

(2) if the standards for classification under E.O. 13526 are met, the information shall be declassified after 10 years from the date of the original classification, unless the original classification authority determines that the sensitivity of the information requires that it remain classified for up to 25 years from the date of the original classification, as provided in section 1.5.(b) of E.O. 13526.

■ 7. Amend § 4a.7 by revising paragraphs (a), (c), (d), and (e) to read as follows:

§ 4a.7 Mandatory review for declassification.

(a) Requests. Classified information under the jurisdiction of the Department is subject to review for declassification in accordance with 32 CFR 2001.33, upon receipt of a written request that describes the information with sufficient specificity to locate it with a reasonable amount of effort. Requests must be submitted to the Director for Security, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.

\* \* \* \* \*

(c) Processing requirements. (1) For requests for review of classified information not received from the National Archives and Records Administration, the Director for Security, or their designate, shall acknowledge receipt of the request directly to the requester. If a request does not adequately describe the information sought in accordance with paragraph (a) of this section, the requester shall be notified that unless additional information is provided, no further action will be taken. The request shall be forwarded to the component that originated the information or that has primary interest in the subject matter. The component assigned action shall review the information in accordance with § 4a.7(c)(2) through (4) within twenty working days.

(2) The component assigned action shall determine whether, under the declassification provisions of the U.S. Department of Commerce’s Manual of Security, the entire document or portions thereof may be declassified. Declassification of the information shall be accomplished by a designated declassification authority. Upon declassification, the information shall be remarked. If the information is not partially or entirely declassified, the reviewing official shall provide the reasons for denial by citing the applicable provisions of E.O. 13526. If the classification is a derivative decision based on classified source material of another Federal agency, the component

shall provide the information to the originator for review.

(3) If information is declassified, the component shall also determine whether it is releasable under the Freedom of Information Act (FOIA) as amended (5 U.S.C. 552). If the information is not releasable, the component shall advise the Director for Security that the information has been declassified but that it is exempt from disclosure, citing the appropriate exemption of the FOIA as amended.

(4) If the request for declassification is denied in whole or in part, the requester shall be notified of the right to appeal the determination within sixty calendar days and of the procedures for such an appeal. If declassified information remains exempt from disclosure under the FOIA as amended, the requester shall be advised of the appellate procedures under that law.

(d) Fees. If the request requires services for which fees are chargeable, the component assigned action shall calculate the anticipated fees to be charged, and may be required to ascertain the requester’s willingness to pay the allowable charges as a precondition to taking further action on the request, in accordance with Department of Commerce rules promulgated under 5 U.S.C. 552(a)(4)(A) of the Freedom of Information Act as amended and Department of Commerce rules promulgated under 5 U.S.C. 552a(f)(5) of the Privacy Act of 1974 (5 U.S.C. 552a).

(e) Right of appeal. (1) A requester may appeal to the Director for Security when information requested under this section is not completely declassified and released after expiration of the applicable time limits. Within thirty working days (i.e., excluding Saturdays, Sundays, and legal public holidays) of receipt of a written appeal:

(i) The Director for Security shall determine whether continued classification of the requested information is required in whole or in part;

(ii) If information is declassified, determine whether it is releasable under the Freedom of Information Act as amended; and

(iii) Notify the requester of his or her determination, making available any information determined to be releasable. If continued classification is required under the provisions of the Department of Commerce Manual for Security, the Director for Security shall notify the requester of his or her determination, including the reasons for denial based on applicable provisions of E.O. 13526, and of the right of final appeal to the

Interagency Security Classification Appeals Panel.

(2) During the declassification review of information under appeal the Director for Security may overrule previous determinations in whole or in part if continued protection in the interest of national security is no longer required. If the Director for Security determines that the information no longer requires classification, it shall be declassified and, unless it is otherwise exempt from disclosure under the Freedom of Information Act as amended, released to the requester. The Director for Security shall advise the original reviewing component of his or her decision.

■ 8. Amend § 4a.8 by revising paragraph (b)(5) introductory text to read as follows:

§ 4a.8 Access to classified information by individuals outside the Government.

\* \* \* \* \*

(b) \* \* \*

(5) Receives from the Director for Security:

\* \* \* \* \*

[FR Doc. 2020–10248 Filed 6–9–20; 8:45 am]

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DEPARTMENT OF STATE

22 CFR Parts 120, 122, 123, 124, and 129

[Public Notice: 11137]

International Traffic in Arms Regulations: Request for Comment Regarding the Temporary Suspension, Modification, or Exception to Regulations During SARS–COV2 Public Health Emergency

AGENCY: Department of State.

ACTION: Request for comments.

SUMMARY: The Department of State, is requesting comment from the public regarding certain temporary suspensions, modifications, and exceptions to several provisions of the International Traffic in Arms Regulations (ITAR) recently issued in order to ensure continuity of operations within the Directorate of Defense Trade Controls (DDTC) and among entities registered with DDTC pursuant to the ITAR during the current SARS–COV2 public health emergency.

DATES: Comments are due by June 25, 2020.

ADDRESSES: Interested parties may submit comments by one of the following methods:

- Email: DDTCPublicComments@state.gov with the subject line, “Request

for Comment: ITAR Suspension, Modification, or Exception—SARS—COV2.”

- *Internet:* At [www.regulations.gov](http://www.regulations.gov), search for this notice using its docket number, DOS-2020-0024.

