

APHIS has prepared a plant pest risk similarity assessment (PPRSA) to compare Z6 potato to the antecedent. As described in the PPRSA, the same genetic constructs used in W8 potato were previously used in Z6 potato, and APHIS has concluded that W8 potato is unlikely to pose a plant health risk. Therefore, based on the similarity between Z6 potato and W8 potato as described in the PPRSA, APHIS has concluded that Z6 potato is no more likely to pose a plant pest risk than W8 potato.

APHIS has analyzed information submitted by Simplot, references provided in the extension request, peer-reviewed publications, and supporting documentation prepared for the antecedent organism. Based on APHIS' analysis of this information and the similarity of Z6 potato to the antecedent organism W8 potato, APHIS has determined that Z6 potato is unlikely to pose a plant pest risk. We have therefore reached a preliminary decision to approve the request to extend the determination of nonregulated status of W8 potato to Z6 potato, whereby Z6 potato would no longer be subject to our regulations governing the introduction of certain genetically engineered organisms.

Paragraph (e) of § 340.6 provides that APHIS will publish a notice in the **Federal Register** announcing all preliminary decisions to extend determinations of nonregulated status for 30 days before the decisions become final and effective. In accordance with § 340.6(e) of the regulations, we are publishing this notice to inform the public of our preliminary decision to extend the determination of nonregulated status of W8 potato to Z6 potato.

APHIS will accept written comments on the request for extension, PPRSA, and our preliminary determination for Z6 potato for 30 days. These documents are available for public review as indicated under **ADDRESSES** and **FOR FURTHER INFORMATION CONTACT** above. Copies of these documents may also be obtained by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**.

After the comment period closes, APHIS will review all written comments received during the comment period and any other relevant information. All comments will be available for public review. After reviewing and evaluating the comments, APHIS will furnish a response to the petitioner regarding our final regulatory determination. APHIS will also publish a notice in the **Federal Register** announcing the regulatory status of Z6 potato.

## National Environmental Policy Act

Previous requests for extension of nonregulated status were often accompanied by environmental documentation prepared pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 *et seq.*); (2) regulations of the Council on Environmental Quality for implementing the procedural provisions of NEPA (40 CFR parts 1500–1508); (3) USDA regulations implementing NEPA (7 CFR part 1b); and (4) APHIS' NEPA Implementing Procedures (7 CFR part 372).

However, on May 24, 2018, APHIS issued a final rule (83 FR 24003–24011, Docket No. APHIS–2013–0049) that revised our NEPA Implementing Procedures in 7 CFR part 372. Among other revisions, it added extensions of nonregulated status under 7 CFR part 340 to organisms similar to those already deregulated to the categories of APHIS actions that meet the criteria for categorical exclusion.

**Authority:** 7 U.S.C. 7701–7772 and 7781–7786; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.3.

Done in Washington, DC, this 22nd day of June 2020.

**Mark Davidson,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 2020–13711 Filed 6–24–20; 8:45 am]

**BILLING CODE 3410–34–P**

## DEPARTMENT OF AGRICULTURE

### Rural Business-Cooperative Service

[DOCLET #: RBS–20–CO–OP–2020]

### Inviting Applications for Socially-Disadvantaged Groups Grants

**AGENCY:** Rural Business—Cooperative Service, USDA.

**ACTION:** Notice of Funding Availability.

**SUMMARY:** This Notice announces that the Rural Business-Cooperative Service (Agency) is announcing fiscal year (FY) 2020 funding for applications for the Socially-Disadvantaged Groups Grant (SDGG) program. The program funding level for FY2020 is a total of \$3.0 million. Detailed information can be found on the SDGG website located at <http://www.rd.usda.gov/programs-services/socially-disadvantaged-groups-grant>. Expenses incurred in developing applications are the responsibility of the applicant.

The purpose of this program is to provide technical assistance to Socially-Disadvantaged Groups in rural areas. Eligible applicants include

Cooperatives, Groups of Cooperatives, and Cooperative Development Centers. This program supports Rural Development's (RD) mission of improving the quality of life for rural Americans and commitment to directing resources to those who most need them.

**DATES:** Completed applications for grants must be submitted electronically by no later than midnight Eastern Time August 10, 2020, through <http://www.grants.gov> to be eligible for grant funding. Please review the *Grants.gov* website at <https://www.grants.gov/web/grants/applicants/organization-registration.html> for instructions on the process of registering your organization as soon as possible to ensure that you are able to meet the electronic application deadline. Late applications are not eligible for funding under this Notice and will not be evaluated.

**ADDRESSES:** You are encouraged to contact your USDA Rural Development State Office well in advance of the application deadline to discuss your project and ask any questions about the application process. Contact information for State Offices can be found at: <http://www.rd.usda.gov/contact-us/state-offices>.

Program guidance as well as application templates may be obtained at <http://www.rd.usda.gov/programs-services/socially-disadvantaged-groups-grant> or by contacting your State Office. To submit an electronic application, follow the instructions for the SDGG funding announcement located at <http://www.grants.gov>. Please review the *Grants.gov* website at <https://www.grants.gov/web/grants/applicants/organization-registration.html> for instructions on the process of registering your organization as soon as possible to ensure you can meet the electronic application deadline. You are strongly encouraged to file your application early and allow sufficient time to manage any technical issues that may arise.

**FOR FURTHER INFORMATION CONTACT:** David Chestnut, Branch Chief, Program Management Division, Rural Business-Cooperative Service, United States Department of Agriculture, 1400 Independence Avenue SW, Mail Stop-3226, Room 4204-South, Washington, DC 20250–3226, (202) 692–5233 or email [David.chestnut@usda.gov](mailto:David.chestnut@usda.gov).

### SUPPLEMENTARY INFORMATION:

#### Preface

The Agency encourages applications that will support recommendations made in the Rural Prosperity Task Force report to help improve life in rural America. <https://www.usda.gov/topics/rural/rural-prosperity>. Applicants are

encouraged to consider projects that provide measurable results in helping rural communities build robust and sustainable economies through strategic investments in infrastructure, partnerships and innovation. Key strategies include:

- Achieving e-Connectivity for rural America
- Developing the Rural Economy
- Harnessing Technological Innovation
- Supporting a Rural Workforce
- Improving Quality of Life

#### Overview

*Federal Agency Name:* USDA Rural Business-Cooperative Service.

