

- June 25, 2021 Descriptions of anticipated responsive, including inconsistent, applications due. Petitions for waiver or clarification with respect to such applications due. Comments, protests, requests for conditions, and any other evidence and argument in opposition to the Application or Related Transactions due. This includes any comments from the U.S. Department of Justice (DOJ) and U.S. Department of Transportation (USDOT).<sup>6</sup>
- July 26, 2021 Responsive, including inconsistent, applications due.
- September 8, 2021. Responses to comments, protests, requests for conditions, and other opposition due, including to DOJ and USDOT filings. Responses to responsive, including inconsistent, applications due. Rebuttal in support of the Application and Related Transactions due.
- October 8, 2021. Rebuttal in support of responsive, including inconsistent, applications due.
- TBD ..... Public hearing (if necessary).<sup>7</sup>
- November 22, 2021. Final briefs due.<sup>8</sup> (Close of the record.)
- February 18, 2022. Service date of final decision.
- March 20, 2022. Effective date of final decision.

The Board invites all interested persons to submit written comments on the proposed procedural schedule. Comments must be filed by May 6, 2021. The proposed dates in this decision are subject to change depending on the comments received or other circumstances.

The Board notes that Applicants' proposed procedural schedule included a due date for the filing of their Safety Integration Plan (SIP), as required by 49 CFR 1180.1(f)(3). The Board considers the SIP as part of its environmental review process or, if an environmental

review is not required, the Board will establish case-specific procedures. 49 CFR 1106.4(b), (c). Applicants claim that an environmental review would not be required for this transaction. (Notice 34–38; CSXC and CSXT Letter to Danielle Gosselin, Acting Director, OEA, Apr. 7, 2021 (Environmental Comment EI–30550).) The Board's Office of Environmental Analysis is reviewing information submitted by Applicants on the transaction's anticipated environmental impacts and the Board will address environmental review issues in a subsequent decision.

Decided: April 19, 2021.

By the Board, Board Members Begeman, Fuchs, Oberman, Primus, and Schultz.

**Jeffrey Herzig,**

*Clearance Clerk.*

[FR Doc. 2021–08493 Filed 4–23–21; 8:45 am]

**BILLING CODE 4915–01–P**

## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

### Notice of Technical Amendment to Product Exclusions: China's Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Notice.

**SUMMARY:** In September 2018, the U.S. Trade Representative imposed additional duties on goods of China with an annual trade value of approximately \$200 billion as part of the action in the Section 301 investigation of China's acts, policies, and practices related to technology transfer, intellectual property, and innovation. In June 2019, the U.S. Trade Representative initiated a product exclusion process and then published several notices of exclusions. This notice makes a technical amendment to the exclusions that apply to certain products of China covered by the September 2018 action that were exported from China before May 10, 2019, and entered the United States after May 10, 2019, and before June 15, 2019.

**DATES:** This technical amendment covers goods exported from China before May 10, 2019, that entered the United States after May 10, 2019, and before June 15, 2019.

**FOR FURTHER INFORMATION CONTACT:** For general questions about this notice, contact Associate General Counsel Philip Butler at (202) 395–5725. For specific questions on customs

classification or implementation of product exclusions, contact [traderemedy@cbp.dhs.gov](mailto:traderemedy@cbp.dhs.gov).

**SUPPLEMENTARY INFORMATION:** For background on the proceedings in this investigation, please see prior notices including 82 FR 40213 (August 24, 2017), 83 FR 14906 (April 6, 2018), 83 FR 28710 (June 20, 2018), 83 FR 33608 (July 17, 2018), 83 FR 38760 (August 7, 2018), 83 FR 47974 (September 21, 2018), 83 FR 49153 (September 28, 2018), 83 FR 65198 (December 19, 2018), 84 FR 7966 (March 5, 2019), 84 FR 20459 (May 9, 2019), 84 FR 29576 (June 24, 2019), 84 FR 38717 (August 7, 2019), 84 FR 46212 (September 3, 2019), 84 FR 49591 (September 20, 2019), 84 FR 57803 (October 28, 2019), 84 FR 61674 (November 13, 2019), 84 FR 65882 (November 29, 2019), 84 FR 69012 (December 17, 2019), 85 FR 549 (January 6, 2020), 85 FR 6674 (February 5, 2020), 85 FR 9921 (February 20, 2020), 85 FR 15015 (March 16, 2020), 85 FR 17158 (March 26, 2020), 85 FR 23122 (April 24, 2020), 85 FR 27489 (May 8, 2020), and 85 FR 32094 (May 28, 2020).

Effective September 24, 2018, the U.S. Trade Representative imposed additional 10 percent *ad valorem* duties on goods of China classified in 5,757 full and partial subheadings of the Harmonized Tariff Schedule of the United States (HTSUS), with an approximate annual trade value of \$200 billion. See 83 FR 47974, as modified by 83 FR 49153. In May 2019, the U.S. Trade Representative increased the additional duty to 25 percent, with an effective date of May 10, 2019. See 84 FR 20459.

To account for customs enforcement factors and the average transit time between China and the United States by sea, an implementing notice published on May 15, 2019, provided that products of China covered by the September 2018 action that were exported before May 10, 2019, were not subject to the additional duty of 25 percent, as long as the products entered into the United States prior to June 1, 2019. See 84 FR 21892. This subsequently was amended to extend the June 1, 2019 date to June 15, 2019. See 84 FR 26930. To distinguish the covered products of China subject to the 10 percent rate of additional duty from those subject to the 25 percent rate, a new heading in Chapter 99 of the HTSUS (9903.88.09) was created to cover products from China exported before May 10, 2019, and entered into the United States on or after May 10, 2019, and before June 15, 2019. See 84 FR 21892, as modified by 84 FR 26930.

