

The Commission asks that commenters address the sufficiency of the Exchange's statements in support of the proposal, which are set forth in Amendment No. 1,<sup>58</sup> in addition to any other comments they may wish to submit about the proposed rule change. In particular, the Commission seeks comment on the following questions and asks commenters to submit data where appropriate to support their views:

1. Given the nature of the underlying assets held by the Trust, what are commenters' views on whether the proposed Trust and Shares would be susceptible to manipulation? What are commenters' views generally on whether the Exchange's proposal is designed to prevent fraudulent and manipulative acts and practices? What are commenters' views generally with respect to the liquidity and transparency of the EUA spot and futures markets and such markets' susceptibility to manipulation? Are there particular features related to the EUA markets and the EUA ecosystem that raise unique concerns about whether the proposed Trust, which would hold EUAs and, possibly, a very limited amount of cash, would be susceptible to fraud or manipulation?

2. Based on data and analysis provided by the Exchange,<sup>59</sup> do commenters agree with the Exchange that ICE Endex, on which EUA Futures (including Daily EUA Futures) trade, represents a regulated market of significant size related to spot EUAs?<sup>60</sup> What are commenters' views on whether there is a reasonable likelihood that a person attempting to manipulate the Shares would also have to trade on ICE Endex to manipulate the Shares?<sup>61</sup> Do commenters agree with the Exchange that trading in the Shares would not be the predominant influence on prices in the Daily EUA Futures market?<sup>62</sup>

3. The Exchange further states that the "Daily EUA Futures market functions as the 'spot' market for EUAs" and that the "purchase and sale of Daily EUA Futures is the functional and economic equivalent of transactions in spot EUAs."<sup>63</sup> What are commenters' views on whether the Daily EUA Futures market functions as a spot EUA market? What are commenters' views on the extent to which a surveillance sharing agreement with ICE Endex would assist in detecting and deterring fraud and

manipulation that impacts an ETP that holds spot EUAs, and on whether the Exchange's analysis provides evidence to this effect?

4. In addition to the Exchange's CSSA with ICE Endex, the Exchange asserts that there are other mechanisms in place to deter and detect misconduct across both the EUA spot and derivatives markets. Specifically, the Exchange states that both EEX and ICE Endex are subject to the EU regulatory framework<sup>64</sup> and represents that both EEX and ICE Endex are recognized by the CFTC as authorized Foreign Boards of Trade.<sup>65</sup> Do commenters agree with the Exchange that the EU's oversight and monitoring regime, combined with the Exchange's CSSA with ICE Endex, may provide other means to prevent fraudulent and manipulative acts and practices?<sup>66</sup>

Comments may be submitted by any of the following methods:

#### *Electronic Comments*

- Use the Commission's internet comment form (<https://www.sec.gov/rules/sro.shtml>); or
- Send an email to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include file number SR-NYSEARCA-2024-70 on the subject line.

#### *Paper Comments*

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090.

All submissions should refer to file number SR-NYSEARCA-2024-70. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<https://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10

a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-NYSEARCA-2024-70 and should be submitted on or before December 30, 2024. Rebuttal comments should be submitted by January 13, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>67</sup>

**Sherry R. Haywood,**  
Assistant Secretary.

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## **SMALL BUSINESS ADMINISTRATION**

**[Disaster Declaration #20589 and #20590; HAVASUPAI TRIBE Disaster Number AZ-20006]**

### **Presidential Declaration Amendment of a Major Disaster for the Havasupai Tribe**

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Amendment 1.

**SUMMARY:** This is an amendment of the Presidential declaration of a major disaster for the Havasupai Tribe (FEMA-4840-DR), dated October 25, 2024.

*Incident:* Flooding.

**DATES:** Issued on December 3, 2024.

*Incident Period:* August 22, 2024 through August 23, 2024.

*Physical Loan Application Deadline Date:* January 17, 2025.

*Economic Injury (EIDL) Loan Application Deadline Date:* July 25, 2025.

**ADDRESSES:** Visit the MySBA Loan Portal at <https://lending.sba.gov> to apply for a disaster assistance loan.

**FOR FURTHER INFORMATION CONTACT:** Alan Escobar, Office of Disaster Recovery & Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205-6734.

**SUPPLEMENTARY INFORMATION:** The notice of the President's major disaster declaration for the Havasupai Tribe, dated October 25, 2024, is hereby

<sup>58</sup> See *supra* Item II. See also *supra* note 6.

<sup>59</sup> See *supra* Item II.A.1.

<sup>60</sup> See *id.*

<sup>61</sup> See *supra* note 37 and accompanying text.

<sup>62</sup> See *supra* Item II.A.1.

<sup>63</sup> *Id.*

<sup>64</sup> See *supra* notes 38-45 and accompanying text.

<sup>65</sup> See *supra* notes 16-17 and accompanying text.

<sup>66</sup> See *supra* note 64.

<sup>67</sup> 17 CFR 200.30-3(a)(12) and 17 CFR 200.30-3(a)(57).

amended to extend the deadline for filing applications for physical damages as a result of this disaster to January 17, 2025.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Number 59008)

**Alejandro Contreras,**

*Acting Deputy Associate Administrator,  
Office of Disaster Recovery & Resilience.*

[FR Doc. 2024-28822 Filed 12-6-24; 8:45 am]

**BILLING CODE 8026-09-P**

**SMALL BUSINESS ADMINISTRATION**

**[Disaster Declaration #20734 and #20735; SOUTH CAROLINA Disaster Number SC-20013]**

**Presidential Declaration Amendment of a Major Disaster for Public Assistance Only for the State of South Carolina**

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Amendment 5.

**SUMMARY:** This is an amendment of the Presidential declaration of a major disaster for Public Assistance Only for the State of South Carolina (FEMA-4829-DR), dated October 6, 2024.

*Incident:* Hurricane Helene.

**DATES:** Issued on December 3, 2024.

*Incident Period:* September 25, 2024 through October 7, 2024.

*Physical Loan Application Deadline Date:* 01/02/2025.

*Economic Injury (EIDL) Loan Application Deadline Date:* July 7, 2025.

**ADDRESSES:** Visit the MySBA Loan Portal at <https://lending.sba.gov> to apply for a disaster assistance loan.

**FOR FURTHER INFORMATION CONTACT:** Alan Escobar, Office of Disaster Recovery & Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205-6734.

**SUPPLEMENTARY INFORMATION:** The notice of the President's major disaster declaration for Private Non-Profit organizations in the State of South Carolina, dated October 6, 2024, is hereby amended to extend the deadline for filing applications for physical damages as a result of this disaster to January 2, 2025. This notice is further amended to include the following areas as adversely affected by the disaster.

*Primary Counties:* Berkeley.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Number 59008)

**Alejandro Contreras,**

*Acting Deputy Associate Administrator,  
Office of Disaster Recovery & Resilience.*

[FR Doc. 2024-28821 Filed 12-6-24; 8:45 am]

**BILLING CODE 8026-09-P**

**SMALL BUSINESS ADMINISTRATION**

**[Disaster Declaration #20613 and #20614; CHEYENNE RIVER SIOUX TRIBE Disaster Number SD-20004]**

**Presidential Declaration Amendment of a Major Disaster for the Cheyenne River Sioux Tribe**

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Amendment 1.

**SUMMARY:** This is an amendment of the Presidential declaration of a major disaster for the Cheyenne River Sioux Tribe (FEMA-4842-DR), dated November 1, 2024.

*Incident:* Severe Storm, Straight-line Winds, and Flooding.

**DATES:** Issued on December 3, 2024.

*Incident Period:* July 13, 2024 through July 14, 2024.

*Physical Loan Application Deadline Date:* January 20, 2025.

*Economic Injury (EIDL) Loan Application Deadline Date:* August 1, 2025.

**ADDRESSES:** Visit the MySBA Loan Portal at <https://lending.sba.gov> to apply for a disaster assistance loan.

**FOR FURTHER INFORMATION CONTACT:** Alan Escobar, Office of Disaster Recovery & Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205-6734.

**SUPPLEMENTARY INFORMATION:** The notice of the President's major disaster declaration for the Cheyenne River Sioux Tribe, dated November 1, 2024, is hereby amended to extend the deadline for filing applications for physical damages as a result of this disaster to January 20, 2025.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Number 59008)

**Alejandro Contreras,**

*Acting Deputy Associate Administrator,  
Office of Disaster Recovery & Resilience.*

[FR Doc. 2024-28815 Filed 12-6-24; 8:45 am]

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**SMALL BUSINESS ADMINISTRATION**

**[Disaster Declaration #20757 and #20758; VIRGINIA Disaster Number VA-20013]**

**Presidential Declaration Amendment of a Major Disaster for Public Assistance Only for the Commonwealth of Virginia**

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Amendment 3.

**SUMMARY:** This is an amendment of the Presidential declaration of a major disaster for Public Assistance Only for the Commonwealth of Virginia (FEMA-4831-DR), dated October 10, 2024.

*Incident:* Tropical Storm Helene.

**DATES:** Issued on December 03, 2024.

*Incident Period:* September 25, 2024 through October 03, 2024.

*Physical Loan Application Deadline Date:* December 09, 2024.

*Economic Injury (EIDL) Loan Application Deadline Date:* July 10, 2025.

**ADDRESSES:** Visit the MySBA Loan Portal at <https://lending.sba.gov> to apply for a disaster assistance loan.

**FOR FURTHER INFORMATION CONTACT:** Alan Escobar, Office of Disaster Recovery & Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205-6734.

**SUPPLEMENTARY INFORMATION:** The notice of the President's major disaster declaration for Private Non-Profit organizations in the Commonwealth of Virginia, dated October 10, 2024, is hereby amended to include the following area as adversely affected by the disaster.

*Primary County:*

Roanoke County.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Number 59008)

**Alejandro Contreras,**

*Acting Deputy Associate Administrator,  
Office of Disaster Recovery & Resilience.*

[FR Doc. 2024-28818 Filed 12-6-24; 8:45 am]

**BILLING CODE 8026-09-P**

**SMALL BUSINESS ADMINISTRATION**

**[Disaster Declaration #20852 and #20853; CHEYENNE RIVER SIOUX TRIBE Disaster Number SD-20009]**

**Presidential Declaration Amendment of a Major Disaster for Public Assistance Only for the Cheyenne River Sioux Tribe**

**AGENCY:** U.S. Small Business Administration.