*Funding Opportunity Title:* Socially-Disadvantaged Groups Grant.

*Announcement Type:* Initial Notice.

*Catalog of Federal Domestic*

*Assistance Number:* 10.871.

*Dates:* Application Deadline. Your electronic application must be received by <http://www.grants.gov> no later than midnight Eastern Time, by August 10, 2020, or it will not be considered for funding.

The Application Template provides specific, detailed instructions for each item of a complete application. The Agency emphasizes the importance of including every item and strongly encourages applicants to follow the instructions carefully, using the examples and illustrations in the Application Template. Prior to official submission of applications, applicants may request technical assistance or other application guidance from the Agency, as long as such requests are made prior to July 27, 2020. Agency contact information can be found in Section D of this document.

#### Hemp Related Projects

Hemp related projects: Please note that no assistance or funding can be provided to a hemp producer unless they have a valid license issued from an approved State, Tribal or Federal plan as per Section 10113 of the Agriculture Improvement Act of 2018, Public Law 115–334. Verification of valid hemp licenses will occur at the time of award.

#### Persistent Poverty Counties

The Further Consolidated Appropriations Act, 2020 (Pub. L. 116–94), SEC. 740 designates funding for projects in Persistent Poverty counties. Persistent Poverty counties as defined in SEC. 740 is “any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses, and 2007–2011 American Community Survey 5-year average, or any territory or possession of

the United States”. Another provision in SEC. 740 expands the eligible population in Persistent Poverty counties to include any county seat of such a persistent poverty county that has a population that does not exceed the authorized population limit by more than 10 percent. This provision expands the current 50,000 population limit to 55,000 for only county seats located in Persistent Poverty counties. Therefore, applicants and/or beneficiaries of technical assistance services located in Persistent Poverty county seats with populations up to 55,000 (per the 2010 Census) are eligible.

COVID–19 Administrative Relief Exceptions: The Agency reviewed the Office of Budget and Management’s (OMB) M–20–26 memorandum “Extension of Administrative Relief for Recipients and Applicants of Federal Financial Assistance Directly Impacted by the Novel Coronavirus (COVID–19) due to Loss of Operations” and has made every attempt to reduce administrative burden within our authority. Any reduction in burden will be discussed within the requirement.

The Agency will not solicit or consider new scoring or eligibility information that is submitted after the application deadline. The Agency reserves the right to contact applicants to seek clarification on materials contained in the submitted application. See the Application Guide for a full discussion of each item. For requirements of completed grant applications, refer to Section D of this document.

#### Paperwork Reduction Act

In accordance with the Paperwork Reduction Act, the paperwork burden associated with this Notice has been approved by the Office of Management and Budget (OMB) under OMB Control Number 0570–0052.

#### A. Program Description

The SDGG program is authorized by section 310B (e)(11) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932 (e)(11)) as amended by the Agriculture Improvement Act of 2018 (Pub. L. 115–334). The primary objective of the SDGG program is to provide Technical Assistance to Socially-Disadvantaged Groups. Grants are available for Cooperative Development Centers, individual Cooperatives, or Groups of Cooperatives that serve Socially-Disadvantaged Groups and where a majority of their board of directors or governing board is comprised of individuals who are members of Socially-Disadvantaged Groups.

#### Definitions

*The definitions you need to understand are as follows:*

*Agency*—Rural Business-Cooperative Service, an agency of the United States Department of Agriculture (USDA) Rural Development or a successor agency.

*Conflict of Interest*—A situation in which a person or entity has competing personal, professional, or financial interests that make it difficult for the person or business to act impartially. Federal procurement standards prohibit transactions that involve a real or apparent conflict of interest for owners, employees, officers, agents, or their immediate family members having a financial or other interest in the outcome of the project; or that restrict open and free competition for unrestrained trade. Specifically, project funds may not be used for services or goods going to, or coming from, a person or entity with a real or apparent conflict of interest, including, but not limited to, owner(s) and their immediate family members. Examples of conflicts of interest include using grant funds to pay a member of the applicant’s board of directors to provide proposed Technical Assistance to Socially-Disadvantaged Groups; pay a cooperative member to provide proposed Technical Assistance to other members of the same cooperative; and pay an immediate family member of the applicant to provide proposed Technical Assistance to Socially-Disadvantaged Groups.

*Cooperative*—A business or organization owned by and operated for the benefit of those using its services and where a majority of the board of directors or governing board is comprised of individuals who are members of Socially-Disadvantaged Groups. Profits and earnings generated by the cooperative are distributed among the members, also known as user-owners.

*Cooperative Development Center*—A nonprofit corporation or institution of higher education operated by the grantee for cooperative or business development and where a majority of the board of directors or governing board is comprised of individuals who are members of Socially-Disadvantaged Groups. It may or may not be an independent legal entity separate from the grantee.

*Feasibility Study*—An analysis of the economic, market, technical, financial, and management feasibility of a proposed Project.

*Group of Cooperatives*—A group of Cooperatives whose primary focus is to provide assistance to Socially-

Disadvantaged Groups and where a majority of the board of directors or governing board is comprised of individuals who are members of Socially-Disadvantaged Groups. One of the Cooperatives must be designated as the lead entity and have legal authority to contract with the Federal Government.

**Operating Cost**—The day-to-day expenses of running a business; for example: utilities, rent on the office space a business occupies, salaries, depreciation, marketing and advertising, and other basic overhead items.

**Participant Support Costs**—Direct costs for items such as stipends or subsistence allowances, travel allowances, and registration fees paid to or on behalf of participants or trainees (but not employees) in connection with conferences, or training projects.