Comments submitted through [www.regulations.gov](http://www.regulations.gov) will be visible to other members of the public; the Department will publish responsive comments on the DDTC website ([www.pmdtdc.state.gov](http://www.pmdtdc.state.gov)). Commenters are therefore cautioned not to include proprietary or other sensitive information in their comments.

**FOR FURTHER INFORMATION CONTACT:** Robert Hart, Office of Defense Trade Controls Policy, U.S. Department of State, telephone (202) 632-2788, or email [DDTCResponseTeam@state.gov](mailto:DDTCResponseTeam@state.gov). ATTN: Request for Comment: Suspension, Modification, or Exception—SARS—COV2.

**SUPPLEMENTARY INFORMATION:** In order to ensure continuity of operations within the Directorate of Defense Trade Controls (DDTC) and among entities registered with DDTC pursuant to part 122 of the International Traffic in Arms Regulations (ITAR), on May 1, 2020, DDTC issued a document (85 FR 25287) informing the public of the temporary suspension, modification, and exception to several ITAR provisions. These actions were taken in the interest of the security and foreign policy of the United States as warranted due to the exceptional and undue hardships and risks to safety caused by the public health emergency related to the SARS—COV2 pandemic. DDTC is limiting its consideration of comments to the following three areas and requests commenters confine their submissions to the requested topics.

1. The efficacy of each of the temporary suspensions, modifications, and exceptions to the ITAR on the operating environments of the regulated community members during the COVID-19 emergency.

2. Expiration dates of suspensions, modifications, and exceptions to the ITAR—for each expiration date, is the period of efficacy sufficient, or should DDTC consider an extension of the expiration date, and why?

3. Are there additional temporary suspensions, modifications, or exceptions to the ITAR that DDTC should consider in response to specific difficulties in operating conditions under the regulations that have arisen

for the regulated community as a direct result of the crisis, and why?

**Michael F. Miller,**

*Deputy Assistant Secretary for Defense Trade Controls, U.S. Department of State.*

[FR Doc. 2020-12580 Filed 6-5-20; 4:15 pm]

**BILLING CODE 4710-25-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Parts 52 and 81

[EPA-R05-OAR-2020-0042; FRL-10009-61-Region 5]

#### Air Plan Approval; Wisconsin; Redesignation of the Newport State Park Area in Door County to Attainment of the 2015 Ozone NAAQS

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) finds that the Newport State Park area in Door County Wisconsin is attaining the 2015 ozone National Ambient Air Quality Standard (NAAQS or standard). EPA is acting in accordance with a request from the Wisconsin Department of Natural Resources (WDNR) to redesignate the area to attainment for the 2015 ozone NAAQS because the request meets the statutory requirements for redesignation under the Clean Air Act (CAA), which WDNR submitted on January 27, 2020. EPA is also approving, as a revision to the Wisconsin State Implementation Plan (SIP), the State's plan for maintaining the 2015 ozone NAAQS through 2030 in the area. Finally, EPA finds adequate and is approving Wisconsin's 2023 and 2030 volatile organic compound (VOC) and oxides of nitrogen (NO<sub>x</sub>) Motor Vehicle Emission Budgets (MVEBs) for the area.

**DATES:** This final rule is effective June 10, 2020.

**ADDRESSES:** EPA has established a docket for this action under Docket ID No. EPA-R05-OAR-2020-0042. All documents in the docket are listed in the <http://www.regulations.gov> website. Although listed in the index, some information is not publicly available, e.g., 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 either through <http://www.regulations.gov>, or please contact the person identified in the **FOR**

**FURTHER INFORMATION CONTACT** section for additional availability information.

#### FOR FURTHER INFORMATION CONTACT:

Jenny Liljegren, Physical Scientist, Attainment Planning and Maintenance Section, Air Programs Branch (AR-18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-6832, [Liljegren.Jennifer@epa.gov](mailto:Liljegren.Jennifer@epa.gov). The EPA Region 5 office is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding Federal holidays and facility closures due to COVID 19.

#### SUPPLEMENTARY INFORMATION:

Throughout this document whenever “we,” “us,” or “our” is used, we mean EPA.

#### I. What is being addressed in this document?

This rule takes action on the January 27, 2020, submission from WDNR requesting redesignation of the Newport State Park area in Door County, Wisconsin to attainment for the 2015 ozone standard. The background for this action is discussed in detail in EPA's proposal, dated March 13, 2020 (85 FR 14608). In that rulemaking, we noted that, under EPA regulations at 40 CFR part 50, the 2015 ozone NAAQS is attained in an area when the 3-year average of the annual fourth highest daily maximum 8-hour average ozone concentration is equal to or less than 0.070 parts per million, when truncated after the third decimal place, at all of the ozone monitoring sites in the area. (See 40 CFR 50.19 and appendix U of part 50.) Under the CAA, EPA may redesignate nonattainment areas to attainment if sufficient, complete, quality-assured data are available to determine that the area has attained the standard and meets the other CAA redesignation requirements in section 107(d)(3)(E). The proposed rule provides a detailed discussion of how Wisconsin has met these CAA requirements.

As discussed in the proposed rule, quality-assured and certified monitoring data for 2017–2019 show that the area has attained the 2015 ozone standard. In the maintenance plan submitted for the area, Wisconsin has demonstrated that the ozone standard will be maintained in the area through 2030. Finally, Wisconsin has adopted 2023 and 2030 VOC and NO<sub>x</sub> MVEBs for the area that are supported by Wisconsin's maintenance demonstration.

#### II. What comments did we receive on the proposed rule?

EPA provided a 30-day review and comment period for the March 13, 2020,