The Commission also protects certain radio astronomy observatories through the AFC system. Finally, in affirming the Commission's tentative conclusion that the AFC system is not necessary to protect incumbent fixed satellite service operations, the Commission also adopts a restriction on unlicensed standard-power access point to prevent them from pointing toward the space station receivers.

AFC-Based Access To Protect Fixed Microwave Services

3. Consistent with the framework proposed in the Notice, the AFC mechanism, combined with the technical and operational rules that the Commission adopts, will protect incumbent fixed microwave operations from the potential of harmful interference from unlicensed standard-power operations in the U–NII–5 and U–NII–7 bands. As noted by the Commission, the use of an automated system to control access to spectrum is not new. The Commission has previously used this approach to protect television reception from unlicensed white space devices in the TV bands and to protect satellite earth stations and government radars from devices of the Citizens Broadband Radio Service in the 3550–3700 MHz band. A properly designed AFC system in the U–NII–5 and U–NII–7 bands will protect incumbent operations, though they often differ on particular design and features of that system.

4. The AFC-based system for permitting unlicensed standard power operations in the 6 GHz bands will consist of several components which, when taken together, will determine the specific exclusion zones that will protect incumbent operations. These