**Project**—Includes all activities to be funded by the Socially-Disadvantaged Groups Grant.

**Rural and Rural Area**—Any area of a State:

(1) Not in a city or town that has a population of more than 50,000 inhabitants, according to the latest decennial census of the United States; and

(2) The contiguous and adjacent urbanized area,

(3) Urbanized areas that are rural in character as defined by 7 U.S.C. 1991 (a) (13).

(4) For the purposes of this definition, cities and towns are incorporated population centers with definite boundaries, local self-government, and legal powers set forth in a charter granted by the State. Notwithstanding any other provision of this paragraph, within the areas of the County of Honolulu, Hawaii, and the Commonwealth of Puerto Rico, the Secretary may designate any part of the areas as a rural area if the Secretary determines that the part is not urban in character, other than any area included in the Honolulu census designated place (CDP) or the San Juan CDP.

**Rural Development**—A mission area within USDA consisting of the Office of Under Secretary for Rural Development, Rural Business-Cooperative Services, Rural Housing Service, and Rural Utilities Service and any successors.

**Socially-Disadvantaged Group**—A group whose members have been subjected to racial, ethnic, or gender prejudice because of their identity as members of a group without regard to their individual qualities.

**State**—Includes each of the 50 states, the Commonwealth of Puerto Rico, the Virgin Islands of the United States, Guam, American Samoa, the

Commonwealth of the Northern Mariana Islands, and, as may be determined by the Secretary to be feasible, appropriate and lawful, the Federated States of Micronesia, the Republic of the Marshall Islands and the Republic of Palau.

**Technical Assistance**—An advisory service performed for the purpose of assisting Cooperatives or groups that want to form Cooperatives such as market research, product and/or service improvement, legal advice and assistance, Feasibility Study, business planning, marketing plan development, and training.

#### B. Federal Award Information

**Type of Award:** Competitive Grant.

**Fiscal Year Funds:** FY2020.

**Total Funding:** \$3,000,000.

**Maximum Award:** \$175,000.

**Project Period:** 1 year.

**Anticipated Award Date:** September 30, 2020.

#### C. Eligibility Information

Applicants must meet all the following eligibility requirements. Applications which fail to meet any of these requirements by the application deadline will be deemed ineligible and will not be evaluated further.

1. **Eligible Applicants.** Grants may be made to individual Cooperatives, Groups of Cooperatives, and Cooperative Development Centers that serve Socially-Disadvantaged Groups and where a majority of the board of directors or governing board is comprised of individuals who are members of Socially-Disadvantaged Groups. You must be able to verify your legal structure in the State or the tribe under which you are incorporated. Grants may not be made to public bodies or to individuals. Your application must demonstrate that you meet all definition requirements for one of the three eligible applicant types as defined above under Program Description. Federally-recognized tribes have a government-to-government relationship with the United States and may have difficulty meeting the definition requirements. Therefore, it is recommended that they utilize a separate entity, such as a tribally-owned business, tribal authority, tribal non-profit, tribal College or University to apply for SDGG funding that would provide Technical Assistance to members of the tribe. This separate tribal entity must also demonstrate that it meets all definition requirements for one of the three eligible applicant types as defined above.

(a) An applicant is ineligible if they have been debarred or suspended or

otherwise excluded from or ineligible for participation in Federal assistance programs under Executive Order 12549, "Debarment and Suspension." The Agency will check the System for Award Management (SAM) to determine if the applicant has been debarred or suspended. In addition, an applicant will be considered ineligible for a grant due to an outstanding judgment obtained by the U.S. in a Federal Court (other than U.S. Tax Court), is delinquent on the payment of Federal income taxes, or is delinquent on Federal debt. The applicant must certify as part of the application that they do not have an outstanding judgment against them. The Agency will check the Do Not Pay System to verify this information.

(b) Any corporation (i) that has been convicted of a felony criminal violation under any Federal law within the past 24 months or (ii) that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, is not eligible for financial assistance provided with funds appropriated by the Further Consolidated Appropriations Act, 2020 (Pub. L. 116-94), unless a Federal agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government. Note: Corporations no longer must complete the Form AD 3030, "Representation Regarding Felony Corporations and Tax Delinquent Status for Corporate Applicants" as a part of the application. This information is now collected through registration or annual recertification in SAM.gov via the Financial Assistance General Certifications and Representations. Institutions of Higher Education are not required to submit this form.

2. **Cost Sharing or Matching.** No matching funds are required.

3. **Other Eligibility Requirements.**

**Use of Funds:** Your application must propose Technical Assistance that will benefit Socially-Disadvantaged Groups. Cooperatives that are recipients of Technical Assistance must have a membership that consists of a majority of members from Socially-Disadvantaged Groups. Please review section D (6) of this Notice, "Funding Restrictions," carefully.

**Project Eligibility:** The proposed Project must only serve members of

Socially-Disadvantaged Groups in Rural Areas.

**Grant Period Eligibility:** Your application must include a grant period of one-year or less or it will not be considered for funding. The proposed time frame should begin no earlier than October 1, 2020 and end no later than December 31, 2021. Applications that request funds for a time period ending after December 31, 2021, will not be considered for funding. You should note that the anticipated award date is September 30, 2020. Projects must be completed within the 12-months or less time frame.

The Agency may approve requests to extend the grant period for up to an additional 12 months at its discretion. However, you may not have more than one SDGG during the same grant period. If you extend the period of performance for your current award, you may be deemed ineligible to receive a SDGG in the next grant cycle. Further guidance on grant period extensions will be provided in the award document. The Agency understands that fiscal year 2019 recipients may have had loss of operations due to COVID-19 and will work with them to determine an acceptable grant period if they are awarded in fiscal year 2020 in accordance with OMB Memoranda M-20-26 and 2 CFR 200.308.

**Satisfactory performance eligibility:** You must be performing satisfactorily on any outstanding SDGG award to be considered eligible for a new award. Satisfactory performance includes being up-to-date on all financial and performance reports as prescribed in the grant award, and current on tasks and timeframes for utilizing grant and matching funds as approved in the work plan and budget. If you have any unspent grant funds on SDGG awards prior to FY 2019, your application will not be considered for funding. If your FY 2019 award has unspent funds of 50 percent or more than what your approved work plan and budget projected at the time of evaluation of your FY 2020 application, your FY 2020 application may not be considered for funding. The Agency will verify the performance status of FY 2019 awards and make a determination after the FY 2020 application period closes. The Agency understands that fiscal year 2019 recipients may have had a loss of operations due to COVID-19 and will consider providing flexibility in terms of fund utilization on FY 19 awards with acceptable justification of delays resulting from the COVID-19 pandemic in accordance with OMB Memorandum M-20-26 and 2 CFR 200.343.

**Completeness Eligibility:** Your application must provide all the information requested in Section D (2) of this Notice. Applications lacking sufficient information to determine eligibility and scoring will be considered ineligible.

**Duplication of current services.** Your application must demonstrate that you are providing services to new customers or new services to current customers. If your work plan and budget is duplicative of your existing award, your application will not be considered for funding. If your work plan and budget is duplicative of a previous or existing Rural Cooperative Development Grant (RCDG) and/or SDGG award, your application will not be considered for funding. Please note that the Agency only allows one active award to ensure that there is no duplication of services. The Agency will work with FY 2019 recipients who request an extension of their FY 2019 award due to COVID-19 loss of operations to determine an acceptable grant period if they are awarded in fiscal year 2020 in accordance with OMB Memorandum M-20-26 and 2 CFR 200.343. Thus, requesting an extension on a FY 2019 award is not cause for deeming a FY 2020 application ineligible.

**Multiple Grant Eligibility:** You may only submit one SDGG grant application each funding cycle. If two applications are submitted (regardless of the applicant name) that include the same Executive Director and/or advisory boards or committees of an existing cooperative or cooperative development center, both applications will be determined ineligible for funding.

#### **D. Application and Submission Information**

##### **1. Address To Request Application Package**

The application template to assist you in applying for this funding opportunity is located at <http://www.rd.usda.gov/programs-services/socially-disadvantaged-groups-grant>. Use of the application template is strongly recommended to assist you with the application process. You may also contact your USDA RD State Office for more information. Contact information for State Offices is located at <http://www.rd.usda.gov/contact-us/state-offices>.

##### **2. Content and Form of Application Submission**

You must submit your application electronically through *Grants.gov*. Your application must contain all required information.

To apply electronically, you must follow the instructions for this funding announcement at <http://www.grants.gov>. Please note that we cannot accept applications through mail or courier delivery, in-person delivery, email, or fax.

You can locate the *Grants.gov* downloadable application package for this program by using a keyword, the program name, or the Catalog of Federal Domestic Assistance Number for this program.

When you enter the *Grants.gov* website, you will find information about applying electronically through the site, as well as the hours of operation.

To use *Grants.gov*, you must already have a DUNS number and you must also be registered and maintain registration in SAM. We strongly recommend that you do not wait until the application deadline date to begin the application process through *Grants.gov* (see paragraph (a) below for more on flexibility).

You must submit all application documents electronically through *Grants.gov*. Applications must include electronic signatures. Original signatures may be required if funds are awarded.

After applying electronically through *Grants.gov*, you will receive an automatic acknowledgement from *Grants.gov* that contains a *Grants.gov* tracking number.

Your application must also contain the following required forms and proposal elements:

(a) Standard Form SF-424, "Application for Federal Assistance," to include your DUNS number. You must also provide your SAM Commercial and Government Entity (CAGE) Code and expiration date under the applicant eligibility discussion in your proposal narrative. If you do not include the CAGE code and expiration date and the DUNS number in your application, it will not be considered for funding. In accordance with OMB Memoranda M-20-26, the Agency can accept an application without an active SAM registration. However, the registration must be completed before an award is made. Current registrants in SAM with active registrations expiring before May 16, 2020 will be afforded a one-time extension of 60 days.

(b) Form SF-424A, "Budget Information-Non-Construction Programs." This form must be completed and submitted as part of the application package. You no longer must complete the Form SF 424B, "Assurances-Non-Construction Programs" as a part of your application. This information is now collected

through your registration or annual recertification in *SAM.gov* through the Financial Assistance General Certifications and Representation.

(c) You must certify that there are no current outstanding Federal judgments against your property and that you will not use grant funds to pay for any judgment obtained by the United States. You must also certify that you are not delinquent on the payment of Federal income taxes, or any Federal debt. There is no standard form to complete, but to satisfy the Certification requirement, you should include this statement in your application: “[INSERT NAME OF APPLICANT] certifies that the United States has not obtained an unsatisfied judgment against its property, is not delinquent on the payment of Federal income taxes, or any Federal debt, and will not use grant funds to pay any judgments obtained by the United States.” A separate signature is not required.

(d) Table of Contents. Your application must contain a detailed Table of Contents (TOC). The TOC must include page numbers for each part of the application. Page numbers should begin immediately following the TOC.

(e) Executive Summary. A summary of the proposal, not to exceed one page, must briefly describe the Project, tasks to be completed, and other relevant information that provides a general overview of the Project.

(f) Eligibility Discussion. A detailed discussion, not to exceed four pages, must describe how you meet the following requirements:

(1) Applicant Eligibility. You must describe how you meet the definition of a Cooperative, Group of Cooperatives, or Cooperative Development Center. Your application must show that your individual Cooperative, Group of Cooperatives or Cooperative Development Center serves Socially-Disadvantaged Groups and a majority of the board of directors or governing board is comprised of individuals who are members of Socially-Disadvantaged Groups. Your application must include a list of your board of directors/governing board and the percentage of board of directors/governing board that are members of Socially-Disadvantaged Groups. NOTE: Your application will not be considered for funding if you fail to show that a majority of your board of directors/governing board is comprised of individuals who are members of Socially-Disadvantaged Groups.

You must verify your incorporation and status in the State that you have applied by providing the State's or Tribe's Certificate of Good Standing and your Articles of Incorporation. You may

also submit your Bylaws if they provide additional information not included in your Articles of Incorporation that will help verify your legal status. If applying as an institution of higher education, documentation verifying your legal status is not required; however, you must demonstrate that you qualify as an Institution of Higher Education as defined at 20 U.S.C. 1001. You must apply as only one type of applicant. The requested verification documents should be included in Appendix A of your application. If they are not included, your application will not be considered for funding.