<sup>6</sup> Although Applicants propose that such filings be due on July 9, 2021, which would be 44 days after the **Federal Register** notice accepting the application, section 11325(c)(1) calls for such filings to be submitted 30 days after the **Federal Register** notice.

<sup>7</sup> The Board will decide whether to conduct a public hearing, which would be held between the filing of rebuttals and final briefs, in a later decision after the record has been more fully developed. See 49 U.S.C. 11324(a) (“The Board shall hold a public hearing unless the Board determines that a public hearing is not necessary in the public interest.”).

<sup>8</sup> The Board will also determine the page limits for final briefs in a later decision after the record has been more fully developed.

On June 24, 2019, the U.S. Trade Representative established a process by which stakeholders could request exclusion of particular products classified within an eight-digit HTSUS subheading covered by the \$200 billion action from the additional duties. See 84 FR 29576. In August 2019, the U.S. Trade Representative granted an initial set of exclusion requests. See 84 FR 38717. The U.S. Trade Representative granted additional exclusions in September, October, November and December 2019, and January, February, March, April and May 2020. See 84 FR 49591; 84 FR 57803; 84 FR 61674; 84 FR 65882; 84 FR 69012; 85 FR 549; 85 FR 6674; 85 FR 9921; 85 FR 15015; 85 FR 17158; 85 FR 23122; 85 FR 27489; and 85 FR 32094.

Published exclusions under the \$200 billion action were to apply as of September 24, 2018, the effective date of the \$200 billion action, and extend to August 7, 2020. However, the implementing language used in the exclusions notices did not include a reference to HTSUS heading 9903.88.09 and therefore did not have the effect of excluding products that were exported before May 10, 2019, and entered into the United States on or after May 10, 2019, and before June 15, 2019. The annex to this notice makes a technical correction to the exclusions granted under the \$200 billion action to include HTSUS heading 9903.88.09. Like all exclusions under this Section 301 investigation, this technical correction applies to entries of goods that are not liquidated or to entries that are liquidated but not final.

#### Annex

Effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption under Harmonized Tariff Schedule of the United States (HTSUS) heading 9903.88.09, note 20(l) to subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States is modified by inserting the following sentence after the first paragraph:

“The product exclusions provided by headings 9903.88.13, 9903.88.18, 9903.88.33, 9903.88.34, 9903.88.35, 9903.88.36, 9903.88.37, 9903.88.38, 9903.88.40, 9903.88.41, 9903.88.43, 9903.88.45, 9903.88.46 and 9903.88.48 shall apply to articles the product of China that were entered under heading 9903.88.09 and that are provided for in this subdivision.”

#### Greta Peisch,

General Counsel, Office of the United States Trade Representative.

[FR Doc. 2021-08603 Filed 4-23-21; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Intent To Rule on Request for Change in Land Use From Aeronautical to Non Aeronautical for 16.2 Acres of Land at Pittsfield Municipal Airport, Pittsfield, MA

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Request for public comments.

**SUMMARY:** Notice is being given that the FAA is considering a request from the Town of Pittsfield, MA to change 16.2 acres of land from aeronautical to non-aeronautical use for non-aeronautical revenue generation at Pittsfield Municipal Airport, Pittsfield, MA. The airport has two projects. The first project is the installation of a solar farm and the second is a municipal water tank that will service the airport. The solar facility will be built on three on airport sites, totaling 15.5 acres, and will produce 6 mW of energy. The power produced will go into the electrical grid, however, the airport will have a long term land lease with the solar utility, generating a long term revenue stream for the airport. The lease revenue will be placed in the airport's operating and maintenance fund. The municipal water tank will serve the community as well as the airport, significantly enhancing the existing airport water system and serve future development on the airport as well. The tank and access road requires approximately .73 acres and will not interfere with future development of the airport.

**DATES:** Comments must be received on or before May 26, 2021.

**ADDRESSES:** You may send comments using any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>, and follow the instructions on providing comments.

- *Fax:* 202-493-2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W 12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

- *Hand Delivery:* Deliver to mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Interested persons may inspect the request and supporting documents by contacting the FAA at the address listed under **FOR FURTHER INFORMATION CONTACT**.

**FOR FURTHER INFORMATION CONTACT:** Mr. Jorge E. Panteli, Compliance and Land Use Specialist, Federal Aviation

Administration New England Region Airports Division, 1200 District Avenue, Burlington, Massachusetts 01803. Telephone: 781-238-7618.

**Authority:** 49 U.S.C. 47107(h)(2).

Issued in Burlington, Massachusetts on April 21, 2021.

**Julie Seltsam-Wilps,**

*Deputy Director, ANE-600.*

[FR Doc. 2021-08594 Filed 4-23-21; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[Summary Notice No.—2021-2070]

#### Petition for Exemption; Summary of Petition Received; Wing Aviation, LLC

**AGENCY:** Federal Aviation Administration (FAA), Department of Transportation (DOT).

**ACTION:** Notice.

**SUMMARY:** This notice contains a summary of a petition seeking relief from specified requirements of Federal Aviation Regulations. The purpose of this notice is to improve the public's awareness of, and participation in, the FAA's exemption process. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of the petition or its final disposition.

**DATES:** Comments on this petition must identify the petition docket number and must be received on or before May 17, 2021.

**ADDRESSES:** Send comments identified by docket number FAA-2018-0835 using any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov> and follow the online instructions for sending your comments electronically.

- *Mail:* Send comments to Docket Operations, M-30; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W12-140, West Building Ground Floor, Washington, DC 20590-0001.

- *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC 20590-0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- *Fax:* Fax comments to Docket Operations at (202) 493-2251.

*Privacy:* In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking