

Representative determined to extend 137 exclusions covered under List 1, 59 exclusions covered under List 2, 266 exclusions covered under List 3, and 87 exclusions covered under List 4. With the exception of certain exclusions related to the COVID-19 pandemic, all of these 549 exclusions expired. In particular, the exclusions for most of these products expired by December 31, 2020, and the remaining exclusions expired in 2021. *See* 85 FR 15849 (March 19, 2020) and 85 FR 20332 (April 10, 2020).

On October 8, 2021, the U.S. Trade Representative invited the public to submit comments on whether to reinstate certain exclusions previously granted and extended. 86 FR 56345 (October 8, 2021) (the October 8 notice). The October 8 notice set out factors to be considered in decisions on possible reinstatement, and invited public comment. Those factors included whether, despite the imposition of additional duties beginning in September 2018, the excluded products remain available only from China and whether or not reinstating the exclusions would impact or result in severe economic harm to the commenter or other U.S. interests.

Pursuant to Sections 301(b), 301(c), and 307(a) of the Trade Act of 1974, as amended, on March 28, 2022, the U.S. Trade Representative determined to further modify the action by reinstating 352 of the 549 expired exclusions. The reinstated exclusions applied as of October 12, 2021, and extend through December 31, 2022. *See* 87 FR 17380 (March 28, 2022).

In accordance with Section 307(c)(3) of the Trade Act of 1974, on September 8, 2022, the USTR announced that it would be conducting a review of the July 6, 2018 and August 23, 2018 actions, as modified. *See* 87 FR 26797 (May 5, 2022); 87 FR 55073 (September 8, 2022). Section 307(c) of the Trade Act of 1974 requires the U.S. Trade Representative to conduct a review of: (A) the effectiveness in achieving the objectives of Section 301 of (i) such action, and (ii) other actions that could be taken (including actions against other products or services), and (B) the effects of such actions on the United States economy, including consumers. *See* 19 U.S.C. 2417(c)(3)(A) and (B). In a notice published on October 17, 2022 (87 FR 62914), USTR announced that it was opening a docket on November 15, 2022 (USTR-2022-0014) for interested persons to submit comments with respect to any aspect of Section 307(c) considerations, including whether certain tariff headings should remain covered by the actions.

B. Determination To Extend Exclusions

Based on a continued consideration of the factors and criteria set forth in the October 8 notice, and in light of the ongoing statutory four-year review of the July 6, 2018 and August 23, 2018 actions, the U.S. Trade Representative has determined to extend the 352 reinstated exclusions, as set out in the Annex to this notice. The U.S. Trade Representative's determination to extend the reinstated exclusions takes into account public comments previously submitted in response to the October 8 notice, which indicated that reinstatement of the previously extended exclusions was appropriate based on the unavailability of particular products outside of China, or possible severe economic harm. The determination also takes into account the advice of advisory committees and the advice of the interagency Section 301 Committee.

Extending the reinstated exclusions will allow the U.S. Trade Representative to consider and align, as appropriate, the reinstated exclusions with the results of the statutory four-year review of the July 6, 2018 and August 23, 2018 actions, as modified. *See* 87 FR 62914 (October 17, 2022); 87 FR 55073 (September 8, 2022). Interested persons wishing to submit comments on whether certain tariff headings with a reinstated product exclusion should remain covered by the actions or removed, may submit comments on docket number USTR-2022-0014. Comments must be submitted through the online portal (<https://comments.USTR.gov>) by January 17, 2023 at 11:59 p.m. EST.

The reinstated exclusions are available for any product that meets the description in the product exclusion. In particular, the scope of each exclusion is governed by the scope of the ten-digit Harmonized Tariff Schedule of the United States (HTSUS) statistical reporting numbers and product descriptions in note 20(ttt) to subchapter III of chapter 99 of the HTSUS. The U.S. Trade Representative has determined to extend the reinstated exclusions through September 30, 2023, and may consider further extensions and/or additional modifications as appropriate.

U.S. Customs and Border Protection will issue instructions on entry guidance and implementation.

Annex

The U.S. Trade Representative has determined to extend all exclusions previously reinstated under heading 9903.88.67 and U.S. notes 20(ttt)(i),

20(ttt)(ii), 20(ttt)(iii), and 20(ttt)(iv) to subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States (HTSUS). *See* 87 FR 17380 (March 28, 2022). The extension is effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern standard time on January 1, 2023, and before 11:59 p.m. eastern daylight time on September 30, 2023. Effective on January 1, 2023, the article description of heading 9903.88.67 of the HTSUS is modified by deleting "December 31, 2022," and by inserting "September 30, 2023," in lieu thereof.

Greta Peisch,

General Counsel, Office of the United States Trade Representative.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Approval of LaGuardia Airport (LGA) Noise Compatibility Program

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of approval of the LaGuardia Airport (LGA) noise compatibility program.

SUMMARY: The Federal Aviation Administration (FAA) announces its findings for the noise compatibility program submitted by LGA, see supplementary information for details. On July 6, 2022 the FAA determined that the revised noise exposure maps submitted by LGA were in compliance with applicable requirements and that the noise compatibility program would be initiating final review for approval or disapproval. On December 15, 2022, the FAA approved the LGA noise compatibility program. The noise compatibility program contained 23 recommended measures, including eight noise abatement measures, three land use measures, and 12 program management measures. Of the measures proposed, 14 were approved, five were approved as voluntary, three were disapproved, and one was determined to have no FAA action. Five of the eight noise abatement procedures proposed at LGA are related to new or revised flight procedures.

DATES: The effective date of the FAA's approval of the LGA noise compatibility program is December 15, 2022.

FOR FURTHER INFORMATION CONTACT: Andrew Brooks, Regional

Environmental Program Manager, Airports Division, Federal Aviation Administration, 1 Aviation Plaza, Room 516, Jamaica, NY 11434. Phone Number: 718-553-2511.

SUPPLEMENTARY INFORMATION: This notice announces FAA's approval of the noise compatibility program (NCP) for LGA, effective on December 15, 2022. Per United States Code section 47504 (49 U.S.C. 47504) and Title 14, Code of Federal Regulations (CFR) part 150, an airport sponsor who previously submitted a noise exposure map (NEM) may submit to the FAA a noise compatibility program which sets forth the measures taken or proposed by the airport sponsor for the reduction of existing non-compatible land uses and prevention of additional non-compatible land uses within the area covered by the NEMs. As required by 49 U.S.C. 47504, such programs must be developed in consultation with interested and affected parties including local communities, government agencies, airport users, and the FAA. The FAA does not substitute its judgment for that of the airport sponsor with respect to which measures should be recommended for action. The FAA approval or disapproval of an airports recommendations in their noise compatibility program are made in accordance with the requirements and standards pursuant to 49 U.S.C. 47504 and 14 CFR part 150, which is limited to the following determinations:

a. The noise compatibility program was developed in accordance with the provisions and procedures of 14 CFR 150.23;

b. Program measures are reasonably consistent with achieving the goals of reducing existing non-compatible land uses around the airport and preventing the introduction of additional non-compatible land uses;

c. Program measures would not create an undue burden on interstate or foreign commerce, unjustly discriminate against types or classes of aeronautical uses, violate the terms of airport grant agreements, or intrude into areas preempted by the Federal Government; and

d. Program measures relating to the use of flight procedures can be implemented within the period covered by the program without derogating safety, adversely affecting the efficient use and management of the navigable airspace and air traffic control systems, or adversely affecting other powers and responsibilities of the Administrator prescribed by law.

Specific limitations of FAA's approval of NCPs are delineated in 14 CFR 150.5.

Approval is not a determination concerning the acceptability of land uses under Federal, state, or local law. Approval does not by itself constitute an FAA implementing action. A request for Federal action or approval to implement specific noise compatibility measures may be required, and an FAA decision on the request may require an environmental assessment of the proposed action. Approval does not constitute a commitment by the FAA to financially assist in the implementation of the noise compatibility program nor a determination that all measures covered by the NCP are eligible for grant-in-aid funding from the FAA. Where federal funding is sought, requests must be submitted to the FAA New York Airports District Office at 1 Aviation Plaza, Room 111, Jamaica, New York 11434.

On June 15, 2022, the Port Authority of New York and New Jersey submitted to the FAA a revised "With Program" 2021 NEM, descriptions, and other documentation that were produced during the development of the "LaGuardia Airport Title 14 Code of Federal Regulations (CFR) Part 150 Noise Compatibility Program," dated June 2022. The revised "With Program" 2021 NEM was submitted to show changes made to the LaGuardia Airport 2021 NEM previously accepted by the FAA on May 15, 2017 (Noise Exposure Map Notice for LaGuardia Airport, New York City, New York, volume 82, **Federal Register**, pages 22714-5, May 15, 2017). The revisions to the previously approved 2021 NEM depict changes to noise contours from implementation of noise abatement measures contained within the concurrent NCP submittal. It was requested that the FAA review this material as the NEM, as described in 49 U.S.C. 47503 of the Act, and that the noise mitigation measures, to be implemented jointly by the airport and surrounding communities, be approved as a NCP under 49 U.S.C. 47504. Notice of this NEM determination and intent to review the NCP was published in the **Federal Register** on July 11, 2022 (Notice of Acceptance of a Noise Exposure Map and Review of a Noise Compatibility Program, volume 87, **Federal Register**, pages 41160-2, July 11, 2022). That **Federal Register** Notice also announced the start of a 60-day period of public review for the NCP documentation. The FAA received no comments from interested parties during the public review period.

The LGA proposed NCP is comprised of actions designed for phased implementation by airport management and adjacent jurisdictions within the

next one to five years. It was requested that the FAA evaluate and approve this material as a noise compatibility program as described in 49 U.S.C. 47504. The FAA began its review of the program on July 6, 2022 and was required by a provision of 49 U.S.C. 47504 to approve or disapprove the program within 180 days, other than the use of new or modified flight procedures for noise control. Failure to approve or disapprove such program within the 180-day period shall be deemed an approval of such program.

The submitted program contained 23 proposed measures to minimize impacts of aviation noise on and off the airport. The FAA completed its review and determined that the procedural and substantive requirements of the 49 U.S.C. 47504 and 14 CFR part 150 were satisfied. A Record of Approval for the overall program was issued by the FAA effective December 15, 2022.

The specific program elements and their individual determinations are as follows:

Noise Abatement (NA) Measure 1: Modify NTHNS and GLDMN Runway 13 RNAV SIDs to Direct Aircraft Away from Flushing, New York—Approved as Voluntary.

NA Measure 2: Create New Runway 13 Departure Procedure with an Immediate Left Turn over Compatible Land Uses—Disapproved.

NA Measure 3: Implement Offset Approach to Runway 22 to Reduce Noise Exposure Over Clason Point—Approved as Voluntary.

NA Measure 4: Reduce Runway 4 Departure Noise Over Clason Point—Approved as Voluntary.

NA Measure 5: Reduce Runway 13 Departures at Night—Approved as Voluntary

NA Measure 6: Implement Noise Abatement Departure Profiles on a Voluntary Basis for Runways 4 and 13—Disapproved for Purposes of Part 150.

NA Measure 7: Implement Nighttime Optimized Profile Descent Procedures—Disapproved for Purposes of Part 150.

NA Measure 8: Continue Existing Mandatory Departure Noise Limit—No Action.

Land Use (LU) Measure 1: Sound-Insulate Eligible Dwelling Units—Approved.

LU Measure 2: Sound-Insulate Eligible Non-Residential Noise-Sensitive Structures—Approved.

LU Measure 3: Include Aircraft Noise in Real Estate Disclosures—Approved.

Program Management (PM) Measure 1: Maintain Noise Office—Approved.

PM Measure 2: Maintain Noise and Operations Management System—Approved.

PM Measure 3: Maintain Public Flight Tracking Portal—Approved.

PM Measure 4: Maintain Noise Complaint Management System—Approved.

PM Measure 5: Maintain Noise Office website—Approved.

PM Measure 6: Continue Community Outreach Activities—Approved.

PM Measure 7: Establish and Manage a Fly Quiet Program—Approved as Voluntary.

PM Measure 8: Make Aircraft Noise Contours Available in a Geographic Information System (GIS)—Approved.

PM Measure 9: Update the Noise Exposure Map—Approved.

PM Measure 10: Update the Noise Compatibility Program—Approved.

PM Measure 11: Post Monthly Color-Coded DNL Values on Port Authority website—Approved.

PM Measure 12: The Port Authority to Coordinate with the FAA on Development and Implementation of NextGen Procedures—Approved.

These determinations are set forth in detail in the Record of Approval signed by the FAA Airports Eastern Division Director on December 15, 2022. The Record of Approval, as well as other evaluation materials and the documents comprising the submittal, are available for review at the FAA office listed above. The Record of Approval also will be available on the internet on the FAA's website at http://www.faa.gov/airports/environmental/airport_noise/part_150/states/ and the Port Authority of New York and New Jersey's website at http://panynjpart150.com/LGA_documents.asp.

Issued in Jamaica, NY, on December 16, 2022.

David A. Fish,

Director, Airports Division, Eastern Region.

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DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement: Summit County, Utah

AGENCY: Federal Highway Administration (FHWA), Department of Transportation (USDOT), Utah Department of Transportation (UDOT).

ACTION: Notice of intent to prepare an Environmental Impact Statement (EIS).

SUMMARY: The FHWA, on behalf of the Utah Department of Transportation (UDOT), is issuing this Notice of Intent (NOI) to solicit comment and advise the public, agencies, and stakeholders that

an EIS will be prepared for transportation improvements in the Kimball Junction area which includes the I-80 and SR-224 interchange and SR-224 through the two at-grade intersections to the south of I-80 (Ute Boulevard and Olympic Parkway) in Summit County, Utah. Persons and agencies who may be interested in or affected by the proposed project are encouraged to comment on the information in this NOI and the NOI Supplemental Information document. All comments received in response to this NOI will be considered, and any information presented herein, including the draft purpose and need, preliminary alternatives, and identified impacts, may be revised in consideration of the comments.

DATES: Comments on the NOI must be received on or before January 27, 2023.

ADDRESSES: This NOI is available in the docket referenced above at www.regulations.gov and on the project website (kimballjunctioneis.udot.utah.gov). Interested parties are invited to submit comments by any of the following methods:

Website: For access to the documents, go to the Federal eRulemaking Portal located at www.regulations.gov or the project website (kimballjunctioneis.udot.utah.gov). Follow the online instructions for submitting comments.

Mailing address or for hand delivery or courier: UDOT Environmental Services Division, 4501 South 2700 West, P.O. Box 148450, Salt Lake City, Utah 84114-8450.

Email address: kimballjunctioneis@utah.gov.

All submissions should include the agency name and the docket number that appears in the heading of this Notice. All comments received will be posted without change to www.regulations.gov or kimballjunctioneis.udot.utah.gov.

The Draft EIS will include a summary of the comments received.

FOR FURTHER INFORMATION CONTACT:

Carissa Watanabe, Environmental Program Manager, UDOT Environmental Services Division, 4501 South 2700 West, P.O. Box 148450, Salt Lake City, Utah 84114-8450; telephone: (503) 939-3798; email: cwatanabe@utah.gov. Grant Farnsworth, PE, Kimball Junction EIS Project Manager, UDOT Region Two, 2010 South 2760 West, Salt Lake City, UT 84104; telephone: (801) 663-9985 email: gfarnsworth@utah.gov.

Persons interested in receiving the project information can also use the

project email address referenced above to be added to the project mailing list.

SUPPLEMENTARY INFORMATION: The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being or have been carried out by UDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated May 26, 2022 and executed by FHWA and UDOT. UDOT, as the assigned National Environmental Policy Act (NEPA) agency, will prepare an EIS to evaluate transportation solutions in the Kimball Junction area which includes the Interstate 80 (I-80) and State Route (SR) 224 interchange and SR-224 through the two at-grade intersections to the south (Ute Boulevard and Olympic Parkway). The proposed project study area extends on I-80 from the Jeremy Ranch interchange (I-80 milepost 142) to the US-40 interchange (I-80 milepost 147). The EIS will be conducted in accordance with the requirements of NEPA, as amended (42 United States Code [U.S.C.] Section 4321, *et seq.*), 23 U.S.C. 139, Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500-1508), FHWA regulations implementing NEPA (23 CFR 771.101- 771.139), and all applicable federal, state, and local governmental laws and regulations.

In 2021, UDOT, in partnership with Summit County, published the Kimball Junction and SR-224 Area Plan (Area Plan) that was prepared to identify and evaluate future transportation improvements at the interchange of I-80 and SR-224 and through the two at-grade intersections on SR-224 (Ute Boulevard and Olympic Parkway) in Summit County, Utah. The Area Plan was conducted using UDOT's Solutions Development process which is a local planning process that seeks to capture the unique context of an area or corridor and develop a set of solutions to meet its transportation needs. The Area Plan evaluated multimodal improvements to address congestion, mobility, safety, access, and travel time reliability at the Kimball Junction interchange and on SR-224 in the Kimball Junction area.

Transportation problems as well as opportunities to solve the problems were established in the study area via input from study partners and the public. Other criteria were developed to balance transportation and environmental goals and objectives. Further input from the study partners and the public was incorporated to develop the goals. The problems and opportunities developed during the Area Plan process informed the draft