(2) Use of Funds. You must provide a brief discussion on how the proposed Project activities meet the definition of Technical Assistance and identify the Socially-Disadvantaged Groups that will be assisted.

(3) Project Area. You must provide specific information that details the location of the Project area and explain how the area meets the definition of “Rural Area.”

(4) Grant Period. You must provide a time frame for the proposed Project and discuss how the Project will be completed within that time frame. You must have a time frame of one year or less.

(5) Indirect Costs. Please indicate if you have a Negotiated Indirect Cost Rate Agreement (NICRA), and if so, the rate. Your negotiated indirect cost rate approval does not need to be included in your application, but you will be required to provide it if a grant is awarded. Approval for indirect costs that are requested in an application without an approved indirect cost rate agreement is at the discretion of the Agency.

(g) Scoring Criteria. Each of the scoring criteria in this Notice must be addressed in narrative form, with a maximum of three pages for each individual scoring criterion, unless otherwise specified. Failure to address each scoring criteria will result in the application being determined ineligible.

(h) The Agency has established annual performance evaluation measures to evaluate the SDGG program. You must provide estimates on the following performance evaluation measures as part of your narrative:

- Number of cooperatives assisted; and
- Number of socially disadvantaged groups assisted.

#### 3. DUNS Number and SAM

To be eligible (unless you are excepted under 2 CFR 25.110(b), (c) or (d)), you are required to:

(a) Provide a valid DUNS number in your application, which can be obtained at no cost via a toll-free request line at (866) 705-5711;

(b) Register in SAM before submitting your application. You may register in SAM at no cost at <https://www.sam.gov/portal/public/SAM/>. You must provide your SAM CAGE Code and expiration date. When registering in SAM, you must indicate you are applying for a Federal financial assistance project or program or are currently the recipient of funding under any Federal financial assistance project or program; and

(c) The SAM registration must remain active with current information at all times while the Agency is considering an application or while a Federal grant award or loan is active. To maintain the registration in the SAM database the applicant must review and update the information in the SAM database annually from date of initial registration or from the date of the last update. The applicant must ensure that the information in the database is current, accurate, and complete. Applicants must ensure they complete the Financial Assistance General Certifications and Representations in SAM.

If you have not fully complied with all applicable DUNS and SAM requirements, the Agency may determine that the applicant is not qualified to receive a Federal award and the Agency may use that determination as a basis for making an award to another applicant. In accordance with OMB Memoranda M-20-26, the Agency can accept an application without an active SAM registration. However, the registration must be completed before an award is made. Current registrants in SAM with active registrations expiring before May 16, 2020 will be afforded a one-time extension of 60 days. Please refer to Section F. 2 for additional submission requirements that apply to grantees selected for this program.

#### 4. Submission Dates and Times

*Application Deadline Date:* August 10, 2020.

##### *Explanation of Deadline:*

Electronic applications must be RECEIVED by <http://www.grants.gov> by midnight Eastern Time August 10, 2020, to be eligible for funding. Please review the *Grants.gov* website at <https://www.grants.gov/web/grants/applicants/organization-registration.html> for instructions on the process of registering your organization as soon as possible to ensure you can meet the electronic application deadline. *Grants.gov* will not accept applications submitted after the deadline.

## 5. Intergovernmental Review

Executive Order (E.O.) 12372, "Intergovernmental Review of Federal Programs," applies to this program. This E.O. requires that Federal agencies provide opportunities for consultation on proposed assistance with State and local governments. Many States have established a Single Point of Contact (SPOC) to facilitate this consultation. For a list of States that maintain a SPOC, please see the White House website: <https://www.whitehouse.gov/wp-content/uploads/2017/11/SPOC-Feb.-2018.pdf>. If your State has a SPOC, you may submit a copy of the application directly for review. Any comments obtained through the SPOC must be provided to your State Office for consideration as part of your application. If your State has not established a SPOC, or if you do not want to submit a copy of the application, our State Offices will submit your application to the SPOC or other appropriate agency or agencies.

## 6. Funding Restrictions

Grant funds must be used for Technical Assistance. No funds made available under this solicitation shall be used to:

- (a) Plan, repair, rehabilitate, acquire, or construct a building or facility, including a processing facility;
- (b) Purchase, rent, or install fixed equipment, including processing equipment;
- (c) Purchase vehicles, including boats;
- (d) Pay for the preparation of the grant application;
- (e) Pay expenses not directly related to the funded Project;
- (f) Fund political or lobbying activities;
- (g) Fund any activities considered unallowable by the applicable grant cost principles, including 2 CFR part 200, subpart E and the Federal Acquisition Regulation;
- (h) Fund architectural or engineering design work for a specific physical facility;
- (i) Fund any direct expenses for the production of any commodity or product to which value will be added, including seed, rootstock, labor for harvesting the crop, and delivery of the commodity to a processing facility;
- (j) Fund research and development;
- (k) Purchase land;
- (l) Duplicate current activities or activities paid for by other Federal grant programs;
- (m) Pay costs of the Project incurred prior to the date of grant approval;
- (n) Pay for assistance to any private business enterprise that does not have at

least 51 percent ownership by those who are either citizens of the United States or reside in the United States after being legally admitted for permanent residence;

(o) Pay any judgment or debt owed to the United States;

(p) Pay any Operating Costs of the Cooperative, Group of Cooperatives, or Cooperative Development Center not directly related to the Project;

(q) Pay expenses for applicant employee training or professional development not directly related to the Project;

(r) Pay for any goods or services from a person who has a Conflict of Interest with the grantee; or

(s) Pay for Technical Assistance provided to a Cooperative that does not have a membership that consists of a majority of members from Socially-Disadvantaged Groups.

In addition, your application will not be considered for funding if it does any of the following:

- Requests more than the maximum grant amount;
- Proposes ineligible costs that equal more than 10 percent of total grant funds requested; or
- Proposes Participant Support Costs that equal more than 10 percent of total grant funds requested.

We will consider your application for funding if it includes ineligible costs of 10 percent or less of total grant funds requested, if it is determined eligible otherwise. However, if your application is successful, those ineligible costs must be removed and replaced with eligible costs before the Agency will make the grant award or the amount of the grant award will be reduced accordingly. If we cannot determine the percentage of ineligible costs, your application will not be considered for funding.

## 7. Other Submission Requirements

(a) Applications will not be accepted if the text is less than an 11-point font. You must submit your application electronically, through *Grants.gov*. You can find State Office contact information at: <http://www.rd.usda.gov/contact-us/state-offices>. You must follow the instructions for this funding announcement at <http://www.grants.gov>. A password is not required to access the website.

(b) National Environmental Policy Act. This Notice has been reviewed in accordance with 7 CFR part 1970, "Environmental Policies and Procedures." We have determined that an Environmental Impact Statement is not required because the issuance of regulations and instructions, as well as amendments to them, describing

administrative and financial procedures for processing, approving, and implementing the Agency's financial programs is categorically excluded in the Agency's National Environmental Policy Act (NEPA) regulation found at 7 CFR 1970.53(f). We have determined that this Notice does not constitute a major Federal action significantly affecting the quality of the human environment.

The Agency will review each grant application to determine its compliance with 7 CFR part 1970. The applicant may be asked to provide additional information or documentation to assist the Agency with this determination.

(c) Civil Rights Compliance Requirements. All grants made under this Notice are subject to Title VI of the Civil Rights Act of 1964 as required by the USDA (7 CFR part 15, subpart A) and Section 504 of the Rehabilitation Act of 1973.

## E. Application Review Information

The State Offices will review applications to determine if they are eligible for assistance based on requirements in this Notice, and other applicable Federal regulations. If determined eligible, your application will be scored by a panel of USDA employees in accordance with the point allocation specified in this Notice. A recommendation will be submitted to the Administrator to fund applications in highest ranking order. Applications that cannot be fully funded may be offered partial funding at the Agency's discretion.

### 1. Scoring Criteria

All eligible and complete applications will be evaluated based on the following criteria. Evaluators will base scores only on the information provided or cross-referenced by page number in each individual evaluation criterion. SDGG is a competitive program, so you will receive scores based on the quality of your responses. Simply addressing the criteria will not guarantee higher scores. The total points possible for the criteria are 105.

(a) *Technical Assistance (maximum score of 25 points)*—Three-page limit. A panel of USDA employees will evaluate your application to determine your ability to assess the needs of and provide effective Technical Assistance to Socially-Disadvantaged Groups. You must discuss the:

- (1) Needs of the Socially-Disadvantaged Groups to be assisted and explain how those needs were determined,

(2) Proposed Technical Assistance to be provided to the Socially-Disadvantaged Groups; and

(3) Expected outcomes of the proposed Technical Assistance, including how Socially-Disadvantaged Groups will benefit from participating in the Project. You will score higher on this criterion if you provide examples of past projects that demonstrate successful outcomes in identifying specific needs and providing Technical Assistance to Socially-Disadvantaged Groups.

(b) *Work Plan/Budget (maximum of 25 points)*—Six-page limit. Your work plan must provide specific and detailed descriptions of the tasks and the key project personnel that will accomplish the project's goals. Budget will be reviewed for completeness. You must list what tasks are to be done, when it will be done, who will do it, and how much it will cost. Reviewers must be able to understand what is being proposed and how the grant funds will be spent. The budget must be a detailed breakdown of estimated costs. These costs should be allocated to each of the tasks to be undertaken.

A panel of USDA employees will evaluate your work plan for detailed actions and an accompanying timetable for implementing the proposal. Clear, logical, realistic, and efficient plans that allocate costs to specific tasks using applicable budget object class categories provided on the Form SF-424A will result in a higher score. You must discuss at a minimum:

- (i) Specific tasks to be completed using grant funds;
- (ii) How customers will be identified;
- (iii) Key personnel and what tasks they are undertaking, and
- (iv) The evaluation methods to be used to determine the success of specific tasks and overall project objectives. Please provide qualitative methods of evaluation. For example, evaluation methods should go beyond quantitative measurements of completing surveys or number of evaluations, such as discussion of evaluation methods per task.

(c) *Experience (maximum score of 25 points)*—Three-page limit. A panel of USDA employees will evaluate your experience, commitment and availability for identified staff or consultants in providing Technical Assistance, as defined in this Notice. You must describe the Technical Assistance experience for each identified staff member or consultant, as well as years of experience in providing that assistance. You must also discuss the commitment and the availability of identified staff, consultants, or other

professionals to be hired for the project—especially those who may be consulting on multiple SDGG/RCDG projects. If staff or consultants have not been selected at the time of application, you must provide specific descriptions of the qualifications required for the positions to be filled. In addition, resumes for each individual staff member or consultant must be included as an attachment in Appendix B. The attachments will not count toward the maximum page total. We will compare the described experience in this section and in the resumes to the work plan to determine relevance of the experience. Applications that do not include the attached resumes will not be considered for funding.

Applications that demonstrate strong credentials, education, capabilities, experience and availability of Project personnel that will contribute to a high likelihood of Project success will receive more points than those that demonstrate less potential for success in these areas.

Points will be awarded as follows:

(i) 0 points will be awarded if you do not substantively address the criterion.

(ii) 1–9 points will be awarded if qualifications and experience of some, but not all, staff is addressed and/or if necessary qualifications of unfilled positions are not provided.

(iii) 10–14 points will be awarded if (ii) is met, plus all project personnel are identified but do not demonstrate qualifications or experience relevant to the project.

(iv) 15–19 points will be awarded if (ii) and (iii) are met, plus most, but not all, key personnel demonstrate strong credentials and/or experience, and availability indicating a reasonable likelihood of success.

(v) 20–25 points will be awarded if (ii)–(iv) are met, plus all personnel demonstrate strong, relevant credentials or experience, and availability indicating a high likelihood of project success.

(d) *Commitment (maximum of 10 points)*—Three-page limit. A panel of USDA employees will evaluate your commitment to providing Technical Assistance to Socially-Disadvantaged Groups in Rural Areas. You must list the number and location of Socially-Disadvantaged Groups that will directly benefit from the assistance provided. You must also define and describe the underserved and economically distressed areas within your service area and provide current and relevant statistics that support your description of the service area. Projects located in persistent poverty counties as defined in SEC. 740 of Further Consolidated

Appropriations Act 2020, Public Law 116–94, will score higher on this factor.

(e) *Local support (maximum of 10 points)*—Three-page limit. A panel of USDA employees will evaluate your application for local support of the Technical Assistance activities. Your discussion on local support should include previous and/or expected local support and plans for coordinating with other developmental organizations in the proposed service area or with tribal, State and local government institutions. You will score higher if you demonstrate strong support from potential beneficiaries and other developmental organizations. You may also submit a maximum of 10 letters of support or intent to coordinate with the application to verify your discussion.

Points will be awarded as follows:

(i) 0 points are awarded if you do not adequately address this criterion.

(ii) 1–5 points are awarded if you demonstrate support from potential beneficiaries and other developmental organizations in your discussion but do not provide letters of support.

(iii) Additional 1 point is awarded if you provide 2–3 support letters that show support from potential beneficiaries and/or support from local organizations.

(iv) Additional 2 points are awarded if you provide 4–5 support letters that show support from potential beneficiaries and/or support from local organizations.

(v) Additional 3 points are awarded if you provide 6–7 support letters that show support from potential beneficiaries and/or support from local organizations.

(vi) Additional 4 points are awarded if you provide 8–9 support letters that show support from potential beneficiaries and/or support from local organizations.

(vii) Additional 5 points are awarded if you provide 10 support letters that show support from potential beneficiaries and/or support from local organizations.

You may submit a maximum of 10 letters of support. Support letters should be signed and dated (after the Notice publication date), and come from potential beneficiaries and other local organizations. Letters received from Congressional members and Technical Assistance providers will not be included in the count of support letters received. Additionally, identical form letters signed by multiple potential beneficiaries and/or local organizations will not be included in the count of support letters received. Support letters should be included as an attachment to the application in Appendix C and will



not count against the maximum page total. Additional letters from industry groups, commodity groups, Congressional members, and similar organizations should be referenced, but not included in the application package. When referencing these letters, provide the name of the organization, date of the letter, the nature of the support, and the name and title of the person signing the letter.

(f) *Administrator Discretionary Points (maximum of 10 points)*—Three-page limit. The Administrator may choose to award up to 10 points to an eligible applicant who has never previously been awarded an SDGG grant; and whose workplan and budget seeks to help rural communities build robust and sustainable economies through strategic investments in infrastructure, partnerships and innovation. These points are not guaranteed if requested. Eligible applicants who want to be considered for discretionary points must discuss how their workplan and budget supports one or more of the five following key strategies:

Achieving e-Connectivity for Rural America;  
Improving Quality of Life;  
Supporting a Rural Workforce;  
Harnessing Technological Innovation;  
and  
Economic Development.

## 2. Review and Selection Process

The State Offices will review applications to determine if they are eligible for assistance based on requirements in this Notice, and other applicable Federal regulations. If determined eligible, your application will be scored by a panel of USDA employees in accordance with the point allocation specified in this Notice. The review panel will convene to reach a consensus on the scores for each of the eligible applications. The Administrator may choose to award up to 10 Administrator priority points based on criterion (f) in section E.1. of this Notice. These points will be added to the cumulative score for a total possible score of 105. Applications will be funded in highest ranking order until the funding limitation has been reached. Applications that cannot be fully funded may be offered partial funding at the Agency's discretion. If your application is ranked and not funded, it will not be carried forward into the next competition.

## F. Federal Award Administration Information

### 1. Federal Award Notices

If you are selected for funding, you will receive a signed notice of Federal

award by postal or electronic mail, containing instructions on requirements necessary to proceed with execution and performance of the award.

If you are not selected for funding, you will be notified in writing via postal or electronic mail and informed of any review and appeal rights. Funding of successfully appealed applications will be limited to available FY 2020 funding.

### 2. Administrative and National Policy Requirements

Additional requirements that apply to grantees selected for this program can be found in 2 CFR parts 200, 215, 400, 415, 417, 418, and 421. All recipients of Federal financial assistance are required to report information about first-tier subawards and executive compensation (See 2 CFR part 170). You will be required to have the necessary processes and systems in place to comply with the Federal Funding Accountability and Transparency Act reporting requirements (See 2 CFR 170.200(b), unless you are exempt under 2 CFR 170.110(b)).

The following additional requirements apply to grantees selected for this program:

- Execution of an Agency approved Grant Agreement.
- Acceptance of a written Letter of Conditions.
- Submission of Form RD 1940–1, “Request for Obligation of Funds.”
- Submission of Form RD 1942–46, “Letter of Intent to Meet Conditions.”
- SF LLL, “Disclosure of Lobbying Activities,” if applicable.

You no longer must complete the following forms for acceptance of a Federal award. This information is now collected through your registration or annual recertification in *SAM.gov* in the Financial Assistance General Certifications and Representations section:

- Form RD 400–4, “Assurance Agreement.”
- Form AD–1047, “Certification Regarding Debarment, Suspension, and Other Responsibility Matters-Primary Covered Transactions.”
- Form AD–1048, “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions.”
- Form AD–1049, “Certification Regarding a Drug-Free Workplace Requirement (Grants).”
- Form AD–3031, “Assurance Regarding Felony Conviction or Tax Delinquent Status for Corporate Applicants.”

### 3. Reporting

After grant approval and through grant completion, you will be required to provide the following:

a. A SF–425, “Federal Financial Report,” and a project performance report will be required on a semiannual basis (due 30 working days after end of the semiannual period). The project performance reports shall include a comparison of actual accomplishments to the objectives established for that period;

b. Reasons why established objectives were not met, if applicable;

c. Reasons for any problems, delays, or adverse conditions, if any, which have affected or will affect attainment of overall project objectives, prevent meeting time schedules or objectives, or preclude the attainment of particular objectives during established time periods. This disclosure shall be accompanied by a statement of the action taken or planned to resolve the situation; and

d. Objectives and timetable established for the next reporting period.

e. Provide a final project and financial status report within 90 days after the expiration or termination of the grant in accordance to 2 CFR 200.343.

f. Provide outcome project performance reports and final deliverables.

### G. Agency Contacts

For general questions about this announcement and for program Technical Assistance, please contact the appropriate State Office at <http://www.rd.usda.gov/contact-us/state-offices>. You may also contact the David Chestnut, Branch Chief, Program Management Division, Rural Business-Cooperative Service, USDA at (202) 692–5233 or email [David.chestnut@usda.gov](mailto:David.chestnut@usda.gov).

### H. Non Discrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA



(not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., braille, large print, audiotope, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at How to File a Program Discrimination Complaint and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

(1) *Mail*: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue SW, Washington, DC 20250-9410;

(2) *fax*: (202) 690-7442; or

(3) *email*: [program.intake@usda.gov](mailto:program.intake@usda.gov).

**Mark Brodziski,**

*Acting Administrator, Rural Business-Cooperative Service.*

[FR Doc. 2020-13736 Filed 6-24-20; 8:45 am]

**BILLING CODE 3410-XY-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-832]

#### Pure Magnesium From the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2018-2019

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**SUMMARY:** The Department of Commerce (Commerce) continues to find that Tianjin Magnesium International, Co., Ltd. and Tianjin Magnesium Metal, Co., Ltd. (collectively TMI/TMM) had no shipments of subject merchandise covered by the antidumping duty order on pure magnesium from the People's Republic of China (China) for the period of review (POR) May 1, 2018 through April 30, 2019.

**DATES:** Applicable June 25, 2020.

**FOR FURTHER INFORMATION CONTACT:** Kyle Clahane, AD/CVD Operations, Office III,

Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-5449.

#### Background

On February 5, 2020, Commerce published the *Preliminary Results* of the administrative review of the antidumping duty order on Pure Magnesium from China for the POR.<sup>1</sup> We invited parties to submit comments on the *Preliminary Results*. No party submitted comments. Accordingly, the final results remain unchanged from the *Preliminary Results*.

Commerce conducted this review in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act).

On April 24, 2020, Commerce tolled all deadlines in administrative reviews by 50 days, thereby extending the deadline for these results until July 24, 2020.<sup>2</sup>

#### Scope of the Order

The product covered by this antidumping duty order is pure magnesium from China, regardless of chemistry, form or size, unless expressly excluded from the scope of the order. Pure magnesium is a metal or alloy containing by weight primarily the element magnesium and produced by decomposing raw materials into magnesium metal. Pure primary magnesium is used primarily as a chemical in the aluminum alloying, desulfurization, and chemical reduction industries. In addition, pure magnesium is used as an input in producing magnesium alloy. Pure magnesium encompasses products (including, but not limited to, butt ends, stubs, crowns and crystals) with the following primary magnesium contents:

(1) Products that contain at least 99.95% primary magnesium, by weight (generally referred to as "ultra pure" magnesium) Magnesium Alloy<sup>3</sup> and are thus outside the scope of the existing antidumping orders on

magnesium from China (generally referred to as "alloy" magnesium).

(2) Products that contain less than 99.95%, but not less than 99.8%, primary magnesium, by weight (generally referred to as "pure" magnesium); and

(3) Products that contain 50% or greater, but less than 99.8% primary magnesium, by weight, and that do not conform to ASTM specifications for alloy magnesium (generally referred to as "off-specification pure" magnesium).

"Off-specification pure" magnesium is pure primary magnesium containing magnesium scrap, secondary magnesium, oxidized magnesium or impurities (whether or not intentionally added) that cause the primary magnesium content to fall below 99.8% by weight. It generally does not contain, individually or in combination, 1.5% or more, by weight, of the following alloying elements: Aluminum, manganese, zinc, silicon, thorium, zirconium and rare earths.

Excluded from the scope of the order are alloy primary magnesium (that meets specifications for alloy magnesium), primary magnesium anodes, granular primary magnesium (including turnings, chips and powder) having a maximum physical dimension (i.e., length or diameter) of one inch or less, secondary magnesium (which has pure primary magnesium content of less than 50% by weight), and remelted magnesium whose pure primary magnesium content is less than 50% by weight.

Pure magnesium products covered by the order are currently classifiable under Harmonized Tariff Schedule of the United States (HTSUS) subheadings 8104.11.00, 8104.19.00, 8104.20.00, 8104.30.00, 8104.90.00, 3824.90.11, 3824.90.19 and 9817.00.90. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope is dispositive.

#### Final Determination of No Shipments

In the *Preliminary Results*, Commerce determined that TMI/TMM<sup>4</sup> had no

<sup>1</sup> See *Pure Magnesium from the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review; 2018-2019*, 85 FR 6509 (February 5, 2020) (*Preliminary Results*).

<sup>2</sup> See Memorandum, "Tolling of Deadlines for Antidumping and Countervailing Duty Administrative Reviews in Response to Operational Adjustments Due to COVID-19," dated April 24, 2020.

<sup>3</sup> The meaning of this term is the same as that used by the American Society for Testing and Materials (ASTM) in its Annual Book for ASTM Standards: Volume 01.02 Aluminum and Magnesium Alloys.

<sup>4</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 84 FR 33739 (July 15, 2019). In the 2011-2012 administrative review of the order, Commerce collapsed TMM and TMI, and treated the companies as a single entity for purposes of the proceeding. Because there were no changes to the facts which supported that decision since that determination was made, we continue to find that these companies are part of a single entity for this administrative review. See *Pure Magnesium from the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2011-2012*, 79 FR 94 (January 2, 2014) and accompanying Issues and Decision Memorandum at Comment